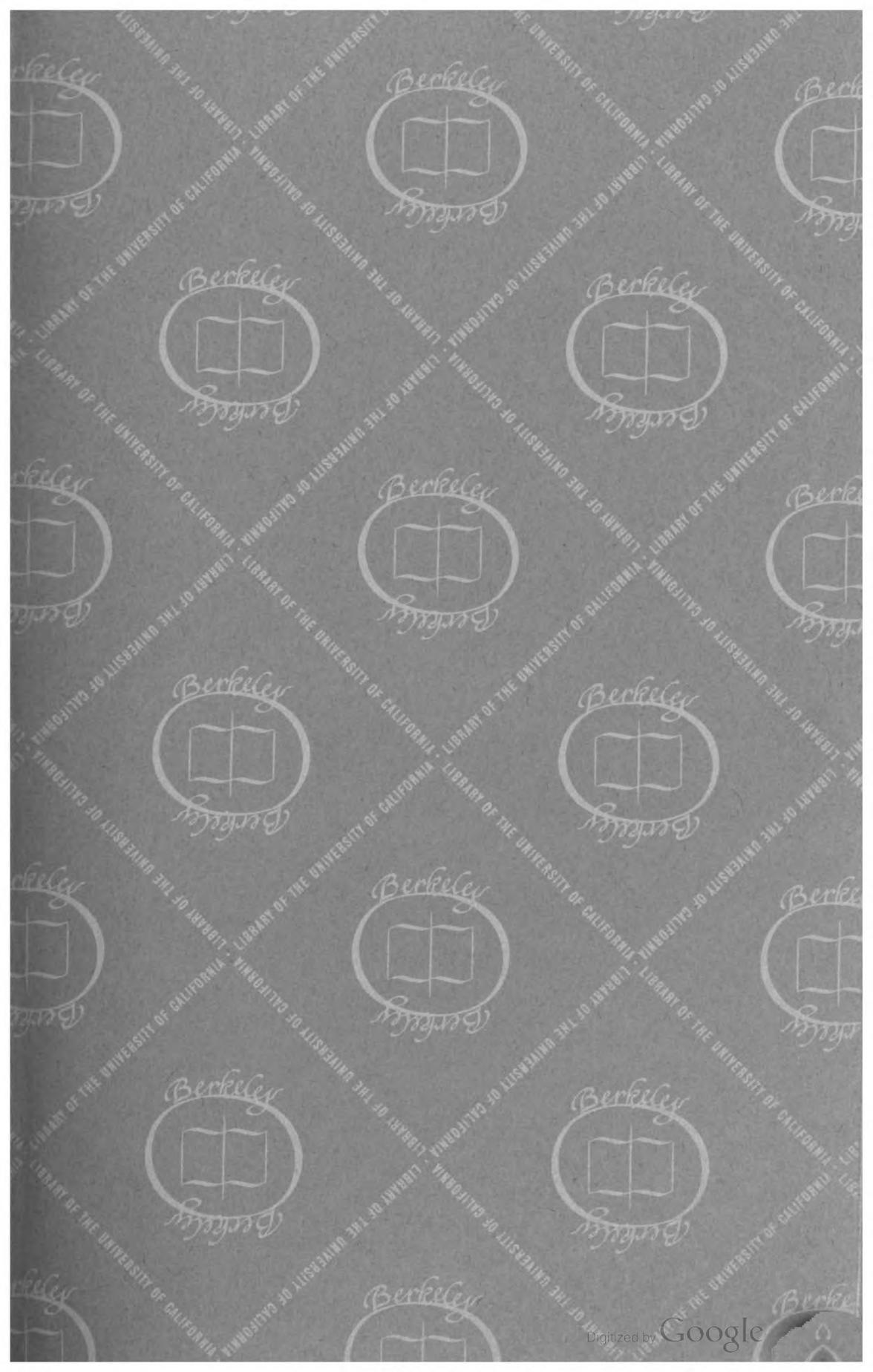

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JOURNAL

OF THE

C O U N C I L

DURING THE SECOND SESSION OF THE

LEGISLATIVE ASSEMBLY.

OF THE
TERRITORY OF
MINNESOTA

TERRITORY OF MINNESOTA;

BEGUN AND HELD AT SAINT PAUL, ON WEDNESDAY, JANUARY FIRST, ONE THOUAND
EIGHT HUNDRED AND FIFTY-ONE.

Published by Authority of the Legislative Assembly.

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JOURNAL OF THE COUNCIL

OF THE

TERRITORY OF MINNESOTA.

COUNCIL, *Wednesday*, January 1, 1851.

The first Wednesday in January being the day designated by law for the annual meeting of the Legislative Assembly of the Territory of Minnesota, that being the first day of the month, at 12 o'clock, M.

The Council was called to order by Joseph R. Brown, Esq., who, being the Secretary of the last Council, was the person designated by law to perform that duty. The roll of the Council was called, and the following persons appeared in their seats and answered to their names, viz :

From the First District,	James S. Norris.
“ “ Second “	Samuel Burkleo.
“ “ Third “	Wm. H. Forbes.
“ “ “ “	James Mc. Boal.
“ “ Fourth “	David B. Loomis.
“ “ Fifth “	John Rollins.
“ “ Sixth “	David Olmsted.
“ “ “ “	Wm. Sturgis.
“ “ Seventh “	Martin McLeod.

Mr. Norris moved that the Council do now adjourn until 10 o'clock to-morrow morning ;

Which motion being put by the Secretary, it was decided in the affirmative.

So the Council was declared adjourned until to-morrow morning at 10 o'clock.

COUNCIL, *Thursday*, January 2, 1851.

The Council was called to order at 10 o'clock A. M., by Joseph R. Brown, Esq., Secretary thereof.

Prayer by the Rev. Mr. Parsons.

Mr. McLeod moved that the Council go into the election of a President of the Council ;

Which was decided in the negative—Ayes 3, Noes 4.

Mr. Olmsted moved that the Council proceed to organize temporarily ;

Which motion prevailed, and

On motion of Mr. Loomis, Mr. Sturgis was appointed President of the Council *pro tem.*, and took his seat accordingly.

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Mr. Olmsted moved that Mr. M. S. Wilkinson be chosen Secretary *pro tem.* of the Council ;

Which was decided in the negative.

On motion of Mr. McLeod,

Joseph R. Brown was chosen Secretary of the Council *pro tem.*

On motion of Mr. Norris,

Henry A. Lambert was chosen Assistant Secretary of the Council *pro tem.*

On motion of Mr. Forbes,

Benjamin L. Sellors was chosen Sergeant-at-Arms of the Council *pro tem.*

On motion of Mr. Burkleo,

William D. Morse was chosen Messenger of the Council *pro tem.*

On motion of Mr. Loomis,

W. C. D. Harrington was chosen Fireman of the Council *pro tem.*

Mr. Olmsted moved that the Council do now adjourn until to-morrow at 12 o'clock ;

Which was decided in the negative—Ayes 3, Noes 5.

Mr. Norris moved that a committee of two be appointed by the President to wait on the House of Representatives, and inform them of the temporary organization of the Council ;

Which motion prevailed, and

The President *pro tem.* appointed Messrs. Forbes and Norris said committee.

Messrs. Trask and Tilden were announced by the Sergeant-at-Arms, who informed the Council that they had " been appointed a committee of the House of Representatives to inform the Council that the House is temporarily organized and ready to proceed to business."

The Committee then retired.

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

Mr. Loomis moved that a committee of two be appointed by the President to ascertain what room can or has been obtained in which to meet the House of Representatives to receive the message of his Excellency the Governor ;

Which motion he subsequently by leave withdrew.

Mr. Forbes moved that a committee of two be appointed by the Chair to act with a similar committee on the part of the House to inform his Excellency, the Governor that the Legislative Assembly is temporarily organized and ready to receive any message he may see proper to communicate ;

Which motion prevailed, and

The President *pro tem.* appointed Messrs. Forbes and Loomis said Committee.

Mr. Norris moved that the Secretary be directed to inform the House of Representatives of the appointment of said committee ;

Which motion prevailed.

Mr. Loomis moved that the rules of the Council of last session be temporarily adopted for the Government of the Council ;

Which was carried in the affirmative.

On motion of Mr. Rollins,

The Council adjourned until 2 o'clock this afternoon.

Two O'clock, P. M.

The Council was called to order by the President *pro tem.*, when

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, Friday, January 3, 1851.

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

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of yesterday was read by the Secretary.
 Mr. Rollins moved that the Council proceed to a permanent organization ;
 Which motion prevailed, and
 Messrs. Burkleo and Rollins were appointed tellers.
 On motion of Mr. Rollins,
 The Council then proceeded to ballot for a President of the Council.

On the first ballot,
 David Olmsted received 4 votes.
 Wm. H. Forbes " 4 "
 Blank " 1 "

Five being necessary to a choice, no election was had, and
 The Council proceeded to ballot a second time.

On the second ballot,
 David Olmsted received 4 votes.
 Wm. H. Forbes " 4 "
 Samuel Burkleo " 1 "

No person having received a majority of all the votes cast, there was no choice, and
 the Council proceeded to a third ballot.

On the third ballot,
 Wm. H. Forbes received 3 votes.
 David Olmsted " 3 "
 James Mc. Boal " 1 "
 Blank " 2 "

There being no choice, the Council was proceeding to a fourth ballot, when,
 On motion of Mr. McLeod,
 The Council adjourned.

COUNCIL, *Saturday*, January 4, 1851.

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

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of yesterday was then read by the Secretary.

Mr. Rollins moved that the Council now adjourn ;

Which was decided in the negative—Ayes 2, Noes 5.

Mr. Boal moved a reconsideration of the vote by which the Council refused to ad-
 journ ; and pending the question,

On motion of Mr. Burkleo,

The Council adjourned until 2 o'clock, P. M., on Monday next.

COUNCIL, *Monday*, January 6, 1851.

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

Prayer by the Rev. Mr. Parsons.

A quorum not being in attendance, the Sergeant-at-Arms was sent for the absent
 members.

The journal of the proceedings of the Council on Saturday, January 4th, was read.

Mr. Rollins moved that the Council now proceed to the election of a President of
 the Council, and that tellers be appointed to receive the votes ;

Which motion prevailed, and

Messrs. Norris and Boal were appointed tellers ;

When the Council proceeded to ballot for a President, and the members deposited
 their votes as their names were called for by the Secretary.

On the first ballot,
 David B. Loomis received 5 votes.
 David Olmsted " 4 "

David B. Loomis having received a majority of all the votes cast, was declared to be duly elected President of the Council for the present session.

On motion of Mr. Burkleo,

Messrs. Norris and Burkleo were appointed a committee to conduct the President elect to the chair.

The President having taken his seat, addressed the Council as follows:

"GENTLEMEN OF THE COUNCIL:—By your kind partiality I have been selected to preside over our deliberations, during the present session.

"However gratifying to my feelings this expression of your confidence may be, I should, notwithstanding, 'in consequence of my very limited experience in Parliamentary rules and practice,' feel much hesitation in accepting the office to which I have been elected, did I not see before me those whom I know possess the ability to correct me when I err; and I feel confident of their willingness to assist, in discharge of the various duties which devolve upon me. And, gentlemen, in accepting the station which, by your kindness, I have been called upon to occupy, allow me to return you my sincere and heartfelt thanks for the honor you have thus conferred upon me."

Mr. McLeod moved that the Council do now proceed to the election of a Secretary, and that tellers be appointed;

Which motion prevailed, and

Messrs. Rollins and Forbes were appointed tellers.

The Council proceeded to ballot, the members depositing their votes as their names were called by the Secretary.

On the first ballot,

Joseph R. Brown	received	6	votes.
M. S. Wilkinson	"	2	"
Henry A. Lambert	"	1	"

Joseph R. Brown having received a majority of all the votes cast, was declared 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, and that tellers be appointed;

Which motion prevailed, and

Messrs. McLeod and Sturgis were appointed tellers.

The members deposited their votes as their names were called by the Secretary;

And on the first ballot,

J. D. Crittenden	received	5	votes.
H. A. Lambert	"	4	"

J. D. Crittenden 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. Olmsted moved that the Council do now proceed to the election of a Sergeant-at-Arms, and that tellers be appointed;

Which motion was passed in the affirmative,

And Messrs. Boal and Rollins were appointed tellers.

Mr. Olmsted nominated Robert W. Cummings, and

Mr. McLeod nominated Benjamin L. Sellors.

The members deposited their votes as their names were called by the Secretary;

And on the first ballot,

R. W. Cummings	received	4	votes.
Benj. L. Sellors	"	5	"

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

Mr. Boal moved that the Council do now go into the election of a Messenger of the Council, and that tellers be appointed;

Which motion prevailed,

And Messrs. Boal and Sturgis were appointed tellers.

Mr. Norris nominated Warren Atkinson, and

Mr. Burkleo nominated W. H. Morse.

The members deposited their votes as their names were called by the Secretary;

And on the first ballot,

Warren Atkinson received 4 votes.
 W. H. Morse " 2 "
 Alexander McLeod " 3 "

Five being necessary to a choice, there was no election; and the Council proceeded to a second ballot.

On the second ballot,

Warren Atkinson received 4 votes.
 W. H. Morse " 1 "
 Alexander McLeod " 3 "
 J. D. McComb " 1 "

Five being necessary to a choice, there was no election, and the Council proceeded to a third ballot.

On the third ballot,

Warren Atkinson received 4 votes.
 J. W. Brown " 2 "
 Alexander McLeod " 1 "
 J. D. McComb " 2 "

Five being necessary to a choice, there was no election, and the Council proceeded to a fourth ballot.

On the fourth ballot,

Warren Atkinson received 4 votes.
 W. H. Morse " 1 "
 J. D. McComb " 4 "

There being no choice on the fourth ballot; the Council proceeded to a fifth ballot.
 On the fifth ballot,

Warren Atkinson received 6 votes.
 J. W. Brown " 1 "
 J. D. McComb " 2 "

Warren Atkinson having received a majority of all the votes cast, was declared to be duly elected Messenger of the Council for the present term.

Mr. Sturgis moved that the Council now proceed to the election of a Fireman to the Council, and that tellers be appointed;

Which motion prevailed; and

Messrs. Rollins and Olmsted were appointed tellers.

Mr. Olmsted nominated Andrew J. Chapman, and

Mr. McLeod nominated J. W. Brown.

The members deposited their votes, as their names were called for by the Secretary;

And on the first ballot,

Andrew J. Chapman received 4 votes.
 W. C. D. Harrington " 4 "
 J. W. Brown " 1 "

Five being necessary to a choice,

There was no election and the Council proceeded to a second ballot.

On the second ballot,

Andrew J. Chapman received 4 votes.
 W. C. D. Harrington " 5 "

W. C. D. Harrington having received a majority of all the votes cast, was declared to be duly elected Fireman of the Council for the present session.

Mr. Norris moved that the Sergeant-at-Arms be directed to wait upon one of the Judges of the Supreme Court, and request his attendance in the Council chamber, for the purpose of administering the oath of office to the officers elect of the Council;

Which motion prevailed, and

The Sergeant-at-Arms was directed to perform said duty.

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

"Resolved, That there be a Committee of two appointed by the Chair, to inform the House of Representatives, that the Council is now permanently organized, by the election of D. B. Loomis, President; Joseph R. Brown, Secretary; J. D. Crittenden, As-

Assistant Secretary; B. L. Sellors, Sergeant-at-Arms; W. Atkinson, Messenger; and W. C. D. Harrington, Fireman."

The question recurring on the adoption of the resolution,

It was decided in the affirmative, and

Messrs. Norris and Burkleo were appointed said committee.

Mr. McLeod asked and obtained leave to introduce a resolution;

Which was read by the Secretary as follows, viz:

"Resolved, That the Secretary be and is hereby authorized to subscribe for such newspapers printed in the Territory as the respective *members* of the Council may direct, to the number of twenty copies for each member, and five copies for each of the officers of the Council."

Mr. Olmsted moved to amend the resolution, by striking out the word "twenty," and inserting in lieu thereof, the word "thirty;"

Which amendment was, with the leave of the Council, accepted by Mr. McLeod.

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

Mr. Rollins asked and obtained leave to introduce the following resolution;

Which was read and adopted, viz:

"Resolved, That the Secretary of the Council be directed to make arrangements with the Post Master 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."

Mr. Forbes moved that a committee of two be appointed by the Chair, to act in conjunction 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 of the Legislative Assembly are now permanently organized, and prepared to receive any communication he may see proper to make; also to procure a suitable room wherein the two houses can conveniently meet in convention, for the reception of the annual message of his Excellency, the Governor;

Which motion was passed in the affirmative, and

Messrs. Forbes and Olmsted were appointed said committee.

Mr. Norris, from the committee appointed to wait upon the House of Representatives, and inform that body, that the Council is now permanently organized and prepared to proceed to business, reported that the duty had been performed.

The Sergeant-at-Arms reported that one of the Judges of the Supreme Court, now in town, was unwell, and he had not been able to find the other;

Whereupon, on motion of Mr. Forbes,

The Sergeant-at-Arms was directed to request the attendance of the Clerk of the Supreme Court, for the purpose of qualifying the officers elect of the Council.

The Sergeant-at-Arms announced that the Clerk of the Supreme Court was in attendance.

On motion of Mr. Forbes,

The President, Secretary, Assistant Secretary, Sergeant-at-Arms, Messenger and Fireman elect, were severally sworn in by the the Clerk of the Supreme Court.

On motion of Mr. Norris,

The Council adjourned.

COUNCIL, *Tuesday*, January 7, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

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

"Mr. PRESIDENT:—I am instructed to inform the Council that the House of Representatives is permanently organized by the selection of the following officers: M. E. Ames, Speaker; B. W. Lott, Chief Clerk; Taylor Dudley, Assistant Clerk; William

Cove, Sergeant-at-arms; E. F. Lewis, Messenger; E. B. Sloan, Fireman; and Rev. E. D. Neill, Chaplain.

"I am also instructed to inform you, that Messrs. North and Brunson have been appointed a committee, to act in conjunction with a similar committee on the part of the Council, for the purpose of informing his Excellency, the Governor, that the two Houses of the Legislative Assembly are now permanently organized and ready to receive any communication he may see proper to make, and also, to procure some suitable room, wherein to meet in convention of the two Houses to receive the message of the Governor."

The Chief Clerk then withdrew;

When Mr. Forbes moved a call of the Council;

Which being ordered,

The roll was called by the Secretary, and Mr. Olmsted was reported absent.

The President directed the Sergeant-at-Arms to notify Mr. Olmsted to appear in his seat.

Mr. McLeod moved that further proceedings under the call of the Council be dispensed with;

Which motion prevailed.

The following communication having been laid on the President's desk, was then read, viz:

"The undersigned, Head Chief of the Chippewa Nation, would respectfully invite the Governor and the Territorial Legislature of Minnesota, to be present at a representation to be made by him in behalf of his people, of the wrongs and the sufferings endured by them.

"The meeting to be held in the Presbyterian Church, on Wednesday evening next, at half past 6 o'clock.

"HOLE-IN-THE-DAY,

"His X mark.

"St. Paul, January 6th, 1851."

The President then read the report of J. R. Brown, Secretary of the Council, as follows, to wit:

"TO THE HON., THE PRESIDENT OF THE COUNCIL:—

"In conformity to the provisions of a resolution of the Council of yesterday, the Post Master at this place, has made the enclosed agreement, relative to the postage on letters and papers to and from members of the Council, and I report accordingly.

"JOSEPH R. BROWN, *Secretary.*

"St. Paul, January 7th, 1851."

"It is understood and agreed that the postage on all letters and papers to and from the members of the Council of the Legislative Assembly, will be charged by me in one general account, to be paid by an appropriation out of the fund appropriated to defray the expenses of the Legislative Assembly, with the understanding that the said amount shall be paid immediately on the adjournment of the Legislature.

"J. W. BASS, P. M."

Mr. McLeod moved that the Secretary be instructed to request the Post Master at St. Paul, to keep a strict and detailed account of all the postage of each member of the Council separately, together with the general account provided for above;

Which was decided in the affirmative.

Mr. Sturgis moved the Council now proceed to the election of a Chaplain to the Council;

Which motion he subsequently withdrew, by leave of the Council.

Mr. Sturgis moved a call of the Council;

Which was ordered,

And the roll was called by the Secretary, when Mr. Olmsted did not answer to his name.

The Messenger was directed to go in search of the absent member.

The Sergeant-at-Arms reported Mr. Olmsted in his seat.

Mr. Forbes, from the special joint committee appointed by the two Houses to wait on his Excellency, Governor Ramsey, reported that

"The committee waited on his Excellency, and informed him that the two Houses are

COUNCIL, 2.

now organized and ready to receive any communication from him. His Excellency expressed himself happy to meet the two Houses in convention this morning at 11 o'clock. Arrangements have been made for the use of the Methodist brick chapel, for the meeting of the two Houses of the Legislative Assembly in convention."

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

Resolved, That the Rev. Mr. Parsons, the Rev. Mr. Hobart and the Rev. Mr. Breck, be invited to officiate alternately as Chaplains to the Council."

Mr. Forbes moved that the words the "Rev. Mr. Raveaux" be inserted after the word "Hobart;"

Which modification was accepted, with the leave of the Council, by Mr. Norris.

The question being put on the adoption of the resolution as modified,

It was decided in the affirmative.

Mr. Rollins moved that the Council do now adjourn to meet at the Methodist church, in convention of the two Houses;

Which motion was subsequently, by leave, withdrawn.

Mr. Sturgis moved that a committee of two be appointed by the Chair, to inform the House of Representatives that the Council is now ready to meet the House in joint convention.

Which motion, he by leave withdrew, when

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

Resolved, That a committee of three be appointed by the Chair, to prepare rules for the permanent government of the Council during its present session."

The question then recurring on the adoption of the resolution,

It was decided in the affirmative, and

Messrs. Olmsted, Burkleo and McLeod were appointed said committee.

A committee from the House of Representatives being announced, Messrs. Brunson and Trask informed the Council, "that they had been directed by the House to inform the Council, that seats had been prepared in the Representatives' Hall, for the accommodation of the Council, and that the House of Representatives was now ready to meet the Council in joint convention."

The committee having withdrawn,

On motion of Mr. Forbes,

The Council repaired to the Hall of the House of Representatives.

The Council having again assembled in the Council chamber,

On motion of Mr. Norris,

The Council adjourned until three o'clock this afternoon.

Three O'clock P. M.

The President called the Council to order,

After which, he reported to the Council, the following proceedings of the joint convention of the two Houses of the Legislative Assembly, viz:

"The Convention of the two Houses of the Legislative Assembly, having met in the Hall of the House of Representatives,

"The names of the members of the two Houses were called, and

"Mr. Olmstead, of the House of Representatives, reported absent.

"The Sergeant-at-Arms of the House of Representatives, reported that Mr. Olmstead was unwell and could not attend the meeting of the convention.

"Mr. Wells moved that the convention do now adjourn to the Methodist Episcopal Church, the place selected for meeting the Executive;

"Which motion prevailed.

"The convention having assembled at the Church,

"On motion of Mr. McLeod,

"A committee consisting of Messrs. McLeod and Olmsted of the Council, and Mr. Rice of the House of Representatives, were appointed to inform his Excellency, the Governor, that the two Houses of the Legislative Assembly were now assembled in convention, and ready to receive any Executive communication he may desire to communicate.

“The said committee escorted his Excellency to the desk of the presiding officer of the convention,

“When the Speaker of the House of Representatives announced to the convention that

“His Excellency, the Governor, would now proceed to communicate his annual message to the convention.

“Mr. Hobart, at the request of the Speaker, addressed the Throne of Grace;

“After which, his Excellency delivered the following message, viz:

“FELLOW-CITIZENS OF THE COUNCIL

AND HOUSE OF REPRESENTATIVES :

As the second Legislative Assembly of the Territory of Minnesota, you come together to deliberate upon the wants, and to promote the interests of our common constituents. In meeting you at this time, I cannot refrain from tendering my heartfelt congratulations upon the auspicious circumstances under which you convene.

Though our exultations are naturally chastened, in view of the afflicting dispensation visited upon our land during the past year, in the death of its chief Magistrate; yet, as a nation, under a wise and patriotic administration, we are prosperous at home; at peace with all the governments of the earth—increasing with unabated rapidity in population, intelligence, wealth, and power; in the full enjoyment of civil and religious liberty, and possessing all the elements of individual and national prosperity. As a Territory, but yesterday without a name, or political existence, our growth has been of the most satisfactory character. Health has prevailed within our borders. Our new soil has not failed to respond gratefully to the labors of the husbandman; and already in places, our prairies, scarcely abandoned by the disappearing buffalo, are assuming a robe of cultivated verdure. The enterprise of our hardy lumbermen has met with a liberal return; and there has been a rapid augmentation of this important element of wealth, and rich source of revenue, so invaluable to ourselves, as well as to the country on the great river to the south of us.

In the interval since the adjournment of the first Legislative Assembly, practical test has been made of the navigation of the Mississippi river above the Falls of St. Anthony; and to the navigable waters of the globe has been added the stream which has given name to our future commonwealth. A permanent Great Seal has been procured in accordance with the directions of the “Act concerning Seals”—the devices and mottoes having been determined upon by the Territorial delegate and myself, agreeably to the instructions of said act. The counties erected by acts of the last Legislative Assembly have been duly organized, and the elections held therein, and other operations incident thereto conducted with as much quiet and order as is witnessed in older and more firmly established communities.

Though accidental circumstances have in some degree diminished the immigration, which otherwise, during the past year, would have been attracted to our Territory; yet these are of a transient character, and may not again recur. Emigrations, from one region to another, are common incidents in the history of mankind; but there is nothing recorded in the annals of the world, that does not sink in comparison by side of that marvellous American progress, that astonishing growth and development of our triumphant, irresistible civilization, which in its march to the uttermost extremities of the West, has passed the barrier of the Alleghanies, peopled the valley of the Mississippi, crossed the Rocky Mountains, and planted our glorious liberty and benign institutions by the shores of the Pacific. That the fertility of our soil, the salubrity of our climate, our forests, our fisheries, our mines, our inexhaustible water power, furnish elements which will attract hither a large and steady immigration, and secure a growth both vigorous and rapid, cannot be doubted. In our new state of society the elements are all healthy, and full of infant purity. New objects are opening and new resources developed, on every side. We tread on a broad theatre; and in the Olympic race to greatness—untrammelled with previous habits, and leaving behind us the cumbrous clogs of a feudal and military age, which continue, even to the present time, to affect the condition of property in Europe—we enjoy the experience of older States, in addition to the advantage incident to new communities, of legislating without violence to ancient prejudices or established rules. One dissatisfied with the realities of the present, and the promises of the future, may find here no venerable

past, on which to ruminare with antiquarian rapture; but with capacities of improvement, not only unapplied and unexhausted, but even, in a great measure as yet, unexplored; with a certain augmentation, both by internal development and external accession, a sober contemplation of our condition, spreads magnificent prospects before us, and fully justifies the prophetic anticipations of future greatness in which we all so fondly indulge.

That our growth, gentlemen of the Council and House of Representatives, may take the most healthful direction, will depend much upon the temper and wisdom of your counsels; and in presenting to your notice, on this occasion, such topics as are thought to be entitled to a share of your attention, I shall content myself, without seeking for subjects of legislative action in speculations of my own, with a brief reference to such measures as have already, to some extent, occupied the public mind, and in regard to which you are doubtless well advised of the wishes of your constituents.

Prominent among the matters, which there is reason to believe will engage your consideration at the present session, is the necessity of some legislative provision for securing to the officers and people of the Territory, means of knowing what the law is. The twelfth section of the organic act continues in force the laws of the Territory of Wisconsin, until altered, modified, or repealed. It comes within your province to give to our people and officers access to this body of laws, and to publish it so modified as to suit our peculiar wants. The miserable shifts, and temporary expedients to which the magistrates and people of Minnesota have been compelled to resort, in consequence of the extreme scarcity of copies of the Wisconsin statutes, are no longer endurable; and without dwelling upon many salient and specific defects in these codes, which require corrective legislation, I shall content myself with a partial repetition of the views presented in this connection in my former message:

‘It has been held as a fixed legal maxim that “ignorance 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 most acute legal experience to discriminate between those which are actually in force and those which are 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 the most of the years, they are quite out of print; and their extreme scarcity can be estimated when the strongest doubts are 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.

‘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 in 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 actions; 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.

‘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 is it 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 inpouring tide of foreign immigration, and partly from the most northern range of States, the great bulk of her population.

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 congregated 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.

Among these statute laws, which are now operative in this Territory, is one entitled 'An act to amend an act in relation to the evidences of title to lands.' By this law a certificate of the purchase of public lands, signed by the receiver, is made evidence in any court in the Territory that the title to the lands, mentioned in the said certificate, is in the person or persons named therein, his, her, or their heirs or assigns. As far the greater part of the lands in Minnesota, which have passed from the proprietorship of the United States, have been entered by military land warrants, and as no good reason can obtain for permitting a distinction between lands so entered and those acquired by the payment of money, it may be proper for you, as it is a matter of interest to the people, to so enlarge this act, as to place the certificate of the register of a land office of the location of a land warrant, upon the same footing with a receiver's receipt.

The peculiar constitution of our courts, holding, as they do, but semi-annual sessions, invites legislation to avert the long delays to which suitors are subjected in the trial of their causes. To obviate the evil, I would respectfully suggest that your body enact a compulsory arbitration law, which shall allow either party in any civil action, after the institution of a suit, the privilege of ruling the other to a decision of the matter in controversy, before three or more arbitrators, indifferently chosen—the award of the arbitrators to constitute a lien upon the real property of the party against whom it is rendered, from the date of its entry in the clerk's office, until the final determination of the cause—either party to have the right to appeal upon payment of costs, and if no appeal be taken within a limited number of days, then the award to have the effect of a judgment with respect to the party against whom it is made, with the consequent right to execution. The arbitrators might be chosen in the office of the clerk of the district court, and be allowed mileage, and a reasonable per diem compensation. They should be invested with the power to issue subpoenas, grant attachments for witnesses, commit for contempt, adjourn for cause, or upon agreement of parties, administer oaths; in short, enjoy all the functions incident to courts so far as necessary to the proper conduct of trials. A certified copy of the rule of reference should be served upon the opposite party, or his attorney, at least ten or fifteen days before the day fixed in such rule for the appointment of arbitrators; and ten or fifteen days additional notice given of the time and place of meeting. Such a system would furnish means for speedily terminating disputes; abridge litigation in courts; provide eventual correction for all errors of judgment by securing the right of appeal; and by giving to the creditor a lien upon the real estate of the debtor, secure the former without needless oppression of the latter.

A slight modification of the law for summoning petit jurors, seems also a proper subject for consideration. Under the present system, the petit jury is summoned to appear at 11 o'clock, A. M. of the second day of the regular term. The non-attendance of the panel at the opening of the court, involves delay and expense, and not unfre-

quently protracts the terms of courts beyond the first week, thereby imposing on the county treasuries an expense which could otherwise be avoided.

The laws, too, regulating marriage licenses, and the solemnization of marriage contracts, require modification. In the remote districts of the unorganized counties, a compliance with the present statutes, on this head, is difficult and almost impracticable; and in a country where population is by no means inconveniently dense, the wisdom of a policy may well be questioned, which shall annex additional obstacles to those which naturally inhere in the premises.

Much delay occurred in the publication of the volume of the acts and resolves of the last Legislative Assembly. Under the circumstances, the delay probably was unavoidable; but in future a time should be specified beyond which the publication of the laws should in no case be postponed.

The total amount of orders or warrants drawn by the Auditor upon the Treasurer of the Territory, as I learn from the former officer, is \$1031 50. This includes the salaries of the Territorial officers, and it is believed, all debts due from the Territorial Treasury.

Returns have been received at the office of the Territorial Auditor, of property assessed in the counties of Ramsey, Washington, Wabeshaw, Dakota and Wahnata. From the other counties no returns have been made. It the counties returned, the total assessed property is as follows:

Ramsey county,	- - - - -	\$477,334 00
Washington "	- - - - -	228,860 48
Wabeshaw "	- - - - -	33,208 00
Dakota "	- - - - -	31,020 00
Wahnata "	- - - - -	36,015 00
Total,		<u>\$806,437 48</u>

Upon this assessment, a tax of one mill on the dollar would yield a revenue of \$806 43; and as the taxable property in the Territory will unquestionably increase in a much greater ratio than the drafts upon the Treasury, I do not deem it advisable to recommend any increased taxation for Territorial purposes.

The apportionment of councillors and members of the House of Representatives, among the several counties, upon the basis of population, as exhibited by the recent federal census, is likewise required at your hands. This is a most delicate duty; for the elective franchise, so highly esteemed by our people, has its chief expression in the selection of law-makers; and that all be fairly and equally represented will depend upon the prudence and justness of your action. The present apportionment was made as equitably as possible upon the distribution of population, as returned by the census, which was taken in the summer of 1849; but the unequal increase since that time in the several sections of the country, renders the present representation most partial, and invites an early revision. In this connection it might be well to memorialize Congress to amend the organic law of the Territory, so that the Council may be composed of members, one-half of whom shall be elected every year. A provision of this character, would on the one hand, infuse into this body, annually, renewed public confidence and vigor; and on the other hand retain, by a moiety holding over, a large portion of experienced members, duly initiated in the forms and course of business. Neither of these admirable ends are attained by the present anomalous constitution of the Council, which radically differs from the constitution of most similar bodies in our land.

As no suitable public buildings have yet been erected in which the Territorial Library can with safety be deposited, and as no action upon the subject was taken by the last Legislative Assembly, I have felt it to be my duty to insure the Library, during the past year, against the accidents of fire. You will doubtless take the necessary action for its preservation, as well as make provision for its annual increase, and for defining the duties and fixing the compensation of the Librarian.

As the records of our counties are also necessarily deposited in unsafe and exposed buildings, it might be well for the Legislature to make it incumbent upon the Commissioners of the several counties, to procure fire-proof safes for the deposit of public records and official papers. Many of these records constitute the muniments of title—once lost, they can never be replaced—and in view of the immense value which in future

years will attach to them, and the inconvenience, injury and fraud which their loss might occasion, too much prudence cannot be exercised for their preservation.

I commend to the fostering care of the Legislature, the agricultural interests of the Territory. Agriculture, whether considered in reference to the number of persons to whom it gives subsistence; the value of its annual exports; the amount of capital which it employs, and its necessity for all other pursuits, may well be regarded as the paramount interest of the country; the basis of its wealth; the source of its commerce, and the muscle and sinew of its power. Until we become essentially an agricultural community, we shall never be an opulent and prosperous one; and experience has demonstrated that beyond all doubt we can produce from the soil, in its natural state, in every part of Minnesota in which the test has been made, wheat, oats, potatoes and corn, in quality equal to that produced in any of the States of the Union, and in quantity that astonishes even those who have been familiar with the fertile bottom lands of Indiana and Illinois. It happened to me during the last summer, to witness upon the banks of northern lakes, under the forty-eighth degree of latitude, fields of corn and wheat, in a state of most luxuriant growth; and from the settlements of the Red River of the North, I have received specimens of spring wheat equal in weight to any winter wheat raised in the middle States of the Union. With these results, in connection with the incomparable salubrity of our climate; the remunerating prices of produce; the certainty and proximity of a market; the abundance and cheapness of land, and the hidden treasures of its unworn fertility, who can doubt that the future has in store for us a career of manly vigor, and a succession of prosperous days? Our soil teems with vegetative power; and is equally adapted to the growth of wheat, the raising of cattle and the production of wool; and without being prepared to advise or indicate any special legislation in the premises, there is unquestionably much in your action which can indirectly promote and encourage this leading industrial interest, and develop the agricultural resources of Minnesota.

The subject of education, will undoubtedly receive, as it most certainly deserves, your attentive and deliberate consideration. Simply as a security against immorality and crime, it is a wise and liberal system of policy, which holds that property, besides supporting the burdens which all governments require, is holden to another great public use—the support of schools. The principle that society is bound to provide for its members, education, as well as protection, is one of the most important that belongs to modern philosophy. This indeed lies at the foundation, and constitutes the platform of our republican system. If there be any feature more distinct, more prominent, and more observable in the social structure of this great nation, than any other, it is the imperative obligation which rests on every community, to provide free elementary instruction for all its youth. It is not to be expected that in our new state of society, in the scattered condition of our population over an immense region of country, the same completeness in any system can be attained, as in older and more densely inhabited States; but we can at least lay the structure of a system, which, with slight modifications, will adapt itself to the varying conditions to which an increasing population will subject us. To insure method and uniformity, I would suggest the creation of the office of Superintendent of Schools. This officer could collect statistics, superintend the introduction of a proper and uniform series of text books, supervise the organization of schools, and annually report to the Legislature the result of each year's operation. This would secure a degree of perfection in school experience, which would be of incalculable advantage, when upon our admission as a sovereign State, we should have authority and ability to give utmost efficiency to all means of education, by availing ourselves of the magnificent donation of Congress, to school purposes, of one eighteenth part of the lands of the Territory, into the full enjoyment of which, as the Legislative Assembly is aware, we cannot enter until our admission into the Union as a State.

In the meantime, in order that the generations of youth, which are now growing up to manhood, may receive benefit from this liberal provision of the organic act, it might be well to memorialize Congress for permission to rent these lands upon long leases; and as the endowment of a University will also naturally, in this connection, attract your attention, it might be proper farther to memorialize Congress for a grant of one hundred thousand acres of land, applicable and available, at a future day, for this most desirable object. The propriety of urging, at this time, the request, arises from the

importance of making an early selection, with a view to secure a fair proportion of choice lands.

The improvement of the Mississippi river, both above and below the Falls of Saint Anthony, is a question of cardinal interest, not alone to the people of this Territory, but an object of national importance and national magnitude. From the very first assembling of Congress, by the very men who framed the Constitution, the power 'to regulate commerce' has been construed to comprehend such measures, as were necessary for its support and advancement; and the policy heretofore pursued in improving the lakes, rivers and harbors of the country, has received, at different times, the sanction of every department of government, and repeatedly commended itself to the approbation of the people. How far it is constitutionally lawful, and how far expedient for the general government to remove obstacles to navigation, with a view of establishing free and cheap intercourse, and affording a ready and easy access to the great markets of consumption, is a question of great and growing importance. It is a narrow policy, a very inadequate view of the question of interest, which holds as local and sectional any object that has in view the improvement of great arteries of trade. Whatever affects insurance and the cost of freight, concerns all mutually who participate in the interchange of commodities; and such is the magnitude of the exchange, and the intimacy of the relations between the West and other portions of the country, that it would be difficult to find a corner of the Union so obscure and remote as not to be affected by any policy, which, on the one hand, should redound to our advantage, or, on the other, to our prejudice. Those who purchase our exports are interested in every tax upon our industry, and they who supply us with commodities, which we do not ourselves produce, are concerned in all the facilities of transportation by which their market is rendered accessible. Moreover, in the new States of the West, the United States are untaxed proprietors of vast bodies of land. As these lands are exempt from the ordinary burdens of government, and essentially benefitted by these improvements, justice, and a provident liberality, in regard to its own property as a great landed proprietor, would seem to require that the national treasury should bear its part of the cost, and make reasonable contribution to high purposes of utility, and general objects of improvement. More especially does this reason obtain in case of remote territories, dependant upon the central authority, and wards of the federal government; and with singular propriety, in view of the ownership of the soil, and the collateral and consequential advantages incident thereto from every improvement of the channels of commerce, can we claim liberal consideration and equal attention for any object of public improvement, interesting to ourselves, and within the power of the government. And this majestic river, presenting, as it does, a water conveyance of nearly three thousand miles, washing the margin of one-third of the States of the Union, collecting the waters of the icy rivers and lakes of the far north, and contributing them in vast flood to a tropical gulf—this inland sea, susceptible with slight improvement and insignificant cost of being rendered navigable from the 29th to the 47th degree of north latitude; which already bears the burdens of a gigantic trade, and upon which, in a few years, an increasing commerce so stupendous will be borne, that the imagination reels at the contemplation, surely commends itself to the munificent bounty of the mother government. In this instance, certainly the interest of a part, is the interest of the whole; and each American citizen has his dividend in every augmented public advantage.

The removal of the obstructions at Sauk Rapids, Pike Rapids, Little Falls and Pokegoma Falls, could be effected at an expense not exceeding one hundred thousand dollars, and would open navigation from the Falls of St. Anthony to Leech and Cass lakes, five hundred miles to the north. This undertaking was in the eye of Congress at its last session, and partial provision made for it in a bill making appropriations for the improvement of the rivers and harbors of the country; but for reasons, not here fully understood, the bill failed, although it is very probable that at the present session of the National Legislature, a bill, with a similar provision, may become a law.

The improvement of other streams of the Territory—of the St. Peter's, St. Croix, and Rum rivers—is also very desirable. It would expedite the sale and facilitate the settlement of the public lands; and by means of the former stream, open an easy communication, almost entirely by water, with the settlements on the Red river of the North. On the St. Croix and Rum rivers are large bodies of excellent pine, indispen-

sable and invaluable for building purposes, not alone to us, but to the communities resident on the Mississippi, as far as the Gulf of Mexico. On these, as well as on us, a small appropriation for the improvement of these tributary streams, would confer a benefit not to be measured by the paltry sum of money which the prosecution of the several works would require.

In common too with the States of Wisconsin, Iowa, and Illinois, the people of Minnesota are deeply interested in the improvement of the Des Moines and Rock Island Rapids. The impediments at these points, impose an onerous tax upon every article of our import and export; and repeated surveys have demonstrated that these obstructions, consisting of ledges of rock, which extend across the river, are of such a character as to be susceptible of removal at a comparatively small expense.

The construction also of a ship canal round the Sault Saint Marie, is an improvement in which, under the most narrow view of the subject, in common with one third of the American people, we are obviously, and directly interested. The inexhaustible fisheries of Lake Superior, the immense mineral wealth bedded in its shores, have already, to a considerable degree, attracted public attention; and as the vast trade of the great chain of lakes, or rather succession of internal seas, which constitute our Northern Baltic, has grown up within the memory of living men, it may fairly be presumed that the time is not far distant when the canvass of a prosperous commerce will whiten the heretofore, solitary and inhospitable waters of the great lake on our northeastern border. Upon all these heads it is hoped that a proper expression of our wants will induce the Congress of the United States to act with its characteristic liberality, and make provision for the improvement of highways, many of which enrich property, the fee simple, as well as the sovereignty over which, resides with the general government.

In view of the geographical position of Minnesota, its insulated state, during a portion of the year, the complexity and extent of the correspondence between the Federal Government and the several military posts and Indian agencies and sub-agencies in the Territory, and the utter incompetency of the mail service to furnish adequate facilities for its prompt conveyance, our attention is naturally directed to the employment of an agent which the advancing civilization of the age has made a common carrier all over the civilized world. In Great Britain it is represented, that owing to the compactness of population, and the admirable arrangement of the mail service, the magnetic telegraph has proved a comparative failure; but the very reasons, which in that populous kingdom would render the service of this agency not absolutely necessary, present grave and insurmountable arguments in favor of its pre-eminent utility and indispensable necessity in remote and thinly settled countries. Occasions may arise, as in case of Indian ruptures on the frontiers, when the interposition of Government, to be effectual, must be instantaneous; and I know of no object, worthy of national achievement, more interesting to the people of Minnesota, than the construction of a telegraph from the capital, or some other point in the Territory, to connect with telegraphic lines south and east. As the wires would pass over an unoccupied country of nearly two hundred miles—too great in extent to admit of their erection by the private means of our people, I respectfully urge the propriety of memorializing Congress for a grant of a township of land, to be applied to this purpose, and to be disposed of under the direction and superintendence of the Legislature. In view of the increased value which such a work would add to the public domain, the grant, simply as a matter of gain and profit, would be an act of provident liberality, and thrifty bounty on the part of the federal government. And as it would present means for preserving the peace of the frontier, as government is the party most directly and largely interested in the construction of the work, as public despatches would pass over the wires free of charge, and as it is the policy of the United States to make the public lands contribute to the common welfare, I have no hesitancy in expressing my decided conviction, that Congress would lend a favorable ear, to a proper memorial on the subject, from the Legislative Assembly of Minnesota.

At the last session of the Legislature, Congress was memorialized for an appropriation to construct a military road from Fort Snelling to the mouth of the Sioux river on the Missouri; for appropriations to construct roads from Point Douglass to the St. Louis river, from St. Paul to Fort Gaines, from the Iowa line to Mendota, and from some point on the Mississippi river to the Winnebago agency at Long Prairie; for mail

routes from St. Paul to Point Douglass, and from the Falls of St. Croix to Fond du Lac, for a territorial prison; for the purchase of the Sioux Indian lands, west of the Mississippi river; and for the extinction of the Indian title, to a tract of country at Pembina. To all these requests, I am happy to state, Congress has responded in the affirmative, and made the appropriations necessary to carry into effect the several objects contemplated.

The Secretary of War, promptly seconding the action of Congress, has deputed an engineer to make surveys of the roads specified, and this preliminary work is now in course of vigorous prosecution. I farther learn that at the opening of the present session of Congress, the Engineer Bureau of the War Department, estimated and recommended an appropriation of seventy-five thousand dollars additional to the forty thousand dollars appropriated by the act of the last session, approved July 18, 1850, "for the construction of certain roads in the Territory of Minnesota."

Owing doubtless to the pressure of other and important business, the memorial of the Legislative Assembly, asking the extension of the pre-emption privilege to actual settlers on unsurveyed lands, received no action on the part of Congress. This is greatly to be regretted; for the long delay which has occurred in surveying and offering for sale the public lands of the Territory, operates as a virtual denial to our people of the beneficent legislation of Congress; and the liberal policy of the Government, which encourages settlement and cultivation as rapidly as the increasing population of the country is competent to extend, fails of its accomplishment.

The first and only public sale of lands which are comprised within the present limits of Minnesota, was made at the land office in St. Croix village, Wisconsin, on the 14th day of August, 1848. At that time twenty-seven townships and fractional townships of land were exposed to sale, containing an aggregate of 436,737 acres. The sales at the time amounted to 3,326 acres, at the minimum price of \$1 25 per acre.

Sixteen other townships and fractional townships have also been surveyed, and the plats placed on file in the land office at Stillwater; but these lands not having been offered at public sale, though open to pre-emption, are not subject to private entry.—These townships embrace an aggregate of 239,380 acres, and comprise some of the finest farming lands between the St. Croix and the Mississippi.

On all other public lands in the Territory, those who have passed beyond the surveys set down on the public domain, are trespassers in contemplation of law, and liable to prosecution. They are on them without title, yet the whole history of the settlement of the West is witness that the pioneer has ever preceded the surveyor, and that settlements and improvements have always anticipated sales at auction and private entries. It is not presumable that the Government of the United States would wish to hamper and delay the settlement of her frontier by the slow and tedious operations of the General Land Office, that it would desire to speculate upon the labor of the pioneer, and turn to the advantage of the National Treasury, the increased value of lands arising from his industry and toil, or that it could consent that his home should be sold over his head, and his land put up at open sale, to be struck off to the highest bidder, without regard to his equitable interest and just protection.

In this matter, both the general interests of the country, and the interest and protection of the settler, require action, and I doubt not, that if proper representations are again made by the Legislative Assembly, Congress would give to them the most favorable consideration.

These hardy pioneers, who at the sacrifice of many of the comforts of life, have passed the frontiers of the Union, and with us, are moving steadily to the waters of Hudson's Bay, constitute the rank and file of that great army of peaceful progress, which has shed brighter lustre on our name, than all the fields, red with carnage, that have witnessed the triumph of our flag. They bring with them to the wilderness, which they embellish and advance, maxims of civil liberty, not engrossed on parchments, but inscribed in their hearts—not as barren abstractions, but as living principles and practical rules of conduct. They cost the Government neither monthly pay, nor rations—they solicit no bounty—they expect no hospital privileges—but they make the country, its history, and its glory. Extension to them of the pre-emption privilege would be an act of peace and repose. It would quiet titles, avoid excitement, perplexity and incon-

venience, give a substantial character to frontier improvements, and secure to the enterprising settler the undisturbed possession and safe ownership of his home.

The act of Congress, approved June 11th, 1850, appropriating the sum of twenty thousand dollars to be applied by the Governor and Legislative Assembly of the Territory of Minnesota, at such place as they may select in said Territory, for the erection of a penitentiary, imposes the necessity of immediate action in selecting a site, and taking the necessary steps to secure an early completion of the building, upon a plan most consistent with recent improvements in the construction of houses of correction. At this time, there is not one safe place of confinement in the Territory; and but for the accommodating disposition manifested by the officers at Fort Snelling and Fort Ripley, we should now be without means of securing or punishing offenders against law. A liberal appropriation has been made, subject at any time to our draft, and it is hoped that the requisite legislation will shortly supply the grave deficiency in our criminal police, which thus far has rendered the penalties of the law comparatively inoperative.

By the same act, authority is given to the Governor and Legislative Assembly, to expend the appropriation made in section 13 of the organic act, 'for the erection of suitable public-buildings at the temporary seat of government of said Territory, at such time as they may deem proper, any previous law to the contrary notwithstanding.' It is to be regretted that incipient steps for the erection of these buildings were not taken at the last session of the Legislative Assembly, trusting to Congress to ratify the proceeding, if such ratification should be necessary. With all proper expedition, the completion of these buildings can hardly be attained in less than eighteen months, and in the mean time the safety of territorial records and other property, must be entrusted to such temporary accommodations as can be procured. Another reason for regretting the delay is the postponement of the indirect advantage which would accrue from the expenditure of the money in a country where the currency is cramped, and the circulation both of paper and coin extremely contracted. In this matter I respectfully urge early and decisive action, trusting that every legislative guard will be thrown around the economical disbursement of the appropriation.

The memorial of the Legislative Assembly, for the removal of the Chippewas from their ceded lands, was favorably considered by the President of the United States, who was pleased to instruct me to notify the tribe, that the privilege of hunting, fishing, and gathering wild rice on lands, which had been sold to the United States, would cease. The removal has not yet been entered upon, owing to the lateness of the day at which Congress made the necessary appropriation; but the Indian Bureau will doubtless order the prompt prosecution of the movement early in the spring.

The treaty for the purchase of the Half-Breed lands on Lake Pepin, which if exposed to settlement would in a measure satisfy the wants of our increasing population, has not been ratified by the Senate of the United States, owing, it is reported, to a constitutional objection. If such be the case, it is to be hoped that the difficulty may be surmounted or avoided, and a region rich in agricultural and mineral resources, opened to the industry and the enterprise of the American people.

The Half-Breeds at Pembina have manifested a deep solicitude to participate in the full benefit of our liberal institutions. Since my residence in the Territory, I have received frequent application from this people for an extension over them of our laws. The appropriation made at the last session of Congress to meet the expenses of a treaty for the extinction of the Indian title at Pembina, will undoubtedly present means for accomplishing this desirable end. If the contemplated conventional arrangement is effected, it will place this interesting class of our population upon a firm basis of American citizenship; secure them the protection of our laws, and by creating new incitements to immigration and settlement, provide a ready market for all their surplus produce. I am informed from credible sources, that there are hundreds of hardy half-breed hunters, on the British side of the international line, only waiting the extinction of the Indian title, to change their homes and allegiance. The appropriation is the more gratifying, as it furnishes evidence to this remote people, that distance from the federal metropolis does not debar them from sharing in the guardian care of the government.

The temper and condition of the large Indian tribes within our borders, will ever present questions fruitful of interest to the people of Minnesota. Although it may safely be assumed, that in the present circumstances of these tribes, no general war

with the whites is to be apprehended, yet the petty depredations upon property, continually perpetrated by our red neighbors, are almost as annoying as a state of open hostility. In this respect, I believe all the tribes are alike guilty. So far as I learn, they do not wantonly destroy property; but the confused ideas of right which obtain among them—the faint distinctions which they draw in regard to the ownership of property, and the influences of that education, which accustoms them to hold every thing in common, lead them, when pressed by hunger, to commit every sort of vexatious larceny upon the property of our citizens.

Peaceful relations have been preserved with them during the past year with the exception of a few outbreaks in Benton county, directly traceable to ardent spirits, with which, notwithstanding the wholesome legislation of the last session, these people are occasionally supplied. To this ruinous agency, and to the facility and frequency with which they cross to the east side of the Mississippi, is attributable much of our Indian troubles and disturbances. Our own interest so entirely accords with that policy of the general government which seeks to retain the Indians within the limits of their own territory, where a judicious code of laws is operative, of summary character, especially suited to their condition and to the circumstances and temptations which surround them, that it is deeply to be regretted that many of our citizens, by the allurements of trade or otherwise, hold forth inducements to these Indians to frequent ceded lands, on the east side of the river, where the restraints of these laws do not exist, nor their penalties attach.

Citizens of good character, desirous of forming commercial connections with the Indians, can readily obtain a license to trade in Indian territory; and *there* is the proper and legitimate locality, for the honorable prosecution of this adventurous branch of business, so important and so interesting to a frontier community.

Our Territory was seriously threatened last spring with a general and open renewal of the hereditary feuds which have subsisted between the Sioux and the Chippewas, retarding the settlement of the country, shocking the moral sense of the community, and constituting even our villages, stages for the revolting orgies incident to the disgusting and atrocious tragedies of their savage warfare. Through the interference, however, of the government, these tribes were induced in June last, to make an adjustment of their differences at Fort Snelling; and I am most happy to state, that by all the bands who were represented on the occasion, the treaty of amity then made, has up to this time been kept inviolate.

As the payments of the Indian annuities supply much the larger portion of our currency, and through the various channels of trade contribute greatly to our prosperity, we are directly affected by every interruption which may occur in their disbursement. For this reason alone, if no higher motives existed, the Legislative Assembly of Minnesota should efficiently co-operate with the officers of the federal government in the maintenance of proper relations with the Indian tribes.

I have thus, gentlemen, adverted to such matters of local interest as more immediately concern us as agents of the people of this Territory. The occasion might perhaps invite a wider range of discussion and remark. To one not utterly indifferent to the interests of the civilized world, there is much in the posture of political affairs, in the thick succession of important events which crowd and distinguish the age in which we live, to excite intense and lively emotion. We have seen a man, who had been attended through life by a singularly fortunate and great genius, stricken down in the chief magistracy of the nation, and yet the most ordinary functions of government proceed without interruption or derangement. Our country has passed through a period of unwonted excitement, and been convulsed by bitter and angry controversies, which have threatened the creation of geographical parties, and endangered the integrity of the Union; but the predictions of evil prophets have failed of fulfillment, and we have seen the wisdom and patriotism of Congress remove appalling elements of dissension, and allay many disturbing causes of agitation. In Europe, though the contest between legitimacy and elective government has been temporarily smothered, yet as witnesses to the progress of liberal and enlightened sentiments, we daily see the prerogatives of crowns yielding to the demands of the people. But upon these, as well as upon other subjects, not coming under our official cognizance, it is needless to obtrude my own views on your notice, and it would be improper for me to assume the expression of yours.

Upon us, my fellow-citizens, is devolved the Legislative authority of the Territory of Minnesota, and the power, honor, and responsibility thereto attaching. I cannot view the nature of your legislation as a concern of narrow extent, or temporary consequence. On the contrary, I see in it a vast interest, which, in its broader consequences, in its ultimate effects, will extend far beyond our day and generation. Not alone will your action and my action affect the present inhabitants of Minnesota, but beyond these, I behold thronging before me a much larger and more imposing crowd—the thick array of generations, who in after years will succeed to our places, and whose fortunes and destinies the earlier legislation of the Territory will in no inconsiderable degree shape either for good or for evil. These all conjure us not to be recreant to the high trusts with which we are clothed. And while I implore that calm and wise counsels may distinguish your proceedings, that no heated excitements, or uneasy, shifting, wayward impulses may pervade them; that neither narrow interests, nor local jealousies may affect your legislation, nor petty cabals, nor personal influences control it, I reverently invoke the Great Ruler of the Universe to graciously vouchsafe his choicest blessings upon our infant Territory, and to shed upon your deliberations the selectest influences of his Providence.

ALEX. RAMSEY.

ST. PAUL, January 7th, 1851.

“The Governor having completed his message, the Speaker of the House of Representatives announced that the business for which the two Houses had convened in convention, having been completed, the convention would now adjourn.”

A committee from the House of Representatives being announced,

Messrs. Rice, Brunson and Ramsey appeared and delivered the following message:

“Mr. PRESIDENT:—We have been appointed a committee to inform the Council that the House will again meet in joint convention, in the Hall of the House of Representatives, at three o'clock this afternoon, for the purpose of going into the election of a Printer.”

Mr. Norris moved that the Council now repair to the Representatives' Hall, to meet the House of Representatives in joint convention, for the purpose of electing a Printer;

Which motion prevailed, and

The Council proceeded to the Hall of the House of Representatives accordingly.

The Council having again assembled in the Council chamber, the President announced the following proceedings, had in convention of the two Houses, viz:

“The two Houses of the Legislative Assembly having met in convention, in the Representatives' Hall, the Speaker of the House of Representatives presiding, the names of the members of the two Houses were called, and Mr. Olmstead of the House of Representatives was reported absent.

“On motion of Mr. Tilden,

“The convention adjourned until 10 o'clock A. M., on Tuesday next.”

Mr. McLeod asked and obtained leave to introduce a resolution;

Which was read and adopted, as follows, viz:

“Resolved, That the Sergeant-at-Arms of the Council, is hereby authorized and required to purchase such articles as will be needed to light and furnish the Council Chamber, during the present session.”

Mr. Norris asked and obtained leave to introduce a resolution;

Which was read by the Secretary as follows, viz:

“Resolved That the Secretary of the Council be, and he is hereby required to furnish the members and officers of the Council, such stationery as they may require, not exceeding twenty-five dollars for each member.”

Mr. Forbes offered a substitute for said resolution, which Mr. Norris, by leave, accepted, as follows, viz:

“Resolved, That each member of the Council be allowed to furnish himself with suitable stationery, where he may deem proper, not exceeding twenty dollars, and the accounts of the same be handed to the Secretary of the Council, to be paid out of the moneys appropriated by Congress for Legislative purposes.”

The question recurring on the adoption of the resolution, as modified;

It was decided in the affirmative.

On motion of Mr. Sturgis,

The Council adjourned.

COUNCIL, *Wednesday*, January 8, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The Journal of yesterday was then read by the Secretary.

During the reading thereof,

On motion of Mr. Norris,

The reading of the message of his Excellency, the Governor, was dispensed with.

The President read the following communication, viz:

“ST. PAUL, January 8, 1851.

“TO THE HON., THE COUNCIL OF THE LEGISLATIVE ASSEMBLY OF MINNESOTA:

“During the past fall, I have devoted some time to the drafting of bills, with a view of facilitating the business of the Legislature.

“I have the honor to offer to the Council a portion of the bills I have drafted, to be disposed of as your honorable body may deem proper.

“I have the honor to be, &c., &c.,

“JOSEPH R. BROWN.”

Mr. McLeod moved that a committee of two be appointed by the Chair, to examine the bills referred to, before they be received by the Council.

Mr. Sturgis moved to amend the motion, by striking out the word “two” and inserting the word “three;”

Which modification was accepted by Mr. McLeod, by leave of the Council.

The question then recurring on the adoption of the motion as modified,

Mr. McLeod asked and obtained leave to withdraw the motion;

When the communication was ordered to lie on the table.

Mr. Sturgis offered the following resolution, which was read by the Secretary, viz:

“Resolved, That the Council be furnished with one thousand copies of the Governor’s message.”

The question then recurring on the adoption of the resolution,

Debate ensued, and the resolution was laid on the table, under the rules.

Mr. Boal offered the following resolution;

Which was read by the Secretary, viz:

“Resolved, That the Chaplains, Mr. Parsons, Mr. Raveaux, Mr. Breck, and Mr. Hobart, be each supplied with ten copies of such papers as are printed for the use of this Council.”

The question recurring on the adoption of the resolution,

Debate ensued thereon, and

The resolution was laid on the table, under the rules.

Mr. Burkleo offered a resolution;

Which was read by the Secretary, as follows, viz:

“Resolved, That an invitation be extended to the ladies and gentlemen of this Territory, and strangers visiting the Capital, to take seats within the Bar of the Council.”

The question recurring on the adoption of the resolution,

Debate ensued thereon, and

The resolution was laid on the table, under the rules.

Mr. Forbes gave notice that he would on to-morrow, or some future day, introduce a resolution to rescind the fifty-eighth Rule of the Council.

Mr. Norris moved that the Council resolve itself into a committee of the whole, for the consideration of the message of his Excellency, the Governor;

Which motion he subsequently withdrew, by leave.

Mr. Forbes moved a call of the Council, which being ordered, the roll was called by the Secretary, and

Mr. Olmsted was reported absent.

The Sergeant-at-Arms was directed to report the absent member in his seat.

On motion of Mr. McLeod,

Further proceedings under the call of the Council were dispensed with.

On motion of Mr. Norris,

The Council adjourned until two o’clock this afternoon.

Two O'clock P. M.

The Council was called to order by the President.

Mr. Norris moved that a committee of two be appointed to act in conjunction with a similar committee to be appointed by the House of Representatives, to report joint Rules for the government of the two Houses of the Legislative Assembly during the present session;

Which motion prevailed, and

Messrs. Norris and Sturgis were appointed said committee.

Mr. Forbes moved that the vote of yesterday, by which the Council adopted a resolution, relative to stationery for the members of the Council, be rescinded;

Which motion prevailed, and

The question recurring on the adoption of the resolution as modified,

Mr. Forbes moved to amend the resolution as follows, viz:

"Strike out all after the word '*Resolved,*' and insert 'That the Secretary of the Council be, and he is hereby authorized and required to procure such enrolling, engrossing and other stationery, as may be necessary for the use of the Secretary of the Council; and that each of the members and officers of the Council are authorized to purchase such stationery as they deem proper, not exceeding twenty dollars to each member, and ten dollars to each officer of the Council. And that all bills for stationery shall be handed to the Secretary of the Council, to be by him, placed in the hands of the chairman of the joint committee on Legislative Expenditures, to be included in the appropriation bill.'"

The question then recurring on the adoption of the amendment proposed to the resolution;

It was decided in the affirmative.

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

It was decided in the affirmative.

So the resolution was adopted.

On motion of Mr. Rollins,

The Council adjourned.

COUNCIL, *Thursday*, January 9, 1851.

The Council was called to order by the President.

Prayer by the Rev Mr. Parsons.

The journal of the proceedings of yesterday was read by the Secretary.

Mr. McLeod moved a call of the Council, which was ordered; and

The roll being called by the Secretary,

Messrs. Olmsted, Rollins and Sturgis were reported absent.

The Sergeant-at-Arms was sent for the absent members.

On motion of Mr. Forbes,

Further proceedings under the call of the Council were dispensed with.

Mr. Forbes offered the following resolution, which was read by the Secretary, viz:

"*Resolved,* That the Governor and Secretary of this Territory be furnished with thirty copies each, weekly, of any such newspaper or papers as are published in this Territory, during the present session of this Legislature."

Debate having ensued on the adoption of the resolution,

It was laid on the table for one day, under the rules.

The resolution introduced on yesterday, by Mr. Sturgis, relative to printing the message of his Excellency, the Governor, and which was laid on the table under the rules, now coming up in order of business, and

The question recurring on the adoption of said resolution,

On motion of Mr. Norris,

The resolution was laid on the table.

The resolution introduced by Mr. Boal, and the resolution by Mr. Burkleo on yes-

terday, which were laid on the table for one day under the rules, were now taken up, and after being read by the Secretary, were negatived by the Council.

Mr. McLeod from the special committee appointed to report permanent Rules for the government of the Council, made the following report :

“ The committee recommends the adoption of the Rules of the last session of the Council, with the following additions and amendments :

“ To the Standing committees, add a committee on ‘ Public Buildings.’

“ In the 40th rule, strike out the word ‘ sixty ’ and insert the word ‘ thirty.’

“ Amend the 55th rule, by striking out the words ‘ ten o’clock in the morning,’ and inserting in lieu thereof the words ‘ one o’clock P. M.’

“ Amend the 56th rule, by adding after the word ‘ Representatives,’ the words ‘ and ex-members of the Territorial Legislature.’

“ The committee also recommend the following additional rule, viz :

“ Rule 59. When in Executive session, the Council shall in all cases sit with closed doors, and all persons except the officers of the Council, be removed from without the bar of the Council.”

The report was accepted, and

On motion of Mr. Norris,

The report of the committee on Rules was taken up for the action of the Council, and the first amendment proposed by the committee being then read,

The Council concurred therein.

The second amendment proposed by the committee being then read,

The Council concurred therein.

The third amendment proposed being then read,

Mr. Norris moved to amend the amendment proposed by the committee to the 55th rule, by adding the words “ strike out the word ‘ until ’ and insert in lieu thereof the word ‘ unless;’ ”

Which motion to amend was adopted.

The question then recurring on the adoption of the third amendment proposed by the committee, as amended by the Council ;

Pending the question,

The Sergeant-at-Arms reported Mr. Sturgis in his seat, and that Messrs. Olmsted and Rollins requested leave to absent themselves from the Council chamber, during the present sitting of the Council.

The following message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk, viz :

“ MR. PRESIDENT :—The House of Representatives have appointed Messrs. Trask, Ludden and Tilden a committee, to unite with a similar committee to be appointed by the Council, to prepare and report joint rules for the government of the two Houses of the Legislature, and the Council is requested to appoint a similar committee.”

The Chief Clerk then withdrew.

Mr. Sturgis moved a call of the Council ;

Which being ordered, the roll was called, and Messrs. Olmsted and Rollins were reported absent.

Mr. Forbes moved that leave of absence be granted to Messrs. Olmsted and Rollins, during the present sitting of the Council.

Mr. Sturgis called for the ayes and noes on the adoption of the motion ; when

Those who voted in the affirmative were Messrs. Burkleo, Boal, Forbes and Loomis, *President*—4.

Those who voted in the negative were Messrs. McLeod, Norris and Sturgis—3.

So leave was granted for Messrs. Olmsted and Rollins to absent themselves from the meeting of the Council this morning.

The question then recurring on the adoption of the third amendment proposed by the committee as amended by the Council ;

It was decided in the negative.

The question then recurring on the adoption of the fourth amendment to the rules, proposed by the committee ;

It was decided in the affirmative.

The question then recurring on the adoption of the rules reported by the committee as amended by the Council;

Pending the question,

Mr. Norris moved to amend the 55th rule proposed, by striking out the word "until," and inserting in lieu thereof the word "unless;"

Which motion prevailed.

The question then being taken on the adoption of the rules reported by the committee;

It was decided in the affirmative.

And the following rules were adopted for the government of the Council during the present session, viz:

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: first, from standing committees; second, 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 call 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 proceedings 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.

On Public Buildings.

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 amendment 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 notice of a motion to bring it in, and when brought in, it shall 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 requir-

ing the approval of the Governor, before being considered in committee of the whole, shall be printed, unless otherwise ordered by the Council.

40. Thirty 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 analagous 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 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 eyes and noes, which shall be inserted on the journal. A call for the eyes 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 proceeding, 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 Manuel, 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, unless 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, and ex-members of the Territorial Legislatures 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.

59. When in executive session, the Council shall in all cases sit with closed doors. All persons except the officers of the Council shall be removed from without the bar of the Council.

Mr. Forbes asked and obtained leave to introduce the following joint resolution;

Which was read by the Secretary, viz:

“Resolved, By the Council, with the concurrence of the House of Representatives, That the Governor and Secretary of this Territory, be furnished with thirty copies each, weekly, of any such newspaper or papers, as are published in this Territory during the present session of this Legislature.”

The question then recurring on the adoption of the resolution;

Mr. Norris moved to amend the resolution, by striking out the words “and Secretary.”

Which motion was negatived—Ayes 3—Noes 4.

The question then being taken on the adoption of the amendment;

It was decided in the affirmative—Ayes 4—Noes 3.

Mr. Burkleo moved that a committee of two be appointed, for the purpose of ascertaining whether arrangements can be made with Rev. Mr. Neill, to allow the bell of the Presbyterian Church to be rung daily at a quarter before 10 o'clock A. M. and a quarter before two o'clock P. M.;

Which motion was negatived—Ayes 3—Noes 4.

On motion of Mr. Forbes,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

The Council was called to order by the President;

After which the Standing committees of the Council, for the present session, were announced as follows, viz:

Internal Improvements—Messrs. Forbes, McLeod and Sturgis.

Territorial Affairs—Messrs. Olmsted, Boal and Rollins.

Judiciary—Messrs. Norris, Olmsted and Burkleo.

Agriculture and Manufactures—Messrs. Sturgis, Boal and Norris.

Territorial Expenditures—Messrs. Burkleo, McLeod and Boal.

Legislative Expenditures—Messrs. Rollins, Burkleo and Sturgis.

Militia—Messrs. Boal, Norris and Olmsted.

Schools—Messrs. McLeod, Burkleo and Rollins.

Incorporations—Messrs. Olmsted, Rollins and McLeod.

Territorial Roads—Messrs. Forbes, Sturgis and Boal.

Engrossed Bills—Messrs. Rollins, Olmsted and Burkleo.

Enrolled Bills—Messrs. McLeod, Norris and Sturgis.

Public Buildings—Messrs. Burkleo, Forbes and Rollins.

On motion of Mr. Forbes,

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

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

On motion of Mr. Burkleo.

The Council adjourned.

COUNCIL, Friday, January 10, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council of yesterday, was then read, and pending the reading thereof,

On motion of Mr. Norris,

The reading of the Standing Rules adopted by the Council, was dispensed with, Mr. Rollins, by leave, offered the following resolution;

Which was read by the Secretary, viz:

“Resolved, That the drafts of Bills laid before the Council by Joseph R. Brown, be referred to the Committee on the Judiciary.”

Debate having ensued,

The resolution was laid on the table for one day under the rules.

Mr. Rollins presented a petition of A. Van Vorhes, and one hundred and fourteen others, for the location of a Territorial road from St. Anthony to a point opposite Willow river;

Which petition was read by the Secretary;

And on motion of Mr. Norris,

Was referred to the committee on Territorial Roads.

Mr. Rollins offered the following joint resolution of the two Houses;

Which was read by the Secretary, viz:

“Resolved, By the Council, the House of Representatives concurring, that for the purpose of compiling and revising the laws of the Territory of Minnesota, the committees on the Judiciary of the two Houses, shall act conjointly, and they shall report such bills as they may prepare, from time to time, to either house of the Legislative Assembly. They shall have power to employ one or more (not exceeding three) clerks, as they may deem necessary, who shall each receive such compensation, not exceeding three dollars per day, for the time employed, as the Legislature shall direct, to be paid out of the moneys appropriated to defray the expenses of the Legislative Assembly.”

On motion of Mr. Norris,

The resolution was laid on the table, and made the special order of the day for tomorrow.

The resolution introduced on yesterday by Mr. Forbes, and laid on the table under the rules, was now taken up in the order of business; and

On motion of Mr. Forbes,

The resolution was indefinitely postponed.

Mr. Norris gave notice that on to-morrow, or some future day, he would offer an amendment to the Standing Rules of the Council, providing for an additional Standing committee, to be styled the Committee on Printing.

On motion of Mr. Forbes,

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

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. Forbes,

The Council adjourned until two o'clock this afternoon.

Two O'clock P. M.

The Council was called to order by the President.

Mr. Rollins moved a call of the Council;

Which was ordered, and the roll being called by the Secretary.

Messrs. Boal, Olmsted and Sturgis were reported absent.

The Sergeant-at-Arms was directed to report the absent members in their seats.

Mr. Forbes moved that further proceedings under the call of the Council be dispensed with;

Which motion prevailed.

On motion of Mr. McLeod,

Leave of absence was granted to Mr. Boal for this afternoon.

Mr. Norris asked and obtained leave to introduce a resolution;

Which was read by the Secretary as follows, viz:

“Resolved, That the Secretary of the Council be and he is hereby required to request of the Secretary of the Territory, an invoice of the stationery furnished by him to the members and officers of the Council, and the Secretary of the Council is further directed to inform the Secretary of the Territory, that a portion of the stationery furnished is not needed, and that it will be returned when and where he may direct.”

The question then recurring on the adoption of the resolution,

It was decided in the affirmative.

Mr. Burkleo moved that the Council adjourn until Monday at ten o'clock;

Which motion was decided in the negative.

On motion of Mr. Norris,

The Council adjourned.

COUNCIL, *Saturday*, January 11, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of yesterday, was then read.

The resolution introduced yesterday by Mr. Rollins and laid on the table under the rules, now coming up in the order of business,

On motion of Mr. Norris

The resolution was laid on the table.

The joint resolution introduced yesterday by Mr. Rollins, relating to compiling and revising the laws of Minnesota, which was made the special order of the day for this day, now coming up in the order of business,

Mr. Olmsted moved a suspension of the thirty-seventh, thirty-ninth, fortieth, forty-second and forty-third rules of the Council, to permit the joint resolution to go to a third reading now;

Which motion prevailed by a two-thirds vote.

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

Mr. Norris moved to amend the joint resolution as follows, viz:

“Strike out the following: ‘They shall have power to employ one or more, (not exceeding three) clerks, as they may deem necessary,’—and insert in lieu thereof the following,—they shall have power to call to their assistance, such persons as they may think proper, not exceeding three in number;”

The question then recurring on the adoption of the amendment,

It was decided in the affirmative.

A message was received from the House of Representatives by B. W. Lott, Esq., Chief Clerk, as follows, viz:

“MR. PRESIDENT:—“The House of Representatives have adopted No. 1 (C. F.) joint resolution relative to furnishing papers to officers of the Territory.”

The Chief Clerk having withdrawn, and

The question then recurring on the adoption of “No. 2, joint resolution, relative to compiling and revising the laws of Minnesota,”

It was decided in the affirmative.

So the joint resolution was adopted.

The title of the resolution was then agreed to.

Mr. Norris, agreeably to previous notice, offered the following amendment to the Standing Rules of the Council, viz:

“Add to the Standing Committees, a ‘Committee on Printing.’”

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

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

Mr. Norris from the joint committee appointed to report rules for the government of the two houses, made the following report, viz:

"The joint committee of the two houses appointed to draft rules for the government of the two houses in their joint action, have had the matter referred to them under consideration, and ask leave to report that your committee recommend the adoption of the Joint Rules and orders of the two houses in force during the last session of the Legislature, for the government of the two houses during their present session, with the following amendments:

"Add rule 16—In Joint Convention of the two houses, the Speaker of the House of Representatives shall preside.

"Rules 17—No item shall be inserted in any appropriation bill, until it has been passed upon by one of the joint committees on Territorial expenditures or Legislative expenditures.

"Rule 18—The General Appropriation Bill shall be introduced into the House at least ten day before the close of the session, and passed by the House and sent to the Council for their concurrence at least three days before the close of the session.

"J. S. NORRIS.

"S. TRASK.

"H. L. TILDEN.

"WM. STURGIS."

The question then recurring on the acceptance by the Council, of the report of the Joint Committee,

It was decided in the affirmative.

The question then recurring on the adoption by the Council, of the joint rules for the Government of the two houses, reported by the joint committee.

It was decided in the affirmative, and

The following joint rules were adopted by the Council for the government of the two houses, during the present session of the Legislative Assembly, viz:

JOINT RULES AND ORDERS OF THE TWO HOUSES.

1. In all cases of disagreement between the two houses, if either house shall request 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 commit-

tee 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, and 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.

16. In joint convention of the two houses, the Speaker of the House of Representatives shall preside.

17. No item shall be inserted in any Appropriation Bill until it has been passed upon by one of the joint committees on Territorial Expenditures, or Legislative Expenditures.

18. The General Appropriation Bill shall be introduced into the House at least ten days before the close of the session, and passed by the House and sent to the Council at least three days before the close of the session.

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Sturgis in the chair, for the further consideration of the message of his Excellency, the Governor.

After some time passed therein, the committee rose, and by the chairman reported to the Council, sundry resolutions, as follows, viz :

1 "Resolved, That so much of the Governor's message as relates to the laws of Wisconsin, now in force in this Territory, be referred to the committee on the Judiciary.

2 "Resolved, That so much of the Governor's message as relates to the establishment of a court of Arbitration in this Territory, be referred to the committee on the Judiciary."

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

4. "Resolved, That so much of the message of the Governor as relates to the publication of the laws of Minnesota, be referred to the committee on Public Printing."

5. "Resolved, That so much of the message of the Governor as refers to the Territorial Library, be referred to the committee on Schools."

6. "Resolved, That so much of the message of his Excellency, the Governor, as relates to Agriculture, be referred to the committee on Agriculture and Manufactures."

7. "Resolved, That so much of the Governor's message as refers to education and the School lands in this Territory, be referred to the committee on Schools."

8. "Resolved, That so much of the Governor's message as refers to the improve-

ment of the navigation of rivers, and the construction of a ship canal across the Sault Saint Marie, be referred to the committee on Internal Improvements."

9. "Resolved, That so much of the Governor's message as refers to the construction of a Telegraph line to connect with the lines south and east of this Territory, be referred to the committee on Territorial Roads.

10. "Resolved, That so much of the Governor's message as relates to the extension of the rights of pre-emption to settlers on unsurveyed lands be referred to the committee on Internal Improvements."

11. "Resolved, That so much of the message of his Excellency, the Governor, as refers to public buildings within the Territory of Minnesota, be referred to the committee on Public Buildings."

12. "Resolved, That so much of the Governor's message as relates to the preservation of county records, be referred to the committee on Internal Improvements."

13. "Resolved, That so much of the message of the Governor as relates to evidences to title to lands in the Territory of Minnesota, be referred to the committee on Territorial Affairs."

14. "Resolved, That so much of the Governor's message as relates to a Territorial revenue and the assessment of taxes, be referred to the committee on Territorial Expenditures."

15. "Resolved, That so much of the Governor's message as refers to the wishes of our constituents, be referred to a committee of the whole."

16. "Resolved, That so much of the Governor's message as refers to public seals, be referred to the committee on Territorial Affairs."

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

Mr. Norris asked that the question be taken on the resolutions separately; Which being ordered,

The first resolution was read by the Secretary, when the Council concurred therein.

The second resolution being then read, the Council concurred therein.

The third resolution being then read, the Council concurred therein.

The fourth resolution being then read, the Council concurred therein.

The fifth resolution being then read, the Council concurred therein.

The sixth resolution being then read, the Council concurred therein.

The seventh resolution being then read, the Council concurred therein.

The eighth resolution being then read, the Council concurred therein.

The ninth resolution being then read, the Council concurred therein.

The tenth resolution being then read,

Mr. Olmsted moved to amend the tenth resolution reported by the committee of the whole, by striking out the words "Internal Improvements," and inserting in lieu thereof the words "Territorial Affairs;"

Which motion prevailed.

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

It was decided in the affirmative.

The eleventh resolution being then read, the Council concurred therein.

The twelfth resolution being then read,

Mr. Norris moved to strike out the words "Internal Improvements," and insert in lieu thereof the words "Territorial Affairs;"

Which motion prevailed.

The question then recurring on the adoption of the twelfth resolution reported by the committee of the whole as amended,

It was decided in the affirmative.

The thirteenth resolution being then read,

Mr. Olmsted moved to amend by striking out the words "Territorial Affairs," and inserting in lieu thereof the word "Judiciary;"

Which motion prevailed.

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

It was decided in the affirmative.

The fourteenth resolution being then read, the Council concurred therein.

The fifteenth resolution being then read, the Council refused to concur therein.

The sixteenth resolution being then read, the Council concurred therein.

The President of the Council announced the standing committee on Printing as follows:

Messrs. Sturgis, McLeod, and Norris.

Mr. Forbes asked and obtained leave to introduce a resolution, which was read by the Secretary as follows, viz:

“Resolved, That the Secretary of the Council procure the printing of one hundred copies of the rules for the government of the Council, and one hundred copies of the joint rules for the government of both Houses, in pamphlet form.”

The question then recurring on the adoption of the resolution,

Mr. Olmsted moved that the resolution be ordered to lie on the table.

Mr. Forbes moved a call of the Council;

Which being ordered, the roll was called, and Messrs. Burkleo and McLeod were reported absent.

The Sergeant-at-Arms was sent after the absent members.

On motion of Mr. Olmsted,

Further proceedings under the call of the Council were dispensed with.

The question then recurring on ordering the resolution to lie on the table,

Mr. Forbes called for the Ayes and Noes on the adoption of the motion;

Which being ordered,

Those who voted in the affirmative were Messrs. Norris, Olmsted, Rollins, and Sturgis—4.

Those who voted in the negative were Messrs. Boal, Forbes, and Loomis, *President*—3.

So the resolution was laid upon the table.

Mr. Sturgis 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. Forbes,

The Council adjourned.

COUNCIL, Monday, January 13, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on Saturday, January 11th, was then read.

On motion of Mr. Norris,

The Council adjourned.

COUNCIL, Tuesday, January 14, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of yesterday was then read.

Mr. Norris moved that the Council repair to the hall of the House of Representatives, to meet the House in joint convention agreeably to adjournment, for the purpose of electing a printer.

Pending the question,

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

“MR. PRESIDENT:—The House of Representatives have refused to adopt No. 2, (C. F.) a joint resolution relative to compiling and revising the Laws of Minnesota.”

“I have also been instructed to notify the Council that the House of Representatives are now ready to receive the Council in joint convention, for the election of a printer.”

The Chief Clerk then withdrew, and

The question then recurring on the motion pending before the Council to repair to the House of Representatives,

It was decided in the affirmative.

So the Council adjourned to the Hall of the House of Representatives.

The Council having again assembled in the Council Chamber,

On motion of Mr. McLeod,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

The Council was called to order by the President;

Whereupon the proceedings had in joint convention of the two Houses were announced to the Council, viz:

CONVENTION.

JOINT CONVENTION, *January 14, 1851.*

The Convention was called to order by the Speaker of the House of Representatives.

The roll of the Convention was called, when Mr. Gilman of the House of Representatives did not answer to his name.

Mr. Brunson, of the House, offered the following resolution, which was read by the Chief Clerk of the House of Representatives, viz:

"Resolved, That the Convention do now proceed by ballot, to elect a printer or printers, to do all the incidental printing, and the printing of the Laws and Journals, for one year, agreeably to the provisions of an act entitled 'An act to regulate the public printing and binding,' approved the first day of November, one thousand eight hundred and forty-nine."

The question then recurring on the adoption of the resolution;

Pending the question,

Mr. Rice moved that the Council take a recess of fifteen minutes;

And pending the question thereon,

The Sergeant-at-Arms of the House of Representatives, reported Mr. Gilman in his seat.

The question being then put on the motion to take a recess,

It was decided in the negative—Ayes 3, Noes 12.

The question then recurring on the adoption of the resolution,

Mr. Olmsted, of the Council, moved to amend by striking out all that portion of the resolution which refers to the act of eighteen hundred and forty-nine, entitled "An act to regulate the public printing and binding;"

And pending the question,

Mr. Norris of the Council, moved to substitute the following for the original resolution as proposed to be amended, viz:

"Resolved, That this convention now proceed to ballot for public printers in the following manner, viz:

"First, there shall be elected by ballot, a printer to do the incidental printing of the Council.

"Second, shall be elected a printer to do the incidental printing of the House of Representatives.

"Third, shall be elected a printer to print the Journals of both Houses.

"Fourth, shall be elected a printer to print the Laws which may be authorized to be printed by the Legislature during its present session, and the person or persons so elected, shall be governed in all respects by the act entitled 'An act to regulate the public printing and binding,' approved Nov. A. D. 1849."

The question then recurring on the adoption of the substitute;

And the Ayes and Noes being called for and ordered,

Those who voted in the affirmative were Messrs. Boal, Gilman, Norris, North, Olmsted, (Council,) Olmstead, (House,) Patch, Rollins, Rice, Sturgis and Warren—11.

Those who voted in the negative were Messrs. Burkleo, Brunson, Forbes, Farribault, Ford, Ludden, McLeod, Ramsey, Randall, Sloan, Taylor, Tilden, Trusk, Wells. President of the Council and Speaker of the House—16.

So the substitute was negatived.

The question then recurring on the adoption of the amendment to the original resolution,

And the Ayes and Noes being called for and ordered;

Those who voted in the affirmative were Messrs. Gilman, North, Olmsted, (Council,) Olmstead, (House,) Patch, Rice, Sturgis, Sloan and Warren—9.

Those who voted in the negative were Messrs. Burkleo, Boal, Brunson, Forbes, Farribault, Ford, Ludden, McLeod, Norris, Rollins, Ramsey, Randall, Taylor, Tilden, Trask, Wells, President of the Council and Speaker of the House—18.

So the amendment was negatived.

The question then recurring on the adoption of the original resolution;

It was decided in the affirmative.

Mr. Olmsted, of the Council, moved that the election shall be *viva voce*;

Which motion he subsequently withdrew.

Mr. Olmsted, of the Council, moved a reconsideration of the vote by which the convention adopted the resolution to go into the election of a printer by ballot;

Which was decided in the negative—Ayes 10—Noes 15.

Mr. Olmsted, of the Council, then renewed his motion that the election be *viva voce*;

Which motion the Speaker decided out of order.

On motion of Mr. Trask;

Messrs. McLeod of the Council, and Rice of the House, were appointed by the Chair, Tellers, to receive the vote of the convention for a printer or printers.

The members deposited their votes as their names were called by the Secretary of the Council and Chief Clerk of the House.

The Tellers reported that on the first ballot, there were twenty-seven votes cast, and that

James M. Goodhue had received fifteen votes.

Robertson, Hennis and Vincent had received one vote.

A. D. Robertson had received two votes.

D. A. Robertson had received two votes.

Col. Robinson had received one vote.

— Robertson had received one vote.

Goodhue and Robinson had received two votes.

J. Vincent had received one vote.

Robertson and Hennis had received two votes.

James M. Goodhue having received a majority of all the votes cast, was declared by the Speaker to be duly elected printer for one year.

Mr North of the House, moved that the Convention proceed to the election of another printer.

Mr. Trask of the House, moved that the Convention do now adjourn *sine die*, and

The Ayes and Noes being called for and ordered,

Those who voted in the affirmative were Messrs. Burkleo, Brunson, Forbes, Farribault, Ford, Ludden, McLeod, Norris, Olmstead, (House,) Ramsey, Randall, Taylor, Tilden, Trask, Wells and President of the Council—16.

Those who voted in the negative were Messrs. Boal, Gilman, North, Olmsted, (Council,) Patch, Rollins, Rice, Sturgis, Sloan, Warren and Speaker of the House—11.

Thereupon the Convention was declared to be adjourned *sine die*.

On motion of Mr. Forbes,

The resolution introduced on the 10th by Mr. Rollins, relative to bills drafted and laid before the Council by Joseph R. Brown, was taken from the table; when

The question recurring on the adoption of the resolution,

Mr. Norris moved to amend the resolution, by adding "and that said committee be instructed to deliver to the several standing committees of the Council, such of the said bills, as do embrace subjects appropriately under their consideration."

The question then recurring on the adoption of the amendment;

It was decided in the affirmative.

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

It was decided in the affirmative.

On motion of Mr. Sturgis,

The resolution introduced on the 8th by Mr. Sturgis, relative to the printing of the Governor's Message, was taken from the table.

The question then recurring on the adoption of the resolution;

Mr. Forbes moved to amend the resolution by "striking out the words one thousand," and inserting in lieu thereof the words "five hundred;"

Which motion prevailed.

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

It was decided in the affirmative.

On motion of Mr. Forbes,

The resolution introduced on the 11th inst. by Mr. Forbes, relative to the printing of the rules, was taken from the table; and

The question then recurring on the adoption of the resolution,

Mr. Forbes moved to amend the resolution, by striking out in the second and third lines, the words "and one hundred copies of," also by inserting after the words "both Houses," the words "together with a list of the standing committees of the Council, and joint committees of the two Houses."

The question then recurring on the adoption of the amendment proposed;

It was decided in the affirmative.

Mr. Sturgis moved to amend, by striking out the words "one hundred," and inserting in lieu thereof, the word "fifty;"

Which was decided in the negative—Ayes 3—Noes 3.

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

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

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, *Wednesday*, January 15, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

A report from the Territorial Auditor was then read, and

On motion of Mr. Norris,

Was laid upon the table.

On motion of Mr. Rollins,

The Council adjourned until two o'clock this afternoon.

Two O'clock P. M.

The Council was called to order by the President.

Mr. Forbes from the committee on Territorial roads, to which was referred the petition of A. Van Vorhes and one hundred and fifteen others, reported

No. 1 (C. F.) "A bill to provide for laying out a Territorial road from St. Anthony to the West bank of Lake St. Croix opposite Willow river;"

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

Mr. Sturgis, in pursuance of previous notice, asked and obtained leave to offer an amendment to the standing rules of the Council, as follows, viz:

"Add two additional members to the committee on public buildings."

The question then recurring on the adoption of the amendment.

There was ayes 3—noes 3.

There not being two thirds voting in the affirmative, the amendment was lost.

Mr. Norris from the committee on the judiciary made the following report, viz:

"The committee on the judiciary to which was referred the file of bills presented by Joseph R. Brown, with instructions to deliver such of said bills to the several standing committees of the Council, as embraced matters appropriately under their consideration, begs leave to report.

"That the committee have delivered to the committee on territorial affairs,

"A bill to regulate contested elections;

"A bill providing for the election of coroners, and defining their duties and powers;

"A bill to provide for a territorial and county revenue, and

"A bill relative to territorial and county officers.

"They have delivered to the committee on legislative expenditures,—A bill relative to the organization and duties of the officers of the Legislative Assembly.

"They have delivered to the committee on public buildings,—A bill relative to public buildings in the Territory of Minnesota.

"They have delivered to the committee on Territorial roads,—A bill to authorize the establishment and regulation of ferries and bridges in this Territory;

"A bill providing for the election, and prescribing the duties of Supervisors of roads, and

"A bill to provide for laying out county roads in this Territory.

"To the committee on the Militia they have delivered,—A bill to provide for the organization of the Militia of this Territory.

"To the committee on Schools, they have delivered,—A bill providing for the appointment of Librarian and for other purposes.

"To the committee on printing they have delivered,—A bill to provide for the publication and distribution of the laws and journals of the Legislature of Minnesota.

"They have delivered to the committee on Territorial expenditures, A bill to provide for the appointment of Auditor of Public Accounts for the Territory of Minnesota.

"And to the committee on agriculture and manufactures, they have delivered,—A bill relative to marks and brands."

"J. S. NORRIS, *Chairman.*"

On motion of Mr. Sturgis,

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

COUNCIL. *Thursday, January 16, 1851.*

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

A message was then received from the House of Representatives by B. W. Lott, Esq., Chief Clerk thereof, as follows, viz:

"Mr. PRESIDENT:—The House of Representatives have passed,

"No. 1. (H. of R.) a joint resolution relative to employing certain individuals therein named, to assist in compiling and revising the laws of Minnesota, in which the concurrence of the Council is requested."

The Chief Clerk then withdrew, and

On motion of Mr. Forbes,

The message from the House of Representatives was taken up for the action of the Council, and was read by the Secretary as follows, viz:

"Resolved, By the House of Representatives, the Council concurring therein,

"That Wm. P. Murray, T. E. Parker, and M. S. Wilkinson be employed to assist the Judiciary Committees of the Council and House of Representatives, in compiling and revising the laws of this Territory; and that they be required to report their action from time to time, to said committees in season for the action of the Legislative Assembly thereon, at its present session.

"Resolved, That the persons employed by authority of the foregoing resolution, be allowed such compensation for their services, not exceeding three dollars per day, as the Legislative Assembly may allow."

The question then recurring on the adoption of the resolution,

Mr. Norris offered the following amendment, viz:

"Strike out all after the words "concurring therein," and insert in lieu thereof the words "That the judiciary committees of the Council and House of Representatives."

are hereby constituted a joint committee for the purpose of preparing and reporting to the Legislature for their action a code of laws for the government of the people of this Territory; and said joint committee are hereby instructed to use due diligence in the preparation of bills, and to report the same from time to time to either the Council or House of Representatives, as in their opinion may best facilitate the adoption of a complete code of laws.

“Resolved, That said joint committee are hereby authorized to call to their assistance, such persons as they may think proper, (not exceeding two in number at any one time) who shall be allowed such reasonable compensation as the Legislative Assembly may think proper, not exceeding three dollars per day, to be paid out of the moneys appropriated by Congress to defray the expenses of the Legislative Assembly.”

Debate having ensued,

The resolution was laid on the table under the rules.

Mr. Burkleo moved a call of the Council.

Which being ordered,

The roll was called by the Secretary, and

Messrs. Boal, Olmsted, and Sturgis, were reported absent.

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

On motion of Mr. Norris,

The Council adjourned.

COUNCIL, Friday, January 17, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

“Joint Resolution No. 1. (H. of R.) relative to employing certain persons to assist in compiling and revising the laws of Minnesota;”

Which was under consideration on yesterday, and an amendment thereto offered, and the resolution laid upon the table, under the rules,

Now coming up in order, and

The question then recurring on the adoption of the amendment proposed;

Mr. Forbes moved to amend the amendment by striking out the words therein “such persons as they may think proper, not exceeding two in number, at any one time,” and inserting in lieu thereof, the words “Wm. P. Murray, T. E. Parker, and L. A. Babcock, or any of them for such length of time as they may think necessary.”

The question then recurring on the adoption of the amendment to the amendment;

Pending the question,

Mr. Sturgis moved a call of the Council, which being ordered,

The roll was called, and

Mr. Olmsted did not answer to his name.

The Sergeant-at-Arms was directed to report the absent member in his seat.

On motion of Mr. Norris,

Further proceedings under the call of the Council were dispensed with.

The question then recurring on the adoption of the amendment to the original amendment,

And the Ayes and Noes being called for and ordered;

Those who voted in the affirmative, were

Messrs. Burkleo, Boal, Forbes, McLeod and Loomis, President—5.

Those who voted in the negative, were

Messrs. Norris, Olmsted, Rollins and Sturgis—4.

So the amendment to the amendment was adopted.

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

It was decided in the negative—Ayes 2, Noes 5.

The question then recurring on the adoption of the joint resolution.

Mr. Rollins moved to amend the resolution as follows: “Strike out all after the word

'Council concurring therein,' and insert 'that the joint Judiciary committee are hereby authorized to call to their assistance, from one to three persons, learned in the law, one from Washington county, one from Ramsey county, and one from Benton county; and said persons thus employed shall receive such compensation as the Legislature may allow, not exceeding three dollars per day;'"

Which motion he subsequently by leave withdrew; and

Mr. Olmsted moved to amend the resolution, by striking out all after the word "*Resolved*;"

Which motion prevailed.

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

Mr. Norris moved to amend the joint resolution as amended, by adding the words "by the House of Representatives, the Council concurring therein,—that the Judiciary committees of the Council and House of Representatives, are hereby constituted a joint committee for the purpose of preparing and reporting to the Legislature, for their action, a code of laws for the government of the people of this Territory, and said joint committee are hereby instructed to use due diligence in the preparation of bills, and to report the same from time to time, to either house, as in their opinion will best facilitate the adoption of a complete code of laws."

The question then recurring on the adoption of the amendment proposed to the joint resolution as amended,

Mr. McLeod moved to amend the amendment as follows:

"Add to the amendment the words 'and the said joint committee are hereby authorized to call to their assistance L. A. Babcock and Wm. P. Murray, or either of them, who shall be allowed such reasonable compensation as the Legislative Assembly may think proper to allow, not to exceed three dollars per day, to be paid out of the moneys appropriated by Congress to defray the expenses of the Legislative Assembly.'"

The question then recurring on the adoption of the amendment to the amendment,

It was decided in the negative.

The question then recurring on the adoption of the amendment proposed to the joint resolution as amended,

Mr. Norris offered the following amendment to the amendment, viz:

"And said joint committee are hereby authorized to call to their assistance some individual who shall receive for his compensation such reasonable sum as the Legislature may allow, not exceeding three dollars per day."

The question being taken on the adoption of the amendment to the amendment,

It was decided in the negative.

The question then again recurring on the adoption of the amendment proposed to the joint resolution as amended,

Mr. Forbes moved to amend the amendment as follows:

"Add the words 'that said joint committee are hereby authorized to call to their assistance, Allen Pierse, Wm. P. Murray, and F. K. Bartlett, or either of them, as may be required, who shall be allowed such compensation as the Legislative Assembly may think proper, not exceeding three dollars per day, to be paid out of the money appropriated by Congress to defray the expenses of the Legislative Assembly.'"

The question being taken on the adoption of the amendment to the amendment,

And the Ayes and Noes being called for, and ordered;

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

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

So the amendment to the amendment was lost.

The question again recurring on the adoption of the amendment proposed to the joint resolution as amended;

Mr. Rollins offered the following amendment to the amendment:

"Add the following, 'and that the said committee have the exclusive authority to select not more than three persons, learned in the law, residents of the Territory, to assist in the revising of the laws, they each not to receive more than three dollars per day, while in the performance of their duties as prescribed in this resolution.'"

COUNCIL, 6.

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

It was decided in the affirmative.

The question then recurring on the adoption of the amendment as amended, proposed to the joint resolution as amended ;

It was decided in the affirmative, Ayes—5, Noes—3.

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

It was decided in the affirmative.

On motion of Mr. Forbes,

The Council adjourned until two o'clock P. M. on Monday next.

COUNCIL, *Monday*, January 20, 1851.

The Council was called to order by the President.

Prayer by the Rev Mr. Hobart.

The journal of the proceedings of the Council on Friday, January 17th, was then read.

Mr. Forbes, from the committee on Territorial Roads, made the following report, viz:

“The committee on Territorial Roads, to whom were referred as follows :

“A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory ;”

“A bill providing for the election, and prescribing the duties of Supervisors of Roads,” and

“A bill to provide for laying out County Roads in this Territory ;”

“Having had the same under consideration, beg leave to report favorably.

“WM. HENRY FORBES, *Chairman.*”

The report of the committee was accepted, and “No. 2 (C. F.) A bill to provide for laying out County Roads in this Territory ;”

“No. 3 (C. F.) A bill providing for the election and prescribing the duties of Supervisors of Roads,” and

“No. 4 (C. F.) A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory ;”

Were severally read the first and second times, and laid on the table to be printed.

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. 1 (C. F.) A bill to provide for laying out a Territorial road from St. Anthony to the west bank of Lake St. Croix, opposite Willow river.”

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 concurrence of the Council in 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.

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

“MR. PRESIDENT:—The House of Representatives have refused to concur in the amendment of the Council to ‘No. 1 (H. of R.) A joint resolution relative to employing certain persons to assist in compiling and revising the Laws of Minnesota,’

“And have appointed Messrs. Tilden, Patch, and North a committee of conference on said resolution, and ask the appointment of a similar committee on the part of the Council.”

The Chief Clerk then withdrew, and

The President appointed Messrs. Forbes, Sturgis, and Burkleo, the committee of Conference on the part of the Council, requested by the House of Representatives.

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL. *Tuesday, January 21, 1851.*

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

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

Mr. Rollins offered the following resolution, viz:

“Resolved, That there be eighteen copies of the rules and orders of the present Council deposited in the Territorial Library for the benefit of the coming Council;”

Which resolution was read and adopted.

Mr. Rollins, from the committee on Legislative Expenditures reported

“No. 5 (C. F.) ‘A bill relative to the organization and duties of the officers of the Legislative Assembly of the Territory of Minnesota;’”

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 correctly engrossed,

No. 1 (C. F.) “A bill to provide for laying out a Territorial road from St. Anthony to the west bank of Lake St. Croix, opposite Willow river.”

Mr. Forbes, 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. 1 (H. of R.) A joint resolution relative to employing certain persons to assist in compiling and revising the laws of Minnesota.” made the following report, viz:

“The committee of conference appointed on ‘No. 1 (H. of R.) A joint resolution,’ having conferred with a similar committee on the part of the House of Representatives, recommend the concurrence of the House of Representatives to the amendment as made by the Council to the joint resolution.

“WM. HENRY FORBES, *Chairman.*”

The report was accepted and concurred in by the Council.

“No. 1 (C. F.) A bill to provide for laying out a Territorial road from St. Anthony to the west bank of Lake St. Croix, opposite Willow river;”

Then coming up in order, was read the third time, passed, and the title agreed to.

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

“MR. PRESIDENT:—The House of Representatives have concurred in the amendment of the Council to ‘No. 1 (H. of R.) A joint resolution relative to employing certain persons to assist in compiling and revising the laws of Minnesota.’

“The House have passed,

“‘No. 1 (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;’ also, ‘No. 2 (H. of R.) A bill for an act to incorporate the St. Croix Boom Company;’

“In which the concurrence of the Council is respectfully requested.”

The Chief Clerk then withdrew, and

On motion of Mr. Norris,

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

“No. 1 (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;” and

“No. 2 (H. of R.) A bill for an act to incorporate the St. Croix Boom Company;”

Were severally read the first and second times, and laid on the table for the action of the Council in committee of the whole.

On motion of Mr. Forbes,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

The Council was called to order by the President.
 Mr. Forbes moved a call of the Council ;
 Which was ordered, and
 The roll being called,
 Messrs. Olmsted and Sturgis were reported absent.
 The Sergeant-at-Arms was sent after absent members.
 Mr. Sturgis having taken his seat,
 On motion of Mr. Norris,
 Further proceedings under the call of the Council were suspended.
 Mr. Norris moved that "No. 1, (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell," be now taken from the table, and considered in committee of the whole ;
 Which motion he subsequently by leave withdrew, and
 On motion of Mr. Sturgis,
 "No. 2, (H. of R.) A bill for an act to incorporate the St. Croix Boom Company,"
 Was taken from the table, 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 bill back to the Council with an amendment.
 The question then recurring on the adoption of the amendment proposed by the committee of the whole,
 It was decided in the affirmative.
 On motion of Mr. Burkleo,
 The Council adjourned.

COUNCIL, *Wednesday, January 22, 1851.*

The Council was called to order by the President.
 Prayer by the Rev. Mr. Hobart.
 The journal of the proceedings of the Council on yesterday was then read.
 Mr. Forbes moved a call of the Council ;
 Which being ordered, the roll was called, and Messrs. Burkleo, McLeod, Norris and Olmsted did not answer to their names.
 The Sergeant-at-Arms was directed to report the absent members in their seats.
 The Sergeant-at-Arms reported Mr. McLeod in his seat, and that Messrs. Burkleo, Norris and Olmsted were engaged in the committee room, and would be here in a short time.
 Mr. Rollins gave notice that on to-morrow or some future day, he would ask leave to introduce "A bill to incorporate the Mississippi Boom Company."
 "No. 1, (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell, being on its second reading ;
 On motion of Mr. Sturgis,
 Said bill was referred to the committee on the Judiciary.
 "No. 2, (H. of R.) A bill for an act to incorporate the St. Croix Boom Company" being ready for a third reading, and the question recurring "shall the bill be read a third time ?"
 On motion of Mr. Rollins,
 The Council adjourned until two o'clock this afternoon.

Two O'clock P. M.

The Council was called to order by the President.
 The question then recurring on ordering to a third reading

"No. 2, (H. of R.) A bill for an act to incorporate the St. Croix Boom Company;"

Pending the question,

Mr. Norris moved that the bill be referred to the committee on Incorporations;

Which was decided in the negative—Ayes 3—Noes 4.

The question again recurring on ordering the bill to a third reading;

On motion of Mr. Rollins,

The bill was ordered to be recommitted to a committee of the whole.

On motion of Mr. Rollins,

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

"No. 2, (H. of R.) A bill for an act to incorporate the St. Croix Boom Company."

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

The question then recurring on the concurrence of the Council in the amendments proposed by the committee of the whole;

Mr. Forbes asked that the question be taken on the amendments separately;

Which being ordered, and

The first amendment being read as follows:

"Strike out the words 'with perpetual succession,' and insert in lieu thereof the words, 'for the term of fifteen years;'"

Was adopted by the Council.

The second amendment being then read as follows:

"Add to section two the words, 'and the stockholders shall be individually liable for the debts of said company;'"

Was adopted by the Council.

The third amendment being then read as follows:

"Add to the fifth section, 'which may be altered or amended at any subsequent meeting of said board of directors;'"

Was adopted by the Council.

The fourth amendment being then read as follows:

"Add to the eleventh section, 'and the said company shall be held accountable for all neglect to keep said Boom in good order and repair, and pay all damage which may occur on failure of the same;'"

Was adopted by the Council.

The fifth amendment being then read as follows:

"Add to section thirteen, 'Provided, that rafts of sawed lumber or timber of any kind which may by accident or otherwise, float into said Boom, shall only be charged such reasonable compensation as will indemnify the owners of said Boom for the safe delivery thereof;'"

Was adopted by the Council.

The sixth amendment being then read as follows:

"Strike out the sixteenth section;"

Was adopted by the Council.

The seventh amendment being then read, as follows:

"Add an additional section, viz:

"Section 16. The Legislature of this Territory shall have the right to alter, amend or repeal this act any time after the period of five years from the passage thereof."

And the question recurring on the adoption of the amendment,

Mr. Norris moved to amend the amendment proposed by the committee of the whole by striking out the words, "or repeal" after the word "amend," and by inserting the word "or" between the words "alter" and "amend;"

Which amendment to the amendment was adopted.

The question then recurring on the adoption of the amendment proposed by the committee of the whole as amended, and the Ayes and Noes being called for and ordered,

Those who voted in the affirmative, were Messrs. Boal, Forbes, Norris, Olmsted, Rollins and Sturgis—6.

Those who voted in the negative, were Messrs. Burkleo and Loomis, *President*—2.

So all the amendments proposed by the committee of the whole to said bill, were adopted by the Council.

The bill was then read the third time, passed, and the title agreed to.

On motion of Mr. Olmsted,

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

COUNCIL, *Thursday*, January 23, 1851.

The Council was called to order by the President.

There was no chaplain in attendance.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Rollins, agreeably to previous notice, asked and obtained leave to introduce "No. 6, (C. F.) "A bill to incorporate the Mississippi Boom Company;"

Which was read the first and second times, and

On motion of Mr. Norris,

The rule requiring all bills to be printed after the second reading was suspended in regard to the bill just read, by a two-thirds vote;

And the bill was laid on the table for the action of the Council in committee of the whole.

Mr. Norris from the committee on the Judiciary, submitted a report, and the question recurring on the acceptance of the report by the Council, and the Yeas and Nays being called for;

Those who voted in the affirmative were Messrs. Burkleo, Norris, and Loomis, *President*.—3.

Those who voted in the negative were,

Messrs. Boal, Olmsted, Rollins and Sturgis—4.

So the report was rejected.

Mr. Rollins moved a call of the Council, which was ordered, and the roll being called.

Messrs. Forbes and McLeod, were reported absent.

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

Mr. Forbes having taken his seat,

On motion of Mr Burkleo,

Further proceedings under the call of the Council were dispensed with.

On motion of Mr. Burkleo,

The report of the Territorial Auditor to the Legislative Assembly was taken up, ordered to be printed, and referred to the committee on Territorial Expenditures.

Mr. Olmsted moved that the committee on the Judiciary be instructed to report back to the Council

"No. 1, (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell,

And that said bill be referred to the committee of the whole; ;

Which motion he subsequently by leave withdrew.

On motion of Mr. Sturgis,

Mr. Forbes was excused from voting on "No. 1, (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell, and Catharine Maria Axtell."

On motion of Mr. Rollins,

The vote by which the Council refused to accept the report of the committee on the Judiciary, was reconsidered.

And the question being then taken on the acceptance of the report of the committee on the Judiciary on

"No. 1, (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell, and Catharine Maria Axtell;"

It was decided in the affirmative.

And the said report was read as follows. viz :

“The Judiciary committee to whom was referred the bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell, have had the same under consideration and submit the following report:

“In the opinion of your committee, the courts of the Territory afford ample means of redress for grievances arising under the marriage contract, and to these tribunals properly belong the adjudication of all applications for release from its bonds.

“In regard to the case under consideration, there is an entire absence of evidence to establish the truth of the charges which form the basis of his application, except that contained in his own affidavit and a certificate of Judge Lambert that he told him the same story several years ago; and even admitting the expediency of legislative action under peculiar circumstances, which indeed rarely occur, it seems to us, considering the vague and indefinite manner in which the charges are made—and the absence of all proof to establish them, that the passage of the bill would be highly improper.

“Without intending in the slightest degree, to question the veracity of Mr. Axtell, we may be allowed to remark, that where a man, situated as the applicant says he is, leaves his home, where all the means for obtaining relief are at his command, and where all the circumstances are well known and the necessary proofs easily supplied, and foregoes all the advantages to be derived from the sympathies of a community, which are always enlisted in favor of an injured man;—where a man does this, and applies to the Legislature of a distant Territory for relief, with no proof to establish his charges, where no knowledge of the circumstances can possibly be had, we are naturally led to ask, why is this? And in the absence of any satisfactory answer, we are inclined to suspect that there is some mistake, or that the causes of complaint have been exaggerated.

“It may well be doubted, whether the Legislative Assembly possesses the power under the organic law, to annul a matrimonial contract merely upon the application of one of the parties to it, without any proof of its actual violation, and without any opportunity for the other party to be heard in their defence. But without presuming to express an opinion upon this question, it is sufficient that for other reasons we regard the passage of the bill as inexpedient.

“We should regard its passage as establishing a dangerous principle, dangerous to the interests of the Territory, as well as to the parties directly interested; for let the information go abroad, as most assuredly it will, that the Legislature of Minnesota grants divorces for as slight causes, and upon such proof as is presented in this case, and our Territory would become the receptacle of all, who from any cause, whether real or imaginary, were desirous of relieving themselves of the obligations arising from the marriage contract. We should find among us hundreds, who ‘find their wives not what they took them to be;’ and our Legislature would become little else than courts to define the conjugal duties of husband and wife, and to determine when those duties were properly discharged.

“For these, and various other reasons, which will readily present themselves to the minds of every reflecting man, your committee respectfully recommend the indefinite postponement of the bill.

“All of which is respectfully submitted.

“J. S. NORRIS, *Chairman.*”

On motion of Mr. Sturgis.

The Council resolved itself into a committee of the whole, Mr. Burkleo in the chair, having under consideration,

“No. 1, (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell.”

After some time passed therein, the committee rose, and by their 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 be read a third time,

And the Ayes and Noes being called for and ordered,

Those who voted in the affirmative were, Messrs. Boal, Olmsted, Rollins, and Sturgis—4.

Those who voted in the negative were, Messrs. Burkleo, Norris, and Loomis, *President*—3.

So the bill was read a third time.

The question then recurring on the passage of the bill, and the Ayes and Noes being called for and ordered,

Those who voted in the affirmative were Messrs Boal, Olmsted, Rollins and Sturgis—4.

Those who voted in the negative were Messrs. Burkleo, Norris, and Loomis, *President*—3.

So the bill passed.

The title of the bill was then agreed to.

On motion of Mr. Norris,

“No. 2. (C. F.) A bill to provide for laying out county roads in this Territory,” was taken from the table;

And the Council resolved itself into a committee of the whole, Mr. Olmsted in the chair, having said bill under consideration.

During the session of the committee, the following message was received from the House of Representatives, by B. W. Lott, Esq., Chief Clerk thereof, when the President took the chair for its reception, viz:

“MR. PRESIDENT: The House of Representatives has concurred in ‘No. 1, (C. F.) A bill to provide for laying out a Territorial road from St. Anthony to the west bank of Lake St. Croix, opposite Willow river.’

“The House have concurred in the 1st, 2d, 3d, 4th, and 5th amendments made by the Council to ‘No. 2, (H. of R.) A bill for an act to incorporate the St. Croix Boom Company,’ and have refused to concur in the 6th and 7th amendments of the Council to said bill, and have appointed Messrs. Ludden, Trask and Rice a committee of conference thereon; and request the appointment of a similar committee on the part of the Council.

“The House has ordered the report made by the Territorial Librarian to the Legislative Assembly, to be referred to the committee on Territorial Expenditures.”

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

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. Forbes,

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

COUNCIL, *Friday*, January 24, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Norris moved a call of the Council,

Which was ordered;

And the roll being called, Messrs. Forbes, McLeod, Olmsted and Sturgis, were reported absent;

And the Sergeant-at-Arms was directed to report the absent members in their seats.

Messrs. Forbes, Olmsted and Sturgis having taken their seats,

On motion of Mr. Forbes,

Further proceedings under the call of the Council were suspended.

On motion of Mr. Forbes,

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 to provide for laying out county roads in this Territory.”

And 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 asked that the action of the Council should be had on the amendments separately, which being ordered;

The first amendment was read,

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.

The fourth amendment being then read,

The Council concurred therein—Ayes 4, Noes 3.

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.

So the Council concurred in all the 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,

On motion of Mr. Norris,

Said bill was ordered to be referred to the committee on the Judiciary.

On motion of Mr. Rollins,

“No. 6, (C. F.) a bill to incorporate the Mississippi Boom Company,”

Was taken from the table, and the Council resolved itself into a committee of the whole, Mr. Forbes in the Chair, having said bill under consideration.

After some time passed therein,

The committee rose, and by their Chairman reported the bill 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. Forbes asked that the question be taken on the amendments separately, which being ordered, 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.

The fourth amendment being then read,

The Council concurred therein.

The fifth amendment being then read,

The Council concurred therein.

So the Council concurred in all the 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. Forbes moved to amend by adding to the second section, the words, “in proportion to the amount invested by each stockholder;”

Which amendment was adopted.

The question again recurring on ordering the bill to be engrossed.

Mr. Olmsted moved the following amendment, viz:

“Strike out the 16th section, and insert

“The Legislature shall at any time hereafter have the right to alter, amend, or repeal any of the provisions of this act.”

And the Ayes and Noes being called for and ordered,
Those who voted in the affirmative were Messrs. Olmsted, Rollins and Sturgis—3.

Those who voted in the negative were Messrs. Boal, Burkleo, Forbes, Norris and Loomis, *President*—5.

So the amendment was rejected.

The question again recurring on ordering the bill to be engrossed for a third reading, Mr. Sturgis moved to amend by inserting after the word "timber," in the third line of the thirteenth section, the words "but after the term of two years from the passage of this act, the price shall be reduced to forty cents."

And the Ayes and Noes being called for and ordered,

Those who voted in the affirmative were Messrs. Boal, Burkleo, Norris, Olmsted, Rollins, Sturgis and Loomis, *President*—7.

Mr. Forbes voted in the negative.

So the amendment was adopted.

The question again recurring on ordering the bill to be engrossed for a third reading, On motion of Mr. Forbes,
The Council adjourned.

COUNCIL, *Saturday*, January 25, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod, from the committee on Schools made a report by bill, which was accepted, and

"No. 7 (C. F.) A bill providing for the appointment of a Librarian, and for other purposes."

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

Mr. Rollins, from the committee appointed to confer with a similar committee on the part of the House on the disagreeing vote of the two Houses on

"No. 2 (H. of R.) A bill for an act to incorporate the St. Croix Boom Company,"

Made the following report, which was accepted and read, viz:

"The joint committee of conference appointed to confer on

"No. 2, (H. of R.) A bill for an act to incorporate the St. Croix Boom Company,"

"Beg leave unanimously to recommend the following amendment to the Council amendment in section 16:

"Amend by striking out the word 'five,' and insert the word 'ten.'"

"JOHN ROLLINS, *Chairman.*"

The question then recurring on the adoption by the Council of the amendment proposed by the committee of conference to

"No. 2, (H. of R.) A bill for an act to incorporate the St. Croix Boom Company;"

Pending the question,

Mr. Olmsted moved a call of the Council;

Which being ordered,

And the roll being called, Mr. Sturgis was reported absent;

And the Sergeant-at-Arms was directed to report the absent member in his seat.

The Sergeant-at-Arms reported Mr. Sturgis in his seat.

The question again recurring on the adoption of the amendment proposed by the committee of conference on

"No. 2 (H. of R.) A bill for an act to incorporate the St. Croix Boom Company,"

And the Ayes and Noes being called for and ordered,

Those who voted in the affirmative were Messrs. Burkleo, Forbes, McLeod, Norris, Rollins, and Loomis, *President*—6.

Those who voted in the negative were Messrs. Boal, Olmsted, and Sturgis—3.

So the Council adopted the report of the committee of conference to

"No. 2 (H. of R.) A bill for an act to incorporate the St. Croix Boom Company."

"No. 6 (C. F.) A bill to incorporate the Mississippi Boom Company,"

Then coming up in order, and

The question then recurring on ordering the bill to be engrossed for a third reading, Mr. Forbes moved to amend the 16th section by striking out the word "five" and inserting in lieu thereof the word "ten."

Mr. Olmsted moved to amend the amendment so as to strike out of the sixteenth section the words "at any time after the period of five years;"

And the Ayes and Noes being called for on the adoption of the motion, and ordered, Those who voted in the affirmative were Messrs. Boal, Olmsted, Rollins, and Sturgis—4.

Those who voted in the negative were Messrs. Burkleo, Forbes, McLeod, Norris, and Loomis, *President*—5.

So the amendment to the amendment was negatived.

The question then recurring on the adoption of the original amendment, and

The Ayes and Noes being called for and ordered,

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

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

So the amendment was rejected.

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

Mr. Olmsted moved the bill be referred to the committee on Incorporations;

Which motion was lost.

The question then being taken on ordering

"No. 6 (C. F.) A bill to incorporate the Mississippi Boom Company."

To be engrossed for a third reading;

And the Ayes and Noes being called for and ordered,

Those who voted in the affirmative were Messrs. Boal, Burkleo, Forbes, McLeod, Norris, Rollins, Sturgis, and Loomis, *President*—8.

Mr. Olmsted voted in the negative.

So the bill was ordered to be engrossed.

Bills ready for consideration in committee of the whole then being in order,

On motion of Mr. Norris,

"No. 4 (C. F.) A bill to authorize the establishment and regulation of ferries and bridges in this Territory,"

Was taken from the table, and

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 progress, and asked leave to sit again.

Leave was granted.

Mr. Sturgis asked and obtained leave to introduce the following preamble and resolutions, viz:

"Resolutions requesting the Secretary of War to employ additional agents for the survey of certain roads in the Territory of Minnesota.

"Whereas, by an act of the first session of the thirty-first Congress, entitled

"An act for the construction of certain roads in the Territory of Minnesota, and for other purposes,' the sum of fifteen thousand dollars was appropriated for the construction of a road from Point Douglass on the Mississippi river, *via* Cottage Grove, Stillwater, Marine Mills, and Falls of St. Croix, to the Falls or Rapids of the St. Louis river of Lake Superior; and the sum of ten thousand dollars for the construction of a road from Point Douglass, *via* Cottage Grove, Red Rock, St. Paul, and Falls of St. Anthony to Fort Gaines; and the further sum of five thousand dollars for the construction of a road from the Mississippi river to the Winnebago agency at Long Prairie; and whereas the immediate survey and construction of said roads are of vital importance to the inhabitants of this Territory; therefore,

"Resolved, by the Council and House of Representatives of the Territory of Minnesota,

"That the Secretary of War of the United States be, and he is hereby requested to employ additional agents for the survey of said roads, at as early a day as may be practicable, with instructions to forward the construction of said roads with as little delay as the nature of the case will admit of.

"Resolved, That his Excellency, Governor Ramsey, be, and he is hereby requested to transmit a copy of the foregoing resolutions to the Secretary of War, with such suggestions as he may think proper to make, relative to the necessity and importance of immediate prosecution of the works referred to in the foregoing resolution."

Debate having ensued thereon,

The preamble and resolutions were laid on the table under the rules.

On motion of Mr. Rollins,

The Council adjourned.

COUNCIL, *Monday, January 27, 1851.*

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on Saturday last, was then read.

Mr. McLeod gave notice that on to-morrow or some future day, he would ask leave to introduce a bill establishing public Schools.

Mr. Burkleo, from the committee on engrossed bills, reported as correctly engrossed "No. 6, (C. F.) A bill to incorporate the Mississippi Boom Company."

The "Resolutions requesting the Secretary of War, to employ additional agents for the survey of certain roads in the Territory of Minnesota,"

Introduced on Saturday last, and laid on the table under the rules,

Now coming up in order of business, and

The question recurring on the passage of the resolutions,

Mr. Norris moved the resolutions be laid on the table,

Which was decided in the negative—Ayes 3, Noes 4.

The question being then taken on the passage of the resolutions,

It was decided in the affirmative.

"No. 6. (C. F.) A bill to incorporate the Mississippi Boom Company,"

Then coming up in the order of business,

And the question recurring on ordering the bill to be read the third time,

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 and ordered,

Those who voted in the affirmative were

Messrs. Boal, Burkleo, Forbes, McLeod, Norris, Rollins, Sturgis and Loomis, *President*—8.

Mr. Olmsted voted in the negative.

So the bill passed.

The title of the bill was then agreed to.

Bills ready for consideration of the Council in committee of the whole being now in order,

On motion of Mr. Forbes,

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

"No. 4, (C. F.) A bill to authorize the establishment and regulation of ferries and bridges in this Territory."

After some time passed therein, the committee rose, and by their 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 to said bill,

It was decided in the affirmative.

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

On motion of Mr. Olmsted,

The seventh section of the bill was stricken out.

Mr. Olmsted then moved that the ninth section of the bill be stricken out, which motion was lost, Ayes—3, Noes—5.

Mr. Olmsted then moved to strike out of section two, the words "two nor more than" which motion was lost.

Mr. McLeod then moved to amend the bill by striking out of the second section the words "two nor more than twenty," and inserting in lieu thereof the word "five;"

Which motion prevailed.

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. McLeod moved to adjourn until half-past two o'clock, which was decided in the negative, Ayes—3, Noes—5.

On motion of Mr. Norris,

The Council adjourned.

COUNCIL, Tuesday, January 28, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read.

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

"Resolved, That the Secretary be and he is hereby authorized to subscribe for the monthly sheet called the 'Dakota Friend,' published by the Sioux Mission for circulation among the Dakotas and all friends of the Indians, to the number of thirty copies for each member and ten copies for each officer of the Council, to include the number of the present month already issued."

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

"No. 4. (C. F.) A bill to authorize the establishment and regulation of ferries and bridges in this Territory."

Which bill then coming up in the order of business, and the question then recurring on ordering the bill to a third reading,

It was decided in the affirmative, and

The bill was then 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.

Bills ready for committee of the whole then being in order,

On motion of Mr. Norris,

"No. 7. (C. F.) A bill providing for the appointment of a Librarian and for other purposes,"

Was taken from the table, and

The Council resolved itself into a committee of the whole,

Mr. Rollins in the chair, having said bill under consideration.

During the session of the committee, the following message was received from the House of Representatives, by B. W. Lott, Esq., Chief Clerk thereof;

When the President took the chair for its reception, viz :

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

"No. 4. (H. of R.) A bill to provide for the erection of public buildings in the Territory of Minnesota;"

"In which the concurrence of the Council is respectfully requested."

The Chief Clerk then withdrew, and

The committee resumed its session.

After some time passed therein, the committee rose, and by the chairman reported "No. 7, (C. F.) A bill providing for the appointment of a Librarian, and for other purposes"

Back to the Council with progress made, and asked leave to sit again.

Leave was granted.

Mr. Sturgis moved that the Council do now adjourn.

Which motion was lost—Ayes 3, Noes 5.

On motion of Mr. Forbes,

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

"No. 4, (H. of R.) A bill to provide for the erection of public buildings in the Territory of Minnesota,"

Was read the first time;

When, objection being made by Mr. Olmsted to the reception of the bill, and the question then recurring,

"Shall the bill be rejected?"

It was decided in the negative—Ayes 3, Noes 5.

The bill was then read the second time, and laid on the table for the action of the Council in committee of the whole.

On motion of Mr. Sturgis,

The use of the Council Chamber was granted to the Minnesota Historical Society for a meeting of the Society on to-morrow evening.

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

Which was decided in the negative—Ayes 3, Noes 5.

On motion of Mr. Olmsted,

The Council adjourned.

COUNCIL, *Wednesday, January 29, 1851.*

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Boal gave notice that he would on to-morrow, or some future day, introduce the following bills:

"A bill to regulate contested elections."

"A bill relative to Territorial and county roads."

"A bill providing for the election of coroners, and defining their duties and powers."

Bills from the House of Representatives on their second reading, being in order;

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. 4, (H. of R.) a bill to provide for the erection of public buildings in the Territory of Minnesota."

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

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

The Ayes and Noes having been called for and ordered,

Those who voted in the affirmative were Messrs. Burkleo, Boal, Forbes, McLeod, and Looms, *President*—5.

Those who voted in the negative were Messrs. Norris, Olmsted, Rollins and Sturgis—4.

So the report of the committee of the whole was accepted.

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

Mr. Rollins offered the following amendment to the bill, viz:

Add an additional section: "Sec. 22. There shall be inserted upon some conspicuous part of said Penitentiary, the following words: 'REWARD OF MERIT.'"

And the Ayes and Noes being called for and ordered, on the adoption of the amendment;

Those who voted in the affirmative were Messrs. Boal, Olmsted, Rollins and Sturgis—4.

Those who voted in the negative were Messrs. Burkleo, Forbes, McLeod, Norris and Loomis, *President*—5.

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

"MR. PRESIDENT:—The House of Representatives have concurred in the amendment of the joint committee of conference on

"No. 2, (H. of R.) A bill for an act to incorporate the St. Croix Boom Company."

The Chief Clerk then withdrew; and

The question again recurring on ordering to a third reading,

"No. 4, (H. of R.) A bill to provide for the erection of public buildings in the Territory of Minnesota;

Pending the question,

Mr. Norris moved to amend the bill by striking out the word "Stillwater," wherever it occurs in the bill, and inserting in lieu thereof, the words "Point Douglass."

And the Ayes and Noes being called for on the adoption of the motion, and ordered;

Those who voted in the affirmative were Messrs. Norris, Olmsted, Rollins, and Sturgis—4.

Those who voted in the negative were Messrs. Boal, Burkleo, Forbes, McLeod, and Loomis, *President*—5.

So the amendment was negatived.

Mr. Olmsted then offered the following amendment:

Strike out "Stillwater," and insert "at such eligible point in the county of Benton as three Commissioners, appointed by the Governor, may select."

The Ayes and Noes having been called for and ordered on the adoption of the amendment;

Those who voted in the affirmative were Messrs. Olmsted, Rollins, and Sturgis—3.

Those who voted in the negative were Messrs. Burkleo, Boal, Forbes, McLeod, Norris, and Loomis, *President*—6.

So the motion to amend was negatived.

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

Which motion was lost—Ayes 4, Nays 4.

Mr. Olmsted moved to amend by striking out the third section of the bill;

And the Ayes and Noes having been called for and ordered;

Those who voted in the affirmative were Messrs. Norris, Olmsted, Rollins, and Sturgis—4.

Those who voted in the negative were Messrs. Boal, Burkleo, Forbes, McLeod, and Loomis, *President*—5.

So the motion to amend was negatived.

Mr. Olmsted moved to strike out the fifth section of the bill;

Which motion was lost.

Mr. Rollins then moved to amend the bill by striking out the ninth section;

Which motion was lost.

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

Mr. Olmsted moved to amend the fifth section of the bill by striking out of the third and fourth lines, the words "to support the Constitution of the United States, and the provisions of the act of Congress organizing the Territory of Minnesota;" and

The Ayes and Nays having been called for and ordered, on the adoption of the amendment;

Those who voted in the affirmative were Messrs. Norris, Olmsted, Rollins and Sturgis—1.

Those who voted in the negative were Messrs. Burkleo, Boal, Forbes, McLeod and Loomis, *President*—5.

So the amendment was not adopted.

Mr. Sturgis then moved to strike out all that refers to the prison; and

The Ayes and Noes having been called for and ordered, on the adoption of the amendment;

Those who voted in the affirmative were Messrs. Olmsted, Rollins and Sturgis—3.

Those who voted in the negative were Messrs. Boal, Burkleo, Forbes, McLeod, Norris and Loomis, *President*—6.

So the amendment was lost.

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

Insert between the words "building" and "and" in the third line, the words "and the said Commissioners shall adopt such plans for the erection of a Territorial prison, and capitol buildings as shall in no event require more than the sums already appropriated by Congress for the specified purposes, to complete."

Which motion he subsequently by leave withdrew.

The question again recurring on ordering the bill to be read the third time,

Mr. Norris moved the Council do now adjourn, and

The Ayes and Noes being called for, on the adoption of the motion and ordered,

Those who voted in the affirmative were Messrs. Norris, Olmsted, Rollins, and Sturgis—4

Those who voted in the negative were Messrs. Burkleo, Boal, Forbes, McLeod, and Loomis, *President*—5.

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

Mr. Sturgis moved the Council do now adjourn until two o'clock this afternoon, and

The Ayes and Noes being called for and ordered, on the adoption of the motion,

Those who voted in the affirmative were Messrs. Norris, Olmsted, Rollins, and Sturgis—4.

Those who voted in the negative were Messrs. Boal, Burkleo, Forbes, McLeod, and Loomis, *President*—5.

Mr. Norris then renewed his motion to amend the bill, by inserting between the words "building" and "and," in the tenth section, the words "and the said commissioners shall adopt such plans for the erection of a Territorial prison and capitol buildings as shall in no event require more than the sums already appropriated by Congress for the specified purposes, to complete;" and

The Ayes and Noes having been called for on the adoption of the amendment, and ordered,

Those who voted in the affirmative were Messrs. Norris, Olmsted, Rollins and Sturgis—4.

Those who voted in the negative were Messrs. Boal, Burkleo, Forbes, McLeod and Loomis, *President*—5.

So the amendment was rejected.

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

"Sec. 10. The Governor shall be authorized to procure from some competent architect, a plan for the public buildings aforesaid, which if he shall approve, he shall cause to be transmitted to the Building Commissioners, who shall immediately advertise in the several newspapers printed within the Territory, for proposals for the erection of the same, to be completed within one year from the date of the contract: *Provided*, That in no event shall the amount to be paid for the construction of said buildings exceed the amount appropriated by Congress for the purpose."

The Ayes and Noes having been called for and ordered, on the adoption of the amendment,

Those who voted in the affirmative were Messrs. Norris, Olmsted, Rollins and Sturgis—4.

Those who voted in the negative were Messrs. Boal, Burkleo, Forbes, McLeod and Loomis, *President*—5.

So the motion to amend was negatived.

Mr. Sturgis moved to amend the bill by striking out the word "Stillwater." where it occurs in the bill, and inserting in lieu thereof the word "St. Paul."

And the Ayes and Noes being called for and ordered, on the adoption of the proposed amendment,

Those who voted in the affirmative were
Messrs. Olmsted, Rollins and Sturgis—3.

Those who voted in the negative were
Messrs. Boal, Burkleo, Forbes, McLeod, Norris and Loomis, *President*—6.
So the amendment did not prevail.

Mr. Rollins then moved to amend the bill by striking out the word "Stillwater," wherever it occurs, and inserting in lieu thereof the word "Little Six's village,"

And the Ayes and Noes being called for on the adoption of the amendment, and ordered,

Those who voted in the affirmative were
Messrs. Norris, Rollins and Sturgis—3.

Those who voted in the negative were
Messrs. Boal, Burkleo, Forbes, McLeod and Loomis, *President*—5.

Mr. Olmsted refused to vote, giving as a reason his constitutional scruples.
The amendment was not adopted by the Council.

The question again recurring on ordering the bill to be read the third time ;
Mr. Forbes called for the previous question,

And the question then recurring,
" Shall the main question be now put ? "

And the Ayes and Noes being called for on the question and ordered,

Those who voted in the affirmative were
Messrs. Boal, Burkleo, Forbes, McLeod and Loomis, *President*—5.

Those who voted in the negative were
Messrs. Norris, Olmsted, Rollins and Sturgis—4.

So the main question was ordered.

The question then being taken on ordering to a third reading,

" No. 4, (H. of R.) A bill to provide for the erection of Public Buildings in the Territory of Minnesota ; "

And the Ayes and Noes being called for and ordered on the adoption of the question,

Those who voted in the affirmative were
Messrs. Boal, Burkleo, Forbes, McLeod and Loomis, *President*—5.

Those who voted in the negative were
Messrs. Norris, Olmsted, Rollins and Sturgis—4.

So the bill was ordered to a third reading, and
On motion of Mr. McLeod,

The bill was read a third time by its title.

The question then recurring on the passage of the bill,

Mr. Norris requested to be excused from voting on the passage of the bill ;
Which request was granted by the Council.

The question again recurring on the passage of the bill,

And the Ayes and Noes having been called for on the question and ordered,

Those who voted in the affirmative were
Messrs. Boal, Burkleo, Forbes, McLeod and Loomis, *President*—5.

Those who voted in the negative were
Messrs. Olmsted, 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.

Mr. McLeod moved that the Council do now adjourn, and the Ayes and Noes having been called for, on the adoption of the motion,

Those who voted in the affirmative were Messrs. Boal, Burkleo, Forbes, McLeod, Norris and Loomis, *President*—6.

Those who voted in the negative were Messrs. Olmsted, Rollins and Sturgis—3.
So the Council adjourned.

COUNCIL. *Thursday, January 30, 1851.*

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Norris moved a call of the Council;

Which being ordered,

The roll was called, and Messrs. Boal, Forbes, Olmsted, and Sturgis were reported absent.

The Sergeant-at-Arms was directed to report the absent members in their seats.

Messrs. Boal and Sturgis having taken their seats,

On motion of Mr. McLeod,

Further proceedings under the call of the Council were suspended.

Mr. Boal asked and obtained leave to introduce the following bills, which were severally read the first and second times, and laid on the table to be printed, viz :

"No. 8 (C. F.) A bill for the election of Coroners, and defining their duties and powers," and

"No. 9 (C. F.) A bill relative to Territorial and county officers."

Mr. Leod, from the committee on Enrolled Bills, reported as correctly enrolled :

"No. 1 (C. F.) A bill to provide for laying out a Territorial road from St. Anthony to the west bank of Lake St. Croix, opposite Willow river," and -

"No. 1, (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell."

Bills wherein the committee of the whole have made progress, and obtained leave to sit again being now in order,

On motion of Mr. Norris,

"No. 7 (C. F.) A bill providing for the appointment of a Librarian, and for other purposes,"

Was taken from the table, and

The Council resolved itself into a committee of the whole,

Mr. Sturgis in the chair, for the further consideration of said bill.

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

The question then recurring on the concurrence of the Council in the amendments proposed by the committee of the whole to said bill,

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. 3 (C. F.) "A bill providing for the election, and prescribing the duties of Supervisors of roads,"

Was taken from the table, 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 their chairman reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Sturgis,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

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. 3 (C. F.) A bill providing for the election, and prescribing the duties of Supervisors of Roads."

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 concurrence of the Council in 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. Sturgis moved to amend the fifth and sixth sections of the bill by striking out the word "fifty" where it occurs in those sections, and inserting in lieu thereof the words "forty-five;"

Which motion was negatived.

The question again 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. Burkleo.

The Council adjourned.

COUNCIL. *Friday, January 31, 1851.*

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

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

Mr. Boal from the committee on Territorial Affairs, reported by bills; and

"No. 10, (C. F.) A bill to regulate contested elections;" and

"No. 11, (C. F.) A bill to provide for a Territorial and county revenue;"

Were then severally read the first and second times and laid on the table to be printed.

Mr. McLeod introduced a resolution of the two Houses, which was read and adopted, viz:

"Resolved, By the Council, the House concurring, that the Secretary of the Territory is hereby authorized and required to expend the sum of seventy dollars, out of any moneys in his hands for Legislative purposes, for the purchase of the 'annals of 1851, of the Minnesota Historical Society, and that at least one hundred copies thereof be deposited in the Territorial Library, and the remainder equally distributed among the present members of the Legislative Assembly and its officers."

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

"MR. PRESIDENT:—The House of Representatives has concurred in the adoption of "No. 3, (C. F.) Joint resolutions requesting the Secretary of War to employ additional agents for the survey of certain roads in the Territory of Minnesota."

"The Speaker of the House of Representatives has signed

"'An act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell,' also

"'An act to provide for laying out a Territorial road from St. Anthony to the west bank of lake St. Croix, opposite Willow river.'

"The House of Representatives has passed,

"'No. 6, (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river,' also

"'No. 3, (H. of R.) A bill for an act regulating the sale of spirituous liquors,'

"In which the concurrence of the Council is respectfully requested."

The Chief Clerk then withdrew, and

The message from the House of Representatives now coming up in the order of business,

The following bills were then signed by the President of the Council, and 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 dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell, and

"A bill entitled an act to provide for laying out a Territorial road from St. Anthony to the west bank of lake St. Croix, opposite Willow river."

The following House bills, received by the message, 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, viz :

"No. 6, (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river ; and

"No. 3, (H. of R.) A bill for an act regulating the sale of spirituous liquors."

The message from the House of Representatives having been disposed of and bills ready for consideration in committee of the whole being in order ;

On motion of Mr. Forbes,

"No. 5 (C. F.) A bill relative to the organization and duties of the officers of the Legislative Assembly of the Territory of Minnesota,"

Was taken from the table, and the Council resolved itself into a committee of the whole, Mr. Forbes 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.

On motion of Mr. Boal,

The Council adjourned until two o'clock P. M. on Monday next.

COUNCIL, *Monday*, February 3, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

The journal of the proceedings of the Council on Friday, January 31, 1851, was then read.

Mr. McLeod from the committee on Schools reported by memorial, and

"No. 1, (C. F.) Memorial to Congress for one hundred thousand acres of land to endow a University,"

Was then read the first and second times and laid on the table to be printed.

Mr. McLeod from the Committee on Enrolled Bills made the following report, viz :

"The joint committee did, on the 31st of January, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills:

"A bill entitled, 'An act to dissolve the marriage contract between Silas Henry Axtell and Catherine Maria Axtell,' and

"A bill entitled, 'An act to provide for laying out a Territorial road from St. Anthony to the west bank of Lake St. Croix opposite Willow river.'

"M. McLEOD, Council.

"B. H. RANDALL, House of Representatives.

"Committee."

Mr. McLeod from the committee on Enrolled Bills, reported as correctly enrolled.

"No. 2. (H. of R.) A bill for an act to incorporate the St. Croix Boom Company," and

"No. 4. (H. of R.) A bill to provide for the erection of public buildings in the Territory of Minnesota."

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

"No. 7, (C. F.) A bill providing for the appointment of a Librarian, and for other purposes."

Bills from the House of Representatives on their second reading, being now in order;

On motion of Mr. Olmsted,

"No. 6, (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river,"

Was taken from the table, 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 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 asked that the question on the adoption of the amendments be taken separately;

Which was ordered, and

The first amendment was read as follows, viz:

"Amend section seven, by inserting between the words 'attendance' and 'the said,' the words 'or refusal or neglect to keep said bridge in a safe condition, at all times, for the crossing of persons with or without teams.'"

And the Council concurred therein.

The second amendment was then read as follows, viz:

"In section nine, strike out the words 'or repeal,' and insert the word 'or' between 'amend' and 'modify.'"

And the Ayes and Noes being called for on the concurrence of the Council in the second amendment proposed by the committee of the whole, and ordered,

Those who voted in the affirmative were, Messrs. Forbes, McLeod, and Loomis, *President*—3.

Those who voted in the negative were, Messrs. Boal, Norris, Olmsted, and Rollins—4.

So the proposed amendment was not concurred in.

The question then recurring on ordering the bill to be read the third time,

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

"Strike out in the first line of the sixth section the words 'or near the Falls of Saint Anthony,' and insert in lieu thereof the following:

"The point selected by the said Franklin Steele, under the provisions of this act for his ferry and bridge;"

Pending the question, Mr. Olmsted moved that the Council do now adjourn;

Which motion was negatived—Ayes 2, Noes 3.

The question being then taken on the adoption of the amendment proposed by Mr. Norris.

It was decided in the affirmative.

The question again recurring on ordering to a third reading,

"No. 6, (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river;"

Pending the question Mr. Olmsted moved to amend the bill by striking out the word "fifteen," and inserting in lieu thereof the word "five," in the second line of the first section of the bill;

Pending the question, the following message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk, viz:

"MR. PRESIDENT: The House of Representatives has passed,

"No. 7, (H. of R.) A bill to incorporate the St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows of the town of St. Paul,"

"In which the concurrence of the Council is respectfully requested."

The Chief Clerk having withdrawn,

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, Tuesday, February 4, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The journal of the proceedings of the Council on yesterday, was then read.

Mr. McLeod from the committee on Schools reported by bill, and

"No. 12, (C. F.) A bill to establish a system of Common Schools, and maintain them;"

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

Mr. Norris from the joint committee on the Judiciary, made the following report, which was accepted and read, viz:

The joint Judiciary committee respectfully submit the following report:

"In pursuance of authority conferred upon it by a joint resolution of the Assembly, the committee has called to its assistance, Messrs. M. S. Wilkinson and L. A. Babcock, and herewith present the accompanying bills as a portion of its report.

"Your committee regard the short space of time allowed for the session of the legislature, as entirely inadequate to the creation of a statute book, which shall contain all that the interests of the territory, and the spirit of the age so loudly demand; yet so grave is the necessity for a revision and compilation of our laws, that it has been determined to undertake the performance of the task imposed on it, with the hope that, at least, some improvement may be made in our present laws, and that they may be placed in such a form as to become accessible to the people.

"The committee will endeavor to avail itself of the improvements of the age, so far as the means and time at their command will permit, in simplifying, condensing and arranging our laws as they now exist, scattered as they are, and almost concealed beneath the rubbish of local legislation, without attempting any wide departure from our present system; and, in acting upon the report, as it shall be submitted from time to time, the committee respectfully bespeak the indulgence of the Legislative Assembly for the errors and omissions which will unavoidably be found to exist, from the hurried manner in which it must be prepared.

"J. S. NORRIS, *Chairman.*"

A message was received from his Excellency, Governor Ramsey, by W. B. White, Esq., his private secretary.

Mr. Forbes moved a suspension of the 37th rule of the Council;

Which motion prevailed by a two-thirds vote, and

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Was read the first and second times by its title and laid on the table to be printed.

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed "No. 3. (C. F.) A bill providing for the election, and prescribing the duties of Supervisor of Roads."

Executive messages being now in order, the message from his Excellency, the Governor, was read as follows, viz:

"TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
"St. Paul, February 3, 1851. }

"TO THE HON. PRESIDENT OF THE COUNCIL — SIR:—I have examined and approved 'An act to provide for laying out a Territorial road from St. Anthony to the west bank of lake St. Croix, opposite Willow river.'

"Very respectfully,

"Your ob't serv't,

"ALEX. RAMSEY."

Messages from the House of Representatives then being in order,

"No. 7, (H. of R.) A bill to incorporate the St. Paul Lodge No. 2, of the Independent Order of Odd Fellows of the town of St. Paul,"

Was read the first and second times, and laid on the table for the action of the Council in committee of the whole.

Bills of the House on the second reading being now in order,

On motion of Mr. Forbes,

"No. 3, (H. of R.) A bill regulating the sale of spirituous liquors,"

Was taken from the table,

And the Council resolved itself into a committee of the whole, Mr. Olmsted in the chair, having said bill under consideration.

During the deliberations of the committee, a message was received from the House of Representatives by B. W. Lott, Esq., Chief Clerk thereof, when the President took the chair for its reception, viz:

"MR. PRESIDENT:—The House of Representatives has concurred in
 "No. 6 (C. F.) A bill to incorporate the Mississippi Boom Company,"

"With sundry amendments, in which the concurrence of the Council is respectfully requested.

"The House has also concurred in

"Joint resolution No. 4, (C. F.) relative to the annals of the Minnesota Historical Society."

"The Speaker of the House has signed the following acts :

"An act to provide for the erection of public buildings in the Territory of Minnesota."

"An act to incorporate the St. Croix Boom company."

The Chief Clerk having withdrawn,

The committee resumed its session.

After some time passed therein the committee rose, and by the chairman reported

"No. 3, (H. of R.) A bill regulating the sale of spirituous liquors,"

Back to the Council with an amendment.

The question then recurring on the adoption by the Council of the amendment proposed to the bill 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. Olmsted,

The bill was then read a third time by its title.

The bill was then passed and the title agreed to.

On motion of Mr. Forbes,

"No. 7, (H. of R.) A bill to incorporate St. Paul Lodge No. 2, of the Independent Order of Odd Fellows of the town of St. Paul,"

Was taken from the table, 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 bill 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.

Bills ready for a third reading being now in order;

"No. 3, (C. F.) A bill providing for the election and prescribing the duties of Supervisors of Roads,"

Was taken up, and

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

Pending the question,

On motion of Mr. Norris,

The bill was referred to the committee on the Judiciary.

On motion of Mr. McLeod,

The message from the House of Representatives was taken up, and the President 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 to provide for the erection of Public Buildings in the Territory of Minnesota," and

A bill entitled "An act to incorporate the St. Croix Boom Company."

"No. 6 (C. F.) A bill to incorporate the Mississippi Boom Company,"

Returned from the House with amendments,

Now being under consideration, and

The first amendment made to the bill by the House of Representatives, having been read as follows :

"Amend section 1, line 12, by inserting after the word 'mixed,' 'so far as the same may be necessary to carry on the legitimate business of said company hereinafter prescribed, or to secure the payment of any debts that may be owing thereto.'"

The Council concurred therein.

The second amendment was then read as follows, viz :

"Amend section 2 by striking out all after the word 'company' in line 5,"

And the Council concurred therein.

The third amendment was then read as follows, viz :

"Strike out 'one' in the fourth line, and insert 'five';

And the Council concurred therein.

The fourth amendment being then read as follows, viz :

"Strike out 'so' and 'do' in the last line of section 11, and add the words 'secure all logs and hewn timber that may come down the said Mississippi river, after the 1st day of June, 1851.'"

The Council refused to concur therein.

The fifth amendment being then read as follows :

"Strike out of section 12, fourth line, the words 'St. Paul so called,' and insert 'Point Douglass' in lieu thereof."

The Council concurred therein.

The sixth amendment being then read as follows :

"In section 13, line 6, strike out the word 'two,' and insert 'five,'

It was concurred in by the Council.

The seventh amendment being then read as follows, viz :

"Sec. 17. The proprietors of the present and future mills in the town of St. Paul, shall not, by any provisions of this bill, be prohibited from constructing a side boom or booms at such point or points as they may select between the lower mill in said town of St. Paul, and a point on said Mississippi river, at the lower extremity of the military reserve, and shall in no wise, while using the said side boom, exclusively, be subject to charges provided for in this bill."

It was not concurred in by the Council.

On motion of Mr. Forbes,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'Clock, P. M.

The Council was called to order by the President.

Mr. Rollins moved a call of the Council;

Which being ordered, and

The roll being called, Messrs. Boal, Burkleo, Olmsted, and Sturgis were reported absent.

The Sergeant-at-Arms was directed to report the absent members in their seats.

Mr. Boal having taken his seat,

On motion of Mr. Forbes,

Further proceedings under the call of the Council were dispensed with.

Bills ready for a third reading being in order,

"No. 7 (C. F.) A bill providing for the appointment of a Librarian and for other purposes,"

Was read the third time, passed, and the title agreed to.

"No. 6 (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river,"

Now coming up, and the question recurring on ordering the bill to a third reading;

Pending the question,

Mr. Norris moved to amend the third line of the first section, by striking out the word "fifteen" and inserting in lieu thereof the word "ten;"

Which motion prevailed, and

The bill was then read the third time, passed, and the title agreed to.

Bills on which progress had been made, and leave granted to sit again, now being in order,

On motion of Mr. Forbes,

"No. 5 (C. F.) A bill relative to the organization and duties of the officers of the Legislative Assembly of the Territory of Minnesota,"

Was taken from the table, and

The Council resolved itself into a committee of the whole.

Mr. Forbes in the chair, for the further consideration of said bill.

After some time passed therein, the committee rose, and by their chairman reported the bill back to the Council with the recommendation that the bill be laid on the table.

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

The question then recurring on the adoption of the recommendation of the committee of the whole,

It was decided in the affirmative, and the bill was laid on the table.

On motion of Mr. Norris,

“No. 11 (C. F.) “A bill to provide for a Territorial and County revenue,”

Was taken from the table, and 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.

On motion of Mr. Forbes,

The Council adjourned—Ayes 4, Noes 3.

COUNCIL, *Wednesday*, February 5, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod presented a memorial of Mr. N. McLean, to the Legislative Assembly of Minnesota,

Which was then read, and

On motion of Mr. Norris,

The memorial was referred to the committee on Public Printing.

Mr. McLeod from the committee on Enrolled Bills made the following report, viz :

“The joint committee did, on the 4th of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills :

“A bill entitled an act to incorporate the St. Croix Boom Company,” and

“A bill entitled an act to provide for the erection of public buildings in the Territory of Minnesota.”

“M. McLEOD, Council.

“B. H. RANDALL, House of Representatives.

“Committee.”

— Bills ready for the committee of the whole being in order,

On motion of Mr. Forbes,

“No. 8, (C. F.) A bill for the election of Coroners, and defining their duties and powers,”

Was taken from the table, and

On motion of Mr. Norris,

Was laid on the table.

On motion of Mr. Forbes,

“No. 10, (C. F.) A bill to regulate contested elections,”

Was taken from the table, and

The Council resolved itself into a committee of the whole, Mr. McLeod in the chair,

Having said bill under consideration.

COUNCIL, 9.

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 the 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. Forbes,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Forbes,

"No. 9, (C. F.) A bill relative to Territorial and county officers;"

Was taken from the table,

And the Council resolved itself into a committee of the whole, Mr. Forbes 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 be engrossed for a third reading, it was decided in the affirmative.

So the bill was ordered to be engrossed.

On motion of Mr. Forbes,

"No. 7 (H. of R.) A bill to incorporate St. Paul Lodge No. 2, of the Independent Order of Odd Fellows of the town of St. Paul."

Which on yesterday was laid on the table under the rules,

Was taken up, and read the third time, passed, and the title agreed to.

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

"No. 10, (C. F.) A bill to regulate contested elections;"

"No. 11, (C. F.) A bill to provide for a Territorial and county revenue," and

"No. 9, (C. F.) A bill relative to Territorial and county officers."

On motion of Mr. Norris,

The said bills were referred to the committee on the Judiciary.

On motion of Mr. Olmsted,

The Council adjourned.

COUNCIL, Thursday, February 6, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Boal, from the committee on the Militia, reported by bill, and

"No. 14 (C. F.) A bill to provide for the organization of the Militia in this Territory."

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

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

"MR. PRESIDENT:—The House of Representatives has concurred in the amendment of the Council to

"No. 3 (H. of R.) A bill for an act regulating the sale of spirituous liquors."

"The House has concurred in the first amendment of the Council to

“No. 6 (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river,”

“And have appointed Messrs. North and Ludden a committee of conference on the other amendments,

“And ask for the appointment of a similar committee on the part of the Council.

“The House has appointed Messrs. Ramsey and Gilman a committee of conference on the amendments of the House to ‘No. 6, (C. F.);’

“Which were non-concurred in by the Council,

“And ask a similar committee on the part of the Council.”

The Chief Clerk having withdrawn,

The message from the House was taken up, and

The President then appointed Messrs. Boal and Rollins a committee to confer with a similar committee of the House on the disagreeing vote of the two Houses on

“No. 6 (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river,” and

Messrs. Forbes and Norris, a committee to confer with a similar committee on the part of the House, on the disagreeing vote of the two Houses on

“No. 6 (C. F.) A bill to incorporate the Mississippi Boom Company.”

On motion of Mr. McLeod,

The 40th rule of the Council, requiring bills to lay on the table one day after being printed,

Was suspended by a two-thirds vote, and

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. 12, (C. F.) A bill to establish a system of Common Schools and to maintain them.”

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.

Mr. Rollins moved that the Council adjourn until half-past two o'clock this afternoon;

Which was decided in the negative.

On motion of Mr. Forbes,

The Council adjourned—Ayes 4, Noes 2.

COUNCIL, Friday, February 7, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled:

“No. 7 (H. of R.) A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows of the town of St. Paul,” and

“No. 3 (H. of R.) A bill for an act regulating the sale of spirituous liquors.”

Bills and memorials ready for action of the committee of the whole, now being in order,

On motion of Mr. McLeod,

“No. 1 (C. F.) Memorial to Congress for one hundred thousand acres of land to endow a university,”

Was taken from the table, and

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 concurrence of the Council in the amendments proposed by the committee of the whole,

It was decided in the affirmative.

So the amendments were concurred in.

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.

Bills, wherein the committee of the whole have made progress with leave to sit again, now coming up in order of business ;

On motion of Mr. Forbes,

“No. 12, (C. F.) A bill to establish a system of Common Schools and to maintain there,”

Was taken from the table, and the Council resolved itself into a committee of the whole, Mr. Rollins in the chair, for the further consideration of said bill.

During the deliberation of the committee of the whole, the following message was received from the House of Representatives by B. W. Lott, Esq., Chief Clerk thereof, when the President took the chair for its reception, viz :

“MR. PRESIDENT :—The House of Representatives has passed

“No. 9, (H. of R.) Substitute for No. 4 (C. F.) A bill to authorize the establishment and regulation of ferries.”

“His Excellency, the Governor, has notified the House that he had examined and approved

“An act to provide for the erection of Public Buildings in the Territory of Minnesota ;”

“Also, ‘An act to incorporate the St. Croix Boom Company.’”

The Chief Clerk then withdrew, and the committee resumed its session.

After some time passed therein, the committee rose, and by the chairman reported “No. 12, (C. F.) A bill to establish a system of Common Schools, and to maintain them,”

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.

So the amendments were concurred in.

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. Rollins, from the committee on Engrossed bills reported as correctly engrossed, “No 1 (C. F.) A memorial to Congress for one hundred thousand acres of land to endow a university.”

Mr. McLeod moved that the Council adjourn until half-past two o'clock this afternoon ;

Which was decided in the negative—Ayes 1, Noes 5.

Mr. McLeod moved that the Council do now adjourn ;

And the Ayes and Noes being called for on the adoption of the motion, and ordered,

Those who voted in the affirmative were Messrs. Forbes, Norris, and Olmsted—3.

Those who voted in the negative were Messrs. Rollins and Loomis, *President*—2.

So the Council adjourned.

COUNCIL, *Saturday*, February 8, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

The journal of the proceedings of the Council on yesterday was then read.

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

“MR. PRESIDENT :—His Excellency the Governor has returned to the House of Representatives with his objections thereto,

“ An act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell ; ”

“ And the House has reconsidered said bill and refused to pass the same.

“ The House of Representatives has concurred in

“ No. 7 (C. F.) A bill providing for the appointment of a Librarian and for other purposes ; ”

“ With certain amendments, in which the concurrence of the Council is respectfully requested.

“ The House has passed ‘ No. 10 (H. of R.) A bill for an act to establish and maintain Common Schools ; ’ also,

“ No. 12 (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river. ”

“ In which the concurrence of the Council is respectfully requested.

“ The Speaker *pro tem.* has signed the following acts :

“ An act to incorporate the St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul. ”

“ An act regulating the sale of spiritous liquors. ”

The Chief Clerk then having withdrawn,

Messages from the House of Representatives being then in order,

The message of yesterday was taken up, and

“ No. 9 (H. of R.) Substitute for No 4 (C. F.) A bill to authorize the establishment and regulation of Ferries ; ”

Was read the first and second times, and laid on the table for the action of the Council in committee of the whole.

The message from the House of this morning was then taken up,

And the President of the Council then 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 to incorporate the St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows of the town of St. Paul, ” and

“ A bill entitled An act regulating the sale of spiritous liquors. ”

“ No. 7 (C. F.) A bill providing for the appointment of a Librarian, and for other purposes, ”

Returned from the House with sundry amendments, being under consideration, the first amendment to the bill was read as follows, viz :

“ Sec. 2. Strike out of the second line the word ‘ treasurer, ’ and insert ‘ secretary. ’ ”

And the Council concurred therein.

The second amendment being then read as follows, viz :

“ Amend section 4, line 14, by striking out ‘ her. ’ ”

The Council concurred therein.

The third amendment being then read as follows, viz :

“ Insert after ‘ days ’ in line 3, ‘ except during the terms of courts, or the session of the Legislature. ’ ”

Was concurred in by the Council.

The fourth amendment being then read as follows, viz :

“ Add to section 6, ‘ and also shall forfeit his right to take books therefrom. ’ ”

The Council refused to concur therein.

The fifth amendment being then read as follows, viz :

“ Amend section 9, line 9, by striking out the word ‘ now. ’ ”

The Council concurred therein.

The sixth amendment being then read as follows, viz :

“ Strike out the word ‘ cash ’ from section 10, line 6. ”

The Council concurred therein.

The seventh amendment being then read as follows, viz :

“ Insert after the word ‘ office, ’ in the second line of section 11, ‘ for good cause. ’ ”

The Council concurred therein.

So the Council concurred in the 1st, 2d, 3d, 5th, 6th and 7th amendments, and refused to concur in the 4th amendment made by the House to said bill.

The following bills received from the House of Representatives by message, 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, viz :

“No. 12 (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river;” and

“No. 10 (H. of R.) A bill for an act to establish and maintain Common Schools.”

The messages from the House being disposed of,
And bills ready for a third reading being in order;

On motion of Mr. Rollins,

“No. 1 (C. F.) A memorial to Congress for one hundred thousand acres of land to endow a University;”

Was read the third time by its title.

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. McLeod moved to amend the title by striking out the words “one hundred thousand acres;” and inserting in lieu thereof, the words “a grant;”

Which motion prevailed.

The question then recurring on agreeing to the title of the memorial as amended,

It was decided in the affirmative.

So the title was agreed to.

Mr. Forbes, from the committee of conference appointed to confer on the disagreeing vote of the two houses on

“No. 6, (C. F.) A bill to incorporate the Mississippi Boom company;”

Made the following report, which was accepted, viz :

“The joint committee of the two Houses recommend that the following be adopted, as a substitute to the amendment of the House to the 11th section, viz :

“Add to section 11 the words ‘and the said Boom company shall be required to complete a good and sufficient boom or booms for securing all logs and hewn timber floating down said Mississippi river, as above provided, on or before the first day of May, A. D. 1852.’

“The committee also recommend the following as a substitute for the 17th section, as adopted by the House, viz :

“Sec. 17. All persons having logs in said boom or booms, or having logs or other timber floating down the Mississippi to said boom, may have the said logs or other timber turned out of said boom or booms loose, without rafting the same; and the price of boomage in such case shall not exceed one half of the amount allowed under the provisions of this act for booming and rafting, provided that the said Boom company shall not be held accountable for the loss of any logs or other timber resulting from the so turning out of said logs or other timber.”

The question then recurring on the adoption of the report of the committee of conference;

The substitute for the House amendment to the 11th section was read and adopted.

The substitute for the additional section adopted by the House to the bill, was then read and adopted.

So the Council concurred in the report of the committee of conference.

Mr. Rollins moved that the Council do now adjourn;

Which motion he subsequently by leave withdrew; when

Mr. Olmsted moved a suspension of the 40th rule, which requires bills to lay on the table one day after their being printed, and

Pending the question,

Mr. Forbes moved a call of the Council;

Which was ordered, and the roll being called,

Messrs. Burkleo, Boal and Sturgis were reported absent.

The Sergeant-at-Arms was directed to report the absent members in their seats.

On motion of Mr. McLeod,

Further proceedings under the call of the Council were dispensed with.

Mr. McLeod moved to adjourn until two o'clock on Monday;

Which motion was negatived—Ayes 2, Noes 3.

The question then being taken on the suspension of the 40th rule,
 It was decided in the affirmative by a two-thirds vote, and
 On motion of Mr. Olmsted,
 "No. 14, (C. F.) A bill to provide for the organization of the Militia in this Territory."
 Was taken from the table, and
 The Council resolved itself into a committee of the whole, Mr. McLeod 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;
 Pending the question,
 On motion of Mr. Rollins,
 The Council adjourned until two o'clock P. M. on Monday next.

COUNCIL, *Monday*, February 10, 1851.

The Council was called to order by the President.
 Prayer by the Rev. Mr. Breck.
 The journal of the proceedings of the Council on Saturday was then read.
 Bills reported from the committee of the whole being in order,
 On motion of Mr. Forbes,
 "No. 14, (C. F.) A bill to provide for the organization of the Militia of this Territory,"
 Was recommitted to a committee of the whole, and
 The Council then 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 an amendment.
 The question then recurring on the concurrence of the Council to the amendment proposed by the committee of the whole,
 Pending the question,
 Mr. Sturgis moved a call of the Council,
 Which was ordered, and
 The roll being called, Messrs. Burkleo, Boal, and Olmsted were reported absent.
 The Sergeant-at-Arms was directed to report the absent members in their seats.
 On motion of Mr. McLeod,
 Further proceedings under the call of the Council were suspended.
 On motion of Mr. Rollins,
 "No. 14, (C. F.) A bill to provide for the organization of the Militia of this Territory."
 Was laid upon the table.
 Bills ready for the committee of the whole being in order,
 On motion of Mr. Norris,
 Chapter one, of bill
 "No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"
 Was taken from the table.
 And the Council resolved itself into a committee of the whole, Mr. Forbes in the chair,
 For the consideration of said chapter.
 After some time passed therein, the committee rose, and by their chairman, reported the bill back to the Council with progress made, and asked leave to sit again.
 Leave was granted.
 On motion of Mr Forbes,
 Chapters two and three of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Was taken from the table, and

The Council resolved itself into a committee of the whole, Mr. Rollins in the chair, Having said chapters of said bill under consideration.

After some time passed therein, the committee rose, and by the chairman reported the said chapters 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,

And the question being first taken on agreeing to the amendments proposed to chapter two,

It was decided in the affirmative.

The question then being taken on the adoption of the amendment proposed by the committee of the whole to chapter three.

It was decided in the affirmative.

The question then recurring on ordering said chapters to be engrossed for a third reading,

On motion of Mr. McLeod,

The Council adjourned.

COUNCIL, Tuesday, February 11, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Boal presented an account of Mr. N. Spicer against the Legislature, which,

On motion of Mr. Boal,

Was referred to the committee on Legislative Expenditures.

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

"No. 12 (C. F.) A bill to establish a system of Common Schools, and to maintain them."

Mr. Norris, from the joint committee on the Judiciary, reported,

Chapters 12, 13, 14, and 15 of bill "No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

Which chapters were,

On motion of Mr. Norris,

Read the first and second times by their titles and laid on the table to be printed.

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled,

"No. 6 (C. F.) A bill to incorporate the Mississippi Boom Company."

Mr. Olmsted moved that the chapters reported by the committee on the Judiciary, be printed in book form,

Which motion he subsequently by leave withdrew.

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

"MR. PRESIDENT:—The House of Representatives has receded from their fourth amendment to

"No. 7 (C. F.) A bill providing for the appointment of a Librarian and for other purposes;"

"The House has adopted the report of the committee of conference on the disagreeing vote of the two Houses on

"No. 6 (C. F.) A bill to incorporate the Mississippi Boom company.'"

The Chief Clerk then withdrew, and

Mr. Norris then moved that the

"Public Printer be directed, in printing the report of the joint committee on the Judiciary, to leave the space between the lines not exceeding one-half the space now used in printing bills with long primer type."

Which motion was passed in the affirmative.

House bills on their second reading being in order,

Mr. Rollins moved that

“No. 10 (H. of R.) A bill for an act to establish and maintain Common Schools;”
and

“No. 12 (C. F.) A bill to establish a system of Common Schools, and to maintain them;”

Be taken from the table, and referred to the committee on the Judiciary;

And pending the question,

Mr. McLeod moved a call of the Council,

Which being ordered and the roll being called;

Messrs. Forbes, Olmsted and Sturgis, were reported absent.

The Sergeant-at-Arms was directed to report the absent members in their seats.

Messrs. Forbes and Olmsted having taken their seats,

On motion of Mr. Forbes,

Further proceedings under the call of the Council were dispensed with.

The question then recurring on taking from the table and referring to the committee on the Judiciary,

“No. 10 (H. of R.) A bill for an act to establish and maintain Common Schools;”
and

“No. 12 (C. F.) A bill to establish a system of Common Schools and to maintain them;”

Mr. Forbes moved to amend the motion by striking out the words “and

“No. 12 (C. F.) A bill to establish a system of Common Schools and to maintain them;”

“Be taken from the table, and referred to the committee on the Judiciary;”

And inserting in lieu thereof, the words

“Be laid on the table;”

Which motion to amend the motion was adopted.

The question then recurring on the adoption of the original motion as amended,

It was decided in the affirmative, and

“No. 10 (H. of R.) A bill for an act to establish and maintain Common Schools;”

Was laid on the table.

On motion of Mr. Norris,

“No. 12 (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river;”

Was taken from the table,

And 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 the bill back to the Council with amendments.

The question then recurring on the concurrence of the Council in 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. Forbes,

The bill was read the third time by its title.

The bill was then passed and the title agreed to.

On motion of Mr. Forbes,

“No. 9 (H. of R.) Substitute for No. 4 (C. F.) A bill to authorize the establishment and regulation of ferries;”

Was taken from the table, 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 said bill back to the Council, with amendments.

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

It was decided in the affirmative.

COUNCIL, 10.

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

It was decided in the affirmative; and

On motion of Mr. Norris,

The bill was read the third time by its title.

The bill was then passed and the title agreed to.

Bills ready for a third reading being now in order;

On motion of Mr. McLeod,

“No. 12 C. (F.) A bill to establish a system of Common Schools and to maintain them,”

Was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative.

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

Mr. Norris moved to amend the title by striking out all after the words “bill to,” and inserting in lieu thereof the words “provide for the establishment and maintenance of Common Schools ;”

Which motion prevailed.

The title as amended was then agreed to.

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

“Resolved, That the Secretary of the Council be, and he is hereby authorized to employ some suitable person to assist in doing the writing of the Council.”

On motion of Mr. Norris,

The Council adjourned until two o'clock this afternoon.

Two O'clock P. M.

The Council was called to order by the President.

Bills reported by a committee of the whole, being in order,

Chapter 2 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Was ordered to be engrossed.

The question then coming up on ordering chapter three of the same bill to be engrossed for a third reading,

On motion of Mr. Norris,

Said chapter was ordered to be recommitted to the committee of the whole, and

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. McLeod in the chair, having under consideration chapter 3 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

During the session of the committee, the following message was received from the House of Representatives, by B. W. Lott, Esq., Chief Clerk thereof,

When the President took the chair for its reception, viz :

“MR. PRESIDENT :—The House of Representatives has concurred in

“No. 1 (C. F.) A memorial to Congress for a grant of land to endow a University.”

“The Speaker of the House has signed ‘An act to incorporate the Mississippi Boom Company.’”

The Chief Clerk then withdrew,

And the committee of the whole resumed its session.

After some time passed therein, the committee rose, and by the chairman, reported chapter 3 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

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 chapter,

It was decided in the affirmative, and

The chapter was then ordered to be engrossed for a third reading.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, Chapter 2 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

On motion of Mr. Norris,

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

Chapter 1 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

After some time passed therein, the committee rose, and by the chairman reported said chapter back to the Council with amendments.

The amendments proposed to the chapter by the committee of the whole,

Were then concurred in by the Council, and

The chapter was ordered to be engrossed for a third reading.

On motion of Mr. Forbes,

“No. 14 (C. F.) A bill to provide for the organization of the Militia of this Territory.”

Was taken up;

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

It was decided in the negative.

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

Pending the question,

Mr. Burkleo moved to amend section 7, line 4, by striking out all after the words “by notice given,” and inserting the words “that invasion has rendered their meeting necessary;”

Which amendment was adopted.

Mr. McLeod moved to amend section 15 by inserting after the word “device” the words “said device to be a figure of Mars armed at all points.”

Mr. Olmsted moved to amend the amendment by striking out all after the words “figure of,” and inserting in lieu thereof the words “Mars embracing Bacchus;”

Which motion to amend the amendment was concurred in.

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

It was decided in the affirmative.

Mr. Burkleo then moved to amend the 17th section in the second line by striking out “two,” and inserting in lieu thereof “one;”

Which motion prevailed.

Mr. Olmsted moved to amend the 18th section, line 2, by striking out the word “muster,” and inserting in lieu thereof the word “training;”

Which motion prevailed.

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

It was decided in the affirmative;

And the bill was ordered to be engrossed.

On motion of Mr. McLeod,

The message from the House of Representatives was taken up,

When the President of the Council signed a bill, entitled “An act to incorporate the Mississippi Boom Company;”

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.

Mr. Sturgis gave notice that he would on to-morrow or some future day, ask leave to introduce a memorial to Congress for a grant of land to enable the county of Benton to erect county buildings.

On motion of Mr. McLeod,

The Council adjourned.

COUNCIL, *Wednesday*, February 12, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The journal of the proceedings of the Council on yesterday, was then read.

Mr. McLeod from the Committee on Enrolled Bills made the following report, viz:

“The joint committee did, on the 11th of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills:

“A bill entitled an act to incorporate the St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows of the town of St. Paul.’

“A bill entitled an act regulating the sale of spirituous liquors.’

“A bill entitled An act to incorporate the Mississippi Boom company.’

“M. McLEOD, Council.

“B. H. RANDALL, House of Representatives.

“Committee.”

Bills on their reading being in order, and

The question recurring on ordering to be read the third time,

Chapter 2, of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

On motion of Mr. McLeod,

The chapter was read the third time by its title.

The chapter was then passed and the title agreed to.

Bills ready for committee of the whole, being now in order,

On motion of Mr. McLeod,

Chapter 4, of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

Was taken from the table. and

The Council resolved itself into a committee of the whole, Mr. Rollins in the chair, having said chapter under consideration.

During the deliberations of the committee, the following message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk thereof;

When the President took the chair for its reception, viz:

“MR. PRESIDENT:—The House of Representatives has concurred in the amendments of the Council to

“No. 12, (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river.’

“Messrs. North, Ramsey and Randall have been appointed a committee of conference to confer with a similar committee on the part of the Council, on

“No. 12 (C. F.) A bill to provide for the establishment and maintenance of Common Schools.’

“The House has concurred in the 2d, 3d, 4th and 5th amendments of the Council to

“No. 9. (H. of R.) substitute for

“No. 4 (C. F.) A bill to authorize the establishment and regulation of ferries,’

“And have refused to concur in the 1st and 6th amendments of the Council to said bill.

“The House of Representatives has passed

“No. 11, (H. of R.) A bill for revising and consolidating the 9th, 10th and 11th chapters of the general statutes of this territory.’

“In which the concurrence of the Council is respectfully requested.”

The Chief Clerk then withdrew,

And the committee resumed its session.

After some further time passed therein,

The committee rose, and by the chairman reported the chapter 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 chapter,

It was decided in the affirmative, and

The chapter was then ordered to be engrossed for a third reading.

Mr. McLeod asked and obtained leave to present a memorial from James M. Goodhue to the Legislative Assembly relative to an unpaid balance for the printing of last session ;

Which was read, and

On motion of Mr. Forbes,

Referred to the committee on public printing.

On motion of Mr. Burkleo,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Norris,

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

"No. 9, (H. of R.) substitute for

"No. 4, (C. F.) A bill to authorize the establishment and regulation of ferries."

Returned from the House of Representatives with the 1st and 6th amendments made by the Council non-concurred in by the House,

Being under consideration,

The first amendment made by the Council, and non-concurred in by the House,

Was read, and

The Council receded therefrom.

The sixth amendment made by the Council to said bill, being the second amendment non-concurred in by the House,

Was then read, and

The Council refused to recede therefrom.

H. of R. chapters 9, 10 and 11, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Coming up for a first and second reading.

On motion of Mr. Norris,

The 37th rule, requiring bills on their first reading to be read at length, was suspended by a two-thirds vote, and

On motion of Mr. Norris,

The H. of R. chapters 9, 10 and 11 were read the first and second times,

And laid on the table

For the action of the Council in committee of the whole.

Mr. Sturgis moved that a committee of conference be appointed on the part of the Council, on

"No. 12, (C. F.) A bill to establish a system of Common Schools, and to maintain them ;"

Which motion he subsequently by leave withdrew.

On motion of Mr. Olmsted,

"No. 10, (H. of R.) A bill for an act to establish and maintain Common Schools ;"

Was taken up, and

On motion of Mr. Olmsted

The Council resolved into a committee of the whole, Mr. Forbes 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

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

Pending the question,

Mr. Norris moved that the bill be laid on the table ;

Which was decided in the negative—Ayes 3, Noes 4.

The question then being taken on ordering the bill to a third reading.

It was decided in the negative.

On motion of Mr. Norris,

Chapter 5 of bill

"No. 13, (C. F.) A for bill revising and consolidating the general statutes of the Territory;"

Was taken from the table, and

The Council resolved itself into a committee of the whole, Mr. Sturgis in the chair, having said chapter under consideration.

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

Leave was granted.

On motion of Mr. Olmsted,

The Council adjourned.

COUNCIL. *Thursday*, February 13, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The journal of the proceedings of the Council on yesterday was then read.

A message in writing from his Excellency the Governor of Minnesota Territory, by W. B. White, Esq., his private Secretary, was received.

Mr. McLeod from the committee on public printing, to whom was referred the petitions of Nathaniel McLean and James M. Goodhue, reported by memorial and "No. 2, (C. F.) A memorial to Congress relative to unpaid appropriations for public printing,"

Was read the first and second times.

Mr. Rollins from the committee on Engrossed Bills reported.

"No. 14, (C. F.) A bill to provide for the organization of the Militia of this Territory,"

As correctly engrossed.

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

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

On motion of Mr. Norris,

"No. 2, (C. F.) A memorial to Congress relative to an unpaid balance for public printing,"

Was taken up for consideration, and

The Council resolved itself into a committee of the whole, Mr. McLeod 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 an amendment.

The question then recurring on the concurrence of the Council in the amendment 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.

Mr. McLeod from the committee on Enrolled Bills, reported the following bills as correctly enrolled, viz:

"No. 7, (C. F.) A bill providing for the appointment of a Librarian and for other purposes;"

"No. 6. (H. of R.) A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river."

Executive communications being in order, the message from his Excellency, the Governor, was then read as follows, viz:

"TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
 "St. Paul, February 13, 1851. }

"TO THE HON. PRESIDENT OF THE COUNCIL—SIR:—I have examined and approved the following act, to wit:

"An act to incorporate the Mississippi Boom Company." "

"Very respectfully,

"Your ob't serv't,

"ALEX. RAMSEY."

Bills on their second reading being in order,

On motion of Mr. Olmsted,

H. of R. articles 8, 9, and 10 of (C. F.) chapter 8, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken from the table,

And the Council resolved itself into a committee of the whole, Mr. Norris in the chair,

Having said chapters under consideration.

After some time passed therein, the committee rose, and by the chairman, reported H. of R. articles 8 and 9 back to the Council with amendments, and with progress made, and asked leave to sit again on H. of R. article 10.

Leave was granted.

The question then recurring on the concurrence of the Council, in the amendments proposed by the committee of the whole to

H. of R. articles 8 and 9,

It was decided in the affirmative.

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

"No. 2, (C. F.) A memorial to Congress relative to an unpaid balance for public printing."

Bills ready for a third reading being now in order,

"No. 14, (C. F.) A bill providing for the organization of the Militia in this Territory,"

Was taken up, and

On motion of Mr. Norris,

The bill was read a third time by its title.

The question then recurring on the passage of the bill,

And the Ayes and Noes having been called for and ordered,

Those who voted in the affirmative were Messrs. Olmsted and Loomis, *President*—2.

Those who voted in the negative were Messrs. Burkleo, Forbes, McLeod, Norris and Rollins—5.

So the bill was negatived.

On motion of Mr. Norris,

H. of R. articles 8 and 9 of (C. F.) chapter 8 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were laid on the table.

On motion of Mr. McLeod,

The 37th rule of the Council forbidding the reading of bills, &c., the second and third times on the same day, was suspended by a two-thirds vote, and

On motion of Mr. McLeod,

"No. 2, (C. F.) A memorial to Congress relative to an unpaid balance for public printing,"

Was ordered to a third reading.

On motion of Mr. McLeod,

Said memorial was read the third time by its title.

The question then recurring on the passage of the memorial, and the Ayes and Noes having been called for and ordered,

Those voting in the affirmative were, Messrs. Forbes, McLeod, Norris, Olmsted, and Rollins—5.

Those voting in the negative were, Messrs. Burkleo and Loomis, *President*—2.
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 "relative,"
and inserting in lieu thereof the words "to unpaid appropriations;"

Which motion was adopted.

The title as amended was then agreed to.

On motion of Mr. Rollins,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

A message was received from the House of Representatives by B. W. Lott, Esq.,
Chief Clerk thereof, as follows, viz :

"MR. PRESIDENT:—The House of Representatives has concurred in the sixth
amendment of the Council to

"No. 9, (H. of R.) Substitute for

"No. 4, (C. F.) A bill to authorize the establishment and regulation of ferries."

"The House has concurred in chapter 2 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the
Territory."

"The Speaker has signed

"An act granting to Franklin Steele the right to establish and maintain a ferry
across the Mississippi."

"The House has passed H. of R. articles, 11 and 12 of (C. F.), chapter 8 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the
Territory,"

"In which the concurrence of the Council is respectfully requested."

The Chief Clerk then withdrew.

Bills wherein the committee of the whole has made progress being now in order,

On motion of Mr. Sturgis,

Chapter 5 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Ter-
ritory,"

Was taken up, and the Council resolved itself into a committee of the whole, Mr.
Forbes in the chair, for the further consideration of said chapter.

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

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

Mr. Norris asked that the question be taken on the amendments separately.

The first amendment was then read,

And the Council refused to concur therein.

The second amendment was then read,

And the Council concurred therein.

The third amendment was then read, and

The Council concurred therein—Ayes 4, Noes 3.

The fourth amendment was then read, and the Council concurred therein—Ayes 3,
Noes 2.

The fifth amendment was then read,

And the Council concurred therein.

The sixth amendment being then read,

Mr. Norris moved to amend the report of the committee, by striking out the words
"third Tuesday in October," and inserting in lieu thereof the words "first Monday in
July."

And the Ayes and Noes being called for on the adoption of the amendment,

Those who voted in the affirmative were Messrs. Burkleo, Forbes, McLeod, Norris,
and Rollins—5.

Those who voted in the negative were Messrs. Sturgis and Loomis, *President*—2.

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

It was decided in the affirmative.

All the amendments proposed by the committee of the whole were then concurred in by the Council.

On motion of Mr. McLeod,

The vote by which the Council adopted the second amendment proposed by the committee of the whole was reconsidered, and

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

It was decided in the negative.

Chapter 5 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Was then ordered to be engrossed for a third reading,

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, Chapters 1 and 3 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, *Friday*, February 14, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled:

“No. 1 (C. F.) A memorial to Congress for a grant of land to endow a University;” and

“Chapter 2, of bill No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

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

“Chapters 4 and 5, of bill No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

Messages from the House of Representatives being in order,

The message received from the House of Representatives on yesterday was taken up; and

The President then signed a bill entitled “An act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river;”

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, for examination and approval.

“(H. of R.) articles 11 and 12 of (C. F.) chapter 8, of bill No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

Were then read the first and second times, and laid on the table for the action of the Council in committee of the whole.

The President of the Council called Mr. Forbes to the chair as President *pro tem*.

Bills ready for a third reading being now in order,

And the question recurring on ordering to a third reading;

“Chapters 1, 3, 4 and 5, of bill No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory;”

It was decided in the affirmative.

On motion of Mr. Norris,

Said chapters were read the third time by their titles, and passed.

On motion of Mr. Norris,

COUNCIL, 11

“(H. of R.) articles 8 and 9 of (C. F.) chapter 8 of bill No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were taken from the table, and

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

It was decided in the affirmative, and

On motion of Mr. Norris,

Said articles were read the third time by their titles, and passed.

Bills wherein the committee of the whole has made progress and obtained leave to sit again, being now in order,

On motion of Mr. Norris,

“(H. of R.) article 10 of (C. F.) chapter 8 of bill No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Was taken from the table, and the Council resolved itself into a committee of the whole, Mr. Norris in the chair, having said article under consideration.

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

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

It was decided in the affirmative.

The question then recurring on ordering the article to be read the third time,

It was decided in the affirmative; and

On motion of Mr. Burkleo,

The article was read the third time by its title, and passed.

Bills ready for consideration in committee of the whole, being now in order,

On motion of Mr. McLeod,

“Chapters 6, 7 and 8, of bill No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were taken from the table, and the Council resolved itself into a committee of the whole, Mr. Rollins in the chair, having said chapters under consideration.

During the session of the committee, the following message was received from the House of Representatives by B. W. Lott, Esq., Chief Clerk thereof, when the President *pro tem.* resumed the chair for its reception, viz :

“MR. PRESIDENT :—His Excellency, the Governor, has notified the House of Representatives, that he has examined and approved,

“ ‘An act regulating the sale of spiritous liquors.’ also,

“ ‘An act to incorporate St. Paul Lodge No. 2, of the Independent Order of Odd Fellows of the town of St. Paul.’

“ The House has passed Substitute for House bill No. 8, entitled,

“ ‘A bill for an act to incorporate the University of Minnesota.’

“ In which the concurrence of the Council is respectfully 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 chapters 6 and 7, of bill

“ No 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Back to the Council with amendments, and reported progress, and asked leave to sit again, on chapter 8 of said bill.

Leave was granted.

The question then recurring on the concurrence of the Council in the amendments proposed by the committee of the whole to the sixth and seventh chapters of said bill,

It was decided in the affirmative.

The question then recurring on ordering said chapters to be engrossed for a third reading,

It was decided in the affirmative.

So the chapters were ordered to be engrossed.

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

"No. 3 (C. F.) Memorial to Congress asking for a donation of land to the county of Benton,"

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

On motion of Mr. Norris,

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

"No. 8 entitled a bill for an act to incorporate the University of Minnesota."

Was read the first and second times, and laid on the table for the action of the Council in the committee of the whole.

On motion of Mr. McLeod,

The Council adjourned until two o'clock P. M. on Monday next.

COUNCIL, Monday, February 17, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on Friday, Feb. 14, was then read.

Mr. Norris presented petitions from David Barker and others, asking that a separate county be set off from the southern portion of Washington county;

Which petitions were read and referred to the committee on Territorial Affairs.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, chapters 6 and 7 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. McLeod from the committee on enrolled bills, reported as correctly enrolled,

"No. 9, (H. of R.) Substitute for

"No. 4, (C. F.) a bill to authorize the establishment and regulation of ferries."

Mr. Norris from the joint Judiciary committee, reported chapters 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Norris,

Rule thirty-seven, requiring bills to be read at length on the first reading, was suspended in relation to said chapters, and they were read the first and second times by their titles, and laid on the table to be printed.

House bills on their second reading being now in order,

On motion of Mr. Norris,

Substitute for House bill

"No. 8, A bill for an act to incorporate the University of Minnesota,"

Was taken from the table, 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 an amendment.

The question then recurring on the concurrence of the Council in 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

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,

Mr. Norris moved to amend the title as follows:

Strike out all to "a bill" and after said words, the words "for an act."

Mr. McLeod moved to amend the motion to amend, by adding after "Minnesota," the words "at the Falls of St. Anthony ;"

Which motion was agreed to.

The amendment to the title of the bill as amended, was then adopted, and the title as amended was agreed to.

On motion of Mr. Norris,

The 12th and 13th chapters of bill

"No. 11, (H. of R.) for revising and consolidating the general statutes of the Territory ;"

Were taken from the table, and

The Council resolved itself into a committee of the whole, Mr. McLeod in the chair, having said chapters under consideration.

During the session of the committee, the following message was received from the House of Representatives by B. W. Lott, Esq., Chief Clerk thereof,

When the President took the chair for its reception, viz :

"MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following acts :

"Chapter two of an act revising and consolidating the general statutes of the Territory."

"A memorial to Congress for a grant of land to endow a University."

"An act to authorize the establishment and regulation of ferries."

The Chief Clerk then withdrew, and

The committee of the whole resumed its session.

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

The report of the committee of the whole was accepted.

The chapters were then ordered to a third reading, and

On motion of Mr. Rollins,

Said chapters were read the third time by their titles and passed.

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

Mr. Norris moved to amend the title as follows :

"Strike out of the title all to "for revising," and insert "(H. of R.) Art. 11 and 12 of (C. F.) chapter 8 of bill No. 13 (C. F.) A bill ;"

Which motion to amend was adopted,

And the title as amended was agreed to.

On motion of Mr. McLeod,

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

The President signed the following bills and memorials, viz :

"A memorial to Congress for a grant of land to endow a University ;"

A bill entitled "An act to authorize the establishment and regulation of ferries," and Chapter 2 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory ;"

And said bills and memorials 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.

Bills ready for a third reading being now in order,

Chapters 6 and 7 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were ordered to a third reading, and

On motion of Mr. Forbes,

Were read a third time by their titles.

Said chapters were then passed, and their titles agreed to.

Bills on which the committee of the whole has made progress and obtained leave to again, being now in order,

On motion of Mr. Sturgis,

(C. F.) articles 1, 2, 3, 4, 5, 6, and 7 of (C. F.) chapter 8 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken from the table, and

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

After some time passed therein, the committee rose, and by the chairman reported said articles of the chapter back to the Council with amendments.

The question then recurring on the concurrence of the Council in the amendments proposed by the committee of the whole to said articles of chapter 8,

It was decided in the affirmative;

And the said articles were ordered to be engrossed for a third reading.

On motion of Mr. Rollins,

The Council adjourned.

COUNCIL, Tuesday, February 18, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod from the committee on Enrolled Bills made the following report, viz :
 "The joint committee did, on the 18th of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills and memorial, viz :

"A bill entitled An act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river,'

"A bill entitled An act to authorize the establishment and regulation of ferries,'

"A memorial to Congress for a grant of land to endow a University.'"

"M. McLEOD, Council.

"B. H. RANDALL, House of Representatives.

"Committee."

Bills ready for the committee of the whole being in order,

On motion of Mr. Norris,

(C. F.) chapter 13, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Was taken from the table, and

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

After some time passed therein, the committee rose, and by their chairman reported said chapter 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 said chapter was then ordered to be engrossed for a third reading.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapter 8, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Mr. Sturgis moved that

"No. 3, (C. F.) A memorial to Congress asking a donation of land to the county of Benton,"

Be taken from the table for consideration in committee of the whole.

Which motion he subsequently, by leave, withdrew, when

On motion of Mr. Forbes,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Norris,
"No. 3, (C. F.) Memorial to Congress asking for a donation of land to the county of Benton."

Was taken from the table; 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 same back to the Council without amendment.

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

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed, "No. 3, (C. F.) Memorial to Congress asking for a donation of land to the county of Benton,"

On motion of Mr. Sturgis,

The memorial was taken up and read the third time by its title.

Passed, and the title agreed to.

On motion of Mr. Norris,

Chapters 14, 15 and 16 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up; and the Council resolved itself into a committee of the whole, Mr. McLeod in the chair, for the consideration of said chapters.

After some time passed therein, the committee rose and by the chairman, reported back to the Council,

Chapter 14 without amendment;

Chapter 15, with a recommendation that it be indefinitely postponed,

And chapter 16 as amended.

The question then recurring on the acceptance of the report of the committee of the whole on chapter 14,

It was decided in the affirmative.

The question then recurring on the adoption of the report of the committee of the whole on chapter 15, that it be indefinitely postponed,

It was decided in the affirmative.

So the chapter was indefinitely postponed,

The question then recurring on the concurrence of the Council in the amendments proposed by the committee of the whole, to chapter 16,

It was decided in the affirmative.

The question then recurring on ordering chapters 14 and 16 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

To be engrossed for a third reading,

It was decided in the affirmative.

So the chapters were ordered to be engrossed.

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed, Chapters 8 and 13, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Forbes,

Chapters 8 and 13 were read a third time by their titles.

The question then recurring on the passage of

Chapters 8 and 13, of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

It was decided in the affirmative.

So the said chapters 8 and 13 were passed, and their titles agreed to.

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, *Wednesday*, February 19, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read and corrected.

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed, Chapters 14 and 16 of bill

“No. 13, (C. F. A) bill for revising and consolidating the general statutes of the Territory.”

Bills on their third reading being in order,

Chapters 14 and 16 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were then ordered to be read the third time, and

On motion of Mr. Forbes,

Were read the third time by their titles; and the said chapters were then passed, and their titles agreed to.

Mr. Forbes moved a call of the Council; which being ordered and the roll being called,

Messrs. Boal, Burkleo, Olmsted and Sturgis were reported absent.

The Messenger was directed to require the attendance of the Sergeant-at-Arms.

Mr. Sturgis having taken his seat,

On motion of Mr. Norris,

Further proceedings under the call of the Council were dispensed with.

On motion of Mr. Norris,

The 40th rule, requiring bills, &c., to lie on the table one day after being printed, was suspended by a two-thirds vote, and

On motion of Mr. Norris,

Chapters 32, 33, 34, 35, 36, 37, and 38 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were taken up, and

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

During the session of the committee of the whole, a message in writing was received from his Excellency, the Governor of the Territory, by W. B. White, Esq., his private Secretary,

And the President took the chair for its reception.

The Secretary having withdrawn, the committee resumed its session, and

After some further time passed therein, the committee rose, and by the chairman reported chapters 32, 33, 37 and 38 back to the Council without amendment;

And chapters 34, 35, and 36 with amendments.

The report of the committee of the whole on chapters 32, 33, 37, and 38, was accepted.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole to chapters 34, 35, and 36,

It was decided in the affirmative.

Chapters 32 and 33 were then ordered to be engrossed for a third reading.

The question then recurring on ordering chapter 34 to be engrossed for a third reading,

It was decided in the negative.

So the Council refused to order said chapter to be engrossed.

Chapters 35, 36, 37, and 38 were then severally ordered to be engrossed for a third reading.

On motion of Mr. McLeod,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Forbes,

The message from his Excellency, the Governor, was taken up and read as follows:

"TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, February 19, 1851. }

"TO THE HONORABLE PRESIDENT OF THE COUNCIL—Sir: I have examined and approved

"A memorial to Congress for a grant of land to endow a University."

"Very respectfully,

"Your obedient servant,

"ALEX. RAMSEY."

On motion of Mr. Norris,

(C. F.) chapters 39, 40, 41, and 42 were taken from the table, and

The Council resolved itself into a committee of the whole, Mr. Norris in the chair, having said chapters under consideration.

After some time passed therein, the committee rose, and by the chairman reported back to the Council,

Chapters 39 and 40, without amendments,

And chapters 41 and 42, with amendments.

The report of the committee of the whole on chapters 39 and 40 was accepted, and The amendments proposed by the committee of the whole to chapters 41 and 42, were concurred in.

Chapters 39, 40, 41, and 42

Were then ordered to be engrossed for a third reading.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapters 32, 33, 35, 36, 37, and 38 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Forbes,

(C. F.) chapters 32, 33, 35, 36, 37, and 38 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up;

And the question recurring on ordering said chapters to a third reading,

It was decided in the affirmative, and

On motion of Mr. Forbes,

Said chapters were read a third time by their titles.

Said chapters were then passed, and their titles agreed to.

On motion of Mr. Sturgis,

The Council adjourned.

COUNCIL, *Thursday*, February 20, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Norris from the joint committee on the Judiciary reported,
(C. F.) chapters 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59,
60, 61, 62, 63, 64, 65 and 66, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Norris,

The 37th rule of the Council requiring bills, &c., to be read at length on the first reading,

Was suspended by a two-thirds vote, and

(C. F.) chapters 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60,
61, 62, 63, 64, 65 and 66

Were read the first and second times by their titles, and laid on the table to be printed.

Mr. Forbes moved a call of the Council;

Which was ordered and the roll being called,

Messrs. Boal, Burkleo, Olmsted and Sturgis were reported absent.

The Sergeant-at-Arms was directed to report the absent members in their seats.

On motion of Mr. McLeod,

Further proceedings under the call of the Council were dispensed with.

Mr. Norris moved that the 40th rule of the Council which requires the printing of bills, memorials, &c., after the second reading, be suspended in reference to

(C. F.) chapters 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60,
61, 62, 63, 64, 65 and 66; and

The Ayes and Noes being called for and ordered, on the adoption of the motion;

Those who voted in the affirmative were Messrs. Norris, Rollins and Loomis,
President—3.

Those who voted in the negative were Messrs. Forbes, and McLeod—2.

There not being a majority of two-thirds of the members present, voting in the affirmative;

The motion did not prevail.

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed
(C. F.) chapters 39, 40, 41 and 42 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Bills ready for a third reading, being in order,

(C. F.) chapters 39, 40, 41 and 42 were ordered to a third reading, and

On motion of Mr. McLeod,

The said chapters were read the third time by their titles and passed, and

The titles agreed to.

On motion of Mr. Forbes,

The 40th rule, requiring bills, &c., to lie on the table one day after being printed, was suspended by a two-thirds vote, and

On motion of Mr. Forbes,

(C. F.) chapters 43 and 44 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up, and

The Council resolved itself into a committee of the whole, Mr. Rollins in the chair, having said chapters under consideration.

During the session of the committee of the whole, the following message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk thereof;

When the President took the chair for its reception, viz:

"MR. PRESIDENT:—The House of Representatives has concurred in the amendments of the Council to

"(H. of R.) 8th, 9th and 10th articles of (C. F.) chapter 8 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,' also

"The amendments of the Council to Substitute for House bill

"No. 8, entitled a bill for an act to incorporate the University of Minnesota,' also

COUNCIL, 12.

"The amendments of the Council to the 12th and 13th chapters of bill

"No. 11, (H. of R.) A bill for revising and consolidating the general statutes of the Territory."

"The House has concurred in (C. F.) chapter 7 with amendments, and have passed a Substitute as an amendment for chapter 6 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

"In which amendments the concurrence of the Council is respectfully requested.

"The Speaker has signed

"An act for the appointment of a Librarian and for other purposes;" also

"An act to incorporate the University of Minnesota at the Falls of St. Anthony."

"The House has passed (H. of R.) chapters 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30 and 31, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

"In which the concurrence of the Council is respectfully requested."

The Chief Clerk then withdrew,

And the committee resumed its session.

After some further time passed therein,

The committee rose, and by the chairman reported to the Council that a quorum of the committee not being in attendance, the committee could not proceed in its deliberations.

Mr. Forbes having taken his seat,

On motion of Mr. Norris,

Leave of absence was granted for the day to Messrs. Olmsted and Sturgis.

A quorum being in attendance,

On motion of Mr. Forbes,

The committee of the whole resumed its session, and

After some further time passed therein, the committee rose and by the chairman, reported

(C. F.) chapters 43 and 44, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Back to the Council without amendments.

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

The question recurring on ordering said chapters to be engrossed for a third reading,

On motion of Mr. Norris,

Said chapters were laid on the table.

On motion of Mr. Forbes,

The message from the House of Representatives was taken up,

When (H. of R.) chapters 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30 and 31,

Coming up for a first reading;

On motion of Mr. Forbes,

Rule 37 of the Council, which requires bills, &c., to be read the first time at length, was suspended, and

Said chapters were read the first and second times by their title, and laid on the table for the action of the Council in committee of the whole.

The President then signed the following bills, viz:

"A bill entitled an act providing for the appointment of a Librarian and for other purposes."

"A bill entitled an act to incorporate the University of Minnesota at the Falls of St. Anthony;"

And said bills 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.

(C. F.) chapter 7 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with an amendment ;

Then coming up, and

The question then recurring on the concurrence of the Council in the amendment made by the House of Representatives to said chapter,

It was decided in the affirmative.

(C. F.) chapter 6 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Then coming up,

And the question recurring on the concurrence of the Council in said amendment made by the House of Representatives to said chapter ;

Pending the question,

On motion of Mr. Norris,

The question of concurrence was laid on the the table.

On motion of Mr. Norris,

The Council adjourned until half-past two o'clock, this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Norris,

C. F. chapters 43 and 44 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Were taken from the table, and

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

It was decided in the affirmative.

Mr. Sturgis reported himself present.

On motion of Mr. Forbes,

(H. of R.) chapters 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30 and 31, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken from the table, and

The Council resolved itself into a committee of the whole, Mr. McLeod in the chair, having said chapters under consideration.

After some time passed therein, the committee rose, and by the chairman reported chapters 18, 19, 20, 21, 26, 27, 28, 29, 30 and 31, back to the Council without amendments ;

And chapters 17, 23, 24 and 25, with amendments.

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

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole, to chapter 17,

Mr. Forbes moved to amend the report of the committee, by striking out of the first section the words "viva voce," and inserting in lieu thereof, the words "by ballot."

The Ayes and Noes being called for on the adoption of the motion, and ordered ;

Mr. Forbes voted in the affirmative.

Those who voted in the negative, were

Messrs. McLeod, Norris, Rollins, Sturgis and Loomis, *President*—5.

So the motion was lost.

Mr. Norris then moved to amend the report of the committee on said chapter, to section 10, by striking out the word "Congress," and inserting the word "law,"

Which motion prevailed.

The amendment proposed by the committee of the whole as amended, was then concurred in.

The amendments proposed by the committee of the whole to chapters 23, 24 and 25, were then concurred in by the Council.

On motion of Mr. Forbes,

Rule 37 of the Council, prohibiting the reading of bills, &c., the second and third times on the same day, was suspended by a two-thirds vote; and

On motion of Mr. Forbes,
(H. of R.) chapters 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30 and 31, were ordered to a third reading now.

On motion of Mr. Forbes,
Said chapters were read a third time by their titles, passed, and their titles agreed to.
On motion of Mr. Rollins,
The Council adjourned.

COUNCIL, *Friday*, February 21, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read and corrected.

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapters 43 and 44 of bill

"No. 13, (C. F.) A for bill revising and consolidating the general statutes of the Territory,"

Mr. McLeod from the committee on Enrolled Bills, reported as correctly enrolled, substitutes for

"No. 8, (H. of R.) A bill for an act to incorporate the University of Minnesota at the Falls of St. Anthony."

Mr. McLeod from the joint committee on Enrolled Bills, made the following report, viz:

"The joint committee did, on the 21st of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills:

"A bill entitled an act for the appointment of a Librarian and for other purposes;" and

"A bill entitled an act to incorporate the University of Minnesota at the Falls of St. Anthony."

"M. McLEOD, Council.

"B. H. RANDALL, House of Representatives.

"Committee."

Mr. Norris from the joint Judiciary committee reported,

(C. F.) chapters 67, 68, 69 and 70 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

On motion of Mr. Norris,

Rule 37 of the Council requiring all bills to be read the first time at length, was suspended by a two-thirds vote, and

(C. F.) chapters 67, 68, 69 and 70, were read the first and second times by their titles, and laid on the table to be printed.

Bills ready for a third reading being now in order;

(C. F.) chapters 43 and 44 were ordered to a third reading, and

On motion of Mr. Norris,

Said chapters were read the third time by their titles, passed and the titles agreed to.

On motion of Mr. Norris,

The question of the concurrence of the Council in the amendment made by the House of Representatives to

Chapter 6 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Was taken from the table, and

The question being then taken on the concurrence of the Council in said amendment, It was decided in the negative.

On motion of Mr. Rollins,
The Council adjourned.

COUNCIL, *Saturday*, February 22, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read and corrected.

Mr. McLeod gave notice that he would on Monday next, or some future day, ask leave to introduce a bill to define the Council districts, and apportion the Representatives of this Territory.

Mr. Norris, from the joint committee on the Judiciary, reported

C. F. chapter 71, of bill

"No 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. McLeod,

Rule 37 of the Council, requiring that bills should be read at length the first time, was suspended by a two-thirds vote;

And said chapter was read the first and second times by its title, and laid on the table to be printed.

On motion of Mr. McLeod,

Rule 40 of the Council, requiring bills, &c., to lie on the table one day after being printed, was suspended by a two thirds vote, and

C. F. chapters 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up; and

The Council resolved itself into a committee of the whole, Mr. McLeod in the chair, having said chapters under consideration.

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

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

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

On motion of Mr. McLeod,

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

COUNCIL, *Monday*, February 24, 1851.

The President being absent, the Council was called to order by Mr. Olmsted, and Mr. Norris appointed President *pro tem*.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on Saturday was then read.

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

A memorial to Congress praying for the amendment of certain provisions of the organic act.

The President took the chair.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapters 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

On motion of Mr. Norris,

(C. F.) chapters 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were taken up, and

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

It was decided in the affirmative, and

On motion of Mr. Norris,

Said chapters were read a third time by their titles, passed, and their titles agreed to.

On motion of Mr. Norris,

Rule 40 of the Council requiring bills, &c., to lay on the table one day after being printed,

Was suspended by a two-thirds vote, and

(C. F.) chapters 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were taken up, and

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

During the session of the committee, a message was received from the House of Representatives, by B. W. Lott, Esq., Chief Clerk thereof, viz :

“MR. PRESIDENT :—The House of Representatives has passed

“‘No. 13, (H. of R.) A bill for an act granting to William A. Cheever the right to establish and maintain a ferry across the Mississippi river ;’ also

“‘No. 1, (H. of R.) A memorial to the Secretary of War, for a continuation of certain explorations in the Territory of Minnesota.’

“The House has concurred in

“(C. F.) chapters 3, 4, and 5 of bill

“‘No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.’

“With amendments.

“In all which the concurrence of the Council is respectfully requested.”

The Chief Clerk then withdrew,

And the committee resumed its session.

After some further time passed therein, the committee rose without making a report, and

Mr. Olmsted moved a call of the Council,

Which was ordered, and

The roll being called, Messrs. Burkleo and Rollins did not answer to their names.

The Sergeant-at-Arms was directed to report the absent members in their seats.

Mr. Norris moved that further proceedings under the call of the Council be dispensed with ; and

The Ayes and Noes being called for on the adoption of the motion, and ordered,

Those who voted in the affirmative were Messrs. McLeod and Norris—2.

Those voting in the negative were Messrs. Boal, Forbes, Olmsted, Sturgis, and Loomis, *President*—5.

So the motion was lost.

The Sergeant-at-Arms reported Mr. Rollins in his seat, and that Mr. Burkleo could not be found.

Mr. McLeod moved the Council do now adjourn ;

And the Ayes and Noes being called for on the adoption of the motion, and ordered,

Those voting in the affirmative were Messrs. Boal, McLeod, Norris, Sturgis, and Loomis, *President*—5.

Those voting in the negative were Messrs. Olmsted and Rollins—2.

So the Council adjourned.

COUNCIL, Tuesday, February 25, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Norris presented a petition of Harley D. White and 16 others, praying for a division of Washington county;

Which was read, and

On motion of Mr. Norris,

Said petition was referred to the committee on Territorial Affairs.

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled, Articles 8, 9, 10, and 11 of chapter 8 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

The message from the House of Representatives, received yesterday, being now in order,

Was taken up, and

The following bill and memorial were read the first and second times, and laid on the table for the action of the Council in committee of the whole:

“No. 1 (H. of R.) A memorial to the Secretary of War, for a continuation of certain explorations in the Territory of Minnesota;”

“No. 13, (H. of R.) A bill for an act granting to William A. Cheever the right to establish and maintain a ferry across the Mississippi river.”

(C. F.) Chapter 3 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

Returned from the House of Representatives with sundry amendments,

Now coming up, and the first amendment being then read as follows:

“Amend section 8 by adding the words ‘and enrolling clerk’ after the words ‘assisting clerk.’”

The Council refused to concur therein.

The second amendment being then read as follows:

“Insert after the words ‘assistant clerk’ in section 9 ‘an enrolling clerk.’”

The Council refused to concur therein.

The third amendment being then read as follows:

“Strike out all after the word ‘provided’ in the 11th section,”

The Council refused to concur therein.

The fourth amendment being then read as follows:

“Strike out section 12,”

The Council refused to concur therein.

The fifth amendment being then read as follows:

“Strike out section 9.”

The Council refused to concur therein.

The sixth amendment being then read as follows:

“Strike out the word ‘ballot’ wherever it occurs in the chapter, and insert ‘a viva voce vote.’”

The Council concurred therein.

The seventh amendment being then read as follows:

“Strike out all after the word ‘but’ in the fourth line, section 18,”

The Council refused to concur therein.

The eighth amendment being then read as follows:

“Section 19. Either House may, by resolution, request the opinion of the Supreme Court, or of any one or more of the Judges thereof, upon a given subject; and it shall be the duty of such Court or Judges, when so requested, respectfully to give such opinion in writing.”

The Council refused to concur therein.

So the Council concurred in the sixth, and refused to concur in the first, second, third, fourth, fifth, seventh, and eighth amendments made by the House of Representatives to said chapter.

(C. F.) chapter 4 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives, with sundry amendments, was taken up, and the first amendment being then read as follows:

"Amend section 1, line 3, by inserting after the word 'conditioned,' the following: 'That he will deliver over to his successor in office, all books, records, vouchers, papers, presses, and furniture appertaining to said office, that may come into his possession.'"

The Council concurred therein.

The second amendment being then read as follows:

"Strike out in second line of section 2, the words 'According to the best of my ability,'"

The Council concurred therein.

The third amendment being then read as follows:

"Strike out of section 2, line 3, all after the word 'ability,'"

The Council concurred therein.

The fourth amendment being then read as follows:

"Amend sections 3, 4, and 5 by striking out the first word in each section,"

The Council concurred therein.

The fifth amendment being then read as follows:

"Amend section 4 and 5 by striking out the first word of each section,"

The Council concurred therein.

The sixth amendment being then read as follows:

"Insert after the words 'one hundred' in 1st line, section 5, the words 'and fifty,'"

The Council refused to concur therein, Ayes 2, Noes 3.

The seventh amendment being then read as follows:

"Strike out the first word in section 1, 4 and 5, in article 3d."

The Council concurred therein.

The eighth amendment being then read as follows:

"Strike out of section 5, in line 1, 'two' and insert 'three,'"

The Council refused to concur therein.

The ninth amendment being then read as follows:

"Add article 4—of the Superintendent of common schools."

"Sec. 1. The Secretary of the Territory shall be Superintendent of common schools, whose duty it shall be to prepare and submit an annual report to the Legislature without any salary or emolument, containing

"1. A statement of the condition of the common schools of the Territory.

"2. Estimates on accounts of expenditures of the school moneys.

"3. Plans for the improvement, management and better organization of common schools,

"4. All such matters relating to his office and to the common schools as he shall deem expedient to communicate.

"Sec. 2. It shall be the duty of the Superintendent of common schools, to introduce and recommend to the schools, such text books as he shall deem best adapted to their wants; and to visit as many schools as practicable, within the organized counties of the Territory."

The Council refused to concur therein.

The tenth amendment being then read as follows:

"Strike out in the first line, section 1, of article 5, the word 'fifty-three,' and insert 'fifty-two,'"

The Council concurred therein.

The eleventh amendment being then read as follows:

"Strike out the word 'of,' line 3, section 5 of article 7."

The Council concurred therein.

So the Council concurred in the 1st, 2d, 3d, 4th, 5th, 7th, 10th and 11th; and refused to concur in the 6th, 8th and 9th amendments made by the House of Representatives to said chapter.

(C. F.) chapter 5, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with sundry amendments; then coming up,

And the first amendment being then read as follows:

"Strike out the words 'first Monday of July,' and insert 'second Tuesday of October,'"

The Council concurred therein—Ayes 4, Noes 3.

The second amendment being then read as follows:

"Amend section 29, by striking out the word 'purged,' and insert 'physiced by taking a portion of Moffat's pills,'"

The Council refused to concur therein.

So the Council concurred in the 1st, and refused to concur in the 2d amendment made by the House of Representatives to said chapter.

The message having been disposed of,

On motion of Mr. Norris,

The committee of the whole resumed its session, Mr. Norris in the chair, on

(C. F.) chapters 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69 and 70, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

After some time therein passed, the committee rose, and by the chairman, reported back to the Council,

(C. F.) chapters 57, 58, 59, 60, 61, 62, 63, 64 and 65, of bill,

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory," without amendment; and

(C. F.) chapters 66, 67, 68, 69 and 70 of the same bill, with amendments.

The report of the committee of the whole, on chapters 57, 58, 59, 60, 61, 62, 63, 64 and 65, was accepted.

The amendments proposed by the committee of the whole, to chapter 66, were then concurred in.

The question then recurring on the concurrence of the Council in the amendments proposed to chapter 67,

Mr. Norris asked that the question be taken on the amendments separately, which being ordered, 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, the Council concurred therein.

So all the amendments proposed by the committee of the whole to said chapter, were concurred in by the Council.

The question then recurring on the concurrence of the Council in the amendments proposed by the committee of the whole to chapter 68, and the first amendment being then read,

The Council refused to concur therein—Ayes 2, Noes 3.

The second amendment being then read, the Council concurred therein—Ayes 2, Noes not counted.

The third amendment being then read, the council refused to concur therein.

The fourth amendment being then read, the Council refused to concur therein.

So the Council concurred in the 2d, and refused to concur in the 1st, 3d and 4th amendments, proposed by the committee of the whole to said chapter.

The amendments proposed to chapters 69 and 70, by the committee of the whole, were then concurred in by the Council.

(C. F.) chapters 57, 58, 59, 60, 61, 62, 63, 64, 65, 66 and 67 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were then ordered to be engrossed for a third reading.

The question then recurring on ordering chapter 68 to be engrossed;

Mr. Forbes moved,

To amend the 7th section of the chapter by striking out "shall" in the first line, where it occurs the second time, and inserting in lieu thereof, "may" and in the sec-

ond line strike out "without judgment of divorce or other legal process," and insert in lieu thereof, "on application of either party,"

Which was decided in the affirmative.

Mr. Forbes then moved to amend section 29, by striking out the words "when the marriage shall be dissolved by the husband being sentenced to imprisonment for life, which motion prevailed—Ayes 4, Noes 3.

Mr. Olmsted then moved to amend the ninth section of the chapter, by striking out in the the third subdivision of the section, all after the word "been," and insert in lieu thereof, the words "convicted of felony ;"

Which was decided in the negative.

(C. F.) chapters 68, 69 and 70, were then ordered to be engrossed for a third reading.

On motion of Mr. Forbes,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

There not being a quorum in attendance,

On motion of Mr. Norris,

The Council adjourned.

COUNCIL, *Wednesday*, February 26, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapters 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69 and 70, of bill "No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

House bills on their second reading, being in order ;

On motion of Mr. Sturgis,

"No. 1, (H. of R.) A memorial to the Secretary of War for the continuation of certain explorations in the Territory of Minnesota,"

Was taken up ; and

The Council resolved itself into a committee of the whole, Mr. Sturgis 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 of the whole was accepted.

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

It was decided in the affirmative; and

On motion of Mr. Norris,

The memorial was read the third time by its title, passed and the title agreed to.

On motion of Mr. Norris,

"No. 13, (H. of R.) A bill for an act granting to William A Cheever the right to establish and maintain a ferry across the Mississippi river ;"

Was taken up ; and

Referred to the committee on Corporations, with instructions to make it conform as near as practicable to the charter granted to Franklin Steele.

Bills ready for a third reading, being in order ;

(C. F.) chapters 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69 and 70, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were ordered to a third reading, and

On motion of Mr. Rollins,

Said chapters were read the third time by their titles, passed and the titles agreed to.

Bills ready for committee of the whole, being now in order,

On motion of Mr. Norris,

Rule 40 of the Council, requiring bills, &c., to lie on the table one day after being printed, was suspended by a two thirds vote; and

On motion of Mr. Norris,

(C. F.) chapter 71, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Rollins in the chair, having said chapter under consideration.

During the session of the committee, a message in writing from his Excellency, the Governor, was received by W. B. White, Esq., his private Secretary, when

The President took the chair for its reception.

After the withdrawal of the Secretary, the committee resumed its session.

After some further time passed therein, a message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk thereof,

When the President took the chair for its reception, as follows, viz:

"MR. PRESIDENT:—The House of Representatives has concurred in

"No. 3, (C. F.) A memorial to Congress asking a donation of land to the county of Benton,"

"With an amendment,

"In which the concurrence of the Council is respectfully requested.

"The House has refused to recede from the Substitute for

"(C. F.) Chapter 6, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

"The House has concurred in (C. F.) chapters 16, 33, 36, 39, 40 and 41, without amendments.

"Also, in (C. F.) chapters 8, 13, 14, 32, 35, 37 and 38, with amendments.

"In all of which the concurrence of the Council is respectfully requested."

The Chief Clerk having withdrawn, the committee again resumed its session.

After some time passed therein, the committee rose, and by the chairman, reported (C. F.) chapter 71, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

Back to the Council with progress made, and asked leave to sit again.

Leave was granted.

On motion of Mr. Forbes,

The message from his Excellency, the Governor, was taken up and read as follows, viz:

"TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, February 26, 1851. }

"TO THE HONORABLE PRESIDENT OF THE COUNCIL—Sir: I have examined and approved

"An act providing for the appointment of a Librarian. and for other purposes."

"Very respectfully,

"Your obedient servant,

"ALEX. RAMSEY."

On motion of Mr. McLeod,

The Message from the House of Representatives,

Was taken from the table, and

"No. 3, (C. F.) Memorial to Congress asking for a donation of land to the county of Benton."

Returned from the House of Representatives with an amendment,

Then coming up;

The amendment was read as follows:

"Strike out the words 'your memorialists respectfully ask a donation of one township of land therein, in behalf of said county, to be placed at the disposal of the county com-

missioners, to be by them applied to the speedy erection of county buildings,' and insert in lieu thereof, the words 'your memorialists respectfully ask a donation of one township of land therein, in behalf of said county, to be located by the county commissioners, and placed at their disposal, to be by them applied to the speedy erection of county buildings;'"

And the Council concurred therein.

(C. F.) chapter 6 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Which was amended by the House of Representatives, the amendment non-concurred in by the Council, and now returned from the House endorsed "House refuse to recede and insist;" and,

The question now recurring

"Will the Council adhere to its non-concurrence in the amendment made by the House of Representatives to said chapter;"

Pending the question,

On motion of Mr. Norris,

Ordered, That a committee of two be appointed by the Council to confer with a similar committee to be appointed by the House of Representatives,

On the disagreeing vote of the two Houses on the amendment to said chapter.

Chapter 8 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Returned from the House of Representatives with sundry amendments;

Now coming up,

And the first amendment being then read as follows:

"Strike out the word 'two' in the first line of section 8 and insert the word 'three,'"

The Council refused to concur therein.

And the second amendment being then read as follows:

"Add to Sec. 13, 'but no tax shall be assessed, nor any debt created for the erection of court-houses or jails, by said board, without being first authorized thereto by a vote of the electors of the county.'"

The Council concurred therein.

The third amendment being then read as follows:

"Strike out line 3, Sec. 26, the words one 'copy,' and insert 'a transcript of the amount,'"

The Council concurred therein.

The fourth amendment being then read as follows:

"Add 'Sec. 27. The board of commissioners of the several counties of this Territory are vested with the entire superintendance of the poor in their respective counties.'"

The Council concurred therein.

The fifth amendment being then read as follows:

"Sec. 28. For the purpose of more effectually discharging the duties imposed by the preceding sections, the said board of commissioners in each county, may appoint one or more overseers of the poor, in their county, whose duty it shall be to have the care of the poor in their respective counties, under the control and superintendance of the board of commissioners;"

The Council concurred therein.

The sixth amendment being then read as follows:

"Strike out the first word, in Sec. 1, of article 2."

The Council concurred therein.

The seventh amendment being then read as follows:

"Strike out all after the word 'county, in fifth line, Sec. 4, article 3, to the word including 'year,' in the sixth line.'"

The Council concurred therein.

So the Council concurred in the second, third, fourth, fifth, sixth and seventh, and refused to concur in the first amendment made by the House to said chapter.

(C. F.) chapter 13, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with sundry amendments,
Now coming up,

And the first amendment being read as follows:

"Strike out of the third subdivision of Sec. 4, the words 'one hundred' and insert 'two hundred and fifty.'"

Mr. Sturgis moved to amend the amendment made by the House by striking out the word "fifty."

Which was decided in the negative—Ayes 3, Noes 3.

The question then being taken on the concurrence of the Council in the amendment made by the House,

And the Ayes and Noes being called for and ordered;

Those voting in the affirmative were Messrs. Boal, Forbes, Norris and Rollins—4.

Those voting in the negative were Messrs. McLeod, Olmsted, Sturgis and Loomis,
President—4.

So the Council refused to concur therein.

The second amendment being then read as follows:

"Amend Sec. 43, by inserting after the word 'same,' in line 4, 'by the first day of February after the date of the tax list.'"

The Council concurred therein.

The third amendment being then read as follows:

"Add to chapter 13 the following:

"Sec. 49. The Register of Deeds may, at any time within three years after the return of the Sheriff of any delinquent taxes assessed upon personal estate, make out a warrant with a list of such delinquent taxes upon personal estate annexed thereto, which warrant shall command the Sheriff to proceed to collect the delinquent taxes enumerated in such list, and upon receiving such warrant, the Sheriff shall proceed to collect and make return of the same, in the same manner, and under the same responsibilities, as in the collection and return of the taxes mentioned in the original tax list."

The Council concurred therein—Ayes 4, Noes 2.

So the Council concurred in the second and third, and refused to concur in the first amendment made by the House of Representatives to said chapter.

(C. F.) chapter 14 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with an amendment, now coming up, and the amendment being read as follows:

"Strike out of Sec. 11 all after the word 'road' in line 2,"

The Council concurred therein.

(C. F.) chapter 32 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with an amendment, now coming up, and the amendment being then read as follows:

"Insert after the word 'contain' in line 2 of Sec. 8, 'unless otherwise agreed.'"

The Council concurred therein.

(C. F.) chapter 35 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with sundry amendments, now coming up, and the first amendment being then read as follows:

"Strike out Sec. 7."

The Council refused to concur therein.

The second amendment being then read as follows;

"In the ninth section, second line, strike out the words 'adjoining this Territory,'"

The Council concurred therein.

The third amendment being then read as follows:

“Strike out of Sec. 10,”

Mr. Norris moved to amend the amendment by striking out the word “of;”

Which motion prevailed.

The amendment as amended was then concurred in,

So the Council concurred in the second and third, and refused to concur in the first amendment to said chapter.

(C. F.) chapter 37 of bill

“No 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Returned from the House of Representatives with an amendment, now coming up, and the amendment being then read as follows :

“Strike out chapter 37,”

The Council refused to concur therein,

(C. F.) chapter 38 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Returned from the House of Representatives, with sundry amendments, now coming up, and the first amendment being then read as follows :

“Strike out the word ‘forever’ in the sixth line of section 4,”

The Council concurred therein.

The second amendment being then read as follows :

“Strike out of the second line of section 14, the words ‘by the same persons, and,’”

The Council concurred therein.

The third amendment being then read as follows :

“Strike out section 24,”

The Council concurred therein.

The Council concurred in all the amendments made by the House to said chapter.

The message from the House having been disposed of,

On motion of Mr. Rollins,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

Mr. Olmsted asked and obtained leave to introduce the following resolutions, viz :

“Resolved, That the Secretary of the Council be hereby instructed to procure the printing in pamphlet form, with close long primer type, of such bills or reports as may hereafter be submitted to the Council by the joint Judiciary committee now employed in the revision of the statutes of this Territory.

“Resolved, That the printing of the daily slips of the journals of the Council is unnecessary, and that the Territorial printer be hereby instructed to discontinue the printing of the same.”

The question then recurring on the adoption of the resolutions ;

Pending the question,

Mr. McLeod moved a call of the Council ; which being ordered,

The roll was called, and Messrs. Boal, Burkleo, and Forbes were reported absent.

The Sergeant-at-Arms being absent, the Messenger was directed to report the absent members in their seats.

The Messenger reported Messrs. Boal and Forbes in their seats.

On motion of Mr. Sturgis,

Further proceedings under the call of the Council were dispensed with.

Mr. Olmsted moved that rule 58 of the Council, requiring resolutions which give rise to debate, to lie on the table for one day, should be suspended ;

And the Ayes and Noes being called for on the motion, and ordered,

Those voting in the affirmative were Messrs. Norris, Olmsted, Rollins, and Sturgis—4.

Those voting in the negative were Messrs. Boal, Forbes, McLeod, and Loomis,
President—4.

So the Council refused to suspend the rule ;

And the resolutions were laid on the table for one day.

The President appointed Messrs. Boal and Olmsted a committee to confer with a similar committee to be appointed by the House on the disagreeing vote of the two Houses on

(C. F.) chapter 6 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

On motion of Mr. Olmsted,
The Council adjourned..

COUNCIL, *Thursday*, February 27, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

The resolutions introduced on yesterday by Mr. Olmsted and laid on the table under the rules, now coming up in the order of business, and

The question then recurring on the adoption of the resolutions,

Pending the question,

Mr. Norris moved to amend by striking out the first resolution;

Which motion prevailed.

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

The Ayes and Noes being called for and ordered,

Those who voted in the affirmative were Messrs. Boal and Norris—2.

Those who voted in the negative were Messrs. Forbes, McLeod, and Loomis, *President*—3.

So the resolution was not adopted.

On motion of Mr. Forbes,

The Council adjourned until two o'clock this afternoon.

Two O'clock P. M.

The Council was called to order by the President.

There not being a quorum in attendance, the President directed the roll to be called, and

Messrs. Boal, Burkleo, Norris, Olmsted, Rollins, and Sturgis were reported absent.

The Sergeant-at-Arms was sent after the absentees.

Mr. McLeod moved that the Council adjourn;

And the Ayes and Noes being called for and ordered,

Those voting in the affirmative were Messrs. McLeod and Loomis, *President*—2.

Mr. Forbes voted in the negative.

So the Council adjourned.

COUNCIL, *Friday*, February 28, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

Bills wherein progress had been made with leave to sit again, being now in order,

On motion of Mr. Norris,

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

(C. F.) chapter 71 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

During the session of the committee of the whole, a message in writing, on Executive business from his Excellency, the Governor, was received by W. B. White, Esq., his private Secretary;

When the President took the chair for its reception; after the withdrawal of the secretary, the committee resumed its session.

After some further time passed therein,

A message was received from the House of Representatives by B. W. Lott, Esq., Chief Clerk thereof,

When the President again took the chair for its reception, as follows, viz:

“MR. PRESIDENT:—The House of Representatives has concurred in

“(C. F.) chapters 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56, without amendment; and in

“(C. F.) chapter 1 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.’

“With amendments, in which the concurrence of the Council is respectfully requested.

“The Governor has notified the House that he did on the 26th instant approve and sign,

“An act to incorporate the University of Minnesota, at the Falls of St. Anthony.’

“The House has receded from their amendments, which were non-concurred in by the Council to

“(C. F.) chapters 4 and 5 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.’

“And have refused to recede from their amendments to chapter 3 of the same bill.

“The House has concurred in

“(C. F.) chapters 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 69 and 70,

“Without amendments and in

“(C. F.) chapter 67 with amendments, in which the concurrence of the Council is respectfully requested.

“Messrs. Trask and Rice have been appointed by the House a committee, to confer with a similar committee already appointed by the Council on the disagreeing vote of the two Houses, on the amendment of the House to

“(C. F.) chapter 6 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.’

“The House has receded from the first amendment to (C. F.) chapter 8; also

“The first amendment to chapters 13 and 35 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.’

“And have refused to recede from the amendment to

“(C. F.) chapter 37, of the same bill

“The House has adopted

“No. 2, (H. of R.) joint resolution for the meeting of the two Houses of the Legislature for the purpose of electing Regents for the University of Minnesota;’

“In which the concurrence of the Council is respectfully requested.”

The Chief Clerk having withdrawn,

The committee resumed its session.

And after some time passed therein, the committee rose, and by the chairman, reported the chapter back to the Council with progress made, and asked leave to sit again.

Leave was granted.

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled: “No. 3. (C. F.) A memorial to Congress asking a donation of land to the county of Benton; and

{C. F.) chapters 7, 16, 32, 36, and 40, of bill

“No. 13, C. (F. A.) bill for revising and consolidating the general statutes of the Territory,”

On motion of Mr. Forbes,
The Council went into executive session,
And after some time the doors were again opened; and
On motion of Mr. Rollins,
The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

Mr. Norris, from the joint committee on the Judiciary, reported
(C. F.) chapters 72 and 73 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Norris,
Rule 37 of the Council, requiring bills, &c., to be read the first time at length was suspended by a two-thirds vote; and

On motion of Mr. Norris,
Said chapters were read the first and second times by their titles, and laid on the table to be printed.

Mr. Forbes moved a call of the Council;
Which was ordered and the roll being called,
Messrs. Boal, Burkleo and Olmsted, were reported absent.
The Sergeant-at-Arms was sent after the absentees.

On motion of Mr. McLeod,
Further proceedings under the call of the Council was dispensed with.

On motion of Mr. Forbes,
The Council resolved itself into a committee of the whole, Mr. Forbes in the chair for a further consideration of

C. F. chapter 71, of bill

"No 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

After some time passed therein, the committee rose, and by the chairman reported said chapter back to the Council with amendments.

The question then recurring on the concurrence of the Council in the amendments proposed by the committee of the whole to said chapter,

It was decided in the affirmative.

The chapter was then ordered to be engrossed for a third reading.

On motion of Mr. McLeod,

The message from the House of Representatives

Was taken up; and

"No. 2, (H. of R.) joint resolution for the meeting of the two Houses of the Legislature, for the purpose of electing Regents for the Territory of Minnesota;

Was read and concurred in by the Council.

(C. F.) chapter 1, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with sundry amendments,

Then coming up,

Mr. Norris moved that the consideration of said chapter be laid on the table, and made the order of the day for Monday next;

Which motion prevailed

(C. F.) Chapter 3 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Amended by the House of Representatives,

And the 1st, 2d, 3d, 4th, 5th, 7th, and 8th amendments non-concurred in by the Council,

And the House having refused to recede from said amendments, now coming up,
And the question recurring,

COUNCIL, 14

"Will the Council adhere to its amendments to the third chapter?"

Pending the question,

On motion of Mr. Norris,

Ordered, That a committee of two be appointed to confer with a similar committee to be appointed by the House of Representatives on the disagreeing vote of the two Houses to said chapter.

(C. F.) chapter 37 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Amended by the House of Representatives,

The amendment was non-concurred in by the Council,

The House refused to recede, and

The question now recurring,

"Will the Council adhere to a non-concurrence in the amendment made by the House to chapter 37?"

It was decided in the negative.

(C. F.) chapters 67, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives, with sundry amendments, and

The first amendment being then read as follows:

"Strike out 'shall' in first line of section 6, and insert 'may.'"

The Council concurred therein.

The second amendment being then read as follows:

"Amend section 8, line 2, by striking out the word 'solemnly.'"

The Council concurred therein.

The third amendment being then read as follows:

"Strike out all after the word 'marriage,' in line 3, section 9."

The Council refused to concur therein.

The fourth amendment being then read as follows:

"Strike out all after the word 'chapter,' in section 16."

The Council refused to concur therein.

So the Council concurred in the first, and second, and refused to concur in the third and fourth amendments made by the House to said chapter.

The message having been disposed of,

On motion of Mr. Sturgis,

The Council went into executive session.

After some time passed therein, the doors were opened, when,

On motion of Mr. Norris,

Ordered, That the result of the action of the Council in executive session be communicated by the Secretary of the Council to his Excellency, the Governor.

On motion of Mr. McLeod,

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

COUNCIL, *Monday*, March 3, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

The journal of the proceedings of the Council on Friday was then read.

Mr. Sturgis presented the remonstrance of J. Russell and 73 others of Benton county, against any change in the location of the county seat;

Which was read, and

On motion of Mr. Forbes,

Was laid on the table.

Mr. Rollins give notice that on to-morrow, or some future day, he would ask leave to introduce a bill to incorporate a Boom Company above the Falls of St. Anthony.

The following communication having been laid on the President's table, was ordered to be read, viz:

“ST. PAUL, *Monday Morning, March 3d, 1851.*”

“TO THE HONORABLE THE COUNCIL AND HOUSE OF

REPRESENTATIVES OF THE TERRITORY OF MINNESOTA:

“The undersigned begs leave respectfully to represent, that, *Whereas*, it appears by the journal of the Council of Friday, the 31st ult., that two chapters, viz: chapters 72 and 73 of bill ‘No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,’ were that day reported to the Council, and under the rules, should have been immediately placed in my hands, as public printer, to print; but that said two chapters (except so much of one of them as is printed and sent herewith to the Council, and a little more thereof, but not enough for a form, now standing in type.) have not yet been placed in my hands; that we are and have been anxiously waiting for copy, our cases filled with type—that, if we had been furnished with sufficient copy, we could to-day have furnished you with nearly or quite one hundred pages of bills—that this delay of the work of ten hands is a very serious inconvenience and loss to the undersigned and to those in his employ—that it does not appear, by the journal, that any such delay was contemplated, expected, or warranted by you—that the undersigned has spared no labor, inconvenience, or expense, to do the printing with all possible dispatch, consistent with careful accuracy, and desires to stand acquitted of any accusation of negligence or delay.

“The undersigned believes that the *reasons* why said two chapters have not been promptly placed in his hands to print, and the *cause* of this delay of the public business, demand your searching inquiry.

“Very respectfully,

“Your obd't servant,

“JAMES M. GOODHUE.

“Printer.”

Mr. Rollins moved to lay the communication under the table.

Mr. McLeod moved to amend the motion by striking out the word “under,” and inserting in lieu thereof the word “upon;”

Which motion prevailed—Ayes 4, Noes 3.

The question then recurring on the adoption of the motion as amended.

It was decided in the affirmative.

The President appointed Messrs. Forbes and Sturgis a committee on the part of the Council to confer with a similar committee to be appointed on the part of the House of Representatives, on the disagreeing vote of the two Houses on

(C. F.) chapter 3 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

Mr. Olmsted, from the committee on Territorial Affairs, to which was referred sundry petitions of citizens of the southern portion of Washington county, asking to be set off in a separate county, made the following report,

Which was read and accepted, viz:

“The committee on Territorial Affairs to whom was referred sundry petitions of the citizens of Washington county, praying for a division of said county, and the establishment of a new county within the limits of the same, would respectfully report that they have had the subject of said petitions under consideration, and are of the opinion that their prayer should be granted.

“Your committee would therefore recommend the incorporation of the following amendment to chapter 1 of bill ‘No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,’ to be incorporated as the 3d article of said chapter, viz:

“That so much of said territory as is contained in the following boundaries be, and the same is hereby, erected into a separate county, which shall be known by the name of Douglass, to wit:

“Commencing at a point on the Mississippi river where the section line between sections 23 and 26 in township 28 north of range 22 west intersects or strikes said river,

thence east on said line till it intersects the western boundary line of township 28 north of range 21 west, thence north on said township line to the north-west corner of township 28 north of range 21 west, thence due east on the range line between township 28 and 29, north of range 21 west, till it intersects Lake St. Croix, thence down said lake to its junction with the Mississippi river, thence up said river to the point of beginning: *Provided*, That this section of this chapter shall not take effect until the first day of January, 1853, until which time the district of country herein set off as Douglass country, shall be deemed to be within the county of Washington: *Provided also*, at the general election in the year 1852, there shall be an election of county officers in the said Douglass county, and the returns of said election shall be made to and certificates of election issued by the clerk of the board of county commissioners of Washington county, and at the said election the people of the said Douglass county shall determine by a vote the location of the county seat of said county."

"All of which is respectfully submitted.

"DAVID OLMSTED, *Chairman*.

"JOHN ROLLINS,
"JAMES Mc. BOAL, } *Committee.*"

On motion of Mr. McLeod,
(C. F.) chapter 1 of blil

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Which had been made the special order of the day for this day,

Was taken up, 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 being then read as follows:

"Insert after the word 'Washington,' the word 'Chisago' in 3d line of section 1."

Mr. Norris moved to amend the amendment by inserting "Douglass and" after the word "Chisago;"

Which motion prevailed—Ayes 5, Noes 3.

The first amendment as amended was then concurred in.

The following message, by B. W. Lott, Esq., was then received from the House of Representatives, viz:

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

"Joint resolution No. 3 (H. of R.) Providing for the election of a suitable person to do the pressing and binding of the Laws and Journals of the present session of the Legislative Assembly."

"The House has also passed

"No. 16 (H. of R.) A bill to provide for laying out a Territorial road from the village of St. Anthony Falls to the Falls of St. Croix."

"In all which the concurrence of the Council is respectfully requested."

The second amendment being then read as follows:

"That 'Cass' be stricken out, and 'Meeker' inserted,"

The Council refused to concur therein—Ayes 4, Noes 5.

The third amendment being then read as follows:

"In line 11 of section 2 strike out '36,' and insert '32.'"

"Strike out in line 11 the words 'thence due north to its intersection with the southern boundary line of Itasca county,' and insert after the word 'thence' the word 'east.'"

"In the sixth line strike out the words 'in a south-easterly direction,' and the word 'county.'"

The council concurred therein.

The fourth amendment being then read as follows:

"Strike out in 7th line, section 2, the words 'said line,' and insert 'section lines,'"

The Council refused to concur therein.

The fifth amendment being then read as follows:

"In section 3, line 15, strike out 'sections 23 and 26,' and all thereafter, and insert the words 'to the line between sections 24 and 25 in township 28 north, range, 22

west, thence west along section line to the Mississippi river, thence up said river to the place of beginning, including the islands in said river.”

The Council concurred therein.

The sixth amendment being then read as follows :

“In section 3, line 12, strike out the word ‘Washington,’ and insert ‘Chisago;’ in line 8 insert the word ‘Chisago;’ and before the word ‘Washington’ strike out the word ‘county,’ and insert ‘counties.’”

Mr. Norris moved to amend the amendment by inserting the word “Douglass” after the word “Washington;”

Which motion prevailed.

The amendment as amended was then concurred in.

The seventh amendment being then read as follows :

“Sec. 4. That so much of the said Territory as is contained within the following boundaries be, and the same is hereby, erected into a separate county, which shall be known by the name of Chisago, to wit :

“Beginning at a point on the St. Croix river, where the boundary line between township 32 and 33 north of range 19 west of the 4th principal meridian, intersects said river; thence running west on said township line to its intersection with the range line between ranges 21 and 22 west, thence north on said range line to its intersection with the south boundary line of township 36 north of range 22 west; thence west on said township line to its intersection with the range line between ranges 22 and 23 west; thence due north to the southern boundary line of Itasca county; thence along said boundary line in a south-easterly direction to its intersection with the eastern boundary line of said Territory; thence south on said eastern boundary line to the place of beginning: *Provided*, That no special election shall be required to elect county officers for said county; but the said officers shall be elected by the qualified voters of said Chisago county, at the next general election held in this Territory, who shall qualify and enter upon the discharge of their duties of office on the first day of January, 1852.”

Mr. Norris moved to amend the amendment by adding as Sec. 5, the provision reported by the committee on Territorial Affairs as follows, to wit :

“Sec. 5. That so much of said Territory as is contained in the following boundaries be, and the same is hereby, erected into a separate county, which shall be known by the name of Douglass, to wit :

“Commencing at a point on the Mississippi river, where the section line between sections twenty-three and twenty-six, in township twenty-eight north, of range twenty-two west, intersects or strikes said river; thence east on said line, till it intersects the western boundary line of township twenty-eight north of range twenty-one west; thence north on said township line to the north-west corner of township twenty-eight north of range 21 west; thence due east on the range line between townships twenty-eight and twenty-nine north of range twenty-one west, till it intersects lake St. Croix; thence down said lake to its junction with the Mississippi river; thence up said river to the point of beginning.

“*Provided*, That this section of this chapter, shall not take effect until the first day of January, 1853, until which time, the district of country herein set off as Douglass county, shall be deemed to be within the county of Washington.

“*Provided, also*, That at the general election in the year 1852, there shall be an election for county officers, in the said Douglass county; and the returns of said election shall be made to, and certificates of election issued by the clerk of the board of county commissioners of Washington county; and at the said election, the people of the said Douglass county shall determine by a vote the location of the county seat of said county.”

Which motion to amend the amendment prevailed.

The amendment as amended was then concurred in by the Council.

The eighth amendment being then read as follows :

“Strike out all after the words ‘to wit,’ and insert ‘beginning at the mouth of Rum river, thence along the western boundary of Ramsey county, to its intersection with the Mississippi river; thence down said river to the place of commencement.’”

The Council concurred therein.

The ninth amendment being then read as follows:

"Amend by striking out 'thirty-six' of the second line of 'Sec. 5.'"

The Council concurred therein.

The tenth amendment being then read as follows:

"That 'Cass' be stricken out and 'Meeker' inserted."

The Council refused to concur therein.

The eleventh amendment being then read as follows:

"Sec. 11. The county of Chisago, from and after the first day of January, 1852, shall and is hereby declared to be an organized county with all and singular the rights, privileges and immunities to which all organized counties in this Territory shall be and are by law entitled;"

Mr. Norris moved to amend the amendment as follows:

"Add to the amendment the words 'and from and after the first day of January, 1853, the county of Douglass shall be and is hereby declared to be an organized county, with all and singular the rights, privileges and immunities to which all organized counties in this Territory may be by law entitled.'"

Which motion to amend prevailed.

The eleventh amendment as amended was then concurred in.

The twelfth amendment being then read as follows:

"Amend Sec. 11 by striking out the word 'appointment' and inserting 'election.'"

The Council refused to concur therein.

The thirteenth amendment being then read as follows:

"Sec. 14. The seat of justice of the county of Chisago, shall be at such point in said county, as the first board of commissioners elected in said county shall determine."

The Council concurred therein.

The fourteenth amendment being then read as follows:

"Amend Sec. 15, by striking out all after the words 'shall be,' and insert the following:

"At such point as a majority of the electors of said county shall designate at the next general election; the names of the places voted for to be printed or written upon a ballot; such votes to be given, returned and published as other returns, and until such designation shall be made, the county seat shall remain at the place heretofore designated."

Mr. Norris moved to amend the amendment,

By striking out all after the word "following," and inserting

"At the next general election the qualified voters of Benton, and the counties thereunto attached, shall ballot for a seat of justice of said county, and the point having a majority of the votes cast at the said election shall be a seat of justice of said county.

"Provided, That if at said election no place shall receive a majority of all the votes cast at said election; then at the next succeeding general election, the legal voters as aforesaid, shall choose between the two places having the greatest number of votes at the first election; and at said second election, the place having the highest number of votes shall be the seat of justice of said county.

"Provided further, That the seat of justice shall remain where now established until a decision shall be had as above provided."

Which motion to amend the fourteenth amendment was negatived—Ayes 4, Noes 5.

The question being then taken on the concurrence of the Council in the fourteenth amendment,

The Ayes and Noes being called for and ordered,

Those who voted in the affirmative were Messrs. Olmsted, Rollins and Loomis,
President—3.

Those who voted in the negative were Messrs. Boal, Burkleo, Forbes, McLeod, Norris and Sturgis—6.

So the Council refused to concur therein.

The fifteenth amendment being then read as follows:

"That 'Cass' be stricken out and 'Meeker' inserted."

The Council refused to concur therein.

The sixteenth amendment being then read as follows:

"That Itasca county be also included as attached to Benton county for judicial purposes."

Mr. Olmsted moved to amend the amendment as follows:

Strike out all after "that" in the amendment, and insert "Itasca be stricken out where it occurs in the first line of Sec. 15, and insert after "Cass" the words "Itasca," and insert in the third, fifth and last line, between "judicial" and "purposes," the words "and election;"

Which motion to amend prevailed.

The sixteenth amendment as amended was then concurred in.

The seventeenth amendment being then read as follows:

"Amend Sec. 16, lines two and three, by striking out the words 'receive their appointment from the Governor,' and insert 'elected by the qualified voters of the respective precincts in said counties.'"

The Council refused to concur therein.

The eighteenth amendment being then read as follows:

"Amend Sec. 17, line one, by striking out the word "appointment," and inserting "elected."

The Council refused to concur therein.

So the Council concurred in the 1st, 3d, 5th, 8th, 9th, and 13th; amended and concurred in the 6th, 7th, 11th and 16th, and refused to concur in the 2d, 4th, 10th, 12th, 14th, 15th, 17th, and 18th amendments made by the House to

(C. F.) chapter 1 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Forbes,

The message from the House of Representatives was taken up; when

"No. 3 (H. of R.) Joint resolution providing for the election of a suitable person to do the binding of the Laws and Journals of the present session;"

Coming up, was read and

Debate ensuing thereon, was laid on the table for one day under the rules.

"No. 16, (H. of R.) A bill to provide for laying out a Territorial road from the village of St. Anthony Falls to the Falls of St. Croix,

Was then read the first and second times, and laid on the table for the action of the Council in committee of the whole.

The message having been disposed of,

Mr. Olmsted asked and obtained leave to introduce resolutions, which were read as follows:

"Resolved, That the Secretary of the Council, be hereby instructed to procure the printing in pamphlet form and with close long primer type, of all such bills or reports, as may hereafter be submitted to the Council by the joint Judiciary committee, now employed in the labor of revising and consolidating the general statutes of this Territory.

"Resolved, That the printing of the daily slips of the journal of the Council is unnecessary, and that the Territorial printer be hereby instructed to discontinue the printing of the same."

Debate having ensued on the question of adoption of the resolutions,

They were laid on the table for one day under the rules.

On motion of Mr. McLeod,

The Council adjourned.

COUNCIL, Tuesday, March 4, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

The journal of the proceedings of the Council on yesterday was then read

"No. 3, (H. of R.) joint resolution providing for the election of a suitable person to do the binding of the Laws and Journals of the present session."

Laid on the table yesterday, under the rules,

Now coming up, was

Adopted by the Council.

The resolutions relative to printing, laid on the table yesterday, under the rules,

Now coming up, and

The question recurring on the adoption thereof by the Council,

Mr. Olmsted asked and obtained the unanimous consent of the Council, to modify the first resolution, by striking out "pamphlet," and inserting "pages of the present."

Mr. Boal asked that the question be taken separately;

Which was ordered, and

The question then being taken on the adoption of the first resolution,

And the Ayes and Noes being called for and ordered,

Those voting in the affirmative were Messrs. Norris, Olmsted, Rollins and Sturgis—4.

Those voting in the negative were Messrs. Burkleo, Boal, Forbes, McLeod and Loomis, *President*—5.

The question then being taken on the adoption of the second resolution,

And the Ayes and Noes being called for and ordered,

Those voting in the affirmative were, Messrs. Boal, Norris, Olmsted, Rollins and Sturgis—5.

Those voting in the negative were, Messrs. Burkleo, Forbes, McLeod and Loomis, *President*—4.

So the Council adopted the second and refused to adopt the first of said resolutions.

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

"MR. PRESIDENT :—The House of Representatives has concurred in the amendment of the Council to

(H. of R.) chapter 23 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

"The House has also concurred in the first amendment of the Council.

"(H. of R.) chapter 25 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

"With an amendment, and

"The House has refused to concur in the second amendment of the Council to said chapter.

"The House has passed,

"No. 14, (H. of R.) A bill to establish and maintain Common Schools,' also

"No. 15, (H. of R.) A bill for an act to incorporate the St. Paul and St. Anthony Rail Road Company,' also

"No. 17, (H. of R.) A bill granting to John Banfill the right to establish and maintain a ferry across the Mississippi river.'

"The House has also concurred in the amendment of the Council to,

"(H. of R.) chapter 17, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,'

"With amendments.

"In all of which the concurrence of the Council is respectfully requested."

The Chief Clerk having withdrawn,

Mr. McLeod from the committee on enrolled bills, reported as correctly enrolled,

"(C. F.) chapters 14, 33, 39 and 41 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.'

Mr. Forbes presented the account of Charles Cavileer for services as Librarian, and Mr. McLeod presented the account of H. H. Sibley, for an amount paid for a seal for the office of the Adjutant General; which accounts were,

On motion of Mr. Forbes,

Referred to the committee on Territorial Expenditures.

Mr. McLeod moved a reconsideration of the vote by which the Council concurred in the sixteenth amendment of the House as amended to

(C. F.) chapter 1, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

Which motion prevailed.

Mr. Norris then moved to reconsider the vote by which the Council amended said sixteenth amendment,

Which motion prevailed.

Mr. Olmsted then asked and obtained the consent of the Council to modify his amendment, by striking out the words therein, "insert in the third, fifth, and last line, between 'judicial' and 'purposes,' the words 'and election.'"

The amendment as modified to the sixteenth amendment of the House, was then adopted.

The sixteenth amendment as amended was then concurred in.

The consideration of the message from the House of Representatives, being now in order of business,

"No. 14, (H. of R.) a bill to establish and maintain Common Schools,"

Was taken up; when

On motion of Mr. McLeod,

Rule 37 of the Council requiring all bills to be read the first time at length, was suspended by a two-thirds vote, and

Said bill was read the first and second times by its title.

"No. 15, (H. of R.) A bill for an act to incorporate the St. Paul and St. Anthony Rail Road Company,"

Was then read the first and second times, and

Both bills were laid on the table for the action of the Council in committee of the whole.

(H. of R.) chapter 17, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Which was amended by the Council;

Which amendment was concurred in by the House, with sundry amendments,

Now coming up,

And the first amendment being then read as follows:

"3d line, section 4, strike out 'House of Representative,' and insert 'Council,'"

The Council concurred therein—Ayes 4, Noes 2.

On motion of Mr. Forbes,

The Council adjourned until two o'clock this afternoon.

Two O'clock P. M.

The Council was called to order by the President.

The consideration of the message from the House was resumed,

And the second amendment being then read as follows:

"Section 6, 3d line, strike out the words 'bound or,' and strike out the word 'and' in same line and insert 'or.'"

The Council concurred therein.

A committee from the House of Representative then being announced,

Messrs. Trask and Olmstead, informed the Council that the House of Representatives was now in readiness to receive the Council in joint committee, for the purpose of electing twelve Regents of the University of Minnesota, and a person to do the binding for the Legislature the present year.

The committee then withdrew, and

On motion of Mr. Norris,

The Council repaired to the Hall of the House of Representatives.

The Council having again been called to order

The President informed the Council that the proceedings had in joint convention of the two Houses had been as follows:

COUNCIL, 15.

The two Houses having met in joint convention,

The roll being called, all the members were reported present.

On motion of Mr. Trask, of the House,

The Convention proceeded to the election by ballot, of 12 Regents of the University of Minnesota.

Messrs. Ludden, of the House and Norris of the Council, were appointed tellers.

As the names of the members were called, they deposited their votes, and

On the first ballot,

Alexander Ramsey, received	25	votes.
H. H. Sibley,	22	"
C. K. Smith,	23	"
W. R. Marshall,	24	"
H. M. Rice,	21	"
F. Steele,	25	"
I. Atwater,	19	"
B. B. Meeker,	23	"
A. Van Vorhes,	22	"
A. D. Foster,	12	"
S. Nelson,	17	"
N. C. D. Taylor,	23	"
J. W. Furber,	14	"
John Merick,	2	"
F. Ayer,	6	"
G. L. Becker,	8	"
S. B. Lowry,	3	"
M. E. Ames,	1	"
C. W. Borup,	1	"
M. W. Taylor,	1	"
Learned,	1	"
Bartlett,	1	"
Wm. Sturgis,	1	"
Blank,	1	"
J. M. Goodhue,	1	"

The following gentlemen having received a majority of all the votes cast, were declared duly elected, viz:

Alexander Ramsey, H. H. Sibley, C. K. Smith, W. R. Marshall, Henry M. Rice, Franklin Steele, Isaac Atwater, B. B. Meeker, A. Van Vorhes, Socrates Nelson, N. C. D. Taylor, and J. W. Furber.

Mr. Trask, of the House, offered the following resolution which was read and adopted, viz:

Resolved, That the Secretary of the Council and Chief Clerk of the House deposit the names of the Regents in a box, and the President of the Council proceed to draw therefrom. The first four names drawn from the box shall hold the office six years; the next, four years; and the last, two years."

The Ayes and Noes being called for on the adoption of the resolution, and ordered, Those voting in the affirmative were Messrs. Burkleo, Boal, Norris, Olmsted, (Council,) Rollins, Sturgis, Loomis, *President*, Ford, Ludden, North, Patch, Rice, Tilden, Trask and Ames, *Speaker*—15.

Those voting in the negative were Messrs. Forbes, McLeod, Brunson, Gilman, Olmstead, (House) Ramsey, Randall, Sloan, Taylor, Warren and Wells—11.

So the resolution was adopted.

The Secretary of the Council and Chief Clerk of the House, then put the names of the twelve regents elect into a hat, and the first four names drawn out by the President of the Council were, Gov. A. Ramsey, Hon. H. H. Sibley, Hon. B. B. Meeker, and Mr. A. Van Vorhes, who were declared to be selected to serve as Regents of the University of Minnesota, for six years.

The names of Franklin Steele, Isaac Atwater, Nathan C. D. Taylor, and J. W. Furber were then drawn, and they were declared to be selected to serve as Regents for the term of four years.

The remaining four, viz :

H. M. Rice, Hon. C. K. Smith, W. R. Marshall and Socrates Nelson, were declared to be selected to serve as Regents for the term of two years.

Mr. Trask moved that the Convention do now proceed to the election of a suitable person to bind and press the Laws and Journals of the present session.

Mr. Olmsted (of the Council) moved to amend the motion by adding "by a *viva voce* vote,"

Which modification was accepted.

And the question then recurring on the adoption of the motion thus modified, It was passed in the affirmative;

And the Convention then proceeded to vote, and

The roll of the respective Houses being then called by the Secretary of the Council and Chief Clerk of the House,

Mr. Burkleo voted for J. P. Owens.

Mr. Boal " " " " "

Mr. Forbes " " " " "

Mr. McLeod voted for W. G. Le Duc.

Mr. Olmsted (C.) voted for D. A. Robertson.

Mr. Norris " " " " "

Mr. Rollins " " " " "

Mr. Sturgis " " " " "

Mr. Loomis, *Pres't*, voted for J. P. Owens.

Mr. Brunson " " " " "

Mr. Ford voted for D. A. Robertson.

Mr. Gilman " " " " "

Mr. Ludden voted for J. P. Owens

Mr. North voted for D. A. Robertson.

Mr. Olmstead (H) " " " " "

Mr. Patch " " " " "

Mr. Ramsey voted for J. P. Owens.

Mr. Randall voted for D. A. Robertson.

Mr. Rice " " " " "

Mr. Sloan voted for J. P. Owens.

Mr. Taylor " " " " "

Mr. Tilden " " " " "

Mr. Trask voted for D. A. Robertson.

Mr. Warren " " " " "

Mr. Wells voted for J. P. Owens.

Mr. Ames, *Speaker*, voted for D. A. Robertson.

So D. A. Robertson received 14 votes.

J. P. Owens " 11 "

W. G. Le Duc " 1 "

D. A. Robertson having received a majority of all the votes cast, was declared to be duly elected to do the pressing and binding of the Laws and Journals, of the present session.

Mr. Wells moved the convention do now adjourn *sine die*;

Which motion prevailed—Ayes 11, Noes 7.

So the convention adjourned.

The proceedings of the convention having been laid before the Council;

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapter 71, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Norris,

Said chapter was taken up; and

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

It was decided in the affirmative, and

On motion of Mr. Norris,

The chapter was then read the third time by its title, passed, and the title agreed to.

On motion of Mr. Olmsted,

The consideration of the message from the House of Representatives was again resumed, and

The third amendment made by the House to the Council amendment to (H. of R.) chapter 17 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Was then read as follows:

"Strike out all after the word 'manner' in 4th line, Sec. 8;"

And the Council concurred therein.

The fourth amendment being then read as follows:

"'And binding' in 2d line of Sec. 9,"

The Council concurred therein.

The fifth amendment being then read as follows:

"Sec. 11. The Legislative Assembly shall elect a suitable person each year to press and bind the Laws and Journals, the expense of which shall be estimated and paid for in the same manner as provided for defraying the expenses of printing the Laws and Journals,"

The Council refused to concur therein—Ayes 3, Noes 4.

"No. 17 (H. of R.) A bill for an act granting to John Banfill the right to establish and maintain a ferry across the Mississippi river,"

Was then read the first and second times and laid on the table for the action of the Council in committee of the whole.

On motion of Mr. Forbes,

The vote by which the Council refused to concur in the fifth amendment of the House to the amendment of the Council to

(H. of R.) chapter 17 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Was reconsidered, and the question then recurring on the concurrence of the Council in said amendment,

It was decided in the affirmative.

(H. of R.) chapter 23 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Which was amended by the Council, and now returned from the House with an amendment to the first amendment of the Council;

And said amendment being then read as follows:

"Strike out the word 'appropriated' in last line of Sec. 4,"

The Council concurred therein.

(H. of R.) chapter 25 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Which was amended by the Council, and now returned from the House of Representatives with an amendment to the first Council amendment, and

The amendment being then read as follows:

"After the word license, line 1, insert 'may be granted,'"

The Council concurred therein.

The House having refused to concur in the second amendment made to said chapter by the Council, and the question now recurring,

"Will the Council recede from the second amendment made by the Council to said chapter?"

Pending the question,

Mr. Forbes moved a call of the Council;

Which was ordered, and

The roll being called, Mr. Olmsted was reported absent.

The Sergeant-at-Arms was directed to report the absent member in his seat.

The Sergeant-at-Arms reported Mr. Olmsted present.

Mr. Olmsted moved the Council do now adjourn; and

The Ayes and Noes having been called for and ordered on the adoption of the motion,

Those voting in the affirmative were Messrs. Burkleo, Boal, Olmsted, and Rollins—4.

Those voting in the negative were Messrs. Forbes, McLeod, Norris, Sturgis, and Loomis, *President*—5.

So the Council refused to adjourn.

The question then being taken on receding from the second amendment of the Council to

(H. of R.) chapter 25 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

It was decided in the affirmative.

Mr. McLeod moved the Council do now adjourn;

And pending the question,

Mr. Olmsted moved a call of the Council.

The President decided the question of adjournment to have precedence; from which decision Mr. Olmsted appealed; and

The question then recurring,

"Shall the decision of the Chair stand as the decision of the Council?"

The Ayes and Noes being called for on the question,

Those voting in the affirmative were Messrs. Burkleo, Forbes, McLeod, Norris, and Rollins—5.

Those voting in the negative were Messrs. Boal and Olmsted—2.

So the Chair was sustained.

The question then being taken on the adjournment,

It was decided in the negative—Ayes 3, Noes 4.

Mr. Olmsted moved a call of the Council,

Which being ordered,

The roll of the Council was called, and Mr. Sturgis was reported absent.

The Sergeant-at-Arms was directed to report the absent member in his seat.

Mr. McLeod moved that further proceedings under the call of the Council be dispensed with;

Which motion was lost—Ayes 2, Noes 5.

The Sergeant-at-Arms reported that Mr. Sturgis could not be found.

The Sergeant-at-Arms was again despatched in search of the absent member, and the Messenger was directed to assist the Sergeant-at-Arms in his search.

The Fireman was directed to take charge of the door.

The Sergeant-at-Arms again reported that the absentee could not be found.

Mr. Forbes moved that the Council do now adjourn;

And the Ayes and Noes being called for and ordered on the motion,

The President voted in the affirmative—1.

Those voting in the negative were Messrs. Burkleo, Boal, Forbes, McLeod, Norris, Olmsted, and Rollins—7.

Mr. Norris moved that further proceedings under the call of the Council be dispensed with;

And the Ayes and Noes being called for on the motion, and ordered,

Those voting in the affirmative were Messrs. Boal, Norris, and Rollins—3.

Those voting in the negative were Messrs. Burkleo, Forbes, McLeod, Olmsted, and Loomis, *President*—5.

Mr. Forbes moved a reconsideration of the vote by which the Council refused to dispense with further proceedings under the call of the Council,

And the Ayes and Noes being called for on the motion, and ordered,

Those voting in the affirmative were Messrs. Boal, Burkleo, Norris, Rollins, and Loomis, *President*—5.

Those voting in the negative were Messrs. Forbes, McLeod, and Olmsted—3.

Mr. Norris moved that the Council do now adjourn;

And the Ayes and Noes being called for on the motion, and ordered,

Those voting in the affirmative were Messrs. Beal, Burklee, McLeod, Norris, Rollins, and Loomis, *President*—6.

Those voting in the negative were Messrs. Forbes and Olmsted—2.

So the Council adjourned.

COUNCIL, *Wednesday*, March 5, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod from the committee on Enrolled Bills, reported as correctly enrolled, "(C. F.) chapters 38 and 42 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory." and

"A memorial to the Secretary of War, for a continuation of certain explorations in the Territory of Minnesota."

Mr. Norris from the joint Judiciary committee reported,

Chapters 74 and 75, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Norris,

Rule 37 of the Council, requiring bills, &c., to be read the first time at length was suspended by a two-thirds vote; and

Said chapters were read a first and second times by their titles, and laid on the table to be printed.

Mr. Burklee gave notice that on to-morrow, or some future day, he would ask leave to introduce a bill for a charter to improve and navigate the Mississippi river, above the Falls of St. Anthony, with steamboats.

House bills on their second reading being now in order,

On motion of Mr. Forbes,

"No. 15, (H. of R.) A bill for an act to incorporate the St. Paul and St. Anthony rail road company;"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Burklee 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 a recommendation that the bill be referred to the committee on Territorial Roads.

The report of the committee was accepted.

The question then recurring on the reference of the bill, as proposed by the committee of the whole,

Mr. McLeod moved to amend the proposition of the committee of the whole, by striking out "Territorial Roads," and inserting "Internal Improvements;"

Which motion prevailed.

The question then recurring on the adoption of the recommendation of the committee as amended;

It was decided in the affirmative—Ayes 5, Noes not counted.

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Olmsted in the chair, for the further consideration of the House file of bills.

After some time therein passed, the committee rose, and by the chairman, reported "No. 17, (H. of R.) A bill granting to John Banfill the right to establish and maintain a ferry across the Mississippi river;"

With a recommendation that it be indefinitely postponed.

"No. 16, (H. of R.) A bill to provide for laying out a Territorial road from the village of St. Anthony Falls, to the Falls of St. Croix;"

Without amendment, and

"No. 14, (H. of R.) A bill to establish and maintain Common Schools;"

With progress made, and asked leave to sit again.

The report of the committee of the whole was accepted.

The question being then taken on adopting the recommendation of the committee of the whole, on

"No. 17, (H. of R.) A bill granting to John Banfill, the right to establish and maintain a ferry across the Mississippi river;"

It was decided in the affirmative.

So the bill was indefinitely postponed.

Leave was then granted to the committee of whole the to sit again, on

"No. 14, (H. of R.) A bill to establish and maintain Common Schools."

The question then recurring on ordering to a third reading.

"No. 16, (H. of R.) A bill to provide for laying out a Territorial road from the village of St. Anthony Falls to the Falls of St. Croix,"

It was decided in the negative.

So the Council refused to order said bill to be read the third time.

On motion of Mr. McLeod,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Olmsted,

(C. F.) chapters 72 and 73 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up; and

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

After some time passed therein, the committee rose, and by the chairman reported back

(C. F.) chapter 72, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

With amendments, and

(C. F.) chapter 73 of same bill,

With progress made and asked leave to sit again.

Leave was granted.

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

(C. F.) chapter 72 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

The Council refused to adopt the first amendment proposed by the committee of the whole.

The remaining amendments proposed, were then concurred in by the Council.

The question then recurring on ordering said chapters to be engrossed for a third reading;

Mr. Norris moved to amend the first section of the chapter, by striking out in the first line of Sec. 1, the words "actions at law and the forms thereof," and inserting in lieu thereof, the words "the forms of actions at law."

Which motion prevailed.

Mr. Olmsted moved to amend the second subdivision of Sec. 50, by striking out in the second line, the word "to" where it occurs the second time in said line, and inserting in lieu thereof, the word "shall."

Which motion prevailed.

The chapter was then ordered to be engrossed for a third reading.

On motion of Mr. Olmsted,

The Council adjourned.

COUNCIL, *Thursday, March 6, 1851.*

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod presented the account of F. S. Newell, which was referred to the committee on Legislative Expenditures.

Mr. Burkleo, pursuant to previous notice, asked and obtained leave to introduce

"No. 15, (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 Sauk Rapids,"

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

Mr. Rollins, pursuant to previous notice, asked and obtained leave to introduce

"No. 16, (C. F.) A bill to incorporate the St. Anthony Boom Company;"

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

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled :

(C. F.) chapters 35, 66, and 70 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapter 72 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Norris,

Said chapter was taken up, and

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

It was decided in the affirmative; and

On motion of Mr. Norris,

Said chapter was read the third time by its title, passed, and the title agreed to.

Bills in which the committee of the whole have made progress and obtained leave to sit again, being now in order,

On motion of Mr. McLeod,

"No. 14 (H. of R.) A bill to establish and maintain Common Schools,"

Was taken up, and

The Council resolved itself into a committee of the whole, Mr. Boal in the chair, having said bill under consideration.

During the session of the committee of the whole, a message by B. W. Lott, Esq., was received from the House of Representatives, when the President took the chair for its reception as follows, viz :

"MR. PRESIDENT:—The House of Representatives has appointed Messrs. Trask and Rice a committee to confer with a similar committee already appointed by the Council, on the disagreeing vote of the two Houses on

("C. F.) chapter 3 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

"The House has directed me to inform the Council that from some accidental cause the following amendments made by the House to

"(C. F.) chapter 67 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

"Have been lost, and has directed me to return said chapter to the Council, and ask their concurrence in said amendments, viz :

"1. 'Strike out sections 6 and 7.'

"2. 'Strike out in section 19, in 7th and 8th lines, the words 'Registers of Deeds of,' and insert 'the Clerk of the District Court in.'"

"The House has refused to agree to the amendments of the Council to the 6th, 7th, 11th, and 16th amendments of the House, and have refused to recede from the 2d, 4th, 10th, 12th, 14th, 15th, 17th, and 18th amendments to

"(C. F.) chapter 1 of

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

The Chief Clerk then withdrew, and

The committee of the whole resumed its session.

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

All the amendments, except the last, proposed by the committee of the whole to said bill, were then concurred in, and the Council refused to concur in the last amendment to said bill.

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

Pending the question,

Mr. Norris moved to amend the 6th section of the bill by adding the words “and when said district is organized as above provided, it shall be, to all intents and purposes, a body corporate, capable of suing and being sued, and fully competent to transact all business appertaining to schools or school houses in their own district, according to the provisions of this act;”

Which motion prevailed.

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 and passed.

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

Mr. Norris moved to amend the title by striking out “No. 14, (H. of R.) A bill to establish and maintain,” and insert “chapter —, of;”

Which motion prevailed, and

The title as amended was then agreed to.

Mr. Forbes, from the committee on Internal Improvements, to which was referred “No. 15, (H. of R.) A bill for an act to incorporate the St. Paul and St. Anthony Railroad Company,”

Reported the same back to the Council with amendments as follows, viz:

“Add Sec. 11. ‘This act shall not be construed to authorize the said company or corporation to engage in the business of banking under any pretext whatever; but the same is hereby expressly forbidden.’

“Sec. 12. The said company or corporation shall cause said road to be properly fenced or enclosed, and shall make provisions for such cross roads, either national, territorial, or county, where it may be deemed necessary to cross said railroad track; and said company or corporation shall be liable for any damage which any person or persons may sustain by reason of the existence of such company, in consequence of or in the exercise of any of the privileges which are hereby given to the said company.’”

The report of the committee was accepted, and the amendments were concurred in by the Council.

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

On motion of Mr. Rollins,

Mr. Sturgis was excused from serving on the committee appointed to confer on

(C. F.) chapter 3 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;”

And Mr. Norris was appointed on said committee.

On motion of Mr. Norris,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. McLeod,

(C. F.) chapter 73 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Was taken up, and

COUNCIL, 16.

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

After some time passed therein, the committee rose, and by the chairman, reported said chapter back to the Council, with progress made, and asked leave to sit again.

Leave was granted.

Mr. Forbes asked and obtained the unanimous consent of the Council to introduce "No. 17, (C. F.) A bill to incorporate St. Paul Division No. 1, Sons of Temperance;"

Which was read a first and second times, when

Mr. Olmsted moved that all rules of the Council prohibiting the reading of said bill for a third time now be suspended;

Which motion prevailed by a two-thirds vote, and

The bill was then read the third time, passed, and the title agreed to.

Mr. Sturgis moved a reconsideration of the vote by which the Council indefinitely postponed

"No. 17 (H. of R.) A bill granted to John Banfill the right to establish and maintain a ferry across the Mississippi river."

Mr. Norris moved that said motion be laid on the table;

Which motion prevailed.

On motion of Mr. Norris,

The Council adjourned.

COUNCIL, Friday, March 7, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Forbes presented an account of Mr. Farrington, which was referred to the committee on Legislative Expenditures.

Mr. McLeod from the joint committee on Enrolled Bills made the following report, viz:

"The joint committee did, on the 6th of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following memorial, viz:

"A memorial to Congress asking for a grant of land to the county of Benton."

"M. McLEOD, Council.

"B. H. RANDALL, House of Representatives.

"Committee."

The Message from the House of Representatives, on yesterday,

Being now in order,

(C. F.) chapter 67, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with amendments which were lost, and not acted upon by the Council,

Then coming up, and

The first amendment being then read as follows:

"Strike out section 6 and 7."

The Council refused to concur therein—Ayes 2, Noes 4.

The second amendment being then read as follows:

"Strike out in section 19, in 7th and 8th lines, the words 'Register of Deeds of,' and insert 'the Clerk of the District Court in,'"

The Council concurred therein.

(C. F.) chapter 1, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Then coming up,

Mr. Norris moved that a committee of two be appointed to confer with a similar committee to be appointed on the part of the House, on the disagreeing vote of the two Houses on said chapter;

Which motion prevailed.

A message by B. W. Lott, Esq., was then received from the House of Representatives, as follows, viz :

“MR. PRESIDENT:—The House of Representatives has concurred in

“C. F. chapter 71, of bill

“No 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

“With amendments.

“The House has passed

“No. 18, (H. of R.) A bill to dissolve the marriage contract between Marinas P. Bennett and Sarah A. Bennett.”

“In all which the concurrence of the Council is respectfully requested.”

“The Speaker has signed ‘A memorial to the Secretary of War for a continuance of certain explorations in the Territory of Minnesota.’

“The House has passed

“No. 4, (H. of R.) joint resolution instructing the joint Judiciary committee to make their final report to the Legislature, at a certain time therein specified.”

“In which the concurrence of the Council is respectfully requested.””

The Chief Clerk having withdrawn, and

The message of yesterday being disposed of, and the the message just received being in order,

“No. 18, (H. of R.) A bill to dissolve the marriage contract between Marinas P. Bennett and Sarah A. Bennett,

Was then read the first and second times, when

Mr. Forbes moved that said bill be indefinitely postponed;

Which motion he subsequently by leave withdrew, and

Said bill was laid on the table for the action of the Council in committee of the whole.

“No. 4, (H. of R.) Joint resolution instructing the joint Judiciary committee to make their final report at a certain time therein specified,”

Being then read,

Mr. Norris moved to amend by striking out ‘fifteen’ and inserting ‘twenty-two;’

Which motion prevailed.

The resolution as amended was then concurred in.

(C. F.) chapters 71, of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Returned from the House of Representatives, with sundry amendments;

Now coming up; and

The first amendment being then read as follows:

“Insert after the word ‘to’ and before ‘Courts,’ the word ‘all,’ in line 2, section 5.

The Council concurred therein.

The second amendment being then read as follows:

“Amend section 12, article 3d, ‘that in 2d line, Itasca and’ be stricken out; ‘that in third line, strike out ‘Mahkato and Wahkato’ and insert ‘Meeker and Itasca.’”

On motion of Mr. Forbes,

The question of concurrence was laid on the table—Ayes 5, Noes not counted.

The third amendment being then read as follows:

“Add to section 17, ‘and each of the Judges of the several District Courts shall reside permanently within their respective Judicial District during their term of office;’”

The Council refused to concur therein.

The fourth amendment being then read as follows:

“Strike out the word ‘to’ after the word ‘returnable,’ in second, third and fourth lines of section 27, and insert the word ‘on.’”

The Council concurred therein.

The fifth amendment being then read as follows

“Strike out the words ‘appointed agent,’ in the third line of section 7, and insert the word ‘appointment;’”

The Council concurred therein.

So the Council concurred in the first, fourth and fifth; laid on the table the second, and refused to concur in the third amendment to said chapters.

The President then signed “A memorial to the Secretary of War, for a continuation of certain explorations in the Territory of Minnesota;”

And said memorial was placed in the hands of the chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor.

The message being disposed of

The President appointed Messrs. McLeod and Burkleo a committee of conference on

(C. F.) chapter 1 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

On motion of Mr. Burkleo,

“(C. F.) chapter 73 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Was taken up; and

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

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. Rollins,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Forbes,

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

(C. F.) chapter 73, of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

After some time passed therein the committee rose, and by the chairman reported said chapter 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 chapter,

It was decided in the affirmative.

The chapter was then ordered to be engrossed for a third reading.

On motion on Mr. Rollins,

The Council adjourned.

COUNCIL, *Saturday*, March 8, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod from the committee on Enrolled Bills, reported as correctly enrolled, (C. F.) chapters 48, 49, 50 and 69 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

On motion of Mr. Olmsted,

"No. 18, (H of R) A bill to dissolve the marriage contract between Marinas P. Bennett and Sarah A Bennett;"

Was taken up, and

The Council resolved itself into a committee of the whole, Mr. McLeod 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 without amendment.

The report of the committee was accepted, and

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

Mr. Norris moved that the bill be laid on the table;

Which was decided in the negative.

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

It was decided in the negative.

Mr. Norris moved to reconsider the vote by which the Council refused to order said bill to a third reading;

Which motion prevailed.

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

On motion of Mr. Norris,

The bill was laid on the table.

On motion of Mr. Rollins,

"No. 15, (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 Sauk Rapids;" and

"No. 16, (C. F.) A bill to incorporate the St. Anthony Boom company;"

Were taken up, and

The Council resolved itself into a committee of the whole, Mr. McLeod in the chair, having said bills under consideration.

After some time passed therein, the committee rose and by the chairman reported 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

"No. 15, (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 Sauk Rapids."

It was decided in the negative.

Mr. Olmsted then moved to amend, by striking out the fifth section of the bill, and inserting in lieu thereof, the words "the Legislature shall at any time have the right to alter, amend or repeal any of the provisions of this act."

Mr. Rollins moved to amend the amendment, by striking out the word "repeal;"

Which motion was negatived.

The amendment was then adopted by the Council, and

The bill was ordered to be engrossed for a third reading.

The amendments to

"No. 16, (C. F.) A bill to incorporate the St. Anthony Boom company,"

Were then concurred in, and

The bill was ordered to be engrossed for a third reading.

Mr. Norris from the joint Judiciary committee, reported.

(C. F.) chapters 76, 77, 78, 79, 80, 81, 82, 83 and 84 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. Norris moved a suspension of the 37th rule of the Council, requiring bills, &c., to be read the first time at length;

Which motion prevailed by a two-thirds vote, and

Said chapters were read the first and second times by their titles, and laid on the table to be printed.

Mr. McLeod moved a reconsideration of the vote, by which the Council on yesterday, concurred in

"No. 4, (H. of R.) Joint resolution instructing the joint Judiciary committee, to make their final report at a certain time therein specified;"

Which motion prevailed.
 The question then recurring on the adoption of the joint resolution,
 On motion of Mr. McLeod,
 The vote by which the Council amended the joint resolution was reconsidered.
 The question then recurring on the adoption of the amendment proposed to the joint resolution;
 It was decided in the negative—Ayes 3, Noes 3.
 The question again recurring on the adoption of the joint resolution,
 On motion of Mr. McLeod,
 The joint resolution was laid on the table.
 On motion of Mr. McLeod,
 The Council adjourned.

COUNCIL, *Monday*, March 10, 1851.

The Council was called to order by the President.
 Prayer by the Rev. Mr. Parsons.
 The President directed the roll of the Council to be called;
 When Messrs. Burkleo, Forbes, McLeod, Olmsted and Sturgis were reported absent.
 The Sergeant-at-Arms was directed to report the absent members in their seats.
 A quorum being in attendance,
 The journal of the proceedings of the Council on Saturday was then read and corrected.
 Mr. Norris presented the petition of Sarah A. Bennett, praying for a divorce from the bonds of matrimony;
 Which was read, and laid on the table.
 On motion of Mr. Olmsted,
 "No. 18, (H. of R.) A bill to dissolve the marriage contract between Marinas P. Bennett and Sarah A. Bennett,"
 Was taken from the table, and was then read the third time, passed, and the title agreed to.
 Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed,
 "No. 15, (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 Sauk Rapids," and
 (C. F.) chapter 73 of bill
 "No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."
 On motion of Mr. Olmsted,
 "No. 4, (H. of R.) Joint resolution instructing the joint Judiciary committee to make their final report at a certain time therein specified,"
 Was taken from the table; and
 On motion of Mr. Olmsted,
 Was indefinitely postponed.
 On motion of Mr. Norris,
 The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

The Council was called to order by the President.
 Bills ready for a third reading being now in order;
 "No. 15, (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 Sauk Rapids,"
 Was read the third time, passed and the title agreed to.
 (C. F.) chapter 73, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Was taken up, and ordered to a third reading, and

On motion of Mr. Norris,

Was read the third time, by its title, passed and the title agreed to.

Mr. Norris, from the joint Judiciary committee, reported

(C. F.) chapters 85, 86 and 87 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Norris,

Rule 37 of the Council, requiring the first reading of all bills, &c., to be at length, was suspended, and

Said chapters were read the first and second times by their titles, and laid on the table to be printed.

On motion of Mr. Norris,

(C. F.) chapters 74 and 75 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Were taken up, and

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

After some time passed therein, the committee rose, and by the chairman reported chapter 74 without amendments, and chapter 75 with amendments.

The report of the committee of the whole was accepted.

The amendments made by the committee of the whole to chapter 75, was then concurred in, and

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

Mr. Norris moved to fill the blank in the fourth section, with the number "two;"

Which motion prevailed—Ayes 3, Noes not counted.

(C. F.) chapters 74 and 75 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Were then ordered to be engrossed for a third reading.

Mr. Norris from the joint committee on the Judiciary, reported

(C. F.) chapters 88, 89, 90, 91 and 92 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Norris,

Rule thirty-seven of the Council, requiring bills, &c., to be read the first time at length, was suspended by a two-thirds vote, and said chapters were read the first and second times by their titles.

Mr. Olmsted, from the committee on Incorporations, to which was referred

"No. 13, (H. of R.) A bill for an act granting to William A. Cheever, the right to establish and maintain a ferry across the Mississippi river,"

Reported the same back to the Council without amendment and recommended its passage.

The report of the committee was accepted.

On motion of Mr. Olmsted,

Rule thirty-nine of the Council, requiring bills to be considered in committee of the whole, before being ordered to a third reading,

Was suspended by a two-thirds vote, and

On motion of Mr. Olmsted,

"No. 13, (H. of R.) A bill for an act granting to William A. Cheever the right to establish and maintain a ferry across the Mississippi river,"

Was ordered to a third reading; read the third time, passed and the title agreed to.

On motion of Mr. Olmsted,

The Council adjourned.

COUNCIL, *Tuesday*, March 11, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

A message by B. W. Lott, Esq., was received from the House of Representatives, as follows, viz:

“MR. PRESIDENT:—The House of Representatives has passed

“‘No. 19 (H. of R.) A bill providing for the encouragement of agriculture and stock-growing in the Territory of Minnesota;’ also

“‘No. 20 (H. of R.) A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton;’ also

“‘No. 2 (H. of R.) A memorial to Congress praying that the 15th section of the act of Congress of 4th September, 1841, may be amended, &c.’

“The House has concurred in

“(C. F.) chapter 72 of bill

“‘No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,’ with amendments; also in

“(C. F.) chapter 68 of same bill, with a substitute.

“In all of which the concurrence of the Council is respectfully requested.

“The House has indefinitely postponed

“‘No. 2, (C. F.) A memorial to Congress relative to unpaid appropriations.’

“The Speaker of the House has signed

“‘A memorial to Congress asking for a donation of land to the county of Benton.’”

The Chief Clerk then withdrew, when

Mr. McLeod, pursuant to previous notice, asked and obtained leave to introduce

“No. 18, (C. F.) A bill for the apportionment of representation of the Territory;”

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

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled,

(H. of R.) articles, 1, 2, 3, 4, 5, 6, and 7 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;”

And chapters 4, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 47, and 51 of the same bill.

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

“No. 16, (C. F.) A bill to incorporate the St. Anthony Boom Company.”

Messages from the House of Representatives being now in order,

The following bills and memorials were taken up and read a first and second times, and laid on the table for the consideration of the Council in committee of the whole, viz:

“No. 19 (H. of R.) A bill providing for the encouragement of agriculture and stock-growing in the Territory of Minnesota;”

“No. 20 (H. of R.) A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton;” and

“No. 2 (H. of R.) A memorial to Congress praying that the 15th section of the act of Congress of 4th September, 1841, may be amended, &c.”

(C. F.) chapter 72 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;”

Returned from the House of Representatives with sundry amendments,

Now coming up, and

The first amendment being then read as follows:

“Insert the words ‘the age of’ before ‘fourteen’ in the first line of the second subdivision of Sec. 32.”

The Council concurred therein.

The second amendment being then read as follows:

“Strike out the word ‘representation,’ and insert the word ‘representative’ in the 3d and 4th line of Sec. 37;”

The Council concurred therein.

The third amendment being then read as follows :

“Strike out the words ‘and opposite to the place where the offence was committed,’ at the end of the first subdivision of Sec. 40,”

The Council concurred therein.

The fourth amendment being then read as follows :

“Insert after the word ‘determined’ in the second line of Sec. 57, the words ‘shall be regulated by the statute;’”

Mr. Norris moved to amend the amendment by striking out the words “by the statute;”

Which motion prevailed, and the amendment as amended was then concurred in.

The fifth amendment being then read as follows :

“Amend Sec. 135 by adding ‘or from the Clerk thereof;’”

The Council concurred therein.

The sixth amendment being then read as follows :

“Amend Sec. 137, line 1, after the word ‘Judge’ by inserting ‘or clerk;’”

The Council concurred therein.

The seventh amendment being then read as follows :

“Amend Sec. 151, lines 1 and 2, by striking out the words ‘who issued the attachment;’”

The Council concurred therein.

The eighth amendment being then read as follows :

“Amend Sec. 165, 3d line of the first subdivision, by striking out the word ‘section,’ and adding ‘this chapter;’”

The Council concurred therein.

So the Council concurred in the first, second, third, fifth, sixth, seventh, and eighth; and amended and concurred in the fourth amendment to said chapter.

(C. F.) chapter 68 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Returned from the House of Representatives with an amendment reported as a substitute, then coming up; and the substitute having been read as follows :

“CHAPTER 68—*Of Divorce.* Sec. 1. All marriages which are prohibited by law on account of consanguinity between the parties, or on account of either of them having a former husband or wife then living, shall, if solemnized within this Territory, be absolutely void, without any decree of divorce or other legal proceeding.

“Sec. 2. When either of the parties to a marriage, for want of age or understanding, shall be incapable of assenting thereto, or when the consent of either party, shall have been obtained by force or fraud, and there shall have been no subsequent cohabitation of the parties, the marriage shall be void from the time its nullity shall be declared by a Court of competent authority.

“Sec. 3. When a marriage is supposed to be void, or the validity thereof is disputed, for any of the causes mentioned in the two preceding sections, either party may file a complaint in the District Court of the county where the parties, or one of them, reside, for annulling the same; and such complaint shall be filed, and proceedings shall be had thereon, as in the case of proceedings in said Court for a divorce; and upon due proof of the nullity of the marriage, it shall be adjudged null and void.

“Sec. 4. When the validity of any marriage shall be denied or doubted by either of the parties, the other party may file a complaint in the manner aforesaid, for affirming the marriage; and upon due proof of the validity thereof, it shall be declared valid by a judgment or sentence of the Court; and such judgment, unless reversed on appeal, shall be conclusive upon all persons concerned.

“Sec. 5. In no case shall a marriage be adjudged a nullity on the ground that one of the parties was under the age of legal consent, if it shall appear that the parties, after they had attained such age, had, for any time, freely cohabited together as husband and wife; nor shall the marriage of any insane person, be adjudged void after his restoration to reason, if it shall appear that the parties freely cohabited together as husband and wife, after such insane person was restored to a sound mind.

“Sec. 6. A marriage shall in no case be adjudged a nullity on the application of a party capable of contracting, who entered into the marriage, state, with any person under

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the age of legal consent, for that cause; nor shall the marriage of a person capable of contracting, with any idiot or insane person for that cause, be annulled on the application of such person, thus capable to contract, if he knew of such idiocy or insanity at the time of such marriage.

"Sec. 7. When either party shall be sentenced to imprisonment for life, the marriage shall be thereby absolutely dissolved without any judgment of divorce or other legal process; and no pardon granted to the party so sentenced shall restore such party to his or her conjugal rights.

"Sec. 8. A divorce from the bond of matrimony may be adjudged and decided by the several District Courts, on suit brought in the county where the parties or either of them reside, for either of the following causes:

"1. For adultery.

"2. For impotency.

"3. When either party, subsequent to the marriage, has been sentenced to imprisonment in the penitentiary; and no pardon granted after a divorce for that cause, shall restore the party sentenced to his or her conjugal rights.

4. For the wilful desertion of one party by the other, for the term of one year next preceding the filing of the complaint.

"5. When the treatment of the wife by the husband has been cruel and inhuman, whether practised by using personal violence or by any other means, or where the wife shall be guilty of like cruelty to her husband.

"6. When the husband or wife shall have been a habitual drunkard for the space of one year immediately preceding the filing of the complaint.

"Sec. 9. No divorce shall be granted, unless the complainant shall have resided in this Territory one year immediately preceding the time of exhibiting the complaint, except for adultery alleged to have been committed whilst the complainant was a resident of this Territory, or unless the marriage was solemnized in this Territory, and the applicant shall have resided therein from the time of such marriage to the time of exhibiting the complaint.

"Sec. 10. In any suit brought for a divorce on the ground of adultery, although the fact of adultery be established, the Court may deny a divorce in the following cases:

"1. When the offence shall appear to have been committed by the procurement or with the connivance of the complainant.

"2. When the adultery charged shall have been forgiven by the injured party, and such forgiveness be proved by express proof, or by the voluntary cohabitation of the parties with the knowledge of the offence.

"3. When there shall have been no express forgiveness, and no voluntary cohabitation of the parties, but the suit shall not have been brought within three years after the discovery, by the complainant, of the offence charged.

"Sec. 11. A complaint for divorce, or for affirming or declaring the marriage contract void, may be exhibited by a wife in her own name, or by her next friend, and in all cases the defendant may answer without oath or affirmation.

"Sec. 12. Application for a divorce shall be made to the District Court of any county in this Territory, and the proceedings shall be as follows:

"1. The applicant shall file in the office of the Clerk of the District Court of the county, a complaint in writing, containing the names and ages of the parties, and the name of the Court in which the action is brought.

"Sec. 13. Such complaint shall also contain a statement of the facts constituting the cause or grounds of the complaint, in ordinary and concise language, without repetition; and in such a manner as to enable a person of common understanding to know what is intended.

"Sec. 14. A copy of such complaint must be served upon the defendant, with a notice to appear and answer the same at the next term of the District Court in which the action is brought, at least thirty days before the first day of the term of said Court; or such other notice as the Court or Judge may direct, shall be given for such reasonable time as the Court or Judge may direct; and like notice of the taking of depositions shall be given in all cases.

"Sec. 15. If either party shall claim a trial by jury of the facts set forth in the petition, the Court shall thereupon order a jury to be empaneled in the same manner as a

jury is empaneled for the trial of any civil action. When the jury is completed, it must be sworn to investigate the truth of the matters contained in the complaint, and to find a true verdict thereon, according to the evidence.

"Sec. 16. The proceedings on the trial of a complaint for a divorce shall be conducted in the same manner as in the trial of a civil action, unless the complaint be filed upon the equity side of the Court, in which case the proceedings shall be, so far as may be without contravening the provisions of this act, according to the practice and usages of courts of equity.

"Sec. 17. In every suit specified in this chapter, which shall be brought, the Court may, in its discretion, require the husband to pay any sums necessary to enable the wife to carry on or defend the suit, during its pendency, and it may adjudge costs against either party, and award execution for the same.

"Sec. 18. After the exhibiting of a complaint in a suit to annul a marriage, or for a divorce, the Court may, at any time, either in term or vacation, on the petition of the wife, prohibit the husband from imposing any restraint on her personal liberty during the pendency of the suit.

"Sec. 19. The Court may, in like manner, on the application of either party, make such order concerning the care and custody of the minor children of the parties, and their suitable maintenance during the pendency of such suit, and may make such temporary orders relative to the persons or property of the parties, as shall be deemed necessary and proper.

"Sec. 20. Upon pronouncing a sentence or granting a nullity of marriage, and also upon granting a divorce, the court may make such further orders as it shall deem just and proper, concerning the care, custody and maintenance of the minor children of the parties, and may determine with which of the parents the children or any of them, shall remain, having due regard to the age and sex of such children.

"Sec. 21. The court may, from time to time afterwards, on the petition of either of the parents, revise and alter such order concerning the care, custody and maintenance of the children, or any of them, and make a new order concerning the same, as the circumstances of the parents, and the benefit of the children shall require.

"Sec. 22. Whenever the nullity of a marriage, or a divorce from the bond of matrimony, for any cause excepting that of adultery committed by the wife, shall be ordered, and when the husband shall be sentenced to imprisonment for life, the wife shall be entitled to the immediate possession of all her real estate, in like manner as if her husband were dead.

"Sec. 23. Upon every such dissolution of a marriage as is specified in the preceding section, the court may make a further order for restoring to the wife, the whole, or such part as it shall deem just and reasonable, of the personal estate that shall have come to the husband by reason of the marriage, or for awarding to her the value thereof, and also the value of any real estate, of the wife, disposed of by the husband and wife, during the coverture, to be paid by her husband in money; and such court may require the husband to disclose on oath, what personal estate has come to him by reason of the marriage, and how the same has been disposed of, and what portion thereof still remains in his hands.

"Sec. 24. The court shall have power to appoint a trustee or trustees, whenever the same shall be deemed expedient, to receive any sum or sums of money ordered to be paid to the wife, upon trust to invest the same, and pay over the income for the support and maintenance of the wife, or of the wife and minor children of the parties, or any of them, in such manner as the court shall direct, or to pay over to the wife the principal sum, in such proportions and at such times, as the court shall order, regard being had in all such cases to the situation and circumstances of such wife, and also the children, if there be any, provided for in the order; and such trustees shall give such bond, with surety, as the court shall require, for the faithful performance of their trusts.

"Sec. 25. Upon every divorce from the bonds of matrimony, for any cause excepting that of adultery, committed by the wife, if the estate and property restored or awarded to the wife, shall be insufficient for the suitable support and maintenance of herself and such children of the marriage as shall be committed to her care and custody; or if there be no such estate and property, the court may further order to her such part of the per-

sonal estate of the husband, and such alimony out of his estate as it shall deem just and reasonable, having regard to the ability of the husband and the character and situation of the parties, and all the other circumstances of the case.

"Sec. 26. When the marriage shall be dissolved by the husband being sentenced to imprisonment, and when a divorce shall be ordered for the cause of adultery committed by the husband, the wife shall be entitled to her dower in his lands in the same manner as if he were dead; but she shall not be entitled to dower in any other case of divorce.

"Sec. 27. In the case last mentioned, the court may, by order, allow the wife for her subsistence as much of her said personal or real estate, or of the income thereof as such court shall judge necessary.

"Sec. 28. After an order for alimony, or other allowance for the wife and children, or either of them, and also an order for the appointment of trustees to receive and hold any property for the use of the wife and children, as before provided, the court may, from time to time, on petition of either of the parties, revise and alter such order respecting the amount of such alimony or allowance, and the payment thereof, and also respecting the appropriations and payment of the principal and income of the property so held in trust, and may make any order respecting any of the said matters which such court might have made in the original suit.

"Sec. 29. The court shall, in all cases, be subject to the provisions of this chapter, regulate the division and distribution of the estate, real and personal, between the parties, and the allowance for alimony to the wife, or to her and the minor children, committed to her care and custody, according to the provisions of this chapter; but nothing contained in this chapter shall authorize the court to divest any party of their title to, or interest in any real estate, further than is expressly specified herein.

"Sec. 30. When a man, having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him, shall be thereby legitimized; the issue also of marriages declared null in law, shall nevertheless, be legitimate.

"Sec. 31. When an order of divorce has been granted, and the parties shall afterwards intermarry, the court, upon their joint application, and upon satisfactory proof of such marriage, may revoke all decrees and orders of divorce, alimony and subsistence, which will not affect the rights of third persons.

"Sec. 32. If any persons, after being divorced from the bonds of matrimony, for any cause whatever, shall cohabit together, before intermarriage, they shall be liable to all the penalties provided by law against adultery.

"Sec. 33. Whenever an order of divorce from the bonds of matrimony is granted in this Territory by a court of competent authority, such order shall fully and completely dissolve the marriage contract as to both parties, and in all suits for a divorce brought by a female, if a divorce be granted, the court may, for just and reasonable cause, change the name of such female, who shall thereafter, be known and called by such name as the court shall in its order or decree appoint."

The Council concurred therein.

"A memorial to Congress asking for a donation of land for the county of Benton,"

Was then signed by the President and placed in the hands of the chairman of the committee on Enrolled Bill, for presentation to his Excellency the Governor.

The message from the House having been disposed of,

On motion of Mr. Forbes,

Ordered, That the Secretary of the Council be instructed to request the House of Representatives to return to the Council for further action,

"No. (17 H. of R.) A bill for an act granting to John Banfill the right to establish and maintain a ferry across the Mississippi river."

Bills ready for a third reading being now in order,

"No. 16, (C. F.) A bill to incorporate the St. Anthony Boom Company;"

Was taken up, when

On motion of Mr. Rollins,

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

On motion of Mr. Rollins,

The Council resolved itself into a committee of whole, Mr. Burkleo 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, and

The bill was ordered to be engrossed for a third reading.

On motion of Mr. McLeod,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

The President directed the roll of the Council to be called, and Messrs. Forbes, Norris, Olmsted and Sturgis were reported absent.

The Sergeant-at-Arms was directed to report the absent members in their seats.

On motion of Mr. Norris,

(C. F.) chapters 76, 77, 78, 79, 80, 81, 82, 83 and 84 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up, and

The Council resolved itself into a committee of the whole, Mr. Boal in the chair, having said chapters under consideration.

After some time passed therein, the committee rose, and by the chairman reported (C. F.) chapters 76, 77 and 78 with amendments; and chapters 79, 80, 81, 82, 83, and 84, with progress made, and asked leave to sit again.

Leave was granted.

The amendments made by the committee of the whole to chapters 76, 77 and 78, were then concurred in by the Council, and

Said chapters were then ordered to be engrossed for a third reading.

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, *Wednesday, March 12, 1851.*

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

Pending the reading thereof,

On motion of Mr. Norris,

The reading of the substitute for

(C. F.) chapter 68, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

Was dispensed with.

Mr. Norris from the joint Judiciary committee, reported

(C. F.) chapters 93, 94 and 95 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;" when

On motion of Mr. Norris,

The 37th rule of the Council, requiring bills, &c., to be read the first time at length, was suspended by a two-thirds vote, and

The said chapters were then read a first and second times by their titles, and laid on the table to be printed.

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed, "No. 16, (C. F.) A bill to incorporate the St. Anthony Boom Company;" and Chapters 74 and 75, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. Forbes from the committee appointed to confer with a similar committee on the part of the House, on the disagreeing vote of the two Houses, on (C. F.) chapter 3 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Made the following report, viz:

"First amendment, the House to recede from.

"Second amendment, House to recede from.

"Amend the third amendment, by striking out all after the word 'Houses,' in line 15, Sec. 11, and insert 'need not be deposited as afore provided, until the expiration of thirty days after the adjournment of the Legislative Assembly.'

"Fourth amendment, the House to recede from.

"Fifth amendment. Sec. 16. (Substitute.) 'The Librarian, in addition to other duties assigned him by law, shall also have the custody of the furniture and property appertaining to the chambers of the Legislative Assembly, and to the respective committee rooms thereof, and shall be liable on his official bond, for any loss or injury to such furniture or property, arising from negligence or misconduct; and he shall also prepare for the accommodation of members of the respective chambers of the Legislative Assembly, previous to each annual session thereof.'

"Amend the seventh amendment, Sec. 18, line 3, by striking out in addition to the amendment of the House, also the words 'time they serve as such officers,' and insert 'sessions of the Legislative Assembly.'

"Eighth amendment, Council to concur therein."

The report of the committee was accepted, and

The question then recurring on the adoption by the Council, of the report of the committee of conference;

It was decided in the affirmative.

Mr. Boal presented a petition from B. F. Baldwin and thirty-eight other citizens of Little Canada, asking to be set off into a separate representative district; which petition, On motion of Mr. Boal,

Was referred to the committee on Territorial Affairs.

House bills on a second reading being now in order,

On motion of Mr. McLeod,

"No. 20, (H. of R.) A bill for an act to dissolve the marriage contract between Thomas F. Morton and Mary Morton;"

Was taken up, and

The Council resolved itself into a committee of the whole, Mr. McLeod in the chair, having said bill under consideration.

During the session of the committee of the whole, a message by B. W. Lott, Esq., was received from the House of Representatives, when the President took the chair for its reception, viz:

"MR. PRESIDENT:—The House of Representatives has concurred in the first, second, third, fifth, sixth, eighth, ninth, tenth and eleventh, and refused to concur in the fourth and seventh amendments of the Council, to

"'No. 14 (H. of R.) A bill to establish and maintain Common Schools,'

"The House has receded from the amendment, which was non-concurred in by the Council, to

"(C. F.) chapter 67 of bill

"'No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.'

"The House has appointed Messrs. Olmstead and Rice a committee of conference on the disagreeing vote of the two Houses, on

"(C. F.) chapter 1 of bill

"'No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.'

"I have been directed to return to the Council, for further action, agreeably to request,

“No. 17, (H. of R.) A bill granting to John Banfill, the right to establish and maintain a ferry across the Mississippi river.”

“The House has agreed to the amendment of the Council, to the fourth amendment of the House, to

“(C. F.) chapter 72 of

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

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 said bill back to the Council without amendments.

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

The bill was then ordered to a third reading, read the third time, passed, and the title agreed.

On motion of Mr. Olmsted,

“No. 15, (H. of R.) A bill for an act to incorporate the St. Paul and St. Anthony Rail Road Company.”

Was taken up; and

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

After some time therein passed, 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.

Pending the question,

Mr. Olmsted moved to amend by striking out the enacting clause;

Which motion prevailed—Ayes 4, Noes 2.

On motion of Mr. Norris,

“No. 2, (H. of R.) A memorial to Congress praying that the 15th section of the act of Congress of 4th September, 1841, may be amended, &c.,” and

“No. 19, (H. of R.) A bill providing for the encouragement of agriculture and stock growing in the Territory of Minnesota,”

Were taken up; and

The Council resolved itself into a committee of the whole, Mr. Rollins in the chair, having said bill and memorial under consideration.

After some time passed therein, the committee rose, and by the chairman reported back to the Council as follows:

“No. 2, (H. of R.) A memorial to Congress praying that the 15th section of the act of Congress of 4th September, 1841, may be amended, &c.,”

With an amendment, and

“No. 19, (H. of R.) A bill providing for the encouragement of agriculture and stock growing in Minnesota,”

With progress made and asked leave to sit again.

Leave was granted.

The question then recurring on the concurrence of the Council, in the amendment proposed by the committee of the whole, to

“No. 2, (H. of R.) A memorial to Congress praying that the 15th section of the act of Congress of the 4th September, 1841, may be amended, &c.,”

And the Ayes and Noes being called for on the question, and ordered,

Those voting in the affirmative were Messrs. Burkleo, Boal, Norris, and Rollins—4.

Those voting in the negative were Messrs. Forbes, McLeod, Sturgis, and Loomis, President—4.

So the amendment was not concurred in.

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

It was decided in the affirmative, and

On motion of Mr. McLeod,

The memorial was read a third time by its title.

The question then recurring on the passage of the memorial.
 Pending the question,
 On motion of Mr. Burkleo,
 The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.
 The President ordered the roll to be called, when Messrs. Boal, Forbes, McLeod, Norris, Olmsted, and Sturgis were reported absent.
 Messrs. Norris and McLeod having taken their seats,
 The question again recurring on the passage of
 "No. 2 (H. of R.) A memorial to Congress praying that the 15th section of the act of Congress of 4th September, 1841, may be amended, &c."
 Pending the question,
 On motion of Mr. McLeod,
 Said memorial was laid on the table.
 On motion of Mr. Norris,
 (C. F.) chapters 79, 80, 81, 82, 83, and 84 of bill
 "No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"
 Were taken up, and
 The Council resolved itself into a committee of the whole, Mr. Norris in the chair, for the further consideration of said chapters.
 After some time passed therein, the committee rose, and by the chairman, reported chapters 79, 80, 81, and 83 without amendment, and chapter 84 with amendments.
 The report of the committee was accepted.
 The amendments proposed by the committee of the whole to chapter 84, were then concurred in.
 (C. F.) chapters 79, 80, 81, 82, 83, and 84 of bill
 "No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"
 Were then severally ordered to be engrossed for a third reading.
 On motion of Mr. McLeod,
 The message from the House of Representatives was taken up, when the Council receded from the fourth and seventh amendments to
 (C. F.) chapter 30 of bill
 "No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"
 Reported as
 "No. 14, (H. of R.) a bill to establish and maintain Common Schools,"
 Which had not been concurred in by the House.
 "No. 17, (H. of R.) A bill granting to John Banfill the right to establish and maintain a ferry across the Mississippi river,"
 Was then placed on file for the further action of the Council.
 The message was disposed of.
 Mr. Norris, from the joint Judiciary committee, by leave, reported
 (C. F.) chapter 96 of bill
 "No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."
 On motion of Mr. Norris,
 Rule 37 of the Council, requiring bills to be read at length the first time, was suspended by a two-thirds vote;
 And said chapter was read the first and second times by its title, and laid on the table to be printed.
 On motion of Mr. McLeod,
 The Council adjourned.

COUNCIL, *Thursday*, March 13, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

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

Mr. Sturgis from the joint committee on Enrolled Bills, made the following report, viz:

"The joint committee did on the 12th day of March A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following memorials, viz:

"A memorial to the Secretary of War for a continuation of certain explorations in the Territory of Minnesota."

"A memorial to Congress asking for a donation of land to the county of Benton."

"Wm. STURGIS, Council,

"B. H. RANDALL, H. of R.

"Committee."

Mr. Rollins from the committee on Engrossed Bills reported as correctly engrossed, (C. F.) chapters 76, 77, 78, 79, 80, 81, 82, 83 and 84, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

The following message by B. W. Lott, Esq., was then received from the House of Representatives, viz:

"MR. PRESIDENT:—The House of Representatives has negatived by indefinitely postponing,

"No. 15, (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 Sauk Rapids."

"The House as concurred in

"No. 17 (C. F.) A bill to incorporate St. Paul Division No. 1, Sons of Temperance."

The Chief Clerk then withdrew; and

On motion of Mr. Norris,

The rule of the Council prescribing the order of business, was suspended by a two-thirds vote; and

On motion of Mr. Norris,

Bills ready for a third reading were taken up, when

"No. 16 (C. F.) A bill to incorporate the St. Anthony Boom company,"

Was ordered to a third reading; and

On motion of Mr. Rollins,

Said bill was read the third time by its title, passed, and the title agreed to.

(C. F.) chapters 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were ordered to a third reading; and

On motion of Mr. Rollins,

Said chapters were read the third time by their titles, passed, and their titles agreed to.

Bills ready for committee of the whole being now in order,

On motion of Mr. Olmsted,

(C. F.) chapters 85, 86, 87, 88, 89, 90 and 91, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up, and

The Council resolved itself into a committee of the whole, Mr. Rollins in the chair, having said chapters 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.

On motion of Mr. Sturgis,

The Council adjourned until half-past two o'clock this afternoon.

COUNCIL, 18.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Forbes,

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

(C. F.) chapters 85, 86, 87, 88, 89, 90 and 91, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

After some time passed therein, the committee rose, and by the chairman reported chapters 85, 86 and 91, without amendments, and chapters 87, 88, 89 and 90, with amendments.

The report of the committee was accepted, and the amendments proposed to said chapters by the committee of the whole were then concurred in by the Council.

Mr. McLeod moved a call of the Council, which was ordered, and the roll being called,

Mr. Boal was reported absent.

The Sergeant-at-Arms was directed to report the absent member in his seat.

On motion of Mr. Norris,

Further proceedings under the call of the Council were dispensed with; and (C. F.) chapters 85, 86, 87, 88, 89 and 91, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were then ordered to be engrossed for a third reading.

The question being on ordering (C. F.) chapter 90 of the same bill to be engrossed, Mr. Norris moved to amend the first section, line 1, by inserting between the words "states" and "may," the words "on which settlement is not expressly prohibited by Congress or some department of the general government;"

Which motion prevailed; and

Said chapter was then ordered to be engrossed for a third reading.

Mr. Olmsted from the committee appointed to confer with a similar committee appointed by the House of Representatives on the disagreeing vote of the the two houses on (C. F.) chapter 6 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Made the following report, which was accepted, viz:

"The joint committee of the two houses appointed to confer upon the disagreeing vote on the chapter 6 of the revision, have conferred thereon, and recommend that the Council concur in the amendment of the House.

"Without giving the reasons at length, the committee are of the opinion that if the amendment [being a substitute] become the law, it will render the settlement of contests easy, expeditious and certain. It enables parties to command the power of courts of record to obtain the testimony of witnesses, as well as to enforce decisions, when made and also the payment of costs. It leaves to the Legislative Assembly the ancient privilege of taking testimony at such times and places, and before such persons, or not to take any at all as to them may seem proper. It prescribes the manner of removing contested cases to the supreme court, but gives no new right—the *right of appeal* would exist without such provision. It has been in practical operation in the late Territory of Wisconsin for ten years, and more recently in this Territory, and it is believed proved satisfactory to all.

"E. RICE,

"S. TRASK,

"DAVID OLMSTED,

"J. Mc. BOAL,

"Committee."

The report was read and adopted by the Council.

Mr. Norris from the joint Judiciary committee, by leave reported (C. F.) chapters 97 and 98, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory," when

On motion of Mr. Norris,

Rule 37 of the Council, which requires bills &c. to be read the first time at length, was suspended by a two-thirds vote, and said chapters were read the first and second times by their title and laid on the table to be printed.

On motion of Mr. Rollins,

(C. F.) chapters 92, 93, 94, 95 and 96, were taken up, when

On motion of Mr. Norris,

Rule 40 of the Council requiring bills, &c., to be on the table one day after being printed, was suspended by a two-thirds vote; and

On motion on Mr. Rollins,

The Council resolved itself into a committee of the whole, Mr. Olmsted in the chair, having said chapters under consideration.

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

Leave was granted.

Mr. Norris moved a call of the Council, which was ordered, and the roll being called, Messrs. Boal and Olmsted did not answer to their names.

The Sergeant-at-Arms was directed to report the absent members in their seats.

On motion of Mr. Sturgis,

The Council adjourned.

COUNCIL, *Friday*, March 14, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The following message by B. W. Lott, Esq., from the House of Representatives, was then received, viz:

"MR. PRESIDENT:—The House of Representatives has adopted the report of the committee of conference on

"(C. F.) chapter 3 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

"The House has concurred in

(C. F.) chapter 73 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

"With amendments, in which the concurrence of the Council is respectfully requested.

"The House has concurred in

(C. F.) chapters 74, 76, 77, 78, 79, 80, 81, 82, 83, and 84 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

"The House has passed

"No. 21 (H. of R.) A bill for an act to dissolve the marriage contract between Marcelle Courteir and his wife, Margaret Courteir,"

"In which the concurrence of the Council is respectfully requested.

"The House has adopted the report of the committee of conference on

(C. F.) chapter 6 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

The Chief Clerk then withdrew, and

The journal of the proceedings of the Council on yesterday was then read.

Pending the reading thereof,

On motion of Mr. Forbes,

The reading of the report of the committee of conference was suspended with.

A message in writing was received from his Excellency, the Governor, by W. B. White, Esq., his private Secretary.

Mr. Norris offered a resolution, which was read and adopted as follows, viz:

Resolved, That the Secretary of the Council be, and he is hereby, instructed to procure the assistance requisite for the enrollment of the bills of the Council."

Executives messages being in order, the message from his Excellency, the Governor, was read as follows, viz:

"TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, March 14, 1851. }

"TO THE HONORABLE PRESIDENT OF THE COUNCIL—Sir: I have examined and approved

... Memorial to Congress asking for a donation of land to the county of Benton."

"Very respectfully,

"Your obedient servant,

"ALEX. RAMSEY."

Messages from the House of Representatives being now in order,

(C. F.) chapter 73 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with sundry amendments,

Was taken up; and

The first amendment being then read as follows:

"Amend Sec. 101, line 1, by striking out 'Sec. 101,' and inserting '10;' and to insert the word 'are' after the word 'Section' in line 2,"

The Council concurred therein—Ayes 5, Noes not counted.

On motion of Mr. Norris,

The vote by which the Council concurred in the first amendment was reconsidered, and

Mr. Norris moved to amend the amendment as follows:

Strike out "and" to insert the word "are" after the word "Section" in line 2;

Which motion prevailed, and

The amendment as amended was then concurred in.

The second amendment was then read as follows:

"Strike out the four last words of the tenth subdivision of Sec. 100,"

The Council concurred therein.

"No. 21, (H. of R.) A bill for an act to dissolve the marriage contract between Marcelle Courtereir and his wife, Margaret Courtereir,"

Was then read the first and second times, and laid on the table for the action of the Council in committee of the whole.

The message being disposed of,

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapters 85, 86, 87, 88, 89, 90, and 91 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Bills on which the committee has made progress now being in order,

On motion of Mr. Forbes,

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

"No. 19 (H. of R.) A bill providing for the encouragement of agriculture and stock-growing in the Territory of Minnesota."

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

The report of the committee was accepted, and

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

And the Ayes and Noes being called for on the question and ordered,

Those voting in the affirmative were Messrs. Forbes and McLeod—2.

Those voting in the negative were Messrs. Burkleo, Boal, Norris, Olmsted, Rollins, Sturgis, and Loomis, *President*—7.

So the Council refused to order said bill to a third reading.

On motion of Mr. McLeod,
 "No. 18, (C. F.) A bill for the apportionment of the representation of this Territory,"

Was taken up, and

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 said bill back to the Council with progress made, and asked leave to sit again.

Leave was granted.

Mr. Norris, from the joint Judiciary committee, by leave, reported

(C. F.) chapters 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, and 138 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

On motion of Mr. Norris,

Rule 37 of the Council requiring bills, &c., to be read at length on the first reading, was suspended by a two-thirds vote, and

Said chapters were then read the first and second times by their titles, and laid on the table to be printed.

On motion of Mr. Olmsted,

The Council adjourned until two o'clock this afternoon.

Two O'clock P. M.

On motion of Mr. Olmsted,
 (C. F.) chapters 92, 93, 94, and 95

Were taken up, and

The Council resolved itself into a committee of the whole, Mr. Sturgis in the chair, for the further consideration of said chapters.

After some time passed therein, the committee rose, and by the chairman, reported said chapters back to the Council without amendments.

The report of the committee was accepted, and said chapters were then ordered to be engrossed for a third reading.

On motion of Mr. McLeod,

(C. F.) chapters 85, 86, 87, 88, 89, 90, and 91 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up, and

The question then recurring on ordering said chapters to a third reading,

It was decided in the affirmative; and

On motion of Mr. McLeod,

The chapters were read the third time by their titles, passed, and the titles agreed to.

Mr. Sturgis moved to take up

"No. 21, (H. of R.) A bill for an act to dissolve the marriage contract between Marcelle Courtereir and his wife, Margaret Courtereir;"

Which was decided in the negative.

On motion of Mr. McLeod,

The Council adjourned until Monday next at ten o'clock, A. M.

COUNCIL, *Monday*, March 17, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on Friday last, was then read.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapters 92, 93, 94, 95 and 96 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. McLeod, from the joint committee on Enrolled Bills, reported as correctly enrolled:

"No. 13, (H. of R.) A bill for an act granting to William A. Cheever the right to establish and maintain a ferry across the Mississippi river."

"No. 18, (H. of R.) A bill to dissolve the marriage contract between Marinas P. Bennett and Sarah A. Bennett."

"No. 20 (H. of R.) A bill to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton;" and

"(C. F.) chapter 5 and 58 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. McLeod presented an account of Robert Kennedy, which was referred to the joint committee on Legislative Expenditures.

Bills ready for a third reading being now in order;

(C. F.) chapters 92, 93, 94, 95 and 96 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Were ordered to a third reading; and

On motion of Mr. Norris,

Said chapters were read the third time by their titles, passed, and the titles agreed to.

On motion of Mr. Sturgis,

The question of reconsidering the vote by which the Council indefinitely postponed,

"No. 17" (H. of R.) A bill granted to John Banfill the right to establish and maintain a ferry across the Mississippi river,"

Was taken from the table; and

The question then recurring on the reconsideration of said vote;

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. Norris,

The bill was read the third time by its title, passed and the title agreed to.

On motion of Mr. Norris,

"No. 21 (H. of R.) A bill to dissolve the marriage contract between Marcelle Courterier and his wife Margaret Courterier;"

Was taken up, and

On motion of Mr. McLeod,

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 said bill back to the Council without amendments.

The report of the committee of the whole was accepted.

The bill was then ordered to a third reading; and

On motion of Mr. Sturgis.

The bill was read the third time by its title, passed, and the agreed to.

On motion of Mr. Norris,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

The Council was called to order by the President.

The President directed the roll to be called, when

Messrs. Boal, Forbes, McLeod, Olmsted and Sturgis were reported absent.

The Sergeant-at-Arms was directed to report a quorum in their seats.

The Sergeant-at-Arms reported a quorum present.

On motion of Mr. Norris,

Rule forty of the Council, requiring bills, &c., to lie on the table one day after being printed, was suspended by a two-thirds vote, and

On motion of Mr. Norris,
(C. F.) chapters 97, 98 and 99 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up; and

The Council resolved itself into a committee of the whole, Mr. Norris in the chair, having said chapters under consideration.

During the session of the committee of the whole,

A message by B. W. Lott, Esq., was received from the House of Representatives, as follows, viz:

"MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following acts, viz:

"An act granting to William A. Cheever the right to establish and maintain a ferry across the Mississippi river."

"An act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton."

"An act to dissolve the marriage contract between Marinas P. Bennett and Sarah A. Bennett."

"The Governor has notified the House, that he has examined and approved,

"A memorial to the Secretary of War, for the continuation of certain explorations in the Territory of Minnesota."

The Chief Clerk then withdrew, and

The committee of whole resumed its session; and after some further time passed therein, the committee rose and by the chairman reported

Chapters 97 and 99 with amendments, and

Chapter 98 without amendments.

The report of the committee was accepted, and

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

Chapters 97 and 99;

It was decided in the affirmative.

(C. F.) chapters 97, 98 and 99, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

Were then ordered to be engrossed for a third reading.

On motion of Mr. Forbes,

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

The President 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 to dissolve the marriage contract between Marinas P. Bennett and Sarah A. Bennett."

A bill entitled "an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton."

A bill entitled "an act granting to William A. Cheever the right to establish and maintain a ferry across the Mississippi River."

Mr. Sturgis moved the Council do now adjourn;

Which was negatived—Ayes 2, Nays 3.

Mr. Norris moved a suspension of the 40th rule of the Council, which requires bills to remain one day on the table, after being printed;

Which was decided in the negative.

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, *Tuesday, March 18, 1851.*

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod from the committee on Enrolled Bills, reported as correctly enrolled, (C. F.) chapter 13, 43, 44, 45, 46, 52 and 56, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapters 97, 98 and 99 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Bills ready for a third reading being in order,

(C. F.) chapters 97, 98 and 99 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up, and

The question then recurring on ordering said chapters to a third reading,

Pending the question.

Mr. Burkleo asked and obtained the unanimous consent of the Council to amend chapter 99, by adding

"Sec. 11. Any person performing manual labor upon any timber or lumber for or on account of the owner, agent or assignee thereof, may avail himself of the foregoing provisions of this chapter, and upon complying with the requirements thereof shall have a like lien thereon for the amount of work and labor done and performed; and the said lien may be carried into force and effect pursuant to the foregoing provisions of this chapter."

Mr. Forbes asked and obtained the unanimous consent of the Council to amend chapter 99 section 2, by inserting between the words "extent" and "forever" the words "a bar."

The question being taken on ordering to a third reading,

(C. F.) chapters 97, 98 and 99, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

It was decided in the affirmative; and

On motion of Mr. Burkleo,

Said chapters were read the third time by their titles, passed and the titles agreed to.

Bills ready for committee of the whole being in order,

On motion of Mr. Sturgis,

(C. F.) chapters 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were taken up, and

The Council resolved itself into a committee of the whole, Mr. Forbes in the chair, having said chapters under consideration.

After some time passed therein, the committee rose, and by the chairman reported chapters 100, 101 and 102 back to the Council with amendments, and chapters 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, with progress made, and asked leave to sit again.

Leave was granted.

The Council then concurred in all the amendments proposed by the committee of the whole to chapters 100, 101 and 102 with the exception of the second amendment proposed to chapter 102.

The question then recurring on ordering said chapters to be engrossed for a third reading,

Mr. Forbes moved to amend chapter 100, section, 3, by inserting after the word "Penitentiary" the words "or Territorial prison,"

Which motion prevailed.

Mr. Sturgis then moved to amend chapter 102 by adding, at the end of the second section, the words "but any person convicted of any capital crime, shall be kept in solitary confinement for the period of one year after such conviction, and until a warrant for his execution shall be issued by the Governor."

Mr. Norris moved to amend the amendment, by striking out all after the word "conviction," and inserting in lieu thereof, the words "at the expiration of which time it shall be the duty of the Governor to issue his warrant of execution;"

Which motion prevailed—Ayes 3, Nays 2.

And the amendment as amended was then concurred in.

(C. F.) chapters 100, 101 and 102, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

Were then ordered to be engrossed for a third reading.

On motion of Mr. Rollins,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

The President then ordered the roll to be called, when Messrs. Boal, Forbes, McLeod, Norris, Olmsted and Rollins were reported absent.

The Sergeant-at-Arms was directed to report a quorum in their seats.

On motion of Mr. Sturgis,

The Council adjourned.

COUNCIL, *Wednesday*, March 19, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

Mr. Norris by leave introduced,

"No. 5 (C. F.) Memorial to Congress relative to settlers on sections No. 16 and 36,"

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

Mr. Norris from the joint committee on Enrolled Bills, reported as correctly enrolled,

"No. 17, (H. of R.) A bill granting to John Banfill the right to establish and maintain a ferry across the Mississippi river."

"No. 21 (H. of R.) A bill for an act to dissolve the marriage contract between Marcelle Courterier and his wife Margaret Courterier;"

"No. 1 (C. F.) A bill to incorporate the St. Paul Division No. 1, Sons of Temperance;" and

(C. F.) chapters 36 and 54, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. Norris from the same committee made the following report, viz:

"The joint committee did, on the 18th of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills, viz:

"A bill entitled an act granting to William A. Cheever, the right to establish and maintain a ferry across the Mississippi river.'

"A bill entitled an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.'

COUNCIL, 19.

“ A bill entitled an act to dissolve the marriage contract between **Marinas P. Bennett** and **Sarah A. Bennett.**”

“ **J. S. NORRIS**, Council,

“ **B. H. RANDALL**, House of Rep.

“ *Committee.*”

Bills wherein the committee of the whole have made progress, with leave to sit again, being now in order,

On motion of **Mr. Forbes**,

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

(C. F.) chapters 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, of bill

“ **No. 13, (C. F.)** A bill for revising and consolidating the general statutes of the Territory.”

During the session of the committee, the following message was received from the House of Representatives, by **B. W. Lott, Esq.**, Chief Clerk thereof, when the President took the chair for its reception, viz :

“ **MR. PRESIDENT** :—The House of Representatives has agreed to the amendment of the Council to the second amendment of the House to

“ (C. F.) chapter 73 of bill

“ **No. 13 (C. F.)** A bill for revising and consolidating the general statutes of the Territory.”

“ The House has concurred in

“ (C. F.) chapters 85, 86, 87, 88, 89, 90, 91, 93 and 94 of the revision, without amendment, and in (C. F.) chapters 92, 95 and 96, with amendments, in which the concurrence of the Council is respectfully requested.

“ The Speaker has signed the following acts :

“ An act granting to **John Banfill** the right to establish and maintain a ferry across the Mississippi river.”

“ An act to dissolve the marriage contract between **Marcelle Courtreir** and his wife **Margaret Courtreir.**”

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 said chapters back to the Council with progress made, and asked leave to sit again.

Leave was granted.

Mr. Rollins gave notice that on to-morrow or some future day, he would ask leave to introduce a bill for locating a Territorial road from **St. Anthony Falls** to **Greely's**, on **Ground-House** river.

Mr. Rollins from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapters 100, 101 and 102, of bill

“ **No. 13, (C. F.)** A bill for revising and consolidating the general statutes of the Territory.”

On motion of **Mr. Forbes**,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of **Mr. Norris**,

(C. F.) chapters 100, 101 and 102, of bill

“ **No. 13, (C. F.)** A bill for revising and consolidating the general statutes of the Territory ;”

Were taken up, and

The question then recurring on ordering said chapters to a third reading,

It was decided in the affirmative, and

On motion of **Mr. Burkleo**,

The chapters were read the third time by their titles, passed, and the titles agreed to.

On motion of Mr. Burkleo,

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

(C. F.) chapters 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

After some time passed therein, the committee rose and by the chairman reported back to the Council, chapters 103, 105, 107, 108, 110, 112 and 113, with amendments, and chapters 104, 106, 109, 111 and 114, without amendments.

The report of the committee of the whole was accepted; and

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

The amendments proposed to chapters 103, 105, 108, 112 and 113, were concurred in.

The amendment proposed to chapter 107, was then non-concurred in by the Council.

The amendments proposed to chapter 110, being under consideration; all the amendments proposed were concurred in, excepting the last amendment proposed to said chapter, viz:

“Strike out section 24;”

And the Ayes and Noes being called for and ordered on the question of concurring in said amendment,

Mr. Olmsted moved a call of the Council, which being ordered, the roll was called, and

Messrs. Boal, McLeod and Sturgis, did not answer to their names.

The Sergeant-at-Arms was directed to report the absent members in their seats.

Mr. Forbes moved that further proceedings under the call of the Council be dispensed with;

Which motion prevailed—Ayes 4, Noes 1.

The question then being taken on the concurrence of the Council in the last amendment proposed by the committee of the whole to chapter 110,

Those voting in the affirmative, were Messrs. Forbes, Olmsted and Loomis, *President*—3.

Those voting in the negative, were Messrs. Burkleo, Norris and Rollins—3.

So the Council refused to concur.

Mr. Olmsted then moved to amend chapter 110, by striking out in section 24, line 3, between the words “he” and “disturb,” the word “wilfully,”

Which motion prevailed.

Mr. Forbes then moved to amend the same section, by striking out the words, “and who actually refrains from secular business and labor on that day;”

Which was decided in the negative—Ayes 2, Noes 3.

Mr. Olmsted then moved to amend the same section, by striking out the word “conscientiously” in the first line.

It was decided in the negative—Ayes 2, Noes 3.

(C. F.) chapters 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were then ordered to be engrossed for a third reading.

On motion of Mr. Forbes,

The message from the House of Representatives was taken up, when the President signed,

“A bill entitled an act granting to John Banfill the right to establish and maintain a ferry across the Mississippi river,” and

“A bill entitled an act to dissolve the marriage contract between Marcelle Courterier and his wife Margaret Courterier;”

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.

(C. F.) chapter 92 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with an amendment, now coming up; and the amendment being then read as follows:

"Amend chapter 92 by striking out section 14."

The Council concurred therein.

(C. F.) chapter 95, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with amendments,

Now coming up; and

The first amendment being then read as follows:

"Amend section 2, line 1, by striking out the word 'citizen' and insert 'person.'"

The Council concurred therein.

The second amendment being then read as follows:

"Amend chapter 95 by striking out in line one and two, section 3, the words 'on the first day of a general term,' also first sub-division of same section, by striking out 'a citizen of the United States.'"

And the Ayes and Noes being called for and ordered, on the question of concurrence, Those voting in the affirmative were, Messrs. Burkleo, Boal, Forbes, Norris, Rollins, Sturgis and Loomis, *President*—7.

Mr. Olmsted voted in the negative—1.

So the Council concurred in the amendments of the House to said chapter.

(C. F.) chapter 96, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with sundry amendments,

Now coming up, and

The first amendment being then read, as follows:

"Amend chapter 96, section 2, line 1, by striking out the words 'or by special proceeding;'"

The Council concurred therein.

The second amendment being then read as follows:

"Amend chapter 96, section 12, by inserting after the word 'return,' in line 2, the word 'day.'"

The Council concurred therein.

The third amendment being read as follows:

"Amend chapter 96 by inserting between section 56 and 57 the following:

"OF THE POWERS AND PROCEEDINGS OF THE COURT OF CHANCERY TOUCHING THE FORECLOSURE OR SATISFACTION OF MORTGAGES.

'Sec. 57. Bills for the foreclosure or satisfaction of mortgages may be filed in the District Court of the county where the mortgaged premises, or some portion thereof, are situated, and in case any defendant is not a resident of the county, process may be served upon him in any other county within the Territory; or if he be absent or concealed, an order for his appearance may be made, and proceedings thereon be had as are provided for in the case of absent or concealed defendants.

'Sec. 58. Whenever a bill shall be filed for the foreclosure or satisfaction of a mortgage, the Court shall have power to decree a sale of the mortgaged premises, or such part thereof as may be sufficient to discharge the amount due on the mortgage, and the costs of suit; but the District Judge shall not, by such decree, order any lands to be sold nine months after the filing of the bill of foreclosure. When a bill shall be filed for the foreclosure or satisfaction of a mortgage, the Court shall not only have power to decree and compel the delivery of the possession of the premises to the purchaser thereof; but on the coming in of the report of sale, the Court shall have power to decree and direct the payment by the mortgagor of any balance of the mortgage debt that

may remain unsatisfied after a sale of the mortgaged premises, in the cases in which such balance is recoverable at law, and for that purpose may issue the necessary executions as in other cases against other property of the mortgagor.

‘Sec. 59. After such bill shall be filed, while the same is pending, and after a decree is rendered thereon, no proceedings whatever shall be had at law for the recovery of the debt secured by the mortgage, or any part thereof, unless authorized by the Court.

‘Sec. 60. If the mortgaged debt be secured by the obligation or other evidence of debt of any person, other than the mortgagor, the complainant may make such other person a party to the bill; and the Court may decree payment of the balance of such debt remaining unsatisfied after a sale of the mortgaged premises, as well against such other person as the mortgagor, and may enforce such decree as in other cases.

‘Sec. 61. Upon filing a bill for the foreclosure or satisfaction of a mortgage, the complainant shall state therein whether any proceedings have been had at law for the recovery of the debt secured thereby, or any part thereof, and whether such debt, or any part thereof has been collected or paid.

‘Sec. 62. If it appear that any judgment has been obtained in a suit at law for the moneys demanded by such bill, or any part thereof, no proceedings shall be had in such case, unless to an execution against the property of the defendant in such judgment, until the Sheriff or other proper officer shall have returned that the execution is unsatisfied, in whole or in part, and that the defendant has no property whereof to satisfy such execution, except the mortgaged premises.

‘Sec. 63. All sales of mortgaged premises, under a decree in chancery, shall be made by a master in chancery, or other person appointed by the Court, in the county where the premises, or some part of them, are situated.

‘Sec. 64. Deeds shall thereupon be executed by such master, or other person, appointed as aforesaid, which shall vest in the purchaser the same estate that would have vested in the mortgagee, if the equity of redemption had been foreclosed, and no other or greater; and such deed shall be as valid as if executed by the mortgagor and mortgagee, and shall be an entire bar against each of them, and against all parties to the suit in which the decree for such sale was made, and against their heirs respectively, and all persons claiming under such heirs.

‘Sec. 65. The proceeds of every such sale made under a decree in chancery, shall be applied to the discharge of the debt adjudged by such Court to be due, and of the costs awarded; and if there be any surplus, it shall be brought into Court for the use of the defendant, or of the person entitled thereto, subject to the order of the Court.

‘Sec. 66. If such surplus, or any part thereof, shall remain in the said Court for the term of three months, without being applied for, the District Judge may direct the same to be put out at interest, subject to the order of the Court, for the benefit of the defendant, his representatives or assigns, to be paid to them by the order of such Court.

‘Sec. 67. Whenever a bill shall be filed for the satisfaction or foreclosure of any mortgage, upon which there shall be due any interest or any portion or instalment of the principal, and there shall be other portions or instalments to become due subsequently, the bill shall be dismissed upon the defendants bringing into Court, at any time before the decree of sale, the principal and interest due, with costs.

‘Sec. 68. If after a decree for sale entered against a defendant in such case, he shall bring into Court the principal and interest due, with costs, the proceedings in the suit shall be stayed, but the Court shall enter a decree of foreclosure and sale, to be enforced by a further order of the Court, upon a subsequent default in the payment of any portion or instalment of the principal, or of any interest thereafter to grow due.

‘Sec. 69. If the defendant shall not bring into Court the amount due with costs, or if, for any other cause, a decree shall pass for the complainant, the Court may direct a reference to a master to ascertain and report the situation of the mortgaged premises, or may determine the same on oral or other testimony, and if it shall appear that the same can be sold in parcels without injury to the interests of the parties, the decree shall direct so much of the mortgaged premises to be sold as will be sufficient to pay the amount then due on such mortgage, with costs, and such decree shall remain as security for any subsequent default.

‘Sec. 70. If, in the case mentioned in the preceding section, there shall be any de-

fault subsequent to such decree in the payment of any portion or instalment of the principal, or of any interest due upon such mortgage, the Court may, upon the petition of the complainant, by a further order founded upon such first decree, direct a sale of so much of the mortgaged premises to be made under such decree as will be sufficient to satisfy the amount so due, with the costs of such petition, and the subsequent proceedings thereon; and the same proceedings may be had as often as a default shall happen.

'Sec. 71. If, in any of the foregoing cases it shall appear to the court that the mortgaged premises are so situated that a sale of the whole will be most beneficial to the parties, the decree shall in the first instance be entered for the sale of the whole premises accordingly.

'SEC. 72. In such case the proceeds of such sale shall be applied as well to the interest, portion or instalment of the principal due, as towards the whole or residue of the sum secured by such mortgage, and not due and payable at the time of such sale; and if such residue do not bear interest, then the Court may direct the same to be paid with a rebate of the legal interest for the time during which such residue shall not be due and payable; or the court may direct the balance of the proceeds of such sale, after paying the sum due with costs, to be put out at interest, for the benefit of the complainant, to be paid to him as the instalments, or portion of the principal, or the interest, may become due, and the surplus for the benefit of the defendant, his representatives or assigns, to be paid to them on the order of the court. Whenever it shall be deemed necessary, pending any suit or proceeding, the court may appoint a special master in chancery; such master to be sworn, and to give bond if required, for the faithful performance of the duties assigned him, to have power to administer oaths in any proceedings before him, and to receive for his services such reasonable compensation as the court may allow."

The Council concurred therein.

So the Council concurred in all the amendments made by the House to said chapter.

The message having been disposed of,

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, *Thursday*, March 20, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read; and

Pending the reading.

On motion of Mr. Norris,

The reading of the 3d amendment of the House to

(C. F.) chapter 96, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Was dispensed with.

Mr. Rollins, pursuant to previous notice, introduced

"No. 19, (C. F.) A bill for locating a Territorial road from St. Anthony Falls to Greeley's, on Ground-House river;"

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 correctly engrossed, (C. F.) chapters 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;" when

On motion of Mr. Forbes,

Said chapters were taken up, by a two-thirds vote, and

The question then recurring on ordering said chapters to a third reading,

It was decided in the affirmative, and

On motion of Mr. Forbes,

Said chapters were then read the third time by their titles, passed, and the titles agreed to.

Bills on which the committee of the whole has made progress, and obtained leave to sit again, being now in order,

On motion of Mr. McLeod,

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

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory."

During the session of the committee of the whole, the following message was received from the House of Representatives by B. W. Lott, Esq., the Chief Clerk thereof;

When the President took the chair for its reception, viz:

"MR. PRESIDENT:—The House of Representatives has concurred in

"(C. F.) chapters 97 and 98 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

"Without amendments, and

"(C. F.) chapter 99, of same bill with amendments.

"The House has passed

"No. 24, (H. of R.) A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells his wife;" also

"No. 4, (H. of R.) A memorial to Congress relative to the construction of a rail road."

"In all of which the concurrence of the Council is respectfully requested."

The Chief Clerk then withdrew and the committee resumed its session.

After some further time passed therein, the committee rose, and by the chairman reported progress on

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory,"

And asked leave to sit again.

Leave was granted.

Mr. Olmsted moved that the bill be referred to a select committee of three, to be appointed by the Chair; and.

Pending the question,

On motion of Mr. Forbes,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

Mr. Norris moved the suspension of rule 40, which requires bills to lie on the table one day after being printed,

Which was decided in the negative.

Mr. Olmsted renewed the motion to refer to a select committee,

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory."

Pending the question,

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

"MR. PRESIDENT:—The House of Representatives has concurred in

"(C. F.) chapters 100 and 101 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory," and in

"(C. F.) chapter 102, of the same bill with amendments,

"In which the concurrence of the Council is respectfully requested."

The Chief Clerk then withdrew, and

The question again recurring on the adoption of the motion to refer to a select committee of three,

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory,"

Mr. Forbes moved to amend the motion by striking out the words "select committee of three," and inserting in lieu thereof the words "committee of the whole;"

And the Ayes and Noes being call for on the adoption of the motion, and ordered, Those voting in the affirmative were, Messrs. Burkleo, Boal, Forbes, McLeod and Loomis, *President*—5.

Those voting in the negative were, Messrs. Norris, Olmsted, Rollins and Sturgis—4. The question then recurring on the adoption of the motion of reference as amended, It was decided in the affirmative—Ayes 4, Noes 3.

So the Council resolved itself into a committee of the whole, Mr. Forbes in the chair, having under consideration

"No. 18, (C. F.) A bill for the apportionment of representation 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 question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole, to said bill,

Mr. Rollins asked that the question be taken on the amendments separately, which was ordered, and

The first amendment being then read,

The Council concurred there in.

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 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, Pending the question,

On motion of Mr. Olmsted,

The bill was laid on the table, and made the special order of the day for to-morrow.

On motion of Mr. Olmsted,

The Council adjourned.

COUNCIL, *Friday*, March 21, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was then read.

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

"Resolved, That after Monday next, the Council meet at 9 A. M., and hold by adjournments, if the exigencies of the press of business require it, three sessions a day, in order to the complete and correct accomplishment of their legislative affairs, and the other duties that have or may devolve upon them."

Mr. Forbes moved a suspension of rules 54 and 58;

Which motion prevailed by a two-thirds vote; and

The resolution was then adopted by the Council.

Mr. McLeod from the committee of conference, to which was referred the disagreeing vote of the two Houses on

(C. F.) chapter 1 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Made the following report, which was read and accepted, viz:

"A majority of the committee of conference, to whom was referred

"(C. F.) chapter 1 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

"Respectfully beg leave to report:

"That they have taken into due consideration the disagreeing votes of the Council and House, on said chapter, and respectfully recommend as follows:

"That the House recede from their amendment by which the name of 'Meeker' was inserted in place of 'Cass.' Your committee, or a majority of them, believing that there was not any sufficient or good grounds for the change, and the said name of 'Cass' having been first inserted, they recommend its adoption.

"A majority of your committee also recommend, that the Council recede from their amendment to the county lines of Washington, by which a new county to be called 'Douglass,' was contemplated to be laid off; the organization of said county not to take effect until 1852. We believe there is no urgent necessity for any change in the original lines of Washington county, for the formation of said county of 'Douglass,' at this early day.

"And, further, your committee respectfully recommend, that the House recede from their amendment intended to effect a change in the present county seat of Benton, as established last session; believing that it is not the general wish of the people at this time, that the said question of a change in the locality of their county seat should be submitted to them.

"All of which is respectfully submitted.

"M. McLEOD,
"SAM'L. BURKLEO,
"S. B. OLMSTEAD,
"Committee."

The question then recurring on the adoption by the Council of the report of the committee of conference;

It was decided in the affirmative.

The messages from the House of Representatives being now in order,

"No. 4, (H. of R.) A memorial to Congress relative to the construction of a railroad;" and

"No. 24, (H. of R.) A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife;"

Were read the first and second times, and laid on the table for the action of the Council in committee of the whole.

(C. F.) chapter 99 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with sundry amendments, being under consideration;

The first amendment was then read as follows:

"Amend the title of chapter 99, by inserting after the word 'laborers,' the words 'and others.'"

The Council concurred therein.

The second amendment being then read as follows:

"Amend Sec. 3 by adding, 'Provided, That if the defendant be absent or concealed, he may be proceeded against in the same manner as is provided for in other cases of absent or concealed defendants.'"

The Council concurred therein.

The third amendment being then read as follows:

"Amend Sec. 9. line one, by inserting after the word 'repair,' 'or bestow labor on;,' insert after the word 'repaired,' in line 2, 'or bestowed labor upon;,' insert in line 5 after the word 'repaired,' 'or upon which labor has been bestowed.'"

Mr. Norris moved to amend the amendment by striking out after the words "line 2," the words "or bestowed labor upon," and insert in lieu thereof the words, "or upon which labor has been bestowed;"

Which motion prevailed—Ayes 4, Noes 3.

The amendment as amended was then concurred in.

The fourth amendment being then read as follows:

"Strike out Sec. 11."

The Council concurred therein.

COUNCIL, 20.

So the Council concurred in all the amendments of the House to said chapter, with an amendment to the third of said amendments.

(C. F.) chapter 102, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

Then being under consideration, and

The first amendment being then read as follows:

"Amend Sec. 2, by striking out the words 'It shall be the duty of the Governor to' and insert 'the Governor may in his discretion,' and add at the close of the first subdivision the words 'and until such warrant be issued and executed, such prisoner shall, unless discharged by due course of law, remain in solitary confinement.'"

The Council refused to concur therein.

The second amendment being then read as follows:

"Amend the third line of Sec. 2, second subdivision, by inserting after the word 'prison' the words 'or penitentiary.'"

The Council concurred therein.

So the Council concurred in the second and refused to concur in the first amendment to said chapter.

The message from the House of Representatives being disposed of,

On motion of Mr. Forbes,

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory."

Which was made the order of the day for this day,

Was taken up, Ayes 5, Noes 4; and

The question then recurring on ordering the bill to be engrossed for a third reading; Mr. Rollins moved a call of the Council, which being ordered, the roll was called, and Mr. Olmsted did not answer to his name.

The Sergeant-at-Arms was directed to report the absent member in his seat.

The Sergeant-at-Arms reported Mr. Olmsted present.

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

Pending the question.

Mr. Forbes moved a call of the Council, which being ordered, the roll was called and Messrs. McLeod and Norris were reported absent.

The Sergeant-at-Arms was directed to report the absent members in their seats.

The Sergeant-at-Arms reported Messrs. McLeod and Norris in their seats.

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

Mr. Sturgis moved the following amendment, viz:

Strike out the sixth section and insert, "The counties of Benton and Cass shall constitute the fifth Council district, and shall be entitled to elect one member of the Council, and the county of Benton shall be entitled to elect two Representatives, and the county of Cass one Representative."

Second line of 8th section of printed bill, strike out "two" and insert "one."

Which motion was agreed to.

The question then being taken on ordering the bill to be engrossed for a third reading; and

The Ayes and Noes being called for on the question and ordered;

Those voting in the affirmative were Messrs. Burkleo, Boal, Forbes and McLeod—4.

Those voting in the negative were Messrs. Norris, Olmsted, Rollins, Sturgis and Loomis, *President*—5.

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

On motion of Mr. Norris,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Norris,

The question of concurrence in the second amendment made by the House of Representative, to

(C. F.) chapter 71, of bill
 "No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Was taken from the table, and

The question then recurring on the concurrence of the Council, in said amendment;

Pending the question,

Mr. Norris moved to amend the amendment, by striking out the word "Meeker," and inserting in lieu thereof the word "Cass;"

Which motion prevailed.

The amendment as amended was then concurred in.

The President called Mr. Burkleo to the Chair.

Mr. Olmsted moved a call of the Council, which being ordered, the roll was called and Mr. Rollins did not answer to his name

The Sergeant-at-Arms was directed to report the absent member in his seat.

On motion of Mr. McLeod,

Further proceedings under the call of the Council were dispensed with; and

The Ayes and Noes being called for on the adoption of the motion, and ordered,

Those voting in the affirmative were Messrs. Burkleo, Boal, Forbes, McLeod and Loomis, *President*—5.

Those voting in the negative were Messrs. Norris, Olmsted and Sturgis—3.

So the Council dispensed with further proceedings under the call.

The Sergeant-at-Arms reported that Mr. Rollins could not be found.

On motion of Mr. Loomis,

Mr. Rollins was excused from serving in the Council during this afternoon.

Mr. Loomis moved a reconsideration of the vote by which the Council refused to order to be engrossed

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory."

Pending the question.

Mr. Olmsted moved a call of the Council, which was ordered, and the roll being called, all the members were reported in attendance except Mr. Rollins.

The President resumed the chair.

Mr. McLeod called for the previous question.

Mr. Forbes moved that Mr. Burkleo be excused from voting,

Which motion prevailed.

Mr. Olmsted moved to adjourn, and the Ayes and Noes being called for and ordered,

Those voting in the affirmative were, Messrs. Norris, Olmsted and Sturgis—3,

Those voting in the negative were, Messrs. Boal, Forbes, McLeod and Loomis, *President*—4.

So the Council refused to adjourn.

Mr. Olmsted moved a call of the Council, which was ordered, and the roll being called, all the members were reported present except Messrs. Burkleo and Rollins, who had been excused.

Mr. Olmsted asked that the excused members be required to attend; which was decided to be out of order.

Mr. Olmsted appealed from the decision of the chair; and

The question then recurring,

"Shall the decision of the Chair stand as the decision the Council?" and

The Ayes and Noes being called for on the question, and ordered,

Those voting in the affirmative were, Messrs. Boal, Forbes, McLeod and Loomis, *President*—4.

Those voting in the negative were, Messrs. Norris, Olmsted and Sturgis—3.

So the decision of the Chair was sustained.

The question then being taken,

"Shall the main question be now put?" and

The Ayes and Noes being called for on the question and ordered,

Those voting in the affirmative were, Messrs. Boal, Forbes, McLeod and Loomis, *President*—4.

Those voting in the negative were, Messrs. Norris, Olmsted and Sturgis—3.

So the main question was ordered.

The question then recurring on reconsidering the vote by which the Council refused to order to be engrossed.

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory," Mr. Olmsted moved to adjourn.

The Chair decided the motion could not be entertained pending a question under an order for the previous question.

Mr. Norris appealed from the decision of the Chair; and

The question then recurring,

"Shall the decision of the Chair stand as the decision of the Council?"

And the Ayes and Noes being called for and ordered on the question,

Those voting in the affirmative were, Messrs. Boal, Forbes, McLeod and Loomis, *President*—4.

Those voting in the negative were, Messrs. Norris, Olmsted and Sturgis—3.

So the decision of the Chair was sustained.

The question being then taken on the reconsideration of the vote by which the Council refused to order to engrossment,

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory."

And the Ayes and Noes being called for and ordered on the question;

Those voting in the affirmative were, Messrs. Boal, Forbes, McLeod and Loomis, *President*—4.

Those voting in the negative were, Messrs. Norris, Olmsted and Sturgis—3.

So the vote was reconsidered.

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

Mr. Forbes moved a reconsideration of the vote by which the Council adopted the amendment to the 6th and 8th sections of the bill, and

Pending the question,

Mr. Norris moved to lay the motion to reconsider, on the table; and

The Ayes and Noes being called for on the motion and ordered,

Those voting in the affirmative were Messrs. Norris, Olmsted and Sturgis—3.

Those voting in the negative were Messrs. Boal, Forbes, McLeod and Loomis, *President*—4.

So the Council refused to lay the motion to reconsider on the table.

The question again recurring on the motion to reconsider the vote by which the Council amended the 6th and 8th sections of

"No. 18 (C. F.) A bill for the apportionment of representation in the Territory,"

Pending the question,

Mr. Olmsted moved the Council do now adjourn;

And the Ayes and Noes being called for on the adoption of the motion, and ordered,

Those voting in the affirmative were Messrs. Norris, Olmsted and Sturgis—3.

Those voting in the negative were Messrs. Boal, Forbes, McLeod and Loomis, *President*—4.

So the Council refused to adjourn.

The question being then taken on reconsidering the vote by which the Council amended the 6th and 8th sections of

"No. 18 (C. F.) A bill for the apportionment of representation in the Territory," and

The Ayes and Noes being called for on the motion, and ordered,

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

Those who voted in the negative were Messrs. Norris, Olmsted and Sturgis—3.

So the vote was reconsidered.

The question then recurring on the adoption by the Council of the amendment proposed to the 6th and 8th sections of the bill,

Pending the question,

Mr. Sturgis moved the Council do now adjourn,

Which was decided in the negative.

Mr. Olmsted then moved a call of the Council, which being ordered, the roll was called, and Mr. Sturgis did not answer to his name.

The Sergeant-at-Arms was directed to report the absent member in his seat.

Mr. McLeod moved that further proceedings under the call of the Council be dispensed with,

Which was decided in the affirmative.

Mr. Olmsted appealed from the decision of the chair, that a majority is sufficient to dispense with further proceedings under a call of the Council;

And the question being then taken,

“Shall the decision of the chair stand as the decision of the Council?”

It was decided in the affirmative.

So the chair was sustained.

Mr. Olmsted moved the Council do now adjourn;

And the Ayes and Noes being called for on the adoption of the motion and ordered,

Those who voted in the affirmative were Messrs. Norris and Olmsted—2.

Those who voted in the negative were Messrs. Boal, Forbes, McLeod and Loomis,
President—4.

So the Council refused to adjourn.

The Sergeant-at-Arms reported Mr. Sturgis in his seat.

Mr. Sturgis then moved the Council do now adjourn;

And the Ayes and Noes being called for on the adoption of the motion, and ordered,

Those who voted in the affirmative were Messrs. Norris, Olmsted and Sturgis—3.

Those who voted in the negative were Messrs. Boal, Forbes, McLeod and Loomis,
President—4.

So the Council again refused to adjourn.

Mr. Forbes moved the previous question;

And the question then recurring,

“Shall the main question be now put?”

And the Ayes and Noes being called for on the question, and ordered,

Those voting in the affirmative were Messrs. Boal, Forbes, McLeod and Loomis,
President—4.

Those voting in the negative were Messrs. Norris, Olmsted and Sturgis—3.

So the main question was ordered, and the President decided the main question to be shall

“No. 18, (C. F.) A bill for the apportionment of representation in the Territory,”

Be ordered to be engrossed for a third reading.

Mr. Norris appealed from the decision of the chair, claiming the main question to be on the adoption of the pending amendment; and

The question then recurring,

“Shall the decision of the chair stand as the decision of the Council?”

And the Ayes and Noes being called for on the adoption of the motion and ordered,

Those who voted in the affirmative were Messrs. Boal, Forbes, McLeod and Loomis,
President—4.

Those who voted in the negative were Messrs. Norris, Olmsted and Sturgis—3.

So the chair was sustained.

The question then being taken on ordering to be engrossed for a third reading,

“No. 18, (C. F.) A bill for the apportionment of representation in the Territory;”

And the Ayes and Noes being called for on the question, and ordered,

Those voting in the affirmative were Messrs. Boal, Forbes, McLeod and Loomis,
President—4.

Those who voted in the negative were Messrs. Norris, Olmsted and Sturgis—3.

So the bill was ordered to be engrossed for a third reading.

Mr. McLeod moved the Council do now adjourn until Monday next,

Which was decided in the negative.

On motion of Mr. Olmsted,

The Council adjourned.

COUNCIL, *Saturday*, March 22, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Parsons.

The journal of the proceedings of the Council on yesterday was read and corrected.

Pending the reading thereof,

On motion of Mr. McLeod,

The reading of the report of the committee of conference on

(C. F.) chapter 1 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Was dispensed with.

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled,

(C. F.) chapters 30, 55, and 60 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

On motion of Mr. Burkleo.

(C. F.) chapters 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, and 138 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were taken up, and

The Council resolved itself into a committee of the whole, Mr. Forbes in the chair, having said chapters under consideration.

After some time passed therein, the committee rose, and by the chairman reported back to the Council,

Chapters 115, 116, 117, 118, 119, 121, 122, 127, 128, 129, 130, 131, 132, 134, 135, 136, and 138, without amendment; and

Chapters 120, 123, 124, 125, 126, 133, and 137, with amendments.

The report of the committee was accepted, and

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

Chapters 120, 123, 124, 125, 126, 133, and 137,

It was decided in the affirmative.

(C. F.) chapters 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, and 138 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were then ordered to be engrossed for a third reading.

On motion of Mr. Norris,

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

COUNCIL, *Monday*, March 24, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Wilcoxson.

The journal of the proceedings of the Council on Saturday was then read.

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled,

(C. F.) chapters 57, 58, 80, 81, 82, 83, and 84 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

Mr. McLeod, from the joint committee on Enrolled Bills, made the following report, viz:

“The joint committee did, on the 22d of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills:

“‘A bill entitled ‘An act to dissolve the marriage contract between Marcelle Courtereir and his wife, Margaret Courtereir.’”

“ A bill entitled An act granting to John Banfill the right to establish and maintain a ferry across the Mississippi river.”

“ M. McLEOD, Council.

“ B. H. RANDALL, H. of R.
“ Committee.”

Mr. McLeod presented an account from Mr. James McIntosh, for stitching and binding, which

On motion of Mr. McLeod,

Was referred to the committee on Legislative Expenditures.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed, (C. F.) chapters 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, and 138 of bill

“ No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

House bills on a second reading being now in order,

On motion of Mr. Sturgis,

The House file of bills was taken up, and

The Council resolved itself into a committee of the whole, Mr. Sturgis in the chair, for the consideration of said file of bills.

During the session of the committee, a message from the House of Representatives was received by B. W. Lott, Esq., Chief Clerk thereof, when the President took the chair for its reception as follows, viz:

“ MR. PRESIDENT:—The House of Representatives has concurred in

“ ‘ No. 16, (C. F.) A bill to incorporate the St. Anthony Boom Company,’ with amendments.

“ The House has passed

“ ‘ Joint resolution No. 5, relative to the adjournment of the present session of the Legislature.’

“ The House has passed

“ ‘ No. 23 (H. of R.) A bill to incorporate the St. Paul Institute,’

“ The House has concurred in

“ (C. F.) chapters 103, 104, 105, 106, 107, 111, 112, 113, and 114 of bill

“ ‘ No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,’

Without amendment, and

“ Have concurred in

“ (C. F.) chapters 108, 109, and 110 of same bill, with amendments.

“ In all which the concurrence of the Council is respectfully requested.

“ His Excellency, the Governor, has notified the House that he did, on the 21st day of March, 1851, examine and approve of the following acts, viz:

“ ‘ An act granting to William A. Cheever the right to establish and maintain a ferry across the Mississippi river.’

“ ‘ An act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.’

“ ‘ An act to dissolve the marriage contract between Marinas P. Bennett and Sarah A. Bennett.’

“ The Speaker has signed

“ An act to incorporate St. Paul Division No. 1 Sons of Temperance.’”

The Chief Clerk then withdrew, and

The committee of the whole resumed its session.

After some time passed therein, the committee rose, and by the chairman reported

“ No. 24, (H. of R.) A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife;” and

“ No. 4, (H. of R.) A memorial to Congress relative to the construction of a railroad,” without amendment.

The report of the committee of the whole was accepted.

Mr. Rollins moved that

“ No. 24, (H. of R.) A bill to dissolve the marriage contract between George Wells and Catharine Wells, his wife,”

Be indefinitely postponed ;

And the Ayes and Noes being called for on the question, and ordered,
Those voting in the affirmative were Messrs. Rollins and Loomis, *President*—2.

Those voting in the negative were Messrs. Burkleo, Boal, McLeod, and Sturgis—4,
So the Council refused to postpone said bill indefinitely.

“No. 4, (H. of R.) A memorial to Congress relative to the construction of a railroad,” and

“No. 24, (H. of R.) A bill to dissolve the marriage contract between George Wells and Catharine Wells, his wife,”

Were then severally read the third time, passed, and the titles agreed to.

Bills ready for a third reading being now in order,

(C. F.) chapters 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, and 138 of bill

“No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Were then ordered to a third reading, and

On motion of Mr. Burkleo,

Said chapters were read the third time by their titles, passed, and the titles agreed to.

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

“MR. PRESIDENT:—The House of Representatives has concurred in the amendment of the Council to the third amendment of the House to

“(C. F.) chapter 99 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

“The House has refused to recede from their first amendment to

“(C. F.) chapter 102 of same bill.

“The House has concurred in the amendment of the Council to the second amendment of the House to

“(C. F.) chapter 71 of same bill, and

Have refused to recede from their third amendment to said chapter.

“The House has adopted the report of the committee appointed to confer on the disagreeing vote of the two Houses on

“(C. F.) chapter 1 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.”

The Chief Clerk then withdrew ; and

On motion of Mr. Forbes,

The messages from the House of Representatives were taken up, when

“No. 16, (C. F.) A bill to incorporate the St. Anthony Boom Company,”

Returned from the House of Representatives with amendments, now coming up, and The first amendment being then read as follows :

“Strike out section 12, and substitute in place thereof the following :

“Sec. 12. The said company shall, within twelve months from the passage of this act, construct one or more good and sufficient booms at or above the mouth of Rice creek, for the purpose of stopping, separating, and retaining logs ; and the said company shall be responsible for all logs or hewn timber coming down the said river, the owner or owners of which shall have requested any member of said company to have the same stopped in their boom ; and shall pay to such owner or owners all damages that may be sustained in consequence of not stopping the said logs ; and the said company shall sort out the said logs and timber according to their several marks, and if required, shall raft the same out of said boom sufficiently secure to run to the mills at the Falls of St. Anthony so called, and shall deliver the same to the several owners thereof, at or near the foot of said boom ; or may turn into the pond east of the Mississippi and near the said Falls, all such logs or hewn timber as the owner or owners thereof shall request to be turned in : *Provided*, That nothing herein contained shall be so construed as to require said company to turn into said pond any logs or hewn timber after said pond shall be sufficiently filled ; and provided that said company shall not be responsible for any logs turned into said boom or booms, after retaining the same for a

period of thirty days. But for all logs or hewn timber turned into said pond, the said company shall not be entitled to any pay for rafting or running the same. And all logs delivered out of said pond shall be delivered at the head of the large island above the said Falls.”

The Council concurred therein,

The second amendment being then read as follows :

“ Add to section 15th the following, to wit :

‘ And nothing herein contained shall be so construed as to prevent any person from constructing side booms and fastening rafts at any place within the limits of this charter, excepting the grounds occupied by the booms of said company, and one mile of shore on the west bank of the river below the foot of each boom, which said company shall have for the purpose of rafting and fastening rafts.’ ”

The Council concurred therein.

So the Council concurred in all the amendments made by the House to said bill.

“ No. 5 (H. of R.) Joint resolution relative to the adjournment of the present session of the Legislature,”

Was then read and adopted.

“ No. 23 (H. of R.) A bill to incorporate the St. Paul Institute,”

Was then read the first and second times, and laid on the table for the action of the Council in committee of the whole.

(C. F.) chapter 108, of bill

“ No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Returned from the House of Representatives with sundry amendments, now coming up ; and

The first amendment being then read as follows :

“ Strike out ‘e’ in the first line, and insert ‘i,’ ”

And the Ayes and Noes being called for on the adoption of the amendment, and ordered,

Those voting in the affirmative were, Messrs. Burkleo, Sturgis and Loomis, *President*—3.

Those voting in the negative were Messrs. Boal, Forbes, McLeod and Rollins—4.

So the Council refused to concur therein.

The second amendment being then read as follows :

“ Amend section 1, line 1, after the word ‘pharo,’ by inserting ‘or pharoah.’ ”

The Council concurred therein.

The third amendment being then read, as follows :

“ Amend section 4, line 2, by striking out the word ‘boulding,’ and inserting ‘building, steamboat, raft, keelboat, or boom.’ ”

Mr. Forbes moved to amend the amendment by striking out all after the word building,

Which motion prevailed.

The amendment as amended was then concurred in—Ayes 3, Noes 2.

The fourth amendment being read as follows :

“ Strike out section 7.”

The Council refused to concur therein.

So the Council concurred in the 2d, amended and concurred in the 3d, and refused to concur in the 1st and 4th amendments made by the House of Representatives to said chapter.

(C. F.) chapter 109, of bill

“ No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,”

Returned from the House of Representatives with amendments, now coming up ; and

The first amendment being then read as follows :

“ Strike out all after the word ‘jurisdiction,’ in line 4, section 1.”

The Council concurred therein.

The second amendment being then read as follows :

“ Amend section 3, line 8, by striking out the word ‘naturally.’ ”

The Council concurred therein.

COUNCIL, 21.

So the Council concurred in the amendments made by the House to said chapter.

(C. F.) chapter 110, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

Returned from the House of Representatives with sundry amendments,

Now coming up, and

The first amendment being then read as follows :

"Amend section 1, by adding thereto the following :

'But no prosecution for adultery shall be commenced except on the complaint of the husband or the wife, and no such prosecution shall be commenced after one year from the time of committing the offence.'"

The Council concurred therein.

The second amendment being then read as follows :

"Strike out sections 21 and 22;" and

The Ayes and Noes being called for on the adoption of the amendment and ordered, Those voting in the affirmative were Messrs. McLeod, Rollins, Sturgis and Loomis,

President—4.

Those voting in the negative were Messrs. Burkleo, Boal, Forbes and Norris—4.

So the Council refused to concur in said amendment.

The third amendment being then read as follows :

"Section 25, line 1, strike out the words 'and twenty-first.'"

The Council refused to concur therein.

So the Council concurred in the 1st, and refused to concur in the 2d and 3d amendments made by the House of Representatives to said chapter.

(C. F.) chapter 102, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Which was amended by the House of Representatives, the first amendment not concurred in by the Council, and the House having refused to recede therefrom, and being now up for the action of the Council,

On motion of Mr. Norris,

A committee consisting of Messrs. Boal and Sturgis, was appointed by the chair, to confer with a similar committee to be appointed by the House of Representatives, to confer on the disagreeing vote of the two Houses on said chapter.

(C. F.) chapter 71, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

Amended by the House of Representatives.

The Council refused to concur in the third of said amendments, and the House having refused to recede, and the chapter now coming up, and the question recurring ;

"Will the Council adhere to a non-concurrence in the third amendment?"

It was decided in the negative.

The President then signed a bill, entitled

"An act to incorporate St. Paul Division No. 1, Sons of Temperance,"

And it was placed in the hands of the chairman of the committee on Enrolled Bills, for presentation to his Excellency, the Governor, for examination and approval.

The messages being disposed of,

On motion of Mr. Forbes,

"No. 19 (C. F.) A bill for locating a Territorial road from St. Anthony Falls to Greely's, on Ground-house river," and

"No. 5 (C. F.) Memorial to Congress relative to settlers on sections No. sixteen and thirty-six,"

Were taken up, and

The Council resolved itself into a committee of the whole, Mr. Boal in the chair, having said bill and memorial under consideration.

After some time passed therein, the committee rose, and by the chairman reported the memorial back to the Council without amendments, and the bill with amendments.

The report of the committee of the whole was then accepted, and the amendments proposed by the committee of the whole to said bill were concurred in.

"No. 19 (C. F.) A bill for locating a Territorial road from St. Anthony Falls to Greely's, on Ground-house river," and

"No. 5 (C. F.) A memorial to Congress relative to settlers on sections sixteen and thirty-six,"

Were severally ordered to be engrossed for a third reading.

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, *Tuesday*, March 25, 1851.

The Council was called to order by the President.

The journal of the Council on yesterday was then read.

On motion of Mr. McLeod,

Rule thirty-six of the Council, requiring one day's notice for leave to introduce bills, was suspended by a two-thirds vote, and

Mr. McLeod asked and obtained leave to introduce,

"No. 20, (C. F.) A bill to incorporate the St. Peters lumbering and manufacturing company."

Which was read the first and second times, and

On motion of Mr. McLeod,

Rule forty, of the Council, requiring bills to be printed after the second reading, was suspended by a two thirds vote, and

On motion of Mr. McLeod,

The bill was referred to the committee on Agriculture and Manufactures.

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

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory."

"No. 19, (C. F.) A bill for locating a Territorial road from St. Anthony Falls to Greely's, on Ground-House river;" and

"No. 5, (C. F.) A memorial to Congress relative to settlers on sections No. 16 and 36."

House bills ready for committee of the whole, being now in order,

On motion of Mr. Forbes,

"No. 23, (H. of R.) A bill to incorporate the St. Paul Institute;"

Was taken up, and

The Council resolved itself into a committee of the whole, Mr. McLeod in the chair, having said bill under consideration.

After some time passed therein, the committee rose, and by the chairman reported said bill back to the Council, with progress made, and asked leave to sit again.

Leave was granted.

Bills ready for a third reading being in order, and

"No. 18, (C. F.) A bill for the apportionment of representation in the Territory,"

Now coming up, and

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

The Ayes and Noes being called for on the question and ordered;

Those voting in the affirmative were Messrs, Burkleo, Boal, Forbes, McLeod and Loomis, *President*—5.

Those voting in the negative were Messrs. Norris, Olmsted, Rollins and Sturgis—4.

So 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 and ordered on the question;

Those voting in the affirmative were Messrs. Burkleo, Boal, Forbes, McLeod and Loomis, *President*—5.

Those voting in the negative were Messrs. Norris, Olmsted, Rollins and Sturgis—4.

So the bill passed.

The title of the bill was then agreed to.

"No. 19, (C. F.) A bill for locating a territorial road from St. Anthony Falls to Greely's on Ground-House river;"

Was then ordered to a third reading, read the third time and passed.

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

Mr. Sturgis moved to amend the title, by striking out all after the word "road," and inserting "between points therein specified;"

Which motion prevailed, and

The title as amended was then agreed to.

"No. 5, (C. F.) A memorial to Congress relative to settlers on sections No. 16 and 36,"

Was then ordered to a third reading, read the third time, passed, and the title agreed to.

On motion of Mr. Norris,

The Council adjourned.

COUNCIL, *Wednesday*, March 26, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Wilcoxson.

The journal of the proceedings of the Council on yesterday was then read.

The following message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk, viz:

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

"No. 27, (H. of R.) A bill supplementary to an act for revising and consolidating the general statutes of the Territory;' and also entitled 'chapter 1, of the division of the Territory into counties and their boundaries;'

"In which the concurrence of the Council is respectfully requested.

"The House has concurred in

"(C. F.) chapter 75, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,'

"With amendments.

"The House has receded from their first, and refused to recede from their second amendment which were not concurred in by the Council, to

"(C. F.) chapter 108, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,'

"The House has concurred in

"(C. F.) chapters 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137 and 138, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,'

Without amendment.

"The House has receded from their second and third amendments which were non-concurred in by the Council, to

"(C. F.) chapter 110, of same bill

"The House has appointed Messrs. North, and Ford a committee to confer with a similar committee already appointed by the Council on the disagreeing vote of the two Houses on chapter 102, of same bill

"The House has adopted the report of the committee of conference on the disagreeing vote of the two Houses on chapter 102, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,'"

The Chief Clerk then withdrew; and

On motion of Mr. Burkleo,

Rule 36 of the Council, requiring one day's notice for leave to introduce bills, &c.,

Was suspended by a two thirds vote, and

Mr. Burkleo asked and obtained leave to introduce
 "No. 21, (C. F.) A bill to authorize the Secretary of the Territory, to rent rooms for the next Legislative Assembly, and for other purposes;"

Which was read the first and second times.

On motion of Mr. Olmsted,

All rules of the Council which would prevent the said bill being ordered to a third reading now, were suspended by a two-thirds vote; and

On motion of Mr. Olmsted,

The bill was ordered to a third reading, and read the third time.

Mr. Norris asked and obtained the unanimous consent of the Council to strike out all after the word "whatever."

Mr. Burkleo asked and obtained the unanimous consent of the Council to add a section as follows:

"Sec. 2. This act shall take effect from and after its passage."

The bill was then passed and the title agreed to.

Mr. Burkleo from the committee on Territorial Expenditures, reported back to the Council sundry bills for the payment of a Librarian; which

On motion of Mr. Burkleo,

Were referred to the committee on Legislative Expenditures.

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

"Resolved, By the Council, with the concurrence of the House, that the joint Judiciary committee be authorized to correct and alter that portion of

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

"Which has not been enrolled, so far as such correction shall not materially change or alter the meaning of the same, and that the same be enrolled as corrected."

Mr. McLeod from the joint committee on Enrolled Bills, reported as correctly enrolled, (C. F.) chapters 96, 97 and 98 of bill

"No. 13, (C. F. A) bill for revising and consolidating the general statutes of the Territory,"

Mr. McLeod from the joint committee on Enrolled Bills, made the following report, viz:

"The joint committee did, on the 25th day of March A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bill, viz:

"A bill entitled 'An act to incorporate St. Paul Division No. 1, Sons of Temperance.'"

"M. McLEOD, Council.

"B. H. RANDALL, House of Rep.

"Committee."

Mr. McLeod presented an account of the Dakota Mission, for the Dakota Friend, which was read and referred to the committee on Legislative Expenditures.

Mr. Sturgis from the committee appointed to confer with a committee of the House of Representatives on the disagreeing vote of the two Houses, on

(C. F.) chapter 102 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Made the following report, viz:

"The joint committee to whom was referred

"Chapter 102, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

"On the disagreeing vote of the two Houses on the House amendment to section 2, report, that they have had the same under consideration, and unanimously recommend that the House recede from its amendment.

"WM. STURGIS,

"J. W. NORTH,

"J. A. FORD,

"Committee."

Mr. Norris, from the joint Judiciary committee, reported
(C. F.) chapters 139, 140, 141, and 142 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Which were severally read the first and second times.

On motion of Mr. Norris,

The 40th rule of the Council, requiring bills, &c. to be printed after a second reading,
Was suspended by a two-thirds vote.

Mr. Norris moved a suspension of all rules of the Council, preventing the reading of
said chapters the third time now,

Which motion was lost.

The message from the House of Representatives being now in order,

"No. 27, (H. of R.) A bill supplementary to an act for revising and consolidating
the general statutes of the Territory, and also entitled chapter 1, of the division of the
Territory into counties and their boundaries,"

Was read the first and second times.

Mr. Forbes moved said bill be indefinitely postponed;

Which was decided in the negative—Ayes 2, Noes 4;

And said bill was laid on the table for the action of the Council in committee of the
whole.

(C. F.) chapter 108 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the
Territory,"

Which was amended by the House, the Council refused to concur in the fourth
amendment, and the House refused to recede,

Being up for consideration, and

The question now recurring,

"Will the Council adhere to the disagreement on said amendment?"

It was decided in the negative.

(C. F.) chapter 75 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the
Territory,"

Returned from the House of Representatives, with sundry amendments,

Now coming up,

On motion of Mr. Olmsted,

Said amendments were concurred in without reading.

The message being disposed of,

On motion of Mr. Forbes,

"No. 23, (H. of R.) A bill to incorporate the St. Paul Institute,"

Was taken up, and

The Council resolved itself into a committee of the whole, Mr. Sturgis in the chair,
having said bill under further 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 the adoption by the Council, of the amendment pro-
posed by the committee of the whole to said bill,

It was decided in the negative.

The bill was then ordered to a third reading, and

On motion of Mr. Forbes,

Was read the third time by its title, passed, and the title agreed to.

On motion of Mr. Forbes,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Norris,

Rule 37 of the Council, which prohibits the reading of bills, &c., the second and
third times on the same day; and

Rule 39 of the Council, requiring bills, &c., to be considered in committee of the whole after the second reading,

Were suspended by a two-thirds vote, and

On motion of Mr. Norris,

(C. F.) chapters 139, 140, 141, and 142 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Were ordered to a third reading; taken up, and

On motion of Mr. Olmsted,

Said chapters were read the third time by their titles.

The question then recurring on the passages of said chapters,

Mr. Olmsted asked and obtained the unanimous consent of the Council to amend the 141st chapter by striking out "October," and inserting in lieu thereof "September."

The chapters were then passed and the titles agreed to.

On motion of Mr. Rollins,

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

COUNCIL, Thursday, March 27, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Wilcoxson.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled,

"No. 16, (C. F.) A bill to incorporate the St. Anthony Boom Company."

"No. 24, (H. of R.) A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells his wife."

"No. 4, (H. of R.) A memorial to Congress relative to the construction of a railroad;" and

(C. F.) chapters 1, 61, 62, 63, 64, 68, 72, 74, 76, 78, 79, 86, 87, 88, 89, 90, 91, and 85 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. Sturgis, from the committee on Agriculture and Manufactures, made the following report, viz:

"The committee on Agriculture and Manufactures, to whom was referred

"No. 20, (C. F.) A bill to incorporate the St. Peters lumbering and manufacturing company,"

Report the same back to the Council without amendment.

WM. STURGIS,
J. S. NORRIS, } Committee."
J. Mc. BOAL.

The report of the committee was accepted, and

The bill was laid on the table for the action of the Council in committee of the whole.

Bills ready for committee of the whole being now in order,

On motion of Mr. Sturgis,

"No. 27, (H. of R.) A bill supplementary to an act for revising and consolidating the general statutes of the Territory, and also entitled chapter 1, of the division of the Territory into counties, and their boundaries,"

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 said bill back to the Council without amendment.

The report of the committee of the whole was accepted.

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

Mr. Norris moved to amend the motion by striking out "Monday," and inserting "to-morrow."

Mr. McLeod moved to amend the motion to amend by striking out "to-morrow," and inserting "Saturday."

Mr. Sturgis moved a call of the Council,

Which being ordered, and

The roll being called, Mr. Olmsted was reported absent.

The Sergeant-at-Arms was directed to report the absent member in his seat.

The Sergeant-at-Arms reported Mr. Olmsted present.

The question being then taken on the motion to lay on the table until Monday, It was disagreed to.

The question then being taken on the motion to lay on the table until Saturday,

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

So the bill was laid on the table and made the order of the day for Saturday next.

A message in writing was received from his Excellency, the Governor, by W. B. White, Esq., his private Secretary.

On motion of Mr. Olmsted,

The message from his Excellency, the Governor, was taken up, and read as follows, viz :

" TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, March 14, 1851. }

" TO THE HONORABLE PRESIDENT OF THE COUNCIL—Sir: I have examined and approved

" An act to incorporate the St. Paul Division No. 1, Sons of Temperance."

" Very respectfully,

" Your obedient servant,

" ALEX. RAMSEY."

On motion of Mr. Forbes,

The Council adjourned until 10 o'clock to-morrow morning.

COUNCIL, *Friday*, March 28, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

The journal of the proceedings of the Council on yesterday was then read.

Mr. McLeod from the committee on Enrolled Bills, reported as correctly enrolled, (C. F.) chapters 73, 77, 99, 103, 106, 115, 116, 117, 118, 119, 120, 122, 123, 134, 135, 59, 100, 101, 104, 110, 111, 112, 113 and 114, of bill

" No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory."

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

" Mr. PRESIDENT:—The House of Representative has concurred in

" No. 21 (C. F.) A bill to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes; also

" A joint resolution relative to correcting certain chapters of bill

" No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory;'

" The Speaker has signed

" An act to incorporate the St. Anthony Boom company; ' also

" An act to dissolve the marriage contract between George Wells and Catharine Wells, his wife; ' also

" A memorial to Congress relative to the construction of a rail road.'

" The House has negatived, by indefinitely postponing,

" No. 19, (C. F.) A bill for locating a territorial road between points therein specified.'

"The House has concurred in the amendment of the Council to the third amendment of the House, to

"(C. F.) chapter 108, of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory.'

"The House has passed

"No. 28, (H. of R.) Substitute for

"No. 26, (H. of R.) A bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota.'

"In which the concurrence of the Council is respectfully requested.

"The Governor has notified the House that he did, on the 27th day of March, 1851, examine and approve

"An act granting to John Banfill the right to establish and maintain a ferry across the Mississippi river.'

"An act to dissolve the marriage contract between Marcelle Courtereir and his wife Margaret Courtereir.'

"The House has passed

"No. 6, (H. of R.) Joint resolution relative to suspending the 18th rule of the two Houses.'

"In which the concurrence of the Council is respectfully requested.

"The House has receded from the two amendments which were non-concurred in by the Council, to

"(C. F.) chapter 67, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory.'

The House has passed

"No. 21 (H. of R.) A bill supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved November 1st, 1849;' also,

"No. 25, (H. of R.) A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved November 1st, 1849.'

"In which the concurrence of the Council is respectfully requested."

The Chief Clerk then withdrew.

The message from the House of Representatives being in order ;

"No. 28 (H. of R.) substitute for No. 26 (H. of R.) A bill to amend an act to provide for the erection of Public buildings in the Territory of Minnesota ;" and

No. 22 (H. of R.) A bill supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,"

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. 6 (H. of R.) Joint resolution relative to suspending the 18th joint rule of the two Houses,"

Was read and concurred in by the Council.

"No. 25 (H. of R.) A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,"

Was then read the first time, and objection being made to the bill by Mr Forbes,

The question then recurring,

"Shall the bill be rejected?"

It was decided in the affirmative.

The President then 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 incorporate the St. Anthony Boom company."

"A bill entitled an act to dissolve the marriage contract between George Wells and Catharine Wells his wife ;" and

"A memorial to Congress relative to the construction of a rail road."

The message having been disposed of,

On motion of Mr. Forbes,

The Council took a recess of fifteen minutes.

The Council having been again called to order,

COUNCIL, 22.

The following message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk, viz :

“MR. PRESIDENT:—I am instructed to inform the Council that

“No. 18, (C. F.) A bill for the apportionment of representation in the Territory,”

“Has been secretly and feloniously abstracted and stolen some time during the last night, from the possession of the Clerk of the House of Representatives, by some person or persons unknown, and by breaking open the desk in which the same was deposited with other bills and papers of the House, and cannot be found.”

The Chief Clerk then withdrew, and

On motion of Mr. McLeod,

The message from the House was taken up.

On motion of Mr. McLeod,

Ordered, That the Secretary of the Council be and he is hereby instructed to re-engross

“No. 18, (C. F.) A bill for the apportionment of representation in the Territory,”

From the engrossed copy on file in the Council, and place the same in the hands of the committee on Engrossed Bills for examination.

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

“No. 18, (C. F.) A bill for the apportionment of representation in the Territory.”

On motion of Mr. Forbes,

“No. 18 (C. F.) A bill for the apportionment of representation in the Territory,”

Was taken up; and

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

It was decided in the affirmative; and

On motion of Mr. Forbes,

Said bill was read the third time by its title, passed, and the title agreed to.

On motion of Mr. McLeod,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Forbes,

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

COUNCIL, Saturday, March 29, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

The journal of the proceedings of the Council on yesterday was then read.

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

“MR. PRESIDENT:—The House of Representatives has concurred in

“(C. F.) chapters 139, and 142 of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;”

“Without amendment, and in

“(C. F.) chapters 140 and 141, of bill

“No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;”

“With amendments,

“In which the concurrence of the Council is respectfully requested.”

The Chief Clerk then withdrew.

Mr. Norris asked and obtained leave to introduce

“No. 5, (C. F.) Joint resolution relative to amending enrolled chapters;”

Which was read and adopted as follows, viz :

“Resolved, By the Council, with the concurrence of the House of Representatives,

that the enrolling clerks be required to alter 'A bill for revising and consolidating the general statutes of the Territory,' and to make such alterations and amendments under the direction of the joint Judiciary committee, as are herein below particularly enumerated and set forth, and that such alterations be made by Monday morning next.

"Chapter 1, Sec. 3, line 14—Insert 'said' between 'along' and 'section.' Strike out the letter 's' from 'lines' in same line.

" " " 18, " 5—Change 'county' to 'counties,' and insert 'Cass' before 'Itasca.'

" " " 20, " 7—Insert 'person' between 'any' and 'aggrieved.'

" 2 " 2, " 3—Strike out 'thirtieth,' and insert 'sixtieth.'

" " " "—Strike out all after the word 'Territory,' in the last line.

" "—Strike out sections 5, 6 and 7, and insert the following after section 4:

"Sec. 5. The several laws of a general and permanent nature, passed at the present session of the Legislative Assembly, shall be published in one volume, to be designated 'The Revised Statutes,' to be printed on good paper, and the standard of printing to be adopted in printing the said 'Revised Statutes,' shall be such as is now provided by the act approved November 1st, 1849, entitled 'An act to regulate the public printing and binding,' and the same shall be handsomely and substantially bound, in sheep, in the modern style of law book binding. Such edition shall consist of fifteen hundred copies, and shall be ready for distribution on or before the first day of September next, after the passage of this act.

"Sec. 6. All acts and parts of acts of a general nature, passed previous to the present session of the Legislative Assembly, which are not repealed or incorporated in the 'Revised Statutes,' shall be published as an appendix, and bound in the volume of the 'Revised Statutes.' The Declaration of Independence; the Constitution of the United States, and its amendments; the Ordinance of July 13, 1787; the act organizing the Territory of Minnesota, and such other acts of Congress as relate to the said Territory, shall also be published and bound in said 'Revised Statutes.'

"Sec. 7. The Governor of the Territory is hereby authorized and required, to appoint a Commissioner to superintend the publication of the 'Revised Statutes,' which Commissioner so appointed by the Governor, shall arrange the order of publication; he shall prepare suitable marginal notes; examine and correct the proof sheets, and cause all clerical and typographical errors to be corrected, so far as he may discover the same.

"Sec. 8. Such Commissioner may re-arrange the order of sections in any chapter, whenever it shall not alter the intent and meaning of the law. He may also correct errors which may have occurred in numbering chapters and sections, and in any references made thereto, and words inserted or omitted in the enrolled acts, by mistake, may be omitted or supplied, without brackets; but in every such case, notes of such corrections shall be inserted at the end of the volume.

"Sec. 9. The Secretary of the Territory is required to furnish certified copies of the several chapters of the 'Revised Statutes,' to the said Commissioner, within thirty days after the close of the present session of the Legislative Assembly, and the said Commissioner shall certify that the printed chapters and acts contained in the volume of 'Revised Statutes,' are correctly published from such certified copies, with the exception of such clerical errors and mistakes, as are authorized by this chapter to be made; which certificates of the said Commissioner shall be prefixed to the said statutes, and the same shall be sufficient authority to entitle the said 'Revised Statutes,' to be read in evidence, in any court in this Territory. The said Commissioner shall receive as a compensation for the services mentioned in this chapter, the sum of five hundred dollars, to be paid by the Secretary of the Territory, out of the funds appropriated by Congress to defray the expenses of the Legislative Assembly; but no such payment shall be made, except on the presentation of a certificate of the Governor, that the services mentioned in this chapter, have been performed by such Commissioner.

"Sec. 10. This chapter shall take effect from and after its passage.

"Chapter 4, Art. 7, Sec. 7, lines 8 and 9—Strike out the words 'an action of debt,' and insert 'a civil action.'

" 5, Sec. 4—Strike out the words 'for the organized counties.'

" 5, " 17—Strike out 'action of debt,' and insert 'civil action.'

- "Chapter 5, Sec. 37—Strike out 'by an action of debt,' and insert 'in a civil action.'
 " 5, " "—Strike out Sec. 41.
 " 5, " 45—Strike out 'by an action of debt,' and insert 'by a civil action.'
 " 6, " 6, line 1—Insert the word 'so.'
 " 6, " 6—Strike out the words 'by the common law,' and insert 'otherwise provided by statute.'
 " 8, " 6, line 8—Strike out the word 'corporate.'
 " 8, Art. 4, Sec. 7, line 5—Strike out the words 'the clerk.'
 " 8, " 9, " 5, " 12—Strike out 'an action of debt,' and insert 'a civil action.'
 " 8, " 10, " 6, " 15—Strike out 'an action of debt,' and insert 'a civil action.'
 " 8, " 10, " 21, " 11 and 12—Strike out 'an action of debt,' and insert 'a civil action.'
 " 13—Strike out Sec. 42.
 " 13, Sec. 83—Strike out the words 'County Treasurer,' and insert 'Register of Deeds.'
 " 16, " 1—Strike out 'an action of debt or on the case,' and insert 'a civil action.'
 " 16, " 12—Strike out 'an action of debt,' and insert 'a civil action.'
 " 16, " 13—Strike out 'an action of debt or on the case,' and insert 'a civil action.'
 " 18, 11—Strike out 'action of debt,' and insert 'civil action.'
 " 23—Strike out Sec. 6.
 " 27, Sec. 6—Insert 'may.'
 " 30—Change the heading of this chapter to the following: 'Of Common Schools.'
 " 30—Strike out Sec. 18.
 " 30, Sec. 5, line 3—Insert 'to be' after 'declared.'
 " 30, " 5—Strike out line 4.
 " 33, " 6, line 8—Strike out 'one,' and insert 'two.'
 " 43, " 35, " 7—Insert the letter 'a' after 'collected.'
 " 43, " 35, " 8—Strike out 'in,' and insert 'on.'
 " 43, " 67—Strike out 'to,' and insert 'and.'
 " 44, " 16—Strike out 'an action on the case,' and insert 'in a civil action.'
 " 48, " 10, line 12—Insert 'State' before 'Territory.'
 " 48, " 12—Strike out 'State,' and insert 'Territory.'
 " 48, " 12, line 5—Insert after 'separately' the word 'and.'
 " 48, " 39—Strike out 'an action on the case,' and insert 'a civil action.'
 " 50, " 4, line 5—Insert after 'the' the words 'State or.'
 " 51, " 27—Strike out 'an action on the case,' and insert 'a civil action.'
 " 51, " 32, line 2—Strike out 'an action of debt or assumpsit,' and insert 'a civil action.'
 " 51, " 37, " 3—Strike out 'an action of trespass on the case,' and insert 'a civil action.'
 " 72, " 14, " 2—Strike out 'levied,' and insert 'served.'
 " 72, " 17, " 2—Insert 'a.'
 " 72, " 53, " 6—Strike out the word 'party,' and insert 'property.'
 " 72, " 64, " 2—Insert 'appear.'
 " 72, " 79, " 3—Strike out 'passage,' and insert 'approval.'
 " 72, " 80—Strike out 'or,' and insert 'of.'
 " 72, " 81, line 4—Strike out 'jurisdiction,' and insert 'justification.'
 " 72, " 109, " 6—Strike out 'of,' and insert 'nor.'
 " 72, " 124, " 3—insert 'that.'
 " 72, " 126, " 7—Strike out 'is,' and insert 'are.'
 " 72, " 144, " 3—Strike out "thereof," and insert 'therefor.'
 " 72, " 149, " 6—Strike out "an affidavit."
 " 74, " 2, " 13—Insert after 'less' the word 'than.'
 " 74, " 13, " 3—Insert 'not.'
 " 74, " 23, " 2—Strike out 'no,' and insert 'against.'

- " Chap. 80, Sec. 21, line 4—Insert 'not.'
 " 80, " 28, " 1—Strike out 'for,' and insert 'by.'
 " 81, " 5, " 6—Insert before the word 'cases' the word 'such.'
 " 82—Strike out 'the' in the title.
 " 82, Sec. 3, line 8—Strike out the word 'by.'
 " 86, " 18, " 4—Insert 'the' before 'mortgagor.'
 " 88, " 2, " 3—Insert 'against' before 'such.'
 " 54—Strike out 'an action on the case,' and insert 'a civil action.'
 " 63, Sec. 11, last line—Insert 'clerk or.'
 " 60, " 1, line 5—After 'income,' insert 'that.'
 " 78, " 1, " 4—Strike out 'a.'
 " 79, " 25, last line but one—Strike out 'he' and insert 'the.'
 " 59, " 6, line 5—Strike out 'the.'
 " 59, " 28, " 7—Insert 'appellant.'
 " 59, " 59, " 4—Strike out 'a.'
 " 77, " 5, " 1—Strike out 'an.'
 " 77, " 7, " 4—Insert 'be.'
 " 102, " 5, " 4—Insert 'such.'
 " 102, " 25, " 2—Insert 'duel.'
 " 102, " 31, " 1—Insert 'person.'
 " 102, " 38, " 2—Insert 'shall.'
 " 103, " 10, " 3—Strike out 'next' and insert 'last.'
 " 103, " 46, " 3—Strike out 'next' and insert 'last.'
 " 105, " 15, " 7—Strike out 'be.'
 " 110, " 8, " 5—Strike out 'next' and insert 'last.'
 " 112, " 3, " 1—Strike out 'with' and insert 'guilty of.'
 " 112, " 2, " 1—Insert 'person.'
 " 112, " 11, " 9—Insert 'such.'
 " 116, " 14, " 3—Strike out 'his' and insert 'is.'
 " 116, " 19, " 2—Insert 'a.'
 " 116, " 22, " 2—Strike out 'if' and insert 'of.'
 " 137, " 244, " 2—Insert 'court.'

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled, (C. F.) chapters 138, 137, 138, 67, and 102 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Mr. McLeod, from the joint committee on Enrolled Bills, made the following report, viz:

The joint committee did, on the 28th day of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills and memorial, viz:

A bill entitled "An act to dissolve the marriage contract between George Wells and Catharine Wells, his wife."

A bill entitled "An act to incorporate the St. Anthony Boom Company."

"Memorial to Congress relative to the construction of a railroad."

Messages from the House of Representatives being in order,

(C. F.) chapter 140 of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives with an amendment,

Was taken up; and

The amendment being then read as follows:

"Add to Sec. 1 of chapter 140, the words 'Article 10 of chapter 8,'

The Council concurred therein.

(C. F.) chapter 141 of bill

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Returned from the House of Representatives, with amendments,

Now coming up, and

The first amendment being then read as follows :

“ Amend title of chapter 141 by striking out the word ‘all’ before ‘acts,’ ”

Mr. Norris moved a call of the Council ;

Which was ordered, and

The roll being called, Messrs. Boal, Forbes, Olmsted, Rollins, and Sturgis were reported absent.

The Sergeant-at-Arms was directed to notify the absentees to appear in their seats.

Mr. Olmsted having taken his seat,

On motion of Mr. Olmsted,

Further proceedings under the call of the Council were dispensed with.

The question then recurring on the concurrence of the Council in the first amendment made by the House to said chapter 141,

It was decided in the affirmative.

The second amendment being then read as follows :

“ To Sec. 1, chapter 141, add ‘ An act to establish and maintain Common Schools.’ ”

Mr. Norris moved to amend the amendment by striking out the words “ An act,” and inserting in lieu thereof the words “ Chapter 30 ; ”

It was decided in the affirmative.

The amendment as amended was then concurred in.

The message from the House of Representatives being disposed of.

On motion of Mr. Forbes,

“ No. 27, (H. of R.) A bill supplementary to an act for revising and consolidating the general statutes of the Territory, and also entitled chapter 1, of the division of the Territory into counties, and the boundaries,”

Which was made the order of the day for this day,

Was now taken up, and

On motion of Mr. Forbes,

Said bill was laid on the table.

Mr. Rollins moved a call of the Council ;

Which was ordered, and

The roll being called, Messrs. Boal, Olmsted, and Sturgis were reported absent.

The Sergeant-at-Arms was directed to report the absent members in their seats.

On motion of Mr. Norris,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

On motion of Mr. Forbes,

The Council adjourned.

● COUNCIL, *Monday*, March 31, 1851.

The Council was called to order by the President.

Prayer by the Rev. Mr. Breck.

On motion of Mr. Burkleo the reading of the journal of the proceedings of the Council on Saturday was dispensed with by a two-thirds vote.

The following message was received from the House of Representatives by B. W. Lott, Esq., the Chief Clerk, viz :

“ MR. PRESIDENT:—The House of Representatives has concurred in

“ No. 18, (C. F.) A bill for the apportionment of representation in the Territory ; ” also in

“ (C. F.) joint resolution

“ No. 5, (C. F.) relative to correcting enrolled chapters.”

“ The House has agreed to the amendment of the Council to the amendment of the House, to

(C. F.) chapter 141, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory;"

"The Speaker has signed 'an act to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly and for other purposes,' also

"An act to incorporate the Saint Paul Institute."

The Chief Clerk then withdrew, and

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled,

"No. 18 (C. F.) A bill for the apportionment of representation in the Territory,"

"No. 21, (C. F.) A bill to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes," and

(H. of R.) chapters 9, 10, 11 and 12, and

(C. F.) chapters 71, 75, 92, 93, 94, 95, 121; 139, 140, 141, 142 and 34, of bill

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Messages from the House of Representative being now in order, the President 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 to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes,' and

"A bill entitled 'An act to incorporate the Saint Paul Institute.'"

The message from the House being disposed of,

On motion of Mr. Norris,

"No. 13, (C. F.) A bill for revising and consolidating the general statutes of the Territory."

Was taken up; and

On motion of Mr. Norris,

Rule 39 of the Council, requiring bills to be considered in committee of the whole after a second reading, was suspended by a two-thirds vote, and

On motion of Mr. Norris,

Said bill was ordered to a third reading, and

On motion of Mr. Norris,

Said bill, containing chapters from one to one hundred and forty-two inclusive, with the exception of chapters 15, 22 and 37, was read the third time by its title, passed, and the title agreed to.

A message from his Excellency, the Governor, in writing was then presented by W. B. White, Esq., his private Secretary.

The Secretary withdrew, and

On motion of Mr. Burkleo,

"No. 22, (H. of R.) A bill supplementary to an act entitled 'An act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1st, 1849," and

"No. 28, (H. of R.) Substitute for

"No. 26, (H. of R.) A bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota."

Were taken up, and

The Council resolved itself into a committee of the whole, Mr. Forbes in the chair, having said bills under consideration.

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

The amendments proposed to each of the bills by the committee of the whole, were concurred in by the Council.

The following message was received from the House of Representatives by B. W. Lott, Esq., Chief Clerk, viz:

"MR. PRESIDENT:—His Excellency, the Governor, has notified the House of Representatives that he did on the 31st of March, 1851, examine and approve

"A memorial to Congress relative to the construction of a rail road," also

"An act to dissolve the marriage contract between George Wells and Catharine Wells, his wife."

"The Speaker has signed, 'An act for the apportionment of representation in the Territory.'"

The Chief Clerk then withdrew, and

The question then recurring on ordering to a third reading,

"No. 22, (H. of R.) A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1st, 1849."

It was decided in the affirmative, and

Said bill was read the third time.

The question then recurring on the passage of the bill, and the Ayes and Noes being called for on the question and ordered;

Those voting in the affirmative were, Messrs. Burkleo, Boal, Forbes and Loomis, *President*—4.

Mr. Norris voted in the negative.

So the bill passed.

The title was then agreed to.

"No. 28, (H. of R.) Substitute for

"No. 26, (H. of R.) A bill to amend An act to provide for the erection of public buildings in the Territory of Minnesota,"

Was then ordered to a third reading; and

On motion of Mr. Forbes,

Was read the third time by its title, passed, and the title agreed to.

On motion of Mr. Forbes,

"No. 20, (C. F.) A bill to incorporate the St. Peters lumbering and manufacturing company,"

Was taken up, and

The Council resolved itself into a committee of the whole, Mr. Boal in the chair, having said bill under consideration.

During the session of the committee of the whole the following message was received from the House of Representatives by B. W. Lott, Esq., the Chief Clerk thereof, when the President took the chair for its reception, viz:

"MR. PRESIDENT:—The House of Representatives has concurred in

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Containing chapters from 1 to 142 inclusive, with the exception of chapters 15, 22 and 37.

"The House has concurred in the amendment of the Council to

"No. 22 (H. of R.) A bill supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849; also,

In the amendment of the Council to

"No. 28, (H. of R.) substitute for No. 26, (H. of R.) A bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota."

"The House has concurred in

"(C. F.) No. 5, Memorial to Congress relative to settlers on sections No. sixteen and thirty-six."

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,

No. 20 (C. F.) A bill to incorporate the St. Peters lumbering and manufacturing company,"

Back to the Council with amendments.

The amendments proposed by the committee of the whole were then concurred in by the Council, and the bill was ordered to be engrossed for a third reading.

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled,

"No. 23 (H. of R.) A bill for an act to incorporate the St. Paul Institute; and

"No. 13 (C. F.) A bill for revising and consolidating the general statutes of the Territory,"

Including chapters from 1 to 142 inclusive, with the exception of chapters 15, 22 and 37.

On motion of Mr. Forbes,

The message from his Excellency, the Governor, was taken up and read as follows :

“TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
“St. Paul, March 31, 1851. }”

“TO THE HON. PRESIDENT OF THE COUNCIL — SIR :—I have examined and approved,

“An act to incorporate the St. Anthony Boom company.”

“An act to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes.”

“Very respectfully,

“Your ob't. serv't,

“ALEX. RAMSEY.”

On motion of Mr. Forbes,

The file of bills which have been laid on the table were then taken up; when

On motion of Mr. Norris,

“No. 8 (C. F.) A bill providing for the election of coroners and deferring their duties and powers,”

Was indefinitely postponed.

On motion of Mr. Forbes,

“No. 5 (C. F.) A bill relative to the organization and duties of the officers of the Legislative Assembly of the Territory of Minnesota,”

Was indefinitely postponed.

The following message was then received from the House of Representatives by B. W. Lott, Esq., the Chief Clerk, viz :

“MR. PRESIDENT:—The Speaker of the House has signed

“An act for revising and consolidating the general statutes of the Territory.”

“Comprising chapters from 1 to 142 inclusive, except chapters 15, 22 and 37.”

The Chief Clerk then withdrew; and

“No. 27 (H. of R.) A bill supplementary to an act for revising and consolidating the general statutes of the Territory, and also entitled chapter 1, of the division of the Territory into counties and their boundaries,”

Then coming up; and

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

Mr. Forbes moved to amend the bill by adding to the third section, the words,

“Provided, That the present seat of justice of Benton county shall remain as now established, until otherwise changed under the provisions of this act;”

Which motion prevailed.

Mr. Forbes moved further to amend by striking out of section 1, the first and second lines, and the third line to include the word “county,” and insert in lieu thereof, the words “at the next general election;” also, strike out the word “said,” in fourth line, and insert “Benton;”

Which amendment was agreed to.

The question then being put on ordering the bill to a third reading;

And the Ayes and Noes being called for on the question, and ordered,

Those voting in the affirmative were Messrs. Norris, Olmsted, Rollins and Sturgis

—4.

Those voting in the negative were Messrs. Burkleo, Forbes, McLeod and Loomis, President—4.

So the Council refused to order the bill to be read the third time.

“No. 2 (H. of R.) Memorial to Congress praying that the 15th section of the act of Congress of 4th Sept. 1841, may be amended, &c.,”

Was then taken up; and

On motion of Mr. Norris,

Was indefinitely postponed.

On motion of Mr. Burkleo,

The messages from the House of Representatives were taken up, when the President 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 :

COUNCIL, 23.

"A bill entitled an act for the apportionment of representation in the Territory."

"A bill entitled an act for revising and consolidating the general statutes of the Territory,"

Comprising chapters from 1 to 142 inclusive, with the exception of chapters 15, 22 and 37.

The messages being disposed of, Mr. Forbes moved the Council do now adjourn until two o'clock this afternoon,

Which motion he by leave withdrew; when

The following message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk, viz:

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

"No. 7 (H. of R.) Joint resolution relative to an election precinct in the county of Itasca;"

"In which the concurrence of the Council is requested."

The Chief Clerk then withdrew; and

Mr. Forbes moved the message from the House be now taken up,

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

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled, "No. 28, (H. of R.) Substitute for 'No. 26, (H. of R.) A bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota, approved A. D. 1851;" and

"No. 22, (H. of R.) A bill supplementary to an act to incorporate the town of St. Paul in the county of Ramsey, approved Nov. 1, 1849."

Mr. McLeod, from the joint committee on Enrolled bills, made the following report: "The joint committee did, on the 31st of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills, viz:

"A bill entitled an act to incorporate the St. Paul Institute."

"A bill entitled an act for revising and consolidating the general statutes of the Territory,"

"Including chapters from 1 to 142 inclusive, with the exception of chapters 15, 22, and 37; and

"A bill entitled an act for the apportionment of representation in the Territory."

"M. McLEOD, Council.

"B. H. RANDALL, House of Rep.

"Committee."

On motion of Mr. Olmsted,

The Council adjourned until half-past two o'clock this afternoon.

Half-past Two O'clock, P. M.

The Council was called to order by the President.

Mr. Olmsted moved a call of the Council;

Which being ordered,

The roll was called, and Messrs Norris and Sturgis were reported absent.

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

The following message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk, viz:

"MR. PRESIDENT:—His Excellency, the Governor, has notified the House that he has examined and approved

"An act to incorporate the St. Paul Institute."

"The Speaker of the House of Representatives has signed

"An act supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved November 1, 1849;" also

"An act to amend an act to provide for the erection of public buildings in the Territory of Minnesota, approved A. D. 1851."

The Chief Clerk then withdrew.

On motion of Mr. Olmsted,

Further proceedings under the call of the Council were dispensed with.

A message in writing was received from his Excellency, the Governor, by W. B. White, Esq., his private Secretary.

The Secretary having withdrawn,

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

“No. 20, (C. F.) A bill to incorporate the St. Peters lumbering and manufacturing company.”

Mr. McLeod, from the committee on Enrolled Bills, reported as correctly enrolled,

“A memorial to Congress relative to settlers on sections number sixteen and thirty-six.”

On motion of Mr. McLeod,

The message from his Excellency, the Governor, was taken up.

Mr. Olmsted moved a call of the Council,

Which was ordered,

And the roll being called,

Messrs. Norris and Sturgis were reported absent.

The following message was received from the House of Representatives by B. W. Lott, Esq., the Chief Clerk, viz :

“MR. PRESIDENT:—The Speaker of the House of Representatives has signed

“A memorial to Congress relative to settlers on sections number sixteen and thirty-six.”

The Chief Clerk withdrew.

Mr. Norris having taken his seat,

On motion of Mr. Olmsted,

Further proceedings under the call of the Council were dispensed with.

The message from his Excellency, the Governor, was then read as follows, viz :

“TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT,
“St. Paul, March 31, 1851.”

“TO THE HONORABLE PRESIDENT OF THE COUNCIL—Sir: I have examined and approved

“An act for the apportionment of representation in the Territory.”

“An act for revising and consolidating the general statutes of the Territory.”

“Very respectfully,

“Your obedient servant,

“ALEX. RAMSEY.”

On motion of Mr. McLeod,

The messages from the House of Representatives,

Were taken up; when

The President 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 supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849.”

“A bill entitled an act to amend an act entitled an act to provide for the erection of public buildings in the Territory of Minnesota, approved A. D. 1851,” and

“A memorial to Congress relative to settlers on sections number sixteen and thirty-six.”

“No. 7, (H. of R.) joint resolution relative to an election precinct in the county of Itasca.”

Was read the first and second times.

The messages being disposed of,

Mr. McLeod moved that rules 37, 39, 45 and 47, be suspended for the day, and that the said resolution be ordered to a third reading now;

Which was decided in the negative—Ayes 3, Noes 4.

Mr. Boal moved a reconsideration of the vote by which the Council refused to suspend rules 37, 39, 45 and 47,

Which motion prevailed—Ayes 5, Noes 4.

The question then recurring on suspending said rules, there was Ayes 4, Noes 4. So the Council refused to suspend said rules, and the resolution was laid on the table for the action of the Council in committee of the whole.

Mr. Forbes then moved a suspension of rule 37 of the Council, requiring bills, &c., to be considered in committee of the whole after a second reading,

Which resulted in, Ayes 4, Noes 4.

So the rule was not suspended.

Mr. McLeod from the joint committee on Enrolled Bills made the following report, viz:

“The joint committee did, on the 31st of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills and memorial, viz:

“A memorial to Congress relative to settlers on sections numbered sixteen and thirty-six.”

“A bill entitled an act to amend an act entitled an act to provide for the erection of public buildings in the Territory of Minnesota, approved A. D. 1851.”

“A bill entitled an act supplementary to an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849.”

“M. McLEOD, Council.

“B. H. RANDALL, House of Representatives.

“Committee.”

On motion of Mr. Forbes

“No. 20, (C. F.) A bill to incorporate the St. Peters lumbering and manufacturing company,”

Was taken up; and

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, passed and the title agreed to.

On motion of Mr. Olmsted,

The Council took a recess.

The Council was called to order by the President; when

Mr. Forbes asked leave to introduce a resolution.

Mr. Olmsted objected.

Mr. McLeod moved that Mr. Forbes have leave to introduce a resolution, and

Pending the question.

The following message was received from the House of Representatives by B. W. Lott, Esq., the Chief Clerk, viz:

“Mr. PRESIDENT:—His Excellency, the Governor, has notified the House that he has examined and approved

“An act to amend an act entitled an act to provide for the erection of public buildings in the Territory of Minnesota, approved A. D. 1851.”

“An act supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849.”

“The House has concurred in

“No. 20, (C. F.) A bill to incorporate the St. Peters lumbering and manufacturing company.”

“With an amendment in which they ask the concurrence of the Council.”

The Chief Clerk then withdrew, and

The question then recurring on granting Mr. Forbes leave to introduce a resolution, It was decided in the affirmative.

Mr. Forbes then read the following resolution, on the adoption of which he moved the previous question, viz:

“Resolved, By the Council, the House concurring, that No. 5, joint resolution relative to the adjournment of the Legislative Assembly is hereby rescinded, and the two Houses of the Legislative Assembly, will adjourn so soon as the business of the two Houses will permit.”

The question then being taken,

“Shall the main question be now put,” and

The Ayes and Noes being called for on the question, and ordered,
Those voting in the affirmative were Messrs. Burkleo, Boal, Forbes, McLeod and Loomis, *President*—5.

Those voting in the negative were Messrs. Norris, Rollins and Sturgis—3.

Mr. Olmsted refused to vote when his name was called.

So the main question was ordered, and the question now being on the adoption of the resolution, and the Ayes and Noes being called for and ordered,

Those voting in the affirmative were Messrs. Burkleo, Boal, Forbes, McLeod, and Loomis, *President*—5.

Those voting in the negative were Messrs. Norris, Rollins and Sturgis—3.

Mr. Olmsted did not answer when his name was called.

So the resolution was adopted.

A message in writing was received from his Excellency, the Governor, by W. B. White, Esq., his private Secretary.

The Secretary having withdrawn,

Mr. Norris moved that a committee of two be appointed to inform the House that the Council has no business before it, and is ready to adjourn *sine die*; and

The Ayes and Noes being called for on the motion and ordered,

Those voting in the affirmative were, Messrs. Norris, Olmsted, Rollins and Sturgis—4.

Those voting in the negative were, Messrs. Burkleo, Boal, Forbes, McLeod and Loomis, *President*—5.

So the motion was lost.

The following message was received from the House of Representatives, by B. W. Lott, Esq., Chief Clerk, viz:

“MR. PRESIDENT:—The House has adopted

“Joint resolution No. 8 (C. F.) relative to the adjournment of the Legislature.”

The Chief Clerk then withdrew.

On motion of Mr. Burkleo,

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

“No. 20 (C. F.) A bill to incorporate the St. Peters lumbering and manufacturing company,”

Returned from the House of Representatives with an amendment, being up for consideration, and the amendment being then read as follows:

“Strike out ‘general’ and insert ‘Legislative.’”

The Council concurred therein.

The message from the House being disposed of,

On motion of Mr. Burkleo,

The message from his Excellency, the Governor, was taken up, and read as follows, viz:

“TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
“St. Paul, March 31, 1851. } ”

“TO THE HONORABLE PRESIDENT OF THE COUNCIL—Sir: I have examined and approved

“A memorial to Congress relative to settlers on sections No. sixteen and thirty-six.”

“Very respectfully,

“Your ob’t. serv’t,

“ALEX. RAMSEY.”

Mr. Forbes moved that a committee of two be appointed to inform the House of Representatives that the Council has no business before it, and is now ready to adjourn *sine die*,

Which motion prevailed; and

Messrs. Forbes and Norris were appointed said committee.

Mr. Forbes, from the committee appointed to inform the House that the Council has completed the business before it, and is now ready to adjourn *sine die*;

Reported, that the committee had performed the duty assigned them.

On motion of Mr. Forbes,

A committee was appointed, consisting of Messrs. Burkleo and Sturgis, to act in conjunction with a similar committee on the part of the House to wait on his Excel-

lency, the Governor, and inform him that the two Houses are now ready to adjourn *sine die*, and ascertain if he has any further communication to make to either House of the Legislative Assembly.

On motion of Mr. McLeod,

The Council took a recess—Ayes 4, Noes 2.

The Council having been again called to order by the President,

The following message was received from the House of Representatives, by B. W. Lott, Esq., the Chief Clerk, viz :

“MR. PRESIDENT:—The House has appointed Messrs. Ludden and Wells to act in conjunction with a similar committee already appointed on the part of the Council, to wait on his Excellency, the Governor, and inform him that the two Houses have completed the business before them, and to enquire of him if he has any further communication to lay before either branch of the Legislative Assembly at its present session.

“The Speaker has signed

“An act to incorporate the St. Peters lumbering and manufacturing company.”

“The House has passed

“No. 29 (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 respectfully requested.”

The Chief Clerk then withdrew.

Mr. Burkleo, from the joint committee appointed to wait on his Excellency the Governor, made the following report, viz :

“The joint committee appointed to wait on his Excellency, the Governor, and inform him that there is no further business before the Legislative Assembly, and to inquire whether he has any further communication to make to either House, would respectfully report, that they have performed that duty, and have been requested by his Excellency to state to the Council that he has no other communication to make than to urgently request them to make provision, by appropriation, for the payment of the Legislative expenses.”

“SAMUEL BURKLEO,
“Council, Chairman.”

On motion of Mr. Forbes,

The message of the House of Representatives was taken up.

Mr. Olmsted moved a call of the Council, which was ordered, and the roll having been called, all the members answered to their names.

“No. 29, (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the present session,”

Being then taken up, for a first and second reading,

Mr. Olmsted moved said bill be read the first time by its title ;

Which was decided in the negative.

The bill was then read the first and second times, and laid on the table for the action of the Council in committee of the whole.

The President then signed a bill entitled

“An act to incorporate the St. Peters lumbering and manufacturing company.”

The message being disposed of ;

Mr. Forbes moved

That the Council now resolve itself into a committee of the whole for the consideration of

“No. 29, (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the present session,”

And the Ayes and Noes being called for and ordered,

Those voting in the affirmative were, Messrs. Burkleo, Boal, Forbes, McLeod, Norris, Sturgis and Loomis, *President*—7.

Mr. Olmsted voted in the negative.

So 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 an amendment.

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

Mr. Forbes moved that rule 37 of the Council, prohibiting the reading of bills the second and third times on the same day,

Be suspended, to allow the bill to go to a third reading now.

And the Ayes and Noes being called for on the motion and ordered,

Those who voted in the affirmative were Messrs. Burkleo, Boal, Forbes and Loomis,

President—4

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

So the Council refused to suspend the rule.

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

“*Resolved*, That in the opinion of the Council, the legislative powers of this body expires with the time fixed by the laws of Congress, for the duration of its session.”

The question recurring on the adoption of the resolution, and

The Ayes and Noes being called for on the question and ordered;

Those voting in the affirmative were Messrs. Norris, Olmsted, Rollins, Sturgis and Loomis, *President*—5.

Those voting in the negative were Messrs. Burkleo, Boal, Forbes and McLeod—4.

So the resolution was adopted.

On motion of Mr Norris,

“No. 29. (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the present session.”

Was taken up; when

Mr. Norris moved said bill be indefinitely postponed;

The Ayes and Noes being called for on the motion and ordered,

Those voting in the affirmative were Messrs. Norris, Olmsted, Rollins and Sturgis—4.

Those voting in the negative were Messrs. Burkleo, Forbes, McLeod and Loomis, *President*—4.

So the motion was lost.

Mr. Olmsted moved to postpone the consideration of the bill until ten o'clock to-morrow;

Which motion prevailed.

A committee from the House of Representatives being announced,

Messrs. Wells and Ludden informed the Council, that the House of Representatives had no further business before it, and was now ready to adjourn *sine die*.

The committee having withdrawn,

Mr. Norris moved the Council do now adjourn *sine die*;

And the question being put;

It was decided in the affirmative.

The President of the Council then addressed the Council as follows :

“GENTLEMEN OF THE COUNCIL:—The vote which has just been taken, admonishes us that our session is now drawing to a close. But, before we separate, in all probability never again to meet together under similar circumstances, it may not be inappropriate for me to refer to some of the more important events which have demanded our consideration. The great and important measure of this session, the revision of the laws, and one in which we have all taken a deep interest, has been accomplished, and will soon become the law of the land; and although, in consequence of the limited time allowed, and the vast amount of labor to be performed, there may have been less scrutiny into all the details of the revision than would have been desirable, still I trust they will, upon trial, be found generally adapted to the wants and necessities of the people of the Territory.

“Some local questions have been brought before us for our action, which have created deep feeling; yet, I am happy to be able to say that our deliberations have been conducted with that dignity and propriety which should characterize all deliberative bodies; and although I cannot expect that my conduct as presiding officer has at all times received the approbation of every member of this Council, still I trust you will give me credit for sincerity, when I say, that any errors I may have committed have been errors of judgment, and not of the heart.

“Allow me to hope that our labors will all tend to promote the best interests of our

young and growing Territory, so that we may, in after years, look back to the time we have, the past winter, spent in this hall, with the pleasing consciousness of having done our duty; and that we may, each of us, upon returning to our constituents, receive from them the welcome of 'Well done, good and faithful servant.'

"Thanking you, gentlemen, heartily and sincerely, for the uniform support and assistance you have rendered in the discharge of the various duties which have devolved upon me, I will, in conclusion, declare this Council adjourned without day."

EXECUTIVE JOURNAL OF THE COUNCIL

OF THE

TERRITORY OF MINNESOTA,

During the second session of the Legislative Assembly of said Territory, begun and held at St. Paul on Wednesday, the first day of January, A. D. 1851. Published by authority of the rules of the Council, separate from the Legislative proceedings.

COUNCIL, Friday, February 28, 1851.

The lobby being cleared, and none but the members and sworn officers of the Council present,

On motion of Mr. Forbes,

The following message on executive business from his Excellency, the Governor, was read, viz :

“MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
“St Paul, February 27, 1851. }

“To the Legislative Council :

“The following nominations are submitted for your consideration :

“Wallace B. White as Territorial Librarian.

“H. Jackson, Ira Kingsley, C. R. Conway, W. P. Murray, W. D. Phillips, J. W. North, Wm. Richardson, Isaac Atwater, G. L. Becker, Wm. H. Hubbard, as Notaries Public for the county of Ramsey.

“F. K. Bartlett, T. E. Parker, as Notaries Public for the county of Washington.

“John H. Stevens as Notary Public for the county of Dakota.

“Fred. K. Bartlett as Master in Chancery.

“ALEX. RAMSEY.”

On motion of Mr. Forbes,

The executive session closed.

AFTERNOON, Friday, February 28, 1851.

The Council being again in executive session,

On motion of Mr. McLeod,

The executive message of his Excellency, the Governor, was taken from the table, and the question then recurring,

“Will the Council advise and consent to the appointment of Wallace B. White to be Territorial Librarian?”

COUNCIL, 24.

It was decided in the affirmative—Ayes 3, Noes 2.

The question then recurring,

“Will the Council advise and consent to the appointment of H. Jackson to be a Notary Public in the county of Ramsey?”

It was decided in the negative.

The question then recurring,

“Will the Council advise and consent to the appointment of Ira Kingsley to be a Notary Public in the county of Ramsey?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of C. R. Conway to be a Notary Public in the county of Ramsey?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of W. P. Murray to be a Notary Public in the county of Ramsey?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of W. D. Phillips to be a Notary Public in the county of Ramsey?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of J. W. North to be a Notary Public in the county of Ramsey?”

It was decided in the affirmative—Ayes 3, Noes 1.

The question then recurring,

“Will the Council advise and consent to the appointment of Wm. Richardson to be a Notary Public in the county of Ramsey?”

It was decided in the affirmative—Ayes 3, Noes 2.

The question then recurring,

“Will the Council advise and consent to the appointment of Isaac Atwater to be a Notary Public in the county of Ramsey?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of G. L. Becker to be a Notary Public in the county of Ramsey?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of W. H. Hubbard to be a Notary Public in the county of Ramsey?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of F. K. Bartlett to be a Notary Public in the county of Washington?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of T. E. Parker to be a Notary Public in the county of Washington?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of J. H. Stevens to be a Notary Public in the county of Dakota?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of F. K. Bartlett to be Master in Chancery?”

It was decided in the negative.

On motion of Mr. Forbes,

The executive session closed,

APPENDIX TO THE JOURNAL.

ANNUAL REPORT

OF THE

AUDITOR OF MINNESOTA.

To the Honorable, the Council and

House of Representatives of the Legislature of Minnesota :

Agreeably to the fourth section of the act, establishing the office of Territorial Auditor and regulating his duties, I proceed to lay before you my annual statement of the funds of the Territory.

The Territorial tax authorized by the last Legislature of Minnesota, from which alone our revenue is derived, amounts, as will appear by the charges upon the books of this office, an exemplification of which is hereto annexed and marked "Schedule B," to the sum of eight hundred and six dollars and forty-four cents. It will be perceived that the counties of Ramsey, Washington, Wabeshaw, Dakota, and Wahnata only have returned the assessed value for property taxed for county purposes, and the above sum is estimated upon returns from those counties alone; the additional returns yet to be received will, it is believed, increase the above amount by about fifty dollars. None of this amount has as yet been paid into the Territorial treasury.

The amount of debts due from the Treasury, as will appear from a transcript of the Auditor's books, hereto annexed and marked "Schedule A," is eleven hundred and eighty-one dollars and fifty cents. Of this amount four hundred and eighty-one dollars and fifty cents has accrued from locating and surveying roads and seven hundred dollars for salaries of officers. The balance against the Territory, therefore, as it now appears upon the books of this office, is three hundred and seventy-five dollars and six cents. To this is probably to be added the expense of "laying out and establishing a Territorial road from Rum river to Crow Wing," of which no returns have been received, and on account of which no demands have been made. The tax, however, to be charged to the unreturned counties, will in some measure counterbalance the debt of any due on account of such road; and I think it may be safely estimated that the Territorial debt of this year will not exceed four hundred dollars.

In view of the foregoing facts, and conscious of the great importance of establishing the credit of our infant Territory upon a firm basis; deeming too, that our wiser policy would be to avoid contracting debts year after year against the treasury, I have thought it my duty, in this first report, and have therefore taken the liberty, to recommend a measure for the consideration of the Legislature, which I judge will avoid the evils consequent upon a lack of confidence in the treasury of the Territory. The balance against the treasury, but four hundred dollars, viewed in one light, is but little; but, when in a Territory like ours, this is due to many different individuals in small sums, who confidently expect payment on the presentation of a warrant, and when too the amount of circulating medium is so disproportioned to the large amount of business carried on in the Territory, the non-payment of warrants for any length of time is calculated to create distrust and lessen the confidence of the community. Under such a state of finances, therefore, contractors for any public work of the Territory, and all, in fact, who from any cause, expect to receive payment from the treasury, would be induced

necessarily to charge much higher for their services or materials furnished, than would be the case were they confident of a prompt discharge of their claims; and thus the Territory, in its inability to pay, would be obliged to contract debts which, under a different state things, would have been unnecessary.

The inability of the treasury to meet such warrants would also oblige their holders to realize from private individuals the money at ruinous rates of discount; and in addition to the great evil of a depreciated credit, and the hawking about of Territorial paper, for every variety of sums at much less than par, a still more serious private injury would result to the holders of warrants, since it would be the poorer class, and those who necessarily rely upon the prompt payment for their services, &c., who would thus be forced to sacrifice their rights to their necessities. This existent for any length of time, the result would be that the services required by the Territory, would only be performed at exorbitant prices by those who could afford to wait for their remuneration; and the poor man, whom legislation is designed to protect as well as the rich, would have greater confidence in a private individual's purse than in a doubtful Territorial treasury; perform the same services under a sub-contract, at prices far less than the Territory first agreed to pay, and perhaps for less than those services were really worth; and in consequence the richer man would pocket the surplus of the contract, and enjoy a monopoly of all Territorial expenditures at the expense of his poorer neighbor and of the Territory itself. It would be unnecessary for me to suggest further reasons for the measure I now offer, as the more capable reflection of the Legislature will at once discover those which I have failed to advance.

I would recommend, therefore, that a loan of five hundred dollars, upon such terms and for such length of time as to the Legislature shall seem proper, be authorized to be procured for the benefit of the treasury. It is firmly believed that this sum, with the Territorial tax due from the several counties, will at once pay off all warrants drawn upon and all debts existing against the treasury; and in the opinion of the Auditor, there will be little difficulty in procuring such loan within the limits of our own Territory. The loan itself will then be the only outstanding liability, and the amount of the *revenue* of the next two years will so far increase above the expenses of the Territory, that it is confidently believed the second year's revenue, if not the first, will be amply sufficient to discharge all the Territorial expenses, and, in addition to take up this loan; thus leaving the Territory entirely free from debt and with a firm and unshaken credit. In support of this estimation, I would refer the Legislature to the expenses of this year as compared with the probable expenses of the next. With the exception of the salaries, the calls upon the Treasury have been exclusively for laying out and establishing roads; an item of expense, which, as a matter of course, will hereafter be diminished; and in this connection, I would suggest to the Legislature the propriety of requiring all roads hereafter laid out and established, to be located and surveyed at the expense of the counties through which they pass, and which they may benefit, with such exceptions and restrictions as the Legislature may see fit to create. One other argument in support of the foregoing estimation, is the ratio of increase of value of taxable property. By referring to the schedule hereto annexed and marked "C," the amount of assessed property for the year 1849 will be found to have been \$414,936, and for the year 1850, as per "schedule B," \$806,437, being an increase in one year of \$391,501 dollars; in fact nearly doubling itself in twelve months. It is true that in the assessment of 1849, property on the west side of the Mississippi was not assessed, but it is equally true that no returns from Benton and other counties are included in the assessment of 1850. If then the amount of taxable property in the Territory has doubled itself, or nearly so, in the past twelve months, it would not be unreasonable to presume that the next year's assessment will present an increase of fifty per cent., at a moderate calculation, which will make the assessed value for the year 1851, \$1,209,656, and the amount of Territorial revenue \$1,209 50, exclusive of the unreturned counties of this year, which would, of course, still further increase the amount of Territorial tax.

With these suggestions this report is respectfully submitted.

JONATHAN E. MCKUSICK,
Territorial Auditor.

TERRITORIAL AUDITOR'S OFFICE, Dec. 31, 1850,

SCHEDULE A.

INDEBTEDNESS OF THE TERRITORY.

		1, drawn in favor of			DOLLS.	CTS.
For warrant No.				Mahlon Black, - - - -	77	70
"	"	2,	"	Albert Harris, - - - -	63	30
"	"	3,	"	Harvey Wilson, - - - -	43	30
"	"	4,	"	Abel Wilcox, - - - -	42	30
"	"	5,	"	John Howard, - - - -	14	80
"	"	6,	"	Thomas S. Speak, - - - -	14	80
"	"	7,	"	John Folstrom, - - - -	13	30
"	"	8,	"	John A. Ford, - - - -	24	00
"	"	9,	"	Jacob Mosier, - - - -	24	00
"	"	10,	"	Benj. Gervais, - - - -	14	00
"	"	11,	"	John R. Cluit, - - - -	14	00
"	"	12,	"	Daniel Williams, - - - -	7	50
"	"	13,	"	Robt. Kennedy, - - - -	16	00
"	"	14,	"	H. W. Morse, - - - -	7	50
"	"	15,	"	John Rockwell, - - - -	7	50
"	"	16,	"	L. A. Babcock, - - - -	62	50
"	"	17,	"	L. A. Babcock, - - - -	62	50
"	"	18,	"	L. A. Babcock, - - - -	125	00
"	"	19,	"	J. E. McKusick, - - - -	50	00
"	"	20,	"	J. E. McKusick, - - - -	100	00
"	"	21,	"	B. W. Brunson, - - - -	16	00
"	"	22,	"	B. W. Brunson, - - - -	37	50
"	"	23,	"	Theo. Furber, - - - -	20	00
"	"	24,	"	Calvin A. Tuttle, - - - -	50	00
"	"	25,	"	Calvin A. Tuttle, - - - -	50	00
"	"	26,	"	Calvin A. Tuttle, - - - -	50	00
"	"	27,	"	J. W. Furber, - - - -	24	00
For salary of Adjutant General, not yet drawn for, - - - -					150	00
					\$1181	50

RECAPITULATION.

Indebtedness on account of locating and surveying roads, - - - -	\$481	50
Indebtedness on account of salaries, - - - -	700	00
	1181	50

SCHEDULE B.

TERRITORIAL REVENUE.			TER. TAX	
			\$	c.
RAMSEY COUNTY.				
Lands, town lots, and out lots returned assessed at	- -	\$231,123 00		
Improvements,	- -	98,485 00		
Personal property,	- -	58,966 00		
Merchandise,	- -	88,760 00		
Tax of one mill upon the dollar upon total,	- -	\$477,344 00	477	33
WASHINGTON COUNTY.				
Lands, town lots, and out lots returned assessed at	- -	\$84,736 48		
Improvements,	- -	83,448 00		
Merchandise,	- -	25,076 00		
Personal property,	- -	35,600 00		
Tax of one mill upon the dollar upon total,	- -	\$228,860 48	228	86
WABESHAW COUNTY.				
Merchandise returned assessed at	- -	\$11,025 00		
Personal property,	- -	22,183 00		
Tax of one mill upon the dollar upon total,	- -	\$33,208 00	33	21
DAKOTA COUNTY.				
Property returned assessed in aggregate at	- -	\$31,020 00		
Tax of one mill upon the dollar upon amounts returned,	- -	- -	31	02
WAHNATA COUNTY.				
Property returned assessed in aggregate at	- -	\$36,015 00		
Tax of one mill upon the dollar upon amounts returned,	- -	- -	36	02
<i>Recapitulation exclusive of the County of Benton and others unreturned.</i>				
Ramsey County, total,	- -	\$477,334 00		
Washington, " "	- -	228,860 48		
Wabeshaw, " "	- -	33,208 00		
Dakota, " "	- -	31,020 00		
Wahnata, " "	- -	36,015 00		
Tax of one mill on the dollar on	- -	\$806,437 48	806	44

SCHEDULE C.

Assessed value of property of the County of St. Croix, Minnesota Territory, for the year 1849.

First District—Including Stillwater, Marine Mills, Falls of St. Croix, and Snake river.	
Real estate,	\$40,322 50
Personal property,	112,668 00
Second District—Including St. Paul and Point Douglass.	
Real estate,	\$106,422 00
Personal property,	69,836 00
Third District—Including Falls of St. Anthony, Sauk Rapids, and Crow Wing.	
Real estate,	\$31,027 50
Personal property,	54,660 00

RECAPITULATION.

	REAL ESTATE.	PERS'L PROPERTY.
First District,	\$40,322 50	\$112,668 00
Second " "	106,422 00	69,836 00
Third " "	31,027 50	54,660 00
Totals,	\$177,772 00	\$237,164 00
Grand Total,		177,772 00
		\$414,936 00

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Considered in committee of the whole	- - - - -	42
Amended by the Council	- - - - -	42
Ordered to be engrossed	- - - - -	42
Reported correctly engrossed	- - - - -	43
Read the third time, passed and title agreed to	- - - - -	43
Concurred in by the House of Representatives	- - - - -	48
Reported correctly enrolled	- - - - -	58

COUNCIL FILE—

Signed by the Speaker of the House of Representatives	-	-	59
" President of the Council	-	-	60
Presented to the Governor	-	-	60
Approved	-	-	62
No. 2.—To provide for laying out county roads in this Territory			
Referred to the committee on Territorial Roads	-	-	39
Reported by " " "	-	-	42
Read a first and second times	-	-	42
Considered in committee of the whole	-	-	48
Amended by the Council	-	-	49
Referred to the committee on the judiciary	-	-	49
No. 3.—Providing for the election and prescribing the duties of supervisors of roads			
Referred to the committee on Territorial roads	-	-	39
Reported by	-	-	42
Read a first and second times	-	-	42
Considered in committee of the whole	-	-	58
Amended by the Council	-	-	59
Ordered to be engrossed	-	-	59
Reported correctly engrossed	-	-	62
Referred to the committee on the judiciary	-	-	63
No. 4.—To authorize the establishment and regulation of ferries and bridges in this Territory			
Referred to the Committee on Territorial roads	-	-	39
Reported by " " "	-	-	42
Read a first and second times	-	-	42
Considered in committee of the whole	-	-	51, 52
Amended by the Council	-	-	53
Ordered to be engrossed	-	-	53
Reported correctly engrossed	-	-	53
Read a third time passed and title agreed to	-	-	53
Amended in House of Representatives, by substitute	-	-	68
No. 5.—Relative to the organization and duties of the officers of the Legislative Assembly of the Territory of Minnesota			
Referred to the Committee on Legislative Expenditures	-	-	39
Reported by " " "	-	-	43
Read a first and second times	-	-	43
Considered in committee of the whole	-	-	60, 64
Laid on the table	-	-	65
Negatived	-	-	177
No. 6.—To incorporate the Mississippi Boom Company			
Notice for leave to introduce	-	-	44
Introduced and read a first and second times	-	-	46
Printing of dispensed with	-	-	46
Considered in committee of the whole	-	-	49
Amended by the Council	-	-	49, 50
Ordered to be engrossed	-	-	50
Reported correctly engrossed	-	-	52
Read a third time, passed, and title agreed to	-	-	52
Amended by the House of Representatives	-	-	63
Council refuse to concur therein	-	-	64
Committee of conference appointed	-	-	67
Report	-	-	70
Report of Committee adopted by the Council	-	-	70
House	-	-	72
Reported correctly enrolled	-	-	72
Signed by the Speaker of the House of Representatives	-	-	74

COUNCIL FILE—

Signed by the President of the Council	- - - - -	75
Presented to the Governor	- - - - -	76
Approved	- - - - -	78
Chapters of, amended by the Council	72, 75, 77, 79, 81, 82, 85, 86, 87 88, 91, 97, 105, 119, 124, 127, 133, 136, 138, 143 144, 145, 147, 158, 166	
Laid on the table	- - - - -	73, 90, 91, 105
Ordered to be engrossed	72, 74, 75, 77, 81, 82, 85, 86, 87, 88, 91, 93 97, 98, 105, 119, 124, 127, 133, 136, 138, 140, 143 145, 147, 158	
Reported correctly engrossed	75, 81, 83, 85, 86, 87, 88, 89, 92, 93, 98 115, 120, 126, 133, 137, 140, 141, 144, 146, 150, 159	
Read a third time	76, 81, 82, 84, 86, 87, 88, 89, 92, 94, 98, 115, 120 127, 137, 141, 142, 144, 147, 151, 160, 167	
Passed and title agreed to	76, 81, 82, 84, 87, 88, 89, 92, 94, 98, 115, 120, 127, 137, 141, 142, 144, 147, 151, 160, 167	
Concurred in by the House of Rep.	80, 99, 104, 139, 146, 151, 159 164, 170	
Amended	90, 94, 99, 104, 112, 123, 128, 139, 146, 151, 159, 164, 170	
Amendments concurred in by the Council	91, 101, 102, 106, 108, 109 110, 111, 113, 116, 122, 123, 128, 129, 132, 140, 148 153, 154, 161, 162, 166, 173, 174	
“ non-concurred in by the Council	93, 95, 96, 97, 100, 101 102, 106, 108, 109, 110, 111, 116, 122, 123, 154 161, 162	
“ concurred in the House of Rep.	89, 90, 112, 128, 135 146, 160, 168, 174	
“ non-concurred in by the House of Rep.	112, 120	
House recedes from its amendments	- - - - -	104, 134, 164, 169
Amendments amended by the Council	102, 108, 109, 110, 111, 112, 129 140, 153, 155, 161, 176	
House refuses to recede	- - - - -	99, 104, 160, 164
Council “ “ adhere	- - - - -	108, 117, 136, 162, 166
Negatived	- - - - -	86, 88
Committee of conference appointed	100, 103, 104, 106, 107, 120, 123 124, 134, 162, 164	
No. 7.—Providing for the appointment of a Librarian, and for other purposes		
Referred to the committee on schools	- - - - -	39
Reported by “ “	- - - - -	50
Read a first and second times	- - - - -	50
Considered in committee of the whole	- - - - -	53, 58
Amended by the Council	- - - - -	58
Ordered to be engrossed	- - - - -	58
Reported correctly engrossed	- - - - -	60
Read the third time, passed, and title agreed to	- - - - -	64
Amended by the House of Rep.	- - - - -	69
Amendments not concurred in by the Council	- - - - -	69
House recedes from its amendments	- - - - -	72
Reported correctly enrolled	- - - - -	78
Signed by the Speaker of the House of Rep.	- - - - -	90
“ “ President of the Council	- - - - -	90
Presented to the Governor	- - - - -	92
Approved	- - - - -	99
No. 8.—For the election of Coroners, and defining their duties and powers		
Referred to the committee on territorial affairs	- - - - -	39

COUNCIL FILE—

75	Notice for leave to introduce	- - -	54
76	Introduced and read a first and second times	- - -	58
78	Laid on the table	- - -	65
87	Negatived	- - -	177
143	No. 9.—Relative to territorial and county officers		
	Referred to the committee on territorial affairs	- - -	93
101	Notice for leave to introduce	- - -	54
102	Introduced and read a first and second times	- - -	58
143	Considered in committee of the whole	- - -	66
	Amended by the Council	- - -	66
98	Ordered to be engrossed	- - -	66
100	Reported correctly engrossed	- - -	66
120	Referred to the committee on the judiciary	- - -	66
	No. 10.—To regulate contested elections		
115	Referred to the committee on territorial affairs	- - -	39
167	Notice for leave to introduce	- - -	54
159	Reported by the committee on territorial affairs	- - -	59
	Read a first and second times	- - -	59
170	Considered in committee of the whole	- - -	65
109	Amended by the Council	- - -	66
148	Ordered to be engrossed	- - -	66
	Reported correctly engrossed	- - -	66
101	Referred to the committee on the judiciary	- - -	66
151	No. 11.—Providing for a territorial and county revenue		
	Referred to the committee on territorial affairs	- - -	39
133	Reported by	- - -	59
	Read a first and second times	- - -	59
120	Considered in committee of the whole	- - -	65
109	Amended by the Council	- - -	65
120	Ordered to be engrossed	- - -	65
	Reported correctly engrossed	- - -	66
101	Referred to the committee on the judiciary	- - -	66
180	No. 12.—To establish a system of common schools, and maintain them		
	Reported by the committee on schools	- - -	61
123	Read a first and second times	- - -	62
	Considered in committee of the whole	- - -	67, 68
	Amended by the Council	- - -	68
	Ordered to be engrossed	- - -	68
	Reported correctly engrossed	- - -	72
50	Read a third time by its title	- - -	74
53	Passed and title agreed to	- - -	74
54	Committee of conference appointed by House	- - -	76
38	No. 13.—For revising and consolidating the general statutes of the Territory		
	Reported by the committee on the judiciary	- - -	62
61	Read a first and second times	- - -	62
69	Rules suspended relative to	- - -	175
69	Chapters of reported	72, 83, 89, 92, 93, 105, 118, 125, 127, 133, 136	
72		138, 141, 166	
78	Received by message	- - -	76, 80, 90
80	Read a first and second times	72, 77, 81, 83, 89, 90, 92, 93, 105, 118	
90		125, 127, 133, 136, 139, 141, 166	
92	Considered in committee of the whole	71, 72, 74, 75, 76, 78, 79, 80, 82	
98		84, 85, 86, 87, 88, 89, 91, 93, 94, 97, 99, 103, 105	
		119, 122, 124, 127, 133, 136, 137, 138, 139, 141	
		143, 144, 146, 147, 158	
98	Chapters of, report of committee on	- - -	134, 138, 152, 165

COUNCIL FILE—

Report of the committee adopted	134, 138, 139, 153, 160, 164
Reported correctly enrolled	81, 95, 104, 112, 118, 120, 124, 128, 142 144, 145, 158, 165, 167, 168, 173, 175
Signed by presiding officers	84
Read a third time by its title	175
Passed and title agreed to	175
Concurred in by the House of Representatives	176
Reported correctly enrolled	176
Signed by the Speaker of the House of Representatives	177
" " President of the Council	178
Presented to the Governor	178
Approved	179
No. 14.—For the organization of the militia of this territory	
Referred to the committee on the militia	39
Reported by " "	66
Read a first and second times	66
Laid on the table	71
Considered in committee of the whole	75
Amended by the Council	75
Ordered to be engrossed	75
Reported correctly engrossed	78
Read a third time by its title	79
Negatived	79
No. 15.—Granting to Charles E. Dole and others the exclusive right to navigate the Mississippi river with steamboats between the Falls of St. Anthony and Sauk Rapids,	
Notice for leave to introduce	118
Introduced and read a first and second times	120
Considered in committee of the whole	125
Amended by the Council	125
Ordered to be engrossed	125
Reported correctly engrossed	126
Read a third time, passed and title agreed to	126
Negatived	137
No. 16.—To incorporate the St. Anthony Boom Company,	
Notice for leave to introduce	106
Introduced and read a first and second times	120
Considered in committee of the whole	125, 133
Amended by the Council	125, 133
Ordered to be engrossed	125, 133
Reported correctly engrossed	125, 133
Recommitted to a committee of the whole	132
Read a third time by its title	137
Passed and title agreed to	137
Amended by the House of Representatives,	159
Amendments concurred in by the Council	161
Reported correctly enrolled	167
Signed by the Speaker of the House of Representatives	168
" " President of the Council	169
Presented to the Governor	173
Approved	177
No. 17.—To incorporate St. Paul Division No. 1, Sons of Temperance,	
Introduced and read a first and second times	122
Rules suspended relative to	122
Read a third time, passed and title agreed to	122
Concurred in by the House of Representatives	137
Reported correctly enrolled	145

COUNCIL FILE—

Signed by the Speaker of the House of Representatives	-	-	-	-	159
“ “ President of the Council	-	-	-	-	162
Presented to the Governor	-	-	-	-	165
Approved	-	-	-	-	168
No. 18.—For the apportionment of representation of the territory					
Notice for leave to introduce	-	-	-	-	
Introduced and read the first and second times	-	-	-	-	128
Considered in committee of the whole	-	-	-	-	141, 151, 152
Amended by the Council	-	-	-	-	152, 154
Negatived	-	-	-	-	154
Vote on reconsidered	-	-	-	-	156
Ordered to be engrossed	-	-	-	-	157, 170
Reported correctly engrossed	-	-	-	-	163, 170
Read a third time, passed and title agreed to	-	-	-	-	163, 170
Taken from the House of Representatives	-	-	-	-	170
Concurred in by the “ “	-	-	-	-	174
Reported correctly enrolled	-	-	-	-	175
Signed by the Speaker of the House of Representatives	-	-	-	-	176
“ “ President of the Council	-	-	-	-	178
Presented to the Governor	-	-	-	-	178
Approved	-	-	-	-	179
No. 19.—For locating a territorial road from St. Anthony's Falls to Greely's on Ground House river,					
Notice for leave to introduce	-	-	-	-	146
Introduced and read a first and second times	-	-	-	-	150
Considered in committee of the whole	-	-	-	-	162
Amended by the Council	-	-	-	-	162
Ordered to be engrossed	-	-	-	-	163
Read a third time, passed and title agreed to	-	-	-	-	164
Negatived	-	-	-	-	168
No. 20.—To incorporate the St. Peters Lumbering and Manufacturing Company.					
Rules suspended relative to	-	-	-	-	163
Introduced and read a first and second times	-	-	-	-	163
Referred to the committee on agriculture and manufactures	-	-	-	-	163
Reported back by the committee	-	-	-	-	167
Considered in committee of the whole	-	-	-	-	176
Amended by the Council	-	-	-	-	176
Ordered to be engrossed	-	-	-	-	176
Reported correctly engrossed	-	-	-	-	179
Read a third time, passed and title agreed to	-	-	-	-	180
Amended by the House of Representatives	-	-	-	-	180
Amendments concurred in by the Council	-	-	-	-	181
Signed by the Speaker of the House of Representatives	-	-	-	-	182
“ “ President of the Council	-	-	-	-	182
No. 21.—To authorize the Secretary of the territory to rent rooms for the next legislative assembly, and for other purposes,					
Rules relative to suspended	-	-	-	-	164, 165
Introduced and read a first and second times	-	-	-	-	165
Amended by the Council	-	-	-	-	165
Read a third time, passed and title agreed to	-	-	-	-	165
Concurred in by the House of Representatives	-	-	-	-	168
Reported correctly enrolled	-	-	-	-	175
Signed by the Speaker of the House of Representatives	-	-	-	-	175
“ “ President of the Council	-	-	-	-	175
Approved	-	-	-	-	177

HOUSE OF REPRESENTATIVES FILE OF—

No. 1.—To dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell,		
Received by message	- - - - -	43
Read a first and second times	- - - - -	43
Referred to the committee on the judiciary	- - - - -	44
Reported back by the committee	- - - - -	46
Considered in committee of the whole	- - - - -	47
Read a third time, passed and title agreed to	- - - - -	48
Reported correctly enrolled	- - - - -	58
Signed by the Speaker of the House of Representatives	- - - - -	59
" " President of the Council	- - - - -	60
Presented to the Governor	- - - - -	60
Negatived	- - - - -	67
No. 2.—To incorporate the St. Croix Boom Company,		
Received by message	- - - - -	43
Read a first and second times	- - - - -	43
Considered in committee of the whole	- - - - -	44, 45
Amended by the Council	- - - - -	44
Read a third time, passed and title agreed to	- - - - -	46
Amendments concurred in by the House	- - - - -	48
" non-concurred in by the House	- - - - -	48
Committee of conference appointed	- - - - -	48
Report of committee of conference	- - - - -	50
Adopted by the Council	- - - - -	50
" House	- - - - -	55
Reported correctly enrolled	- - - - -	60
Signed by the Speaker of the House of Representatives	- - - - -	63
" " President of the Council	- - - - -	63
Presented to the Governor	- - - - -	65
Approved	- - - - -	68
No. 3.—Regulating the sale of spiritous liquors,		
Received by message	- - - - -	59
Read a first and second times	- - - - -	60
Considered in committee of the whole	- - - - -	63
Amended by the Council	- - - - -	63
Read a third time, passed and title agreed to	- - - - -	63
Amendments concurred in by the House	- - - - -	66
Reported correctly enrolled	- - - - -	67
Signed by the Speaker of the House of Representatives	- - - - -	69
" " President of the Council	- - - - -	69
Presented to the Governor	- - - - -	78
Approved	- - - - -	82
No. 4.—To provide for the erection of public buildings in the Territory of Minnesota,		
Received by message	- - - - -	53
Read a first and second times	- - - - -	54
Considered in committee of the whole	- - - - -	54
Read a third time, passed and title agreed to	- - - - -	57
Reported correctly enrolled	- - - - -	60
Signed by the Speaker of the House of Representatives	- - - - -	63
" " President of the Council	- - - - -	63
Presented to the Governor	- - - - -	65
Approved	- - - - -	68
No. 6.—Granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river,		
Received by message	- - - - -	59
Read a first and second times	- - - - -	60

HOUSE OF REPRESENTATIVES FILE OF—	
Considered in committee of the whole	61
Amended by the Council	61, 64
Read a third time, passed and title agreed to	64
Amendments non-concurred in by the House of Representatives	66
Committee of conference appointed	67
No. 7.—To incorporate the St. Paul Lodge No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul,	
Received by message	61
Read a first and second times	62
Laid on the table	63
Considered in committee of the whole	63
Read a third time, passed and title agreed to	66
Reported correctly enrolled	67
Signed by the Speaker of the House of Representatives	63
“ “ President of the Council	69
Presented to the Governor	76
Approved	82
No. 8.—To incorporate the University of Minnesota,	
Received by message	82
Read a first and second times	83
Considered in committee of the whole	83
Amended by the Council	83
Read a third time, passed and title agreed to	83
Amendment concurred in by the House of Representatives	89
Reported correctly enrolled	92
Signed by the Speaker of the House of Representatives	90
“ “ President of the Council	90
Presented to the Governor	92
Approved	104
No. 9.—To authorize the establishment and regulation of ferries	
Received by message	68
Read a first and second times	69
Considered in committee of the whole	73
Amended by the Council	73
Read a third time, passed and title agreed to	74
Amendment non-concurred in by the House of Representatives	76
Council refused to recede from its amendment	77
Amendment concurred in by the House	80
Reported correctly enrolled	83
Signed by the Speaker of the House of Representatives	84
“ “ President of the Council	84
Presented to the Governor	85
No. 10.—To establish and maintain common schools,	
Received by message	69
Read a first and second times	70
Laid on the table	73
Considered in committee of the whole	77
Negatived	77
No. 12.—Granting to Franklin Steele the right to establish and main- tain a ferry across the Mississippi river,	
Received by message	69
Read a first and second times	70
Considered in committee of the whole	73
Amended by the Council	73
Read a third time, passed and titled agreed to	73
Amendments concurred in by the House of Representatives	76
Reported correctly enrolled	78

HOUSE OF REPRESENTATIVES FILE OF—

Signed by the Speaker of the House of Representatives -	80
" " President of the Council -	81
Presented to the Governor -	85
No. 13.—Granting to Wm. A. Cheever the right to establish and main- tain a ferry across the Mississippi river,	
Received by message -	94
Read a first and second times -	95
Referred to the committee on incorporations -	98
Reported back by the committee -	127
Rule suspended relative to -	127
Read a third time, passed and title agreed to -	127
Reported correctly enrolled -	142
Signed by the Speaker of the House of Representatives -	143
" " President of the Council -	143
Presented to the Governor -	145
Approved -	159
No. 14.—To establish and maintain common schools,	
Received by message -	112
Read a first and second times -	113
Considered in committee of the whole -	118, 120
Amended by the Council -	121
Read a third time, passed and title agreed to -	121
Amendments non-concurred in by the House -	134
Council recesses therefrom -	136
No. 15.—To incorporate the St. Paul and St. Anthony Rail Road Co.,	
Received by message -	112
Read a first and second times -	113
Considered in committee of the whole -	118, 135
Amended by the Council -	121
Referred to committee on internal improvements -	118
Reported back by committee -	121
Read a second time under the rules -	121
Negatived -	135
No. 16.—To provide for laying out a territorial road from St. Antho- ny's Falls to the Falls of St. Croix,	
Received by message -	108
Read a first and second times -	111
Considered in committee of the whole -	118
Negatived -	118
No. 17.—Granting to John Banfil the right to establish and maintain a ferry across the Mississippi river,	
Received by message -	112
Read a first and second times -	116
Considered in committee of the whole -	118
Negatived -	119
Return from House requested -	132
Received " " by message -	134
Placed on file for action of Council -	136
Vote on reconsidered -	142
Read a third time, passed, and title agreed to -	142
Reported correctly enrolled -	145
Signed by the Speaker of the House of Rep. -	146
" " President of the Council -	147
Presented to the Governor -	159
Approved -	169
No. 18.—To dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet	

HOUSE OF REPRESENTATIVES FILE OF—

Received by message	-	-	-	-	-	120
Read a first and second times	-	-	-	-	-	123
Considered in committee of the whole	-	-	-	-	-	125
Laid on the table	-	-	-	-	-	125
Read a third time, passed, and title agreed to	-	-	-	-	-	126
Reported correctly enrolled	-	-	-	-	-	142
Signed by the Speaker of the House of Rep.	-	-	-	-	-	143
" " President of the Council	-	-	-	-	-	143
Presented to the Governor	-	-	-	-	-	146
Approved	-	-	-	-	-	159
No. 19.—To provide for the encouragement of agriculture and stock						
growing in the Territory of Minnesota						
Received by message	-	-	-	-	-	128
Read a first and second times	-	-	-	-	-	128
Considered in committee of the whole	-	-	-	-	135,	140
Negated	-	-	-	-	-	140
No. 20.—To dissolve the marriage contract existing between Thomas						
F. Morton and Mary Morton						
Received by message	-	-	-	-	-	128
Read a first and second times	-	-	-	-	-	128
Considered in committee of the whole	-	-	-	-	-	134
Read a third time, passed, and title agreed to	-	-	-	-	-	135
Reported correctly enrolled	-	-	-	-	-	142
Signed by the Speaker of the House of Rep.	-	-	-	-	-	143
" " President of the Council	-	-	-	-	-	143
Presented to the Governor	-	-	-	-	-	146
Approved	-	-	-	-	-	159
No. 21.—To dissolve the marriage contract between Marcelle Coutu-						
rier and Margaret Couturier						
Received by message	-	-	-	-	-	139
Read a first and second times	-	-	-	-	-	140
Considered in committee of the whole	-	-	-	-	-	143
Read a third time, passed, and title agreed to	-	-	-	-	-	142
Reported correctly enrolled	-	-	-	-	-	145
Signed by the Speaker of the House of Rep.	-	-	-	-	-	146
" " President of the Council	-	-	-	-	-	147
Presented to the Governor	-	-	-	-	-	158
Approved	-	-	-	-	-	169
No. 22.—Supplementary to an act to incorporate the town of St. Paul						
in the county of Ramsey, approved November 1, 1849, &c.						
Received by message	-	-	-	-	-	169
Read a first and second times	-	-	-	-	-	169
Considered in committee of the whole	-	-	-	-	-	175
Amended by the Council	-	-	-	-	-	175
Read a third time, passed, and title agreed to	-	-	-	-	-	176
Amendments concurred in	-	-	-	-	-	176
Reported correctly enrolled	-	-	-	-	-	178
Signed by the Speaker of the House of Rep.	-	-	-	-	-	178
" " President of the Council	-	-	-	-	-	179
Presented to the Governor	-	-	-	-	-	180
Approved	-	-	-	-	-	180
No. 23.—To incorporate the St. Paul Institute						
Received by message	-	-	-	-	-	159
Read a first and second times	-	-	-	-	-	161
Considered in committee of the whole	-	-	-	-	163,	166
Read a third time, passed, and title agreed to	-	-	-	-	-	166
Reported correctly enrolled	-	-	-	-	-	176

HOUSE OF REPRESENTATIVES FILE OF—

Signed by the Speaker of the House of Rep.	175
" " President of the Council	175
Presented to the Governor	178
Approved	178
No. 24.—To dissolve the marriage contract between George Wells, and Catharine Wells his wife	
Received by message	151
Read a first and second times	153
Considered in committee of the whole	159
Read a third time, passed, and title agreed to	160
Reported correctly enrolled	167
Signed by the Speaker of the House of Rep.	168
" " President of the Council	169
Presented to the Governor	173
Approved	175
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

DURING THE SECOND SESSION OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF MINNESOTA;

BEGUN AND HELD AT SAINT PAUL, ON WEDNESDAY, JANUARY FIRST, ONE
THOUSAND EIGHT HUNDRED AND FIFTY-ONE.

Published by Authority of the Legislative Assembly.

SAINT PAUL:

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1851.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF

MINNESOTA TERRITORY.

Second Session of the Legislative Assembly of the Territory of Minnesota; begun and held at St. Paul, the seat of government, on Wednesday, the first day of January, 1851.

On which day, at 12 o'clock meridian, the House of Representatives was called to order by William D. Phillips, Chief Clerk of the last House of Representatives; who announced the presence of Hon. C. K. Smith, Secretary of the Territory.

Prayer by the Rev. Mr. Hobart.

The Secretary presented the certificate of election of the members of the several Council Districts, which was read, and from which it appeared that the following members were duly elected:

From the First District:			John A. Ford,
" " "			James Wells,
" Second "			Michael E. Ames,
" " "			Sylvanus Trask,
" " "			Jesse Taylor,
" Third "			B. W. Brunson,
" " "			J. C. Ramsey,
" " "			E. Rice,
" " "			H. L. Tilden,
" Fourth "			John D. Ludden,
" Fifth "			John W. North,
" " "			E. Patch,
" Sixth "			David Gilman,
" " "			S. B. Olmstead,
" " "			W. W. Warren,
" " "			D. T. Sloan,
" Seventh "			B. H. Randall,
" " "			Alex. Farribault.

Mr. Brunson moved that the members be sworn in by his honor, Judge Meeker; Which was agreed to.

All the members were then sworn in, except B. H. Randall and Alex. Farribault, the members from the Seventh Council District.

Mr. Tilden objected to their being sworn in, on the ground that they were not legally elected.

Mr. North called for the reading of the Governor's proclamation of the seventh of July, 1849, and the joint resolution of the Legislative Assembly of the Territory of Minnesota, approved 1st day of November, 1849.

They were severally read by the Clerk.

Mr. Rice then called for the reading of the Governor's proclamation of the 17th of August, 1849.

Which was read by the Clerk.

Mr. Tilden moved that the motion of Mr. Brunson, "That the members be sworn in by his honor, Judge Meeker," be re-considered;

Which was disagreed to.

The yeas and nays being called for,

Those who voted in the affirmative are—Messrs. Gilman, North, Patch, Rice, Sloan, Tilden and Warren—7.

Those who voted in the negative are—Messrs. Ames, Brunson, Ford, Ludden, Olmstead, Ramsey, Trask, Taylor and Wells—9.

Messrs. Farribault and Randall were then sworn in and took their seats.

On motion of Mr. Trask,

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

THURSDAY, JANUARY 2, 1851.

The Clerk called the House to order.

Prayer by the Rev. Mr. Hobart.

The Journal of yesterday was then read and corrected.

On motion of Mr. Ames,

B. W. Brunson was appointed Chairman *pro tempore*.

On motion of Mr. Trask,

W. D. Phillips was appointed Chief Clerk *pro tem*.

On motion of Mr. Ames,

J. J. Noah was appointed Assistant Clerk *pro tem*.

On motion of Mr. Olmstead,

S. H. Axtell was appointed Sergeant-at-Arms *pro tem*.

On motion of Mr. Patch,

E. F. Lewis was appointed Messenger *pro tem*.

On motion of Mr. Tilden,

T. Odell was appointed Fireman *pro tem*.

On motion of Mr. Ames,

Ordered, That the rules of the last session of the Legislative Assembly, be adopted as the temporary rules of this House.

Mr. Trask moved that a committee of two be appointed to inform the Council that the House of Representatives is temporarily organized, and ready to proceed to business. Agreed to.

Messrs. Trask and Tilden were appointed said committee.

After a short absence, the committee reported they had performed said duty.

A message from the Council by Messrs. Norris and Forbes.

"MR. SPEAKER:—We are requested to inform the House of Representatives, that the Council is temporarily organized, and ready to proceed to business."

They then withdrew.

On motion of Mr. Ames,

The House adjourned until two o'clock P. M.

TWO O'CLOCK, P. M.

The House was called to order.

On motion of Mr. Trask,

The roll was called;

And Mr. Ames reported absent.

The Speaker directed the Sergeant-at-Arms to notify the absent member to appear in his seat.

The Sergeant-at-Arms reported the member present.

Message from the Council by Joseph R. Brown, their Secretary.

“MR. SPEAKER:—The Council has appointed Messrs. Loomis and Forbes, a committee to act with a similar committee on the part of this House, to inform his Excellency, the Governor, that the two Houses of the Legislative Assembly, are now temporarily organized, and ready to receive any communication he may have to make.”

And then he withdrew.

On motion of Mr. Trask,

Ordered, That the House now proceed to the election of a Speaker.

Messrs. Trask and North were appointed tellers;

And the ballots having been received and counted by the tellers, it appeared that,

M. E. Ames received	5	votes.
E. Rice	2	“
H. L. Tilden	7	“
S. Trask	1	“
Blank ballot	3	“

Whole number of votes cast was 18—ten being necessary to a choice; and there being no choice,

On motion of Mr. Trask,

The House proceeded to ballot a second time.

And the ballots having been taken and counted, it appeared that,

M. E. Ames received	8	votes.
H. L. Tilden	8	“
S. Trask	2	“

There being no choice,

On motion of Mr. Olmstead,

The House proceeded to ballot a third time.

And the ballots having been taken and counted, it appeared that the whole number of votes cast was 18—of which,

M. E. Ames received	9	votes.
H. L. Tilden	7	“
E. Rice	1	“
Blank ballot	1	“

There being no choice,

On motion of Mr. Wells,

The House proceeded to ballot a fourth time.

The ballots being taken and counted, it appeared that the whole number of votes cast was 18—of which,

M. E. Ames received	9	votes.
H. L. Tilden	8	“
E. Rice	1	“

There being no choice,

On motion of Mr. Rice,

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

FRIDAY, JANUARY 3, 1851.

The Speaker *pro tem.* called the House to order.

The Journal of yesterday was then read.

On motion of Mr. Trask,

Ordered, That the House proceed to ballot a fifth time for Speaker.

Messrs. Taylor and Olmstead were appointed tellers.

And the ballots having been received and counted by the tellers, it appeared that,

M. E. Ames received	8	votes.
E. Rice	1	"
H. L. Tilden	6	"
E. Patch	1	"
S. Trask	1	"
Blank ballot,	1	

The whole number of votes cast was 18—and ten being necessary to a choice, and there being no choice;

On motion of Mr. North,

Ordered, That the House proceed to ballot a sixth time.

And ballots having been taken and counted by the tellers, it appeared that,

M. E. Ames received	9	votes.
E. Rice	1	"
H. L. Tilden	7	"
S. B. Olmstead	1	"

The whole number of votes cast was 18—and there being no choice;

On motion of Mr. Wells,

Ordered, That the House proceed to ballot a seventh time.

The ballots being taken and counted by the tellers, it appeared that,

M. E. Ames received	10	votes.
H. L. Tilden	7	"
S. Trask	1	"

The whole number of votes cast being 18—and M. E. Ames having received ten votes, was declared duly elected Speaker.

Messrs. Olmstead and Taylor were appointed a committee to conduct Mr. Ames to the Chair.

On taking the Chair, the Speaker made the following brief and pertinent address:

"GENTLEMEN:—Allow me to thank you for the honor you have conferred, and the partiality thus kindly manifested, in selecting me to preside over your deliberations.

"In accepting the station, and assuming the duties of a presiding officer, I am sensible that your choice might have fallen upon some other one of your number, whose talents and experience render them better qualified to preside over the deliberations of this House. With but little experience in legislation, and a limited knowledge of parliamentary practice, it is but natural that I feel some embarrassment in assuming duties so responsible and new; but I rely upon your kind feeling and generous indulgence, to excuse the errors I may commit; and your forbearance and assistance in the discharge of my duties.

"Many questions, will no doubt arise, during the present session, involving important interests, and perhaps, conflicting ones, in our young and rapidly growing Territory; attended with much warmth of feeling, and producing discussion; yet I trust your action will ever be tempered with kindly feelings of conciliation towards each other, and guided in wisdom.

"In conclusion, I tender you my sincere thanks, for this flattering expression of your partiality and confidence."

On motion of Mr. Trask,

Ordered, That a committee of two be appointed, to act with a similar commit-

tee on the part of the Council, to inform his Excellency, the Governor, that the two Houses of the Legislative Assembly are now temporarily organized, and ready to receive any communication he may have to make.

Messrs. Trask and Rice were appointed said committee.

On motion of Mr. Brunson,

Ordered, That the Sergeant-at-Arms procure one of the churches for the joint meeting of the two Houses at the time of the delivery of the Governor's message.

On motion of Mr. Brunson,

The House adjourned till two o'clock p. m.

TWO O'CLOCK, P. M.

On motion of Mr. Olmstead,

The House proceeded to ballot for a Chief Clerk.

Messrs. Rice and Brunson were appointed tellers.

And the ballots being received and counted by the tellers, it appeared that the whole number of votes cast was 17—of which,

W. D. Phillips received	8	votes.
B. W. Lott	7	" "
W. B. White	1	" "
G. L. Becker	1	" "
Blank ballot,	1	

There being no choice,

On motion of Mr. Randall,

The House proceeded to ballot a second time.

And the ballots being taken and counted by the tellers, it appeared that the whole number of votes cast was 15—of which,

W. D. Phillips received	6	votes.
B. W. Lott	6	" "
W. B. White	3	" "
Blank ballots,	3	

On motion of Mr. Tilden,

The House adjourned.

SATURDAY, JANUARY 4, 1851.

The House was called to order by the Speaker.

Prayer by the Rev. Mr. Hobart.

On motion of Mr. North,

The House proceeded to ballot a third time for Chief Clerk; the same tellers acting as before.

And the ballots being taken and counted, it appeared that the whole number of votes cast was 18—of which,

W. D. Phillips received	6	votes.
B. W. Lott	8	" "
W. B. White	3	" "
G. L. Becker	1	" "

There being no choice,

On motion of Mr. Wells,

The House proceeded to ballot a fourth time.

The whole number of votes cast was 17—of which,

W. D. Phillips received	5	votes.
B. W. Lott	7	" "
W. B. White	4	" "
G. L. Becker	1	" "
Blank ballot,	1	

There being no choice,

On motion of Mr. Trask,

The House proceeded to ballot a fifth time.

The whole number of votes cast was 18—of which,

W. D. Phillips	received	5	votes.
B. W. Lott	“	7	“
G. L. Becker	“	1	“
Allen Pierse	“	5	“

There being no choice,

On motion of Mr. Wells,

The House proceeded to ballot a sixth time.

The whole number of votes cast was 17—of which,

W. D. Phillips	received	3	votes.
B. W. Lott	“	8	“
Allen Pierse	“	6	“
Blank ballot,		1	

There being no choice,

On motion of Mr. North,

The House proceeded to ballot a seventh time.

The whole number of votes cast was 18—of which,

W. D. Phillips	received	2	votes.
B. W. Lott	“	8	“
A. Pierse	“	8	“

There being no choice,

On motion of Mr. North,

The House proceeded to ballot an eighth time.

The whole number of votes cast was 18—of which,

W. D. Phillips	received	2	votes.
B. W. Lott	“	7	“
A. Pierse	“	9	“

There being no choice,

On motion of Mr. Patch,

The House proceeded to ballot a ninth time.

The whole number of votes cast was 18—of which,

W. D. Phillips	received	2	votes.
B. W. Lott	“	7	“
A. Pierse	“	9	“

Mr. Patch moved to adjourn; which motion was lost—ayes 7; nays 9;

On motion of Mr. Randall,

The House proceeded to ballot a tenth time.

The whole number of votes cast was 18—of which,

W. D. Phillips	received	1	vote.
B. W. Lott	“	8	“
A. Pierse	“	9	“

There being no choice,

On motion of Mr. Wells,

The House proceeded to ballot an eleventh time.

The whole number of votes cast was 18—of which,

Allen Pierse	received	8	votes.
B. W. Lott	“	8	“
W. D. Phillips	“	2	“

There being no choice,

On motion of Mr. North,

The House proceeded to ballot a twelfth time.

The whole number of votes cast was 18—of which,

B. W. Lott	received	11	votes.
W. D. Phillips	“	1	“
A. Pierse	“	6	“

B. W. Lott having received a majority of all the votes cast, was declared duly elected Chief Clerk.

On motion of Mr. Brunson,

A committee of two were appointed to wait upon Mr. Lott and inform him of his election.

Messrs. Brunson and Rice were appointed that committee.

After a short absence, they reported they had performed the duty.

Mr. Lott then appeared, and after having accepted the office, was sworn in by the Speaker, and took his seat.

On motion of Mr. Brunson,

The House proceeded to ballot for an Assistant Clerk.

Messrs. Brunson and Trask were appointed tellers.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 18—of which,

Taylor Dudley received 11 votes.

L. B. Wait " " 6 " "

J. J. Noah " " 1 " "

Taylor Dudley having received a majority of all the votes cast, was declared duly elected Assistant Clerk.

On motion, Messrs. Rice and Wells were appointed a committee to wait upon Mr. Dudley and inform him of his election.

After a short absence, they reported having performed said duty.

Mr. Dudley then appeared, and after having accepted the office, was sworn in by the Speaker, and took his seat.

Mr. Wells moved the House adjourn till Monday morning at ten o'clock;

Which motion was lost.

On motion of Mr. North,

The House proceeded to ballot for a Sergeant-at-Arms.

Messrs. Taylor and Wells were appointed tellers.

And the ballots having been taken and counted, it appeared the whole number of votes cast was 18—of which,

S. H. Axtell received 5 votes.

C. Bellows " " 1 " "

Wm. Cove " " 9 " "

John Snow " " 1 " "

P. K. Johnson " " 1 " "

B. Rogers " " 1 " "

There being no choice,

On motion of Mr. North,

The House proceeded to ballot a second time.

The whole number of votes cast was 18—of which,

Wm. Cove received 12 votes.

S. H. Axtell " " 6 " "

Wm. Cove having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms.

Mr. Brunson moved the House now proceed to ballot for a Messenger;

Which motion was lost.

On motion of Mr. Trask,

The House adjourned till two o'clock, p. m.

TWO O'CLOCK, P. M.

On motion of Mr. Warren,

The House proceeded to ballot for a Messenger.

Messrs. Randall and Warren were appointed tellers.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 18—of which,

E. F. Lewis received 8 votes.

J. W. Brown " " 3 " "

H. L. Bevans " " 3 " "

P. K. Johnson received 1 vote.
 John Morgan " 2 "
 T. Odell " 1 "

There being no choice,

Mr Wells moved that the House adjourn; which was disagreed to.

A division being called for and ordered; there were ayes—6; noes—12.

So the motion did not prevail.

On motion of Mr. North,

The House proceeded to ballot a second time.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 18—of which,

E. F. Lewis received 10 votes.
 H. L. Bevans " 2 "
 J. W. Brown " 3 "
 John Morgan " 3 "

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

On motion of Mr. Wells,

The House proceeded to ballot for a Fireman.

Messrs. Ford and Ludden were appointed tellers.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 17—of which,

W. H. Chapman received 1 vote.
 E. Sloan " 8 "
 J. Middleton " 3 "
 T. Odell " 2 "
 J. Glenn " 1 "
 J. W. Brown " 1 "
 T. Lotman " 1 "
 Blank ballot, 1

No choice having been made,

On motion, the House proceeded to ballot a second time for Fireman, as follows:

E. Sloan received 12 votes.
 J. Glenn " 1 "
 J. Middleton " 3 "
 T. Odell " 1 "
 Mr. Atchison " 1 "

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

Mr. Brunson moved that a committee of two be appointed, to wait upon the officers elect, and conduct them to the Speaker's chair to be qualified;

Which motion prevailed.

And Messrs. Brunson and Ramsey were appointed that committee.

And after a short absence, they reported they had performed the duty assigned them.

The Sergeant-at-Arms elect, Mr. Cove; the Messenger elect, Mr. Lewis; and the Fireman elect, Mr. Sloan, after having accepted their respective offices, were severally sworn in by the Speaker.

On motion of Mr. North,

The House proceeded to ballot for a Chaplain.

Messrs. Patch and Gilman were appointed tellers.

And the ballots having been received and counted, it appeared that the whole number of votes cast was 15—of which,

Rev. Mr. Seccombe received 2 votes.
 " Owens " 1 "
 " Boutwell " 2 "
 " E. D. Neill " 8 "
 " J. P. Parsons " 1 "
 Bishop Hughes " 1 "
 Blank ballots, 2

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

On motion of Mr. Rice,

Ordered, That a committee of three be appointed, to inform Mr. Neill of his election.

Messrs. Rice, Olmstead and Taylor were appointed that committee.

On motion of Mr. Ludden,

Ordered, That each member of the House be at liberty to order for his own use, any number of papers printed in this Territory, not exceeding twenty, and that the same be paid for out of the money appropriated for the incidental expenses of the Legislature.

On motion of Mr. Wells,

The House adjourned till Monday at two o'clock, P. M.

MONDAY, JANUARY 6, 1851.

The House was called to order by the Speaker.

Prayer by the Rev. Mr. Neill.

The Journal of Saturday was then read and corrected.

Mr. Tilden offered the following resolution:

Resolved, That the Sergeant-at-Arms of the House, be directed to call on the Librarian, requesting him to furnish each member of this House with one copy of the Journal of the last House of Representatives, and one copy of the laws of Minnesota."

Mr. Rice moved to amend, by inserting,

"And one copy of the Journal of the last Council;"

Which amendment was accepted, and the resolution adopted.

Mr. Warren offered the following resolution:

Resolved, That a special committee be appointed to examine the credentials of B. H. Randall and Alexander Farribault, sitting members from the First Council District, with instructions to enquire, ascertain and report, whether said sitting members are by law, entitled to seats upon the floor of this House; and that said committee be authorized to send for persons and papers."

Mr. Olmstead moved to lay the resolution on the table;

And the question being put, the yeas and nays were called for;

And those who voted in the affirmative are—Messrs. Ford, Ludden, Olmstead, Ramsey, Trask, Wells, and Ames, (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Gilman, North, Patch, Rice, Sloan, Taylor and Warren—8.

Mr. Brunson moved that the matter be referred to the Committee on Elections, when appointed;

Which was adopted.

Mr. Trask offered the following resolution:

Resolved, That the Chief Clerk of this House be, and he is hereby authorized to employ a suitable person to do such extra writing as may be actually necessary, and especially such as usually appertains to the office of Enrolling Clerk."

Mr. Brunson moved to lay the said resolution on the table;

The question being put, and a division being called for and ordered;

There were yeas—7; and nays—8.

So the motion did not prevail.

The question then recurred on the adoption of the resolution, and having been put, it was decided in the affirmative.

Mr. Olmstead offered the following resolution:

Resolved, That the editors and reporters of the different newspapers of this Territory, be allowed seats within the bar of this House at pleasure."

Mr. Brunson offered the following amendment to the resolution:

“Also, that all officers of the United States, Delegate in Congress, and ex-members of the Legislature of Minnesota.”

Which amendment was rejected.

Mr. Rice moved to amend, by inserting,

“That seats be assigned them by the Speaker;”

Which amendment was accepted,

And the question recurring on Mr. Olmstead’s resolution as amended, it was adopted.

A communication containing the report of the Librarian to the Legislature, was then read and laid upon the table.

Mr. Wells offered the following resolution:

“Resolved, That each member of this House, receive a sum of money not exceeding thirty dollars, in lieu of the stationery heretofore provided by the Secretary of the Territory, to be paid out of the moneys appropriated for the incidental expenditures of the Legislature.”

On motion of Mr. Rice,

Said resolution was laid upon the table.

On motion of Mr. Olmstead,

The said resolution was taken from the table.

Mr. Ludden then moved that the resolution be adopted.

Mr. Brunson moved to amend, by inserting after the word “resolved,” the words “The Council concurring.”

Which amendment was accepted.

Mr. Wells asked leave to withdraw his resolution;

Which, upon the motion of Mr. Rice, was granted him.

On motion of Mr. North,

Ordered, That a committee of three be appointed by the Speaker to revise and report rules for the permanent government of this House during its present session.

Messrs. North, Rice and Brunson, were appointed said committee.

Mr. Wells offered the following resolution:

“Resolved, That the members of this House be allowed to purchase any bill of stationery, not to exceed thirty dollars.”

Mr. North moved to amend, by inserting after the word “dollars,” the word “each;”

Which was accepted.

Mr. Olmstead moved to amend, by adding after the word each,

“To be paid out of appropriations for the contingent expenses of the Legislature.”

Which was accepted.

A committee from the Council appeared and reported that they were instructed to inform the House, that the Council had permanently organized, by the appointment of the following officers:

D. B. Loomis, President; Jos. R. Brown, Secretary; J. D. Crittenden, Assistant Secretary; B. L. Sellors, Sergeant-at-Arms; W. Atkinson, Messenger; W. C. D. Herington, Fireman.

And then they withdrew.

On motion of Mr. Brunson,

A call of the House was ordered; absent Mr. Rice.

The Sergeant-at-Arms was sent to notify Mr. Rice that his attendance was required in the House.

Mr. Brunson moved an adjournment;

Which was lost.

Mr. Rice offered the following substitute for Mr. Wells’ resolution:

“Resolved, That the Chief Clerk be directed to furnish for each member of this House, such stationery as the member may require, not to exceed in value thirty dollars; to be paid for out of any moneys appropriated for the contingent expenses of the Legislature; and that as often as purchases are made, he report the accounts therefor, to the Secretary of the Territory.”

A message from the Council by J. R. Brown, Secretary:

“MR. SPEAKER:—The Council has appointed Messrs. Forbes and Olmsted, a committee to act in conjunction with a similar committee to be appointed by this House, for the purpose of informing his Excellency, the Governor, that the two Houses of the Legislative Assembly, are now permanently organized and ready to receive any communication he may see proper to make; and also to procure some suitable room wherein to meet in convention of the two Houses, to receive the message of the Governor.”

Mr. Brunson offered an amendment to the substitute of Mr. Rice, as follows:
“Instead of thirty dollars, read five dollars.”

On motion of Mr. Rice,

The resolution and amendment were laid on the table.

Messrs. Forbes and Olmsted, a committee from the Council, appeared and reported that they had been appointed a committee on the part of the Council, to act in conjunction with a similar committee, to be appointed by this House, for the purpose of informing his Excellency, the Governor, that the two Houses of the Legislative Assembly are now permanently organized, and ready to receive any communication he may see proper to make.

On motion of Mr. Brunson,

Ordered, That the Clerk of this House inform the Council that this House is now permanently organized.

On motion of Mr. North,

Ordered, That a committee be appointed to act in conjunction with a similar committee, appointed by the Council, for the purpose of informing his Excellency, the Governor, that the two Houses of the Legislative Assembly are now permanently organized and ready to receive any communication he may see proper to make.

Messrs. North and Brunson were appointed said committee.

On motion of Mr. Wells,

The House adjourned.

TUESDAY, JANUARY 7, 1851.

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

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

Mr. North moved a re-consideration of the vote adopting the resolution offered yesterday by Mr. Trask, relative to the employing of an Enrolling Clerk.

On motion of Mr. Wells,

A call of the House was ordered.

Mr. Brunson was reported absent.

The Sergeant-at-Arms was directed to notify Mr. Brunson that his attendance was required in the House.

Mr. Tilden moved that a further call of the House be dispensed with;

Which motion was disagreed to.

The Sergeant-at-Arms reported that Mr. Brunson was now in his seat.

A vote having been taken on the motion of Mr. North, to re-consider the vote of yesterday, relative to the appointment of an Enrolling Clerk;

Was decided in the affirmative.

A division being called for and ordered;

There were ayes—8; noes—7.

And the ayes and noes having been called for,

Those voting in the affirmative are—Messrs. Farribault, Gilman, Ludden, North, Patch, Sloan, Taylor, Tilden and Warren—9.

Those voting in the negative are—Messrs. Brunson, Ford, Olmstead, Ramsey, Randall, Rice, Trask, Wells, and Ames, (Speaker)—9.

Messrs. North and Brunson, the committee appointed on yesterday, to act in conjunction with a similar committee from the Council, to inform the Governor that both Houses of the Legislative Assembly were permanently organized, and ready to receive any communication he might have to make, reported that they had performed the duty assigned them.

Mr. Olmstead offered the following resolution:

Resolved, That each member, and the Clerks of this House, be hereby authorized to purchase during the session, stationery for themselves, not to exceed thirty dollars; receipts for which shall be given by the members and Clerks, which receipts shall be audited by the Committee on Finance, and shall warrant an appropriation to pay the same; and that the Chief Clerk of this House be authorized to provide the necessary stationery for the desks of the reporters, his receipts for which shall be audited and settled in the same way."

Upon the motion of Mr. Trask,

The resolution was laid on the table.

Mr. Gilman offered the following resolution:

Resolved, That the Chief Clerk of the House be directed to make arrangements with the Post Master of St. Paul, for the payment of all postage on letters and papers sent to and from this House by members, during the present session."

Upon motion of Mr. Trask,

The said resolution was adopted.

Mr. Brunson moved that a committee of two be appointed to inform the Council that seats have been prepared, and that the House is now ready to meet the Council in joint convention to receive any communication from his Excellency, the Governor, which he may see proper to submit.

Which motion prevailed.

And Messrs. Brunson and Trask were appointed said committee.

On motion of Mr. Brunson,

The House took a recess of ten minutes.

The Convention having met in the Hall of this House, the following proceedings were had:

The roll of the House was ordered to be called;

And Mr. Olmstead reported absent.

The roll of the Council having been called by the Secretary; reported all present.

On motion of Mr. Wells,

The Convention adjourned to the Methodist Church, to receive the message of his Excellency, the Governor.

The Convention having assembled at the Church,

On motion of Mr. McLeod,

Ordered, That a committee of three be appointed, to wait upon his Excellency, the Governor, and inform him that the two Houses have assembled in Convention in the Methodist Church, and are ready to receive his message.

Messrs. McLeod and Olmsted, of the Council, and Mr. Rice, of the House, were appointed said committee.

The committee, after a short absence, appeared and reported his Excellency, the Governor, present.

The Governor then proceeded to deliver the following message, to-wit:

Fellow Citizens of the Council and

House of Representatives:

As the second Legislative Assembly of the Territory of Minnesota, you come together to deliberate upon the wants, and to promote the interests of our common constituents. In meeting you at this time, I cannot refrain from tendering my heartfelt congratulations upon the auspicious circumstances under which you convene.

Though our exultations are naturally chastened, in view of the afflicting dispensation visited upon our land during the past year, in the death of its Chief

Magistrate; yet as a nation, under a wise and patriotic administration, we are prosperous at home—at peace with all the governments of the earth—increasing with unabated rapidity in population, intelligence, wealth and power; in the full enjoyment of civil and religious liberty, and possessing all the elements of individual and national prosperity. As a Territory, but yesterday without a name, or political existence, our growth has been of the most satisfactory character. Health has prevailed within our borders. Our new soil has not failed to respond gratefully to the labors of the husbandman; and already in places, our prairies, scarcely abandoned by the disappearing buffalo, are assuming a robe of cultivated verdure. The enterprise of our hardy lumbermen has met with a liberal return; and there has been a rapid augmentation of this important element of wealth, and rich source of revenue, so invaluable to ourselves, as well as to the country on the great river to the south of us.

In the interval since the adjournment of the first Legislative Assembly, a practical test has been made of the navigation of the Mississippi river above the Falls of St. Anthony; and to the navigable waters of the globe, has been added the stream which has given name to our future commonwealth. A permanent Great Seal has been procured in accordance with the directions of the "Act concerning Seals"—the devices and mottoes having been determined upon by the Territorial Delegate and myself, agreeably to the instructions of said act. The counties erected by acts of the last Legislative Assembly have been duly organized, and the elections held therein, and other operations incident thereto, conducted with as much quiet and order as is witnessed in older and more firmly established communities.

Though accidental circumstances have in some degree diminished the immigration, which otherwise, during the past year, would have been attracted to our Territory; yet these are of a transient character, and may not again recur. Emigrations, from one region to another, are common incidents in the history of mankind; but there is nothing recorded in the annals of the world that does not sink in comparison by the side of that marvelous American progress, that astonishing growth and development of our triumphant, irresistible civilization; which in its march to the uttermost extremities of the West, has passed the barrier of the Alleghanies, peopled the valley of the Mississippi, crossed the Rocky Mountains, and planted our glorious liberty and benign institutions by the shores of the Pacific. That the fertility of our soil, the salubrity of our climate, our forests, our fisheries, our mines, our inexhaustible water power, furnish elements which will attract hither a large and steady immigration, and secure a growth both vigorous and rapid, cannot be doubted. In our new state of society, the elements are all healthy, and full of infant purity. New objects are opening and new resources developed, on every side. We tread on a broad theatre; and in the Olympic race to greatness—untrammelled with previous habits, and leaving behind us the cumbrous clogs of a feudal and military age, which continue, even to the present time, to affect the condition of property in Europe—we enjoy the experience of older States, in addition to the advantage incident to new communities, of legislating without violence to ancient prejudices or established rules. One dissatisfied with the realities of the present, and the promises of the future, may find here no venerable past, on which to ruminate with antiquarian rapture; but with capacities of improvement, not only unapplied and unexhausted, but even, in a great measure as yet, unexplored; with a certain augmentation, both by internal development and external accession, a sober contemplation of our condition spreads magnificent prospects before us, and fully justifies the prophetic anticipations of future greatness in which we all so fondly indulge.

That our growth, gentlemen of the Council and House of Representatives, may take the most healthful direction, will depend much upon the temper and wisdom of your counsels; and in presenting to your notice, on this occasion, such topics as are thought to be entitled to a share of your attention, I shall content myself, without seeking for subjects of legislative action in speculations of my own, with a brief reference to such measures as have already, to some extent, occupied the public mind, and in regard to which you are doubtless well advised of the wishes of your constituents.

Prominent among the matters, which there is reason to believe will engage your consideration at the present session, is the necessity of some legislative provision for securing to the officers and people of the Territory, means of knowing what the law is. The 12th section of the Organic Act continues in force the laws of the late Territory of Wisconsin, until altered, modified, or repealed. It comes within your province to give to our people and officers, access to this body of laws, and to publish it so modified as to suit our peculiar wants. The miserable shifts, and temporary expedients to which the magistrates and people of Minnesota have been compelled to resort, in consequence of the extreme scarcity of copies of the Wisconsin statutes, are no longer endurable; and without dwelling upon many salient and specific defects in these codes, which require corrective legislation, I shall content myself with a partial repetition in the views presented in this connection of my former message.

“It has been held as a fixed legal maxim, that ‘ignorance 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 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 the most of the years, they are quite out of print; and their extreme scarcity can be estimated, when the strongest doubts are 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.

“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 in this Union, and in each Territory, there seem to be shades of differences in the people, and diversities in their interests, business, and slightly, in their social feelings and actions; 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.

“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 inpouring tide of foreign immigration, and partly from the most northern range of States, the great bulk of her population.

“In addition to these reasons, I might dwell upon the different geological for-

mations 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 congregated 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."

Among these statute laws, which are now operative in this Territory; is one, entitled an "Act to amend an act in relation to the evidences of title to lands." By this law a certificate of the purchase of public lands, signed by the Receiver, is made evidence in any court in the Territory, that the title to the lands, mentioned in the said certificate, is in the person or persons named therein; his, her, or their heirs or assigns. As far the greater part of the lands in Minnesota, which have passed from the proprietorship of the United States, have been entered by military land warrants, and as no good reason can obtain for permitting a distinction between lands so entered and those acquired by the payment of money, it may be proper for you, as it is a matter of interest of the people, to so enlarge this act, as to place the certificate of the Register of a land office of the location of a land warrant, upon the same footing with a Receiver's receipt.

The peculiar constitution of our courts, holding as they do, but semi-annual sessions, invites legislation to avert the long delays to which suitors are subjected in the trial of their causes. To obviate the evil, I would respectfully suggest that your body enact a compulsory arbitration law, which shall allow either party in any civil action, after the institution of a suit, the privilege of ruling the other to a decision of the matter in controversy, before three or more arbitrators, indifferently chosen—the award of the arbitrators, to constitute a lien upon the real property of the party against whom it is rendered, from the date of its entry in the clerk's office, until the final determination of the cause—either party to have the right to appeal upon payment of costs; and if no appeal be taken within a limited number of days, then the award to have the effect of a judgment with respect to the party against whom it is made, with the consequent right to execution. The arbitrators might be chosen in the office of the clerk of the district court and be allowed mileage, and a reasonable per diem compensation. They should be invested with the power to issue subpoenas, grant attachments for witnesses, commit for contempt, adjourn for cause, or upon agreement of parties, administer oaths, in short, enjoy all the functions incident to courts so far as necessary to the proper conduct of trials. A certified copy of the rule of reference should be served upon the opposite party or his attorney, at least ten or fifteen days before the day fixed in such rule for the appointment of arbitrators; and ten or fifteen days additional notice given of the time and place of meeting. Such a system would furnish means for speedily terminating disputes; abridge litigation in courts; provide eventual correction for all errors of judgment by securing the right of appeal; and by giving to the creditor a lien upon the real estate of the debtor, secure the former without needless oppression of the latter.

A slight modification of the law for summoning petit jurors seems also a proper subject for consideration. Under the present system, the petit jury is summoned to appear at 11 o'clock A. M. of the second day of the regular term. The non-attendance of the panel at the opening of the court, involves delay and expense, and not unfrequently protracts the terms of courts beyond the first week, thereby imposing on the county treasuries an expense which could otherwise be avoided.

The laws, too, regulating marriage licenses, and the solemnization of marriage contracts, require modification. In remote districts of the unorganized counties, a compliance with the present statutes, on this head, is difficult and almost impracticable; and in a country where population is by no means inconve-

niently dense, the wisdom of a policy may well be questioned, which shall annex additional obstacles to those which naturally inhere in the premises.

Much delay occurred in the publication of the volume of the acts and resolves of the last Legislative Assembly. Under the circumstances, the delay probably was unavoidable; but in future a time should be specified beyond which the publication of the laws should in no case be postponed.

The total amount of orders or warrants drawn by the Auditor upon the Treasurer of the Territory, as I learn from the former officer, is \$1031 50.

This includes the salaries of the territorial officers, and it is believed, all debts due from the Territorial Treasury.

Returns have been received at the office of the Territorial Auditor, of property assessed in the counties of Ramsey, Washington, Wabashaw, Dakota, and Wahnahta. From the other counties no returns have been made. In the counties returned, the total assessed value of property is as follows:

Ramsey County, - - - - -	\$477,334 00
Washington, " - - - - -	228,860 48
Wabashaw, " - - - - -	33,208 00
Dakota, " - - - - -	31,020 00
Wahnahta, " - - - - -	36,015 00
Total,	\$805,417 48

Upon this assessment, a tax of one mill on the dollar would yield a revenue of \$805,41; and as the taxable property in the Territory will unquestionably increase in a much greater ratio than the drafts upon the Treasury; I do not deem it advisable to recommend any increased taxation for Territorial purposes.

The apportionment of councillors and members of the House of Representatives, among the several counties, upon the basis of population, as exhibited by the recent federal census, is likewise required at your hands. This is a most delicate duty; for the elective franchise, so highly esteemed by our people, has its chief expression in the selection of law-makers; and that all be fairly and equally represented, will depend upon the prudence and justness of your action. The present apportionment was made as equitably as possible upon the distribution of population, as returned by the census, which was taken in the summer of 1849; but the unequal increase since that time in the several sections of the country, renders the present representation most partial, and invites an early revision. In this connection, it might be well to memorialize Congress to amend the organic law of the Territory so that the Council may be composed of members, one half of whom shall be elected every year. A provision of this character, would on the one hand, infuse into this body, annually renewed public confidence and vigor; and on the other hand retain, by a moiety holding over, a large portion of experienced members, duly initiated in the forms and course of business. Neither of these admirable ends are attained by the present anomalous constitution of the Council, which radically differs from the constitution of most similar bodies in our land.

As no suitable public buildings have yet been erected in which the Territorial Library can with safety be deposited, and as no action upon the subject was taken by the last Legislative Assembly, I have felt it to be my duty to insure the Library, during the past year, against the accidents of fire. You will doubtless, take the necessary action for its preservation, as well as make provision for its annual increase, and for defining the duties and fixing the compensation of a librarian.

As the records of our counties are also necessarily deposited in unsafe and exposed buildings, it might be well for the Legislature to make it incumbent upon the Commissioners of the several counties to procure fire-proof safes for the deposit of public records and official papers. Many of these records constitute the muniments of title—once lost, they can never be replaced—and in view of the immense value which in future years will attach to them, and the inconvenience, injury, and fraud which their loss might occasion, too much prudence cannot be exercised for their preservation.

I commend to the fostering care of the Legislature, the agricultural interests of

the Territory. Agriculture, whether considered in reference to the number of persons to whom it gives subsistence, the value of its annual exports, the amount of capital which it employs, and its necessity for the support of all other pursuits, may well be regarded as the paramount interest of the country, the basis of its wealth, the source of its commerce, and the muscle and sinew of its power. Until we become essentially an agricultural community, we shall never be an opulent and prosperous one; and experience has demonstrated that beyond all doubt, we can produce from the soil in its natural state, in every part of Minnesota in which the test has been made, wheat, oats, potatoes and corn, in quality equal to that produced in any of the States of the Union, and in quantity, that astonishes even those who have been familiar with the fertile bottom lands of Indiana and Illinois. It happened to me during the last summer, to witness upon the banks of northern lakes, under the forty-eighth degree of latitude, fields of corn and wheat, in a state of most luxuriant growth; and from the settlements of the Red River of the North, I have received specimens of spring wheat, equal in weight to any winter wheat raised in the middle States of the Union. With these results, in connection with the incomparable salubrity of our climate, the remunerating prices of produce, the certainty and proximity of a market, the abundance and cheapness of land, and the hidden treasures of its unworn fertility, who can doubt that the future has in store for us a career of manly vigor, and a succession of prosperous days! Our soil teems with vegetative power, and is equally adapted to the growth of wheat, the raising of cattle, and the production of wool; and without being prepared to advise or indicate any special legislation in the premises, there is unquestionably, much in your action which can indirectly promote and encourage this leading industrial interest, and develop the agricultural resources of Minnesota.

The subject of education, will undoubtedly receive, as it most certainly deserves, your attentive and deliberate consideration. Simply as a security against immorality and crime, it is a wise and liberal system of police, which holds that property, besides supporting the burdens which all governments require, is holden to another great public use—the support of schools. The principle that society is bound to provide for its members education, as well as protection, is one of the most important that belongs to modern philosophy. This indeed lies at the foundation, and constitutes the platform of our republican system. If there be any feature more distinct, more prominent, and more observable in the social structure of this great nation, than any other, it is the imperative obligation which rests on every community, to provide free elementary instruction for all its youth. It is not to be expected, that in our new state of society, in the scattered condition of our population over an immense region of country, the same completeness in any system can be attained, as in older and more densely inhabited States; but we can at least lay the structure of a system, which, with slight modifications, will adapt itself to the varying conditions to which an increasing population will subject us. To insure method and uniformity, I would suggest the creation of the office of Superintendent of Schools. This officer could collect statistics, superintend the introduction of a proper and uniform series of text books, supervise the organization of schools, and annually report to the Legislature the result of each year's operation. This would secure a degree of perfection in school experience, which would be of incalculable advantage, when upon our admission as a sovereign State, we should have authority and ability to give utmost efficiency to all means of education, by availing ourselves of the magnificent donation of Congress, to school purposes, of one eighteenth part of the lands of the Territory, into the full enjoyment of which, as the Legislative Assembly is aware, we cannot enter until our admission into the Union as a State.

In the mean time, in order that the generations of youth, which are now growing up to manhood, may receive benefit from this liberal provision of the Organic Act, it might be well to memorialize Congress for permission to rent these lands upon long leases; and as the endowment of a University will also naturally, in this connection, attract your attention, it might be proper farther to memorialize Congress for a grant of one hundred thousand acres of land, applicable and avail-

able, at a future day, for this most desirable object. The propriety of urging, at this time, the request, arises from the importance of making an early selection, with a view to secure a fair proportion of choice lands.

The improvement of the Mississippi river, both above and below the Falls of Saint Anthony, is a question of cardinal interest, not alone to the people of this Territory, but an object of national importance and national magnitude. From the very first assembling of Congress, by the very men who framed the Constitution, the power "to regulate commerce" has been construed to comprehend such measures, as were necessary for its support and advancement; and the policy heretofore pursued in improving the lakes, rivers and harbors of the country, has received, at different times, the sanction of every department of government, and repeatedly commended itself to the approbation of the people. How far it is constitutionally lawful, and how far expedient for the general government to remove obstacles to navigation, with a view of establishing free and cheap intercourse, and affording a ready and easy access to the great markets of consumption, is a question of great and growing importance. It is a narrow policy, a very inadequate view of the question of interest, which holds as local and sectional, any object that has in view the improvement of great arteries of trade. Whatever affects insurance and the cost of freight, concerns all mutually who participate in the interchange of commodities; and such is the magnitude of the exchange, and the intimacy of the relations between the West and other portions of the country, that it would be difficult to find a corner of the Union so obscure and remote, as not to be affected by any policy, which, on the one hand, should redound to our advantage, or, on the other, to our prejudice. Those who purchase our exports are interested in every tax upon our industry; and they who supply us with commodities, which we do not ourselves produce, are concerned in all the facilities of transportation by which their market is rendered accessible. Moreover, in the new States of the West, the United States are untaxed proprietors of vast bodies of land. As these lands are exempt from the ordinary burdens of government, and essentially benefitted by these improvements, justice, and a provident liberality in regard to its own property as a great landed proprietor, would seem to require that the national treasury should bear its part of the cost, and make reasonable contribution to high purposes of utility, and general objects of improvement. More especially does this reason obtain in case of remote territories, dependent upon the central authority, and wards of the federal government; and with singular propriety, in view of the ownership of the soil, and the collateral and consequential advantages incident thereto, from every improvement of the channels of commerce, can we claim liberal consideration and equal attention for any object of public improvement, interesting to ourselves, and within the power of the government. And this majestic river, presenting, as it does, a water conveyance of nearly three thousand miles, washing the margin of one-third of the States of the Union, collecting the waters of the icy rivers and lakes of the far North, and contributing them in a vast flood to a tropical gulf—this inland sea, susceptible, with slight improvement and insignificant cost, of being rendered navigable from the 20th to the 47th degree of north latitude; which already bears the burdens of a gigantic trade, and upon which, in a few years, an increasing commerce so stupendous, will be borne, that the imagination reels at the contemplation, surely commends itself to the munificent bounty of the mother government. In this instance, certainly, the interest of a part is the interest of the whole; and each American citizen has his dividend in every augmented public advantage.

The removal of the obstructions at Sauk Rapids, Pike Rapids, Little Falls, and Pokegoma Falls, could be effected at an expense not exceeding one hundred thousand dollars, and would open navigation from the Falls of Saint Anthony to Leech and Cass Lakes, five hundred miles to the north. This undertaking was in the eye of Congress at its last session, and partial provision made for it in a bill making appropriations for the improvement of the rivers and harbors of the country; but for reasons, not here fully understood, the bill failed, although it is very probable that at the present session of the National Legislature, a bill, with a similar provision, may become a law.

The improvement of other streams of the Territory—of the St. Peters, St. Croix, and Rum rivers—is also very desirable. It would expedite the sale and facilitate the settlement of the public lands, and by means of the former stream, open an easy communication, almost entirely by water, with the settlements on the Red River of the North. On the St. Croix, and Rum rivers are large bodies of excellent pine, indispensable and invaluable for building purposes, not alone to us, but to the communities resident on the Mississippi, as far as the Gulf of Mexico. On these, as well as on us, a small appropriation for the improvement of these tributary streams, would confer a benefit not to be measured by the paltry sum of money which the prosecution of the several works would require.

In common, too, with the States of Wisconsin, Iowa and Illinois, the people of Minnesota are deeply interested in the improvement of the Des Moines and Rock Island Rapids. The impediments at these points, impose an onerous tax upon every article of our import and export; and repeated surveys have demonstrated that these obstructions, consisting of ledges of rock, which extend across the river, are of such a character as to be susceptible of removal at a comparatively small expense.

The construction also of a ship canal around the Sault Ste. Marie, is an improvement in which, under the most narrow view of the subject, in common with one-third of the American people, we are obviously, and directly interested. The inexhaustible fisheries of Lake Superior, the immense mineral wealth bedded in its shores, have already to a considerable degree, attracted public attention; and as the vast trade of the great chain of lakes, or rather succession of internal seas, which constitute our Northern Baltic, has grown up within the memory of living men, it may fairly be presumed that the time is not far distant when the canvass of a prosperous commerce shall whiten the heretofore, solitary and inhospitable waters of the great lake on our north-eastern border. Upon all these heads, it is hoped, that a proper expression of our wants will induce the Congress of the United States to act with its characteristic liberality, and make provision for the improvement of highways, many of which enrich property, the fee simple, as well as the sovereignty over which, resides with the General Government.

In view of the geographical position of Minnesota, its insulated state, during a portion of the year, the complexity and extent of the correspondence between the Federal Government and the several military posts and Indian agencies and sub-agencies in the Territory, and the utter incompetency of the mail service to furnish adequate facilities for its prompt conveyance, our attention is naturally directed to the employment of an agent which the advancing civilization of the age has made a common carrier all over the civilized world. In Great Britain it is represented, that owing to the compactness of population, and the admirable arrangement of the mail service, the magnetic telegraph has proved a comparative failure; but the very reasons, which in that populous kingdom would render the service of this agency not absolutely necessary, present grave and insurmountable arguments in favor of its pre-eminent utility and indispensable necessity in remote and thinly settled countries. Occasions may arise, as in case of Indian ruptures on the frontiers, when the interposition of Government to be effectual, must be instantaneous; and I know of no object, worthy of national achievement, more interesting to the people of Minnesota, than the construction of a Telegraph from the Capital, or some other point in the Territory, to connect with telegraphic lines south and east. As the wires would pass over an unoccupied country of nearly two hundred miles—too great in extent to admit of their erection by the private means of our people; I respectfully urge the propriety of memorializing Congress for a grant of a township of land, to be applied to this purpose, and to be disposed of under the direction and superintendence of the Legislature. In view of the increased value which such a work would add to the public domain, the grant, simply as a matter of gain and profit, would be an act of provident liberality, and thrifty bounty on the part of the Federal Government. And as it would present means for preserving the peace of the frontier, as government is the party most directly and largely interested in the construction of the work, as public dispatches would pass over the wires free of charge, and as it is the policy of the United States to make the

public lands contribute to the common welfare, I have no hesitancy in expressing my decided conviction, that Congress would lend a favorable ear, to a proper memorial on the subject, from the Legislative Assembly of Minnesota.

At the last session of the Legislature, Congress was memorialized for an appropriation to construct a military road from Fort Snelling to the mouth of the Sioux river on the Missouri; for appropriations to construct roads from Point Douglass to the St. Louis river, from St. Paul to Fort Gaines, from the Iowa line to Mendota, and from some point on the Mississippi river to the Winnebago agency at Long Prairie; for mail routes from St. Paul to Point Douglass, and from the Falls of St. Croix to Fond du Lac; for a Territorial prison; for the purchase of the Sioux Indian lands west of the Mississippi river; and for the extinction of the Indian title to a tract of country at Pembina. To all these requests, I am happy to state, Congress has responded in the affirmative, and made the appropriations necessary to carry into effect the several objects contemplated.

The Secretary of War, promptly seconding the action of Congress, has deputed an engineer to make surveys of the roads specified, and this preliminary work is now in course of vigorous prosecution. I further learn that at the opening of the present session of Congress, the Engineer Bureau of the War Department, estimated and recommended an appropriation of seventy-five thousand dollars additional to the forty thousand dollars appropriated by the act of the last session, approved July 18, 1850, "for the construction of certain roads in the Territory of Minnesota."

Owing doubtless, to the pressure of other and important business, the memorial of the Legislative Assembly, asking the extension of the pre-emption privilege to actual settlers on unsurveyed lands, received no action on the part of Congress. This is greatly to be regretted; for the long delay which has occurred in surveying and offering for sale the public lands of the Territory, operates as a virtual denial to our people of the beneficent legislation of Congress; and the liberal policy of the Government, which encourages settlement and cultivation as rapidly as the increasing population of the country is competent to extend, fails of its accomplishment.

The first and only public sale of lands which are comprised within the present limits of Minnesota, was made at the land office in St. Croix village, Wisconsin, on the 14th day of August, 1848. At that time twenty-seven townships and fractional townships of land were exposed to sale, containing an aggregate of 436,737 acres. The sales at the time amounted to 3,326 acres, at the minimum price of \$1 25 per acre.

Sixteen other townships and fractional townships have also been surveyed, and the plats placed on file in the land office at Stillwater; but these lands not having been offered at public sale, though open to pre-emption, are not subject to private entry. These townships embrace an aggregate of 239,380 acres, and comprise some of the finest farming lands between the St. Croix and the Mississippi.

On all other public lands in the Territory, those who have passed beyond the surveys set down on the public domain, are trespassers in contemplation of law, and liable to prosecution. They are on them without title, yet the whole history of the settlement of the West is witness that the pioneer has ever preceded the surveyor, and that settlements and improvements have always anticipated sales at auction and private entries. It is not presumable that the Government of the United States would wish to hamper and delay the settlement of her frontier by the slow and tedious operations of the General Land Office, that it would desire to speculate upon the labor of the pioneer, and turn to the advantage of the National Treasury, the increased value of lands arising from his industry and toil, or that it could consent that his home should be sold over his head, and his land put up at open sale, to be struck off to the highest bidder, without regard to his equitable interest and just protection.

In this matter, both the general interests of the country, and the interest and protection of the settler, require action, and I doubt not, that if proper representations are again made by the Legislative Assembly, Congress would give to them the most favorable consideration.

These hardy pioneers, who at the sacrifice of many of the comforts of life, have passed the frontiers of the Union, and with us are moving steadily to the waters of Hudson's Bay, constitute the rank and file of that great army of peaceful progress, which has shed brighter lustre on our name, than all the fields, red with carnage, that have witnessed the triumph of our flag. They bring with them to the wilderness, which they embellish and advance, maxims of civil liberty, not engrossed on parchments, but inscribed in their hearts—not as barren abstractions, but as living principles and practical rules of conduct. They cost the Government neither monthly pay, nor rations—they solicit no bounty—they expect no hospital privileges—but they make the country, its history, and its glory. Extension to them of the pre-emption privilege would be an act of peace and repose. It would quiet titles, avoid excitement, perplexity and inconvenience, give a substantial character to frontier improvements, and secure to the enterprising settler the undisturbed possession and safe ownership of his home.

The act of Congress, approved June 11th, 1850, appropriating the sum of twenty thousand dollars to be applied by the Governor and Legislative Assembly of the Territory of Minnesota, at such place as they may select in said Territory, for the erection of a penitentiary, imposes the necessity of immediate action in selecting a site, and taking the necessary steps to secure an early completion of the building, upon a plan most consistent with recent improvements in the construction of houses of correction. At this time, there is not one safe place of confinement in the Territory, and but for the accommodating disposition manifested by the officers at Fort Snelling and Fort Ripley, we should now be without means of securing or punishing offenders against law. A liberal appropriation has been made, subject at any time to our draft, and it is hoped that the requisite legislation will shortly supply the grave deficiency in our criminal police, which thus far has rendered the penalties of the law comparatively inoperative.

By the same act, authority is given to the Governor and Legislative Assembly to expend the appropriation made in section 13 of the Organic Act, "for the erection of suitable buildings at the temporary seat of government of said Territory, at such time as they may deem proper, any previous law to the contrary notwithstanding." It is to be regretted that incipient steps for the erection of these buildings were not taken at the last session of the Legislative Assembly, trusting to Congress to ratify the proceeding, if such ratification should be necessary. With all proper expedition, the completion of these buildings can hardly be attained in less than eighteen months, and in the mean time the safety of Territorial records and other property, must be entrusted to such temporary accommodations as can be procured. Another reason for regretting the delay is the postponement of the indirect advantage which would accrue from the expenditure of the money in a country where the currency is cramped and the circulation both of paper and coin extremely contracted. In this matter I respectfully urge early and decisive action, trusting that every legislative guard will be thrown around the economical disbursement of the appropriation.

The memorial of the Legislative Assembly, for the removal of the Chippewas from their ceded lands, was favorably considered by the President of the United States, who was pleased to instruct me to notify the tribe, that the privilege of hunting, fishing, and gathering wild rice on lands, which had been sold to the United States, would cease. The removal has not yet been entered upon, owing to the lateness of the day at which Congress made the necessary appropriation; but the Indian Bureau will doubtless order the prompt prosecution of the movement early in the spring.

The treaty for the purchase of the Half-Breed lands on Lake Pepin, which, if exposed to settlement would in a measure satisfy the wants of our increasing population, has not been ratified by the Senate of the United States, owing, it is reported, to a constitutional objection. If such be the case, it is to be hoped that the difficulty may be surmounted or avoided, and a region, rich in agricultural and mineral resources, opened to the industry and the enterprise of the American people.

The Half-Breeds at Pembina have manifested a deep solicitude to participate in

the full benefit of our liberal institutions. Since my residence in the Territory, I have received frequent application from this people, for an extension over them, of our laws. The appropriation made at the last session of Congress, to meet the expenses of a treaty for the extinction of the Indian title at Pembina, will undoubtedly present means for accomplishing this desirable end. If the contemplated conventional arrangement is effected, it will place this interesting class of our population upon a firm basis of American citizenship; secure them the protection of our laws, and by creating new incitements to immigration and settlement, provide a ready market for all their surplus produce. I am informed from credible sources, that there are hundreds, hardy half-breed hunters, on the British side of the international line, only waiting the extinction of the Indian title, to change their homes and allegiance. The appropriation is the more gratifying, as it furnishes evidence to this remote people, that distance from the federal metropolis does not debar them from sharing in the guardian care of the government.

The temper and condition of the large Indian tribes within our borders, will ever present questions fruitful of interest to the people of Minnesota. Although it may safely be assumed, that in the present circumstances of these tribes, no general war with the whites is to be apprehended, yet the petty depredations upon property, continually perpetrated by our red neighbors, are almost as annoying as a state of open hostility. In this respect, I believe all the tribes are alike guilty. So far as I learn, they do not wantonly destroy property; but the confused ideas of right which obtain among them—the faint distinctions which they draw in regard to the ownership of property, and the influences of that education, which accustoms them to hold every thing in common, lead them, when pressed by hunger, to commit every sort of vexatious larceny upon the property of our citizens.

Peaceful relations have been preserved with them during the past year, with the exception of a few outbreaks in Benton county, directly traceable to ardent spirits, with which, notwithstanding the wholesome legislation of the last session, these people are occasionally supplied. To this ruinous agency, and to the facility and frequency with which they cross to the east side of the Mississippi, is attributable much of our Indian troubles and disturbances. Our own interest so entirely accords with that policy of the General Government, which seeks to retain the Indians within the limits of their own territory, where a judicious code of laws is operative, of summary character, especially suited to their condition and to the circumstances and temptations which surround them, that it is deeply to be regretted that many of our citizens, by the allurements of trade or otherwise, hold forth inducements to these Indians to frequent ceded lands, on the east side of the river, where the restraints of these laws do not exist, nor their penalties attach.

Citizens of good character, desirous of forming commercial connections with the Indians, can readily obtain a license to trade in Indian territory: and *there* is the proper and legitimate locality, for the honorable prosecution of this adventurous branch of business, so important and so interesting to a frontier community.

Our Territory was seriously threatened last spring with a general and open renewal of the hereditary feuds which have subsisted between the Sioux and the Chippewas, retarding the settlement of the country, shocking the moral sense of the community, and constituting even our villages, stages for the revolting orgies incident to the disgusting and atrocious tragedies of their savage warfare. Through the interference, however, of the government, these tribes were induced in June last, to make an adjustment of their differences at Fort Snelling; and I am most happy to state, that by all the bands who were represented on the occasion, the treaty of amity then made, has up to this time, been kept inviolate.

As the payments of the Indian annuities supply much the larger portion of our currency, and through the various channels of trade contribute greatly to our prosperity, we are directly affected by every interruption which may occur in their disbursement. For this reason alone, if no higher motives existed, the Legislative Assembly of Minnesota should efficiently co-operate with the officers of the Federal Government in the maintenance of proper relations with the Indian tribes.

I have thus, gentlemen, adverted to such matters of local interest as more immediately concern us as agents of the people of this Territory. The occasion

might perhaps invite a wider range of discussion and remark. To one not utterly indifferent to the interests of the civilized world, there is much in the posture of political affairs, in the thick succession of important events which crowd and distinguish the age in which we live, to excite intense and lively emotion. We have seen a man, who had been attended through life by a singularly fortunate and great genius, stricken down in the chief magistracy of the nation, and yet the most ordinary functions of government proceed without interruption or derangement. Our country has passed through a period of unwonted excitement, and been convulsed by bitter and angry controversies, which have threatened the creation of geographical parties, and endangered the integrity of the Union; but the predictions of evil prophets have failed of fulfillment, and we have seen the wisdom and patriotism of Congress remove appalling elements of dissension, and allay many disturbing causes of agitation. In Europe, though the contest between legitimacy and elective government had been temporarily smothered, yet as witness to the progress of liberal and enlightened sentiments, we daily see the prerogatives of crowns yielding to the demands of the people. But upon these, as well as upon other subjects, not coming under our official cognizance, it is needless to obtrude my own views on your notice, and it would be improper for me to assume the expression of yours.

Upon us, my fellow-citizens, is devolved the Legislative authority of the Territory of Minnesota, and the power, honor, and responsibility thereto attaching. I cannot view the nature of your legislation as a concern of narrow extent, or temporary consequence. On the contrary, I see in it a vast interest, which in its broader consequences, in its ultimate effects, will extend far beyond our day and generation. Not alone will your action and my action affect the present inhabitants of Minnesota; but beyond these, I behold thronging before me a much larger and more imposing crowd—the thick array of generations, who in after years will succeed to our places, and whose fortunes and destinies the earlier legislation of the Territory will in no inconsiderable degree, shape either for good or for evil. These all conjure us not to be recreant to the high trusts with which we are clothed. And while I implore that calm and wise counsels may distinguish your proceedings, that no heated excitements, or uneasy, shifting, wayward impulses may pervade them; that neither narrow interests, nor local jealousies may affect your legislation, nor petty cabals, nor personal influences control it, I reverently invoke the Great Ruler of the Universe to graciously vouchsafe his choicest blessings upon our infant Territory, and to shed upon your deliberations the selectest influences of his Providence.

ALEX. RAMSEY.

ST. PAUL, Jan. 7th, 1851.

The Convention then adjourned to their respective Houses.

The House having again met:

Mr. Rice moved that a committee of three, be appointed to inform the Council that the House will again meet them in Joint Convention, this afternoon, at three o'clock, in the Hall of Representatives, for the purpose of going into the election of a Printer;

Which motion prevailed.

Messrs. Rice, Brunson and Ramsey, were appointed said committee.

On motion of Mr. Brunson,

The House adjourned until three o'clock p. m.

THREE O'CLOCK, P. M.

The committee appointed to inform the Council that this House would again meet them in Joint Convention, reported that they had performed the duty assigned them.

The Sergeant-at-Arms announced that the members of the Council were in attendance.

The roll of the House was then called, and Mr. Olmstead reported absent.

Mr. Tilden moved that the Convention adjourn until Tuesday next, at ten o'clock, A. M.

Which was decided in the affirmative.

A division being called for and ordered, there were ayes—13; noes—10.

The Speaker announced a communication, which was read by the Clerk, as follows:

“The undersigned, Head Chief of the Chippewa nation, would respectfully invite the Governor and the Territorial Legislature of Minnesota, to be present at a representation to be made by him, in behalf of his people, of the wrongs and the sufferings endured by them.

The meeting is to be held in the Presbyterian Church, on Wednesday evening, at half past six o'clock.”

HOLE-IN-THE-DAY,
His X Mark.
Head Chief.

The Chief Clerk reported that he had made an arrangement with the Post Master of St. Paul, in conformity with a resolution of this day, and read the following letter:

SAINT PAUL, M. T. }
January 7, 1851. }

“It is understood and agreed, that the postage on all letters and papers to and from the members of the House of Representatives, will be charged by me, in one general account; to be paid by an appropriation out of the funds appropriated to defray the expenses of the Legislative Assembly, with the understanding that the said account shall be paid immediately on the adjournment of the Legislature.”

J. W. BASS, P. M.

Upon motion of Mr. Tilden,
The House adjourned.

WEDNESDAY, JANUARY 8, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll of the House having been called,

Messrs. Brunson, Ford, North, Olmstead, Ramsey, Randall, Rice, Tilden and Warren were reported absent.

There not being a quorum present, and the Sergeant-at-Arms being absent, the Speaker called upon the Fireman to notify the absent members to appear in their seats.

The roll having been called a second time,

Messrs. Brunson, Olmstead, Randall and Warren were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Rice moved to take from the table the resolution, substitute, and amendments of yesterday, relative to stationery;

Which motion prevailed.

Mr. Rice then moved that his substitute be amended by inserting the word “twenty,” instead of the word “thirty;”

Which motion prevailed.

Mr. Trask moved that the substitute of Mr. Rice to Mr. Wells' resolution, as amended by Mr. Rice, be adopted;

Which motion prevailed.

On motion of Mr. Trask,

Ordered, That a committee of three be appointed to act with a similar committee on the part of the Council, to prepare and report Joint Rules for the government of the two branches of the Legislature;

Messrs. Trask, Ludden and Tilden, were appointed said committee.

Mr. Tilden moved that the Chief Clerk be directed to procure the printing of fifteen hundred copies of the Governor's message and accompanying documents, for the use of this House.

Mr. Brunson moved to amend, by adding one thousand copies in the English, and five hundred copies in the French languages;

Which was accepted.

The question being put on the adoption of the motion as amended,

It was disagreed to.

Mr. North moved that the Clerk be instructed to get one thousand copies of the Governor's message printed for the use of the members of this House.

Mr. Tilden moved to amend, by inserting after the word "printed," the words "in the English language."

And the question being put on the adoption of Mr. Tilden's amendment, it was disagreed to.

And a division having been called for and ordered, there were ayes—6; nays—7.

Mr. Brunson then offered the following amendment to the original motion.

Strike out all after the word "moved," and insert the words "that there be printed for the use of this House, one thousand copies of the Governor's message in the English language;"

Which was agreed to.

The question recurring on the original motion, as amended;

It was agreed to.

On motion of Mr. Randall,

Ordered, That the Clerk be directed to procure the translation of the Governor's message into the French language, and that five hundred copies thereof, thus translated, be printed.

On motion of Mr. Tilden,

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

THURSDAY, JANUARY 9, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Ford, Ramsey, Rice, Sloan, Taylor and Tilden were reported absent.

A quorum not being present, the Speaker directed the Sergeant-at-Arms to notify the absent members to appear in their seats.

The Journal of yesterday was read and corrected.

Petitions were presented as follows:

By Mr. Olmstead—the petition of Silas Henry Axtell, praying to be divorced from his wife, Catharine Maria Axtell.

Mr. Olmstead moved that the reading of said petition be dispensed with, and referred to a committee of three;

Which motion prevailed.

Messrs. Olmstead, Taylor and Ramsey, were appointed said committee.

By Mr. Trask—the petition of Orange Walker and others, asking a charter to construct a Boom across the St. Croix river, at some point between Osceola Mills and the Falls of St. Croix.

Mr. Olmstead introduced the following resolution:

Resolved, That the Historical Society have the use of this Hall to hold the an-

nual meeting of said Society, on next Monday afternoon;

Which, upon his motion, was adopted.

Mr. Trask gave notice, that on to-morrow, or some future day, he would introduce a bill for the erection of Capitol Buildings at the temporary seat of government, and for the location and erection of a Territorial Prison, and for other purposes.

Mr. Trask offered the following resolution:

Resolved, That the Clerk be directed to employ L. B. Wait, Esq., under the resolution of this House, heretofore adopted, to do the necessary writing usually done by an enrolling clerk; which,

On motion of Mr. Olmstead,

Was declared adopted.

A division being called for and ordered,

There were ayes—8; nays—7.

Mr. Tilden, on leave, gave notice, that on to-morrow, or some subsequent day, he would introduce a bill regulating tavern and grocery licenses.

Mr. Olmstead offered the following resolution:

Resolved, That the Chief Clerk, and Assistant Clerk, be allowed the same amount of stationery that is allowed to each member of this House;

Which resolution was adopted.

Mr. Brunson offered the following resolution:

Resolved, That James M. Goodhue be employed to print one thousand copies of the Governor's message, under the resolution of January 8th, 1851.

Mr. Randall offered the following resolution:

Resolved, That the Chief Clerk be authorized to procure for the reporters' desks, such stationery as may be necessary, to be paid for out of any moneys appropriated for the contingent expenses of the Legislature.

Mr. Rice offered the following amendment to Mr. Olmstead's resolution, viz:

By adding, "and that the Chief Clerk supply the various committees and reporters, with such stationery also, as they may require;"

Which amendment was accepted; and,

On motion of Mr. Olmstead,

The resolution as amended, was adopted.

On motion, Mr. Randall withdrew his resolution.

Mr. Ludden offered the following substitute to Mr. Brunson's resolution, which was accepted, viz:

Resolved, That a committee of three be appointed to procure the printing of one thousand copies of the Governor's message, authorized by the resolution of January 8th.

A call of the House was ordered, and Mr. Taylor reported absent.

On motion of Mr. Ludden,

Mr. Taylor was excused from attendance on this House this afternoon.

The question recurring on the adoption of the resolution of Mr. Brunson, as amended,

The question being put, and the ayes and nays being called for and ordered,

Those who voted in the affirmative were—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Randall, Tilden, Trask and Wells—9.

Those who voted in the negative were—Messrs. Gilman, North, Olmstead, Patch, Rice, Sloan, Warren and Ames, (Speaker)—8.

Mr. Randall moved to re-consider the vote on his resolution of yesterday, relative to the translation and printing of the Governor's message in the French language.

The question being put,

The Speaker not being able to decide, a division was ordered;

And there were ayes—9; nays—6.

So the motion prevailed.

Mr. Trask moved to postpone indefinitely, Mr. Randall's resolution;

And the question being put,

The Speaker not being able to decide, a division was ordered,

And there were ayes—8; nays—7.

A message from the Council by Joseph R. Brown, Esq., Secretary thereof, viz: "MR. SPEAKER:—Messrs. Norris and Sturgis have been appointed a committee to act in conjunction with a similar committee appointed by the House, to report Joint Rules for the government of the two Houses of the Legislative Assembly during the present session.

The Council has adopted "a joint resolution, relative to furnishing papers to certain officers of the Territory;" in which the concurrence of the House is respectfully requested."

Mr. North, chairman of the committee appointed to prepare and report permanent rules for the government of the House during its present session, made the following report:

The committee appointed to revise and report Standing Rules for the government of this House, report, that they have had the subject under consideration, and would respectfully recommend the adoption of the Rules of the last session of this House, with amendments and additions as follows:

1st. Amend the 28th Rule, in the second line, by striking out the letter "s" from the word "comprehends," and substituting the word "propositions" for the word "questions."

2d. Insert after Rule 33, as Rule 34: "Any member may require a call of the House, and two-thirds of the members present, may suspend proceedings under such call."

3d. Amend the 37th Rule of the last session, by adding the following: "And no member shall leave the House, until the absent members are reported in their seats, or further proceedings under the call be dispensed with."

4th. Insert as Rule 42: "Every order, resolution or vote, to which the concurrence of the Council shall be necessary, shall be read to the House and laid on the table, on a day preceding that on which the same shall be moved, unless the House shall otherwise order."

DUTIES OF CLERK.

43. The Clerk of the House shall take an oath for the true and faithful discharge of the duties of his office, to the best of his knowledge and abilities; and he shall be deemed to continue in office until another be appointed.

44. All messages from the House to the Council, and the Governor, shall be carried by the Clerk, unless the House shall otherwise order.

45. All papers designed to be transmitted to the Governor or the Council, shall be carried by the Clerk or Assistant Clerk.

46. In case the Speaker shall be absent at the hour to which the House was adjourned, the Clerk shall preside until a Speaker *pro tem.* shall be chosen.

CHAPLAIN.

47. A Chaplain, or Chaplains, shall be appointed at the commencement of each session, in such manner as the House may direct; who shall perform religious services every morning, immediately after the House is called to order.

ELECTIONS.

48. All elections shall be by ballot, unless otherwise ordered, and when there shall not be a majority on the first ballot, the ballot shall be repeated until a majority shall be obtained; and in all ballotings, blanks shall be rejected, and not taken into the count in the enumeration of votes, or reported by the tellers.

COMMITTEES.

49. Fifteen standing committees shall be appointed at the commencement of each session, to consist of not less than three members each, viz:

- A Committee on Elections,
- A Committee on the Judiciary,
- A Committee on Internal Improvements,
- A Committee on Schools,
- A Committee on Territorial Affairs,
- A Committee on Finance,
- A Committee on Corporations,
- A Committee on Agriculture and Manufactures,
- A Committee on Roads,
- A Committee on Engrossed Bills,
- A Committee on the Militia,
- A Committee on Public Buildings,
- A Committee on Claims,
- A Committee on Printing,
- A Committee on Election Districts.

All of which is respectfully submitted.

J. W. NORTH,
E. RICE,
B. W. BRUNSON, } Committee.

On motion of Mr. Tilden,

The report was accepted, and the committee discharged.

Mr. North moved to strike out in the 34th Rule, the word "demand," and insert in place thereof, the word "require;":

Which motion prevailed.

On motion of Mr. Wells,

The rules reported by the committee as amended, were adopted as the permanent Rules of the House during its present session.

The Speaker announced the Standing Committees of the House for the present session, viz:

On Elections.—Messrs. Brunson, Ludden and Gilman.

On the Judiciary.—Messrs. Rice, North and Trask.

On Internal Improvements.—Messrs. Brunson, Patch and Gilman.

On Schools.—Messrs. North, Ramsey and Randall.

On Territorial Affairs.—Messrs. Warren, Trask and Ford.

On Finance.—Messrs. Ludden, Rice and Patch.

On Corporations.—Messrs. Tilden, Taylor and Gilman.

On Agriculture and Manufactures.—Messrs. Olmstead, Ford and Wells.

On Roads.—Messrs. Taylor, Gilman and Sloan.

On the Militia.—Messrs. Wells, Warren and Farribault.

On Public Buildings.—Messrs. Ramsey, Brunson and Patch.

On Claims.—Messrs. Randall, Ludden and Ford.

On Printing.—Messrs. Olmstead, Ludden and Patch.

On Election Districts.—Messrs. Trask, Ramsey and North.

Mr. Brunson asked to be excused from attendance on the House to-morrow; and

On motion of Mr. Rice,

He was excused.

Mr. Brunson offered the following resolution, which was adopted;

"Resolved, That the Chief Clerk be authorized to procure, or have made, a case for papers, for his use."

On motion of Mr. Wells,

The House adjourned.

FRIDAY, JANUARY 10, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Patch, Ludden, Rice, Tilden and Wells, were reported absent.

The Journal of yesterday was then read.

The Speaker announced the following Standing Committee of the House, for the present session, viz:

On Engrossed Bills.—Messrs. North, Ramsey and Tilden.

Mr. Olmstead, on leave, 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.

Mr. Rice offered the following resolution:

“Resolved, That a committee of three be appointed to enquire and report, whether any newspaper publisher, or other person, has offered or made any gift of money, or other valuable thing, to members of this House, since their election, with intent to influence the act or vote of such members in favor of the appointment of such publisher to do the whole, or any portion of the Public Printing, and that said committee be authorized to send for persons and papers.

Mr. Wells moved that the resolution be laid on the table;

Which motion was lost.

The question recurring upon the adoption of the resolution, and having been put;

It was decided in the affirmative.

The Speaker appointed Messrs. Ludden, Trask and Olmstead, as the committee to procure the printing of one thousand copies of the Governor's message, under the resolution of yesterday.

The Speaker announced a “joint resolution, No. 1, Council File, relative to furnishing papers to officers of the Territory;” which,

On motion of Mr. North,

Was adopted.

Mr. Rice moved to re-consider the vote of yesterday, relative to the employing of an Enrolling Clerk;

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Ludden, Ramsey, Rice, Sloan, Taylor, Tilden and Warren—8.

Those who voted in the negative are—Messrs. Farribault, Ford, Olmstead, Patch, Randall, Trask, Wells and Ames, (Speaker)—8.

So the motion did not prevail.

On motion of Mr. Randall,

The House resolved itself into committee of the whole, on the executive message.

Mr. Rice in the chair.

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

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The roll having been called,

Messrs. Ford, Ramsey, Rice and Trask were reported absent.

The Speaker appointed Messrs. Rice, Taylor and Trask a committee, under the resolution of this morning, in relation to newspaper publishers, or other persons, offering bribes, &c., to members of this House.

On motion of Mr. Tilden,
The House resolved itself into committee of the whole on the executive message,

Mr. Rice in the chair,

And after some time spent therein, the committee rose, and by their chairman, reported progress, and asked and obtained leave to sit again.

Mr. Ludden, chairman of the select committee, appointed by resolution of yesterday, for procuring the printing of one thousand copies of the Governor's message, reported that they had performed that duty; which report,

On motion of Mr. Rice,

Was accepted, and the committee discharged.

On motion of Mr. Wells,

The House adjourned.

SATURDAY, JANUARY 11, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Ludden and Trask were reported absent.

The Journal of yesterday was then read.

Mr. Trask, on leave, gave notice, that on Monday, or some future day, he would ask leave to introduce a bill to incorporate the St. Croix Boom Company.

Mr. Trask, chairman of the select committee, appointed to prepare and report Joint Rules for the government of the two Houses in their joint action, reported as follows:

The Joint Committee of the two Houses, appointed to draft rules for the government of the two Houses in their joint action, have had the matter referred to them under consideration, and ask leave to report:

Your committee recommend the adoption of the joint rules of the two Houses, in force during the last session of the Legislature, for the government of the two Houses during their present session, with the following amendments:

Add Rule 16th, in joint convention of the two Houses, the Speaker of the House of Representatives shall preside.

Rule 17. No item shall be inserted in any appropriation bill, until it has been passed upon by one of the Joint Committees, on Territorial Expenditures, or Legislative Expenditures.

Rule 18. The general appropriation bill shall be introduced into the House, at least ten days before the close of the session, and passed by the House, and sent to the Council for their concurrence, at least three days before the close of the session.

J. S. NORRIS, }
S. TRASK, } Committee.
H. L. TILDEN, }

Which report was accepted, and the committee discharged.

On motion of Mr. Rice,

Said report was adopted.

Mr. Rice moved that one hundred copies of the rules of this House, and joint rules, be printed for the use of this House;

Which motion prevailed.

On motion of Mr. Rice,

Said motion was re-considered.

Mr. Olmstead, from the select committee to which was referred the petition of Silas Henry Axtell, for a divorce from his wife, Catharine Maria Axtell, reported bill,

No. 1, (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell, and Catharine Maria Axtell.

Which report was accepted, and the committee discharged.

Mr. Rice asked, and obtained leave to withdraw his motion relative to printing rules, and offered the following resolution:

Resolved, That one hundred copies of the Rules of this House, the Joint Rules of the Council and House, and the Rules of the Council, together with a list of the Standing Committees of the two Houses, be printed under the direction of the Clerk, for the use of the members of this House;" and

On motion of Mr. Wells,

The resolution was adopted.

Mr. Olmstead moved that Mr. Sloan, of Benton county, be added to the committee on public buildings.

Mr. Brunson offered an amendment to said motion,

"That Mr. Tilden, of Ramsey county, be added to the same committee."

The Speaker decided that the motion could not be so amended.

Mr. Olmstead asked, and obtained leave to withdraw his motion.

Mr. Olmstead then moved, that the Chair appoint two additional members to the committee on public buildings.

Mr. Brunson withdrew his amendment to the original motion.

The question being put on the adoption of Mr. Olmstead's motion,

It was decided in the affirmative.

The Speaker appointed Messrs. Olmstead and Trask, as additional members of said committee on public buildings.

On motion of Mr. Brunson,

The House resolved itself into a committee of the whole on the executive message,

Mr. Brunson in the Chair.

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

Resolved, That so much of the Governor's message as relates to a compilation and 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 apportionment of Councillors and members of the House of Representatives, among the several counties, upon the basis of population, be referred to the Committee on Election Districts.

Resolved, That so much of the Governor's message as relates to the improvement of the Mississippi, and the construction of Telegraphs, be referred to the Committee on Internal Improvements.

Resolved, That so much of the Governor's message as refers to Territorial Expenditures, be referred to the Committee on Finance.

Resolved, That so much of the Governor's message as relates to education and the endowment of a University, be referred to the Committee on Schools.

Resolved, That so much of the Governor's message as relates to agriculture, and the pre-emption and sale of the public lands, be referred to the committee on Agriculture and Manufactures.

Resolved, That so much of the Governor's message as relates to the Indian tribes, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's message as relates to the solemnization of marriages, be referred to a select committee of three.

Resolved, That so much of the Governor's message as relates to public buildings, be referred to the Committee on Public Buildings.

Resolved, That so much of the Governor's message as relates to the safe keeping and preservation of public records, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's message as pertains to the half breeds of Pembina, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's message as pertains to the purchase

of the half-breed lands on Lake Pepin, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's message as relates to the Library, be referred to the Committee on Schools.

Resolved, That so much of the Executive message as relates to courts, arbitrators, magistrates, and the alteration and amendment of laws, be referred to the Committee on the Judiciary.

On motion of Mr. Trask,

The resolutions were read and adopted.

Mr. North offered the following resolution:

Resolved, That the committee appointed to inquire and report whether any newspaper publisher, or other person, had offered or made any gift of money, &c., be instructed to inquire whether any newspaper publisher or other person, has made threats of personal violence to members of this House, or threats of any kind, with intent to influence the action of such members in their Legislative capacity, and that said committee be authorized to send for persons and papers.

The Speaker announced as a special committee on the solemnization of marriages,

Messrs. Ramsey, Ludden and Randall.

Mr. Wells moved to lay Mr. North's resolution on the table.

Mr. Brunson moved to amend the motion, by having the resolution indefinitely postponed.

A message from the Council by Joseph R. Brown, Secretary thereof.

"MR. SPEAKER:—The Council has passed No. 2, Joint Resolution, relative to compiling and revising the laws of Minnesota; in which the concurrence of this House is respectfully requested.

"The Council has adopted the Joint Rules of the two Houses of the last session, with the amendments proposed by the Joint Committee of the two Houses, appointed to prepare Joint Rules, as the rules for the government of the two Houses during the present session."

The question then recurring on the motion of Mr. Wells, to lay Mr. North's resolution on the table;

It was decided in the negative.

Mr. Brunson withdrew his amendment to Mr. Wells' motion.

Mr. Brunson then offered the following amendment to Mr. North's resolution, by adding:

"And that said committee be authorized to take into consideration any words of a threatening character, that were uttered by Hole-in-the-Day, in his speech of last Friday."

The question having been put,

The amendment was declared adopted.

A division being called for and ordered;

There were ayes—8; noes—7.

The members not having all voted,

The yeas and nays being called for,

And those who voted in the affirmative are—Messrs. Brunson, Ford, Ludden, Olmstead, Ramsey, Randall, Tilden, Trask and Wells—9.

Those who voted in the negative are—Messrs. Gilman, North, Rice, Patch, Sloan, Taylor, Warren and Ames, (Speaker)—8.

The question recurring on the adoption of the resolution as amended, It was decided in the affirmative.

Mr. Brunson moved to adjourn until Monday next, at ten o'clock A. M.;

And the question being put,

The Chair not being able to decide, a division was ordered;

And there were ayes—10; nays—6.

And so the House adjourned.

MONDAY, JANUARY 13, 1851.

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

The roll having been called,

Messrs. Gilman, Olmstead, Rice and Sloan were reported absent.

The Journal of last Saturday was read and corrected.

Mr. Randall, on leave, gave notice, that on to-morrow, or some subsequent day, he would introduce a bill asking an incorporation of a General Manufacturing Establishment in the Territory of Minnesota.

The committee to whom was referred the resolution in relation to newspaper publishers, or other persons offering bribes, &c., to members of this House, made the following report:

To the House of Representatives of the Territory of Minnesota:

The undersigned committee, appointed pursuant to resolutions of this House' under date of January 10th and 11th, respectively, "to enquire and report whether any newspaper publisher, or other person, has offered or made any gift of money or other valuable thing, to members of this House since their election, with intent to influence the act or vote of such members in favor of the appointment of such publisher to do the whole, or any portion of the public printing;" and also, "to enquire whether any newspaper publisher or other person, has made threats of personal violence to members of this House, or threats of any kind, with intent to influence the action of such members in their legislative capacity;" and authorizing said committee "to take into consideration any words of a threatening character that '*was*' uttered by Hole-in-the-Day, in his speech of last Friday;" have the honor to report:

That they have taken the testimony of Hon. John Rollins, of the Council, Hon. John W. North, Hon. D. T. Sloan and Hon. W. W. Warren, of this House, and also, the testimony of Mr. James H. Vincent, all which is hereto subjoined, and marked A.

The examination was strictly private, no person being present but the witnesses, the officers who administered the oaths, and James M. Goodhue Esq., publisher of the Pioneer newspaper, who was permitted to cross-examine the witnesses, and was informed by the committee, that any statement in writing, he desired to make would be received; to which he replied, that he had none to make.

Touching the facts set forth in said testimony, the committee express no opinion, but respectfully refer the same to this House, for such action in the premises, as in its wisdom, the House may deem fit to take.

The committee cannot withhold, however, an expression of the opinion, that upon general principles, attempts to control, or influence the action of legislative officers, by offering to them inducements, or considerations of personal advantage, are not only wrong in themselves, but have a tendency to poison and corrupt the channels of legislation, and thereby to subvert the rights of the people.

With reference to the procurement by such means, of offices in the gift of the Legislature, the reasoning contained in the following extract from a treatise upon the laws of England, (1 Russell on Crimes, p. 146,) from which country our system of Jurisprudence is mainly derived, is exactly applicable:

"Concerning the sale of offices of a public nature, it has been well observed, that nothing can be more palpably prejudicial to the good of the public, than to have places of the highest concernment, on the due execution whereof the happiness of both the king and people depends, disposed of, to those who are most able to pay for them; nor can anything be a greater discouragement to industry and virtue, than to see those places of trust and honor, which ought to be the rewards of persons, who, by their industry and diligence, have qualified themselves for them, conferred on those who have no other recommendation, but that of being the highest bidders; neither can anything be a greater temptation to officers, to

abuse their power by bribery and extortion, and other acts of injustice, than the consideration of having been at a great expense in gaining of their places, and the necessity of sometimes straining a point to make their bargains answer their expectations.

"The buying and selling such offices, has therefore been considered an offence *malum in se*, and indictable at common law."

That part of the second resolution above mentioned, which refers to the speech of Hole-in-the-Day, your committee have had no action upon, for the reason that no person has manifested sufficient interest in the remarks of that distinguished chief, to bring before your committee any affirmation in the premises, and they therefore, respectfully refer the matter back to the House.

All which is respectfully submitted.

EDMUND RICE,
SYLVANUS TRASK, } Committee,
JESSE TAYLOR, }

St. Paul, January 13th, 1851.

Testimony marked A, referred to in the foregoing report.

Territory of Minnesota, }
County of Ramsey, } ss.

John Rollins being duly sworn, says:

A few words passed between Goodhue and myself, relating to the public printing; he inquired if I could give him my support for the printing. I replied that I had made no promises, and I should not pledge myself to any printer. He then said, he should remember me. This was on the third day, I think, of the session.

On yesterday, some conversation took place between Mr. Goodhue and Mr. North, respecting a communication from Mr. Goodhue to Mr. Warren. Mr. Goodhue said, that if any member of any committee, or of the Legislature, said that he had offered to bribe him, he would whip him, he might have said "man," but he also said "member." Mr. Goodhue appeared to be raving mad—a good deal excited—and repeated the threat several times.

[Reply to question by Mr. Goodhue.]

I do not recollect that Mr. Goodhue said he made a distinction between the statements of members in their legislative capacity, and men; but he might have said it. He was a good deal excited, and appeared to be anxious to get into a quarrel with Mr. North.

JOHN ROLLINS.

John W. North being duly sworn, says:

On last Tuesday or Wednesday, I met Mr. Goodhue near Mr. Lambert's office, and he desired to have some conversation about the public printing. He commenced talking about furnishing a printing press and type for St. Anthony. After talking some time without coming to any thing definitely, I asked him what he wished? What he proposed to do? He said if we would help him to the public printing, he would furnish a press for St. Anthony. The precise words I cannot state, but that was the proposition.

I made some objections to the manner of his conducting a press, and then asked him the value of the press intended for St. Anthony. He said the press was worth \$200, and the type was worth \$200; he seemed very desirous that I should help him to the printing, and said I would have an opportunity of doing so the next day, and that if I would, he would compensate, or satisfy, or return the favor to me—the words I can't give; but the idea conveyed to my mind was, that he would render me an equivalent or return the favor—conveying to me the idea of personal advantage; but in what way was not stated.

I had a conversation with him also, yesterday, in the Hall of the House of Representatives. He demanded of me in rather an abrupt manner, whether he had said any thing wrong to me, in the conversation above alluded to. I replied that he knew whether he had or not, and I declined giving him a direct answer. The conversation which followed, was stated in substance by Mr. Rollins. Mr.

Rollins said to him, he thought he would gain nothing by threatening members; and he replied, that he did not intend to threaten any member for what had been done in the House; but if any member stated *out* of the House, that he had attempted to bribe a member, he would whip him. I did not understand that the threat was intended for me exactly, though it would apply to me, for to a question he asked, whether I thought his note to Mr. Warren, looked like bribery? I replied that it did.

[Reply to questions by Mr. Goodhue.]

I recollect Mr. Goodhue said in the first conversation, that he had been negotiating with Mr. Steele, for the establishment of a press at St. Anthony; but I understood it to depend entirely upon his getting the public printing. I did not intend to bring Mr. Steele's name in question; but as it has been mentioned, I will state, that Mr. Steele had a conversation in reference to establishing a press at St. Anthony; but it was to depend entirely upon getting the public printing for Mr. Goodhue. I understood Mr. Goodhue to say, that he would furnish the press and type, and allow us to publish, edit and manage the paper as we thought fit.

J. W. NORTH.

James W. Vincent being duly sworn, says:

Last Monday or Tuesday, Mr. Goodhue called me over to the American House steps, and asked me if I knew Mr. Sloan, of Little Rock; I said I did; he asked what kind of a man he was, I said I didn't know much about him; but thought he would do; that he lived a little way above me. He said that they had been trying to injure him, and that he had laid in for the whole of the public printing. He asked me, as a favor, to see him, and try to get his vote for him, (Goodhue,) as printer; that money was no object; he said that time, money and labor was no object, but his object was to get all the printing. His precise words I cannot recollect; but I understood him that he wanted me to see Mr. Sloan, and that money being no object, any arrangement I could make with him would be all right.

I saw Mr. Goodhue the evening he carried around his papers, Thursday evening, I think, at Monti's; I called him into the back room and asked him if he had seen Mr. Sloan, he told me he had; that he had made arrangement with him, and that he (Sloan) was his friend, and that he (Goodhue) didn't forget his friends.

I saw Mr. Sloan; we took a walk, and I told him what Mr. Goodhue had said; and I told him I thought he could get two or three hundred dollars to go for Mr. Goodhue for the public printing, as he had told me that money was no object. Sloan replied, that probably some arrangement could be made; that he was poor, and Mr. Warren was poor; to see Goodhue, but to get the money first. I understood him to authorize me to make the arrangement with Goodhue; that the sum I had named might possibly answer, but to get the money. I made no further arrangement with Mr. Goodhue, except so far as I conversed with him at Monti's.

I met Mr. Goodhue yesterday morning; he said good morning Mr. Vincent, do you know what they have been doing in there? I said no; he said they are getting up a committee to investigate the Warren matter; I'll whip the whole God damned Rice fraternity,

J. W. VINCENT.

Thomas D. Sloan being duly sworn, says;

There has no printer paid or offered me any money. I thought from what Mr. Vincent said, he was to try whether he could get the money of Mr. Goodhue, that he was poor, as well as the balance of us, and that any thing to make a raise would do; that Mr. Goodhue's gold was as good as any body's. Mr. Goodhue has made me no offer, nor has he paid me any thing in consideration that I should vote for him. Mr. Goodhue has offered me no consideration whatever, for my vote.

(Mr. Sloan declined signing the above statement, which was made under oath; but the same was read to him, and he said that it was correct.)

William W. Warren being sworn, says:

In answer to a question put by Mr. Goodhue. Mr. Goodhue has never offered me any money, nor attempted to bribe me to secure my vote. The note shown

me by Mr. Goodhue, is the one received from him. I am not aware that any person has made use of the letter to create the impression that Mr. Goodhue has endeavored to bribe me. It has never left my hands except when I returned to Mr. Goodhue. I showed it to Mr. Rice.

I received the note between 9 and 10 o'clock in the evening; it was quite late. It was the same evening that Mrs. Goodhue called. Previous to receiving the note from Mr. Goodhue, I had a conversation with him in relation to voting for him for printer, and told him that I would make no pledges. I did not give him to understand that I wouldn't vote for him, but told him I was in favor of giving him a part; he wished me to pledge myself for that; but I refused. At the time he called upon me to give him back the note, I told him that had his note come after the printing question had been disposed of, I should have considered it a great kindness; but coming at the time it did, I considered it an inducement to lay me under obligations to waive my determination on the printing question. He said as a reason for demanding the note, that it had been falsely represented by Mr. Rice, as a bribe, he wished to show it, to correct false impressions. He said he would have it if he had to fight for it, and had to have a row. I told him I had not made a public use of it, and didn't intend to; that it had not left my hands. This I said before he threatened the row. Had the note been written without reference to the price of board, I should not have considered it in the light of an inducement; but being a comparative stranger to him, I could see no other construction to put upon it.

Mr. Warren further says:

That in the evening after the adoption of a resolution, by which we supposed Mr. Wait would be secured the office of enrolling clerk, Mr. Sloan called at my room and spoke as if he was dissatisfied, or very much aggrieved, as he supposed that Mr. Rice had deserted us, in not supporting a candidate from Benton county, and said he had made up his mind to support Mr. Goodhue for the printing, as he thought it would spite Mr. Rice. He asked me if I felt any interest in the printing question, and said he did not suppose our constituents in Benton County felt any interest in it. He said, he thought they would not care; and after telling him the course I intended to pursue, he said, as he was leaving, that he had made up his mind to go for Goodhue, for all the printing, and besides, that from a conversation he had with Mr. Vincent, he believed there was something to be made out of it; as money was no object with Goodhue, if he had all the printing. I could not swear that he was serious in the remark; he is an odd kind of a man and might have made it for another purpose. My impression was, he intended Mr. Rice should hear that he intended to go for Mr. Goodhue as he had hopes that it might induce Mr. Rice to vote for a re-consideration of the resolution above referred to, and with his assistance, we could get our candidate from Benton county, in the place of Mr. Wait.

W. W. WARREN.

Note from Mr. Goodhue to Mr. Warren, referred to in the affidavit of the latter.

ST. PAUL, January 6th, 1851.

MR. WARREN, My friend:—Mrs. Goodhue has had the pleasure of seeing yourself and lady, and says you are uncomfortably situated at the American House.

We are plain folks, and live in a plain way, and never intended to have any boarders except the young men who assist me in my printing office; but if I can do any kindness by offering you a room in my house and such fare as we have, for yourself and family, for the present, at least, you shall have quarters with us, without any reference to profit on my part, say, at a venture, at one half the price they charge you at the American House.

With high regard, I remain

Your obd't. servant.

JAMES M. GOODHUE.

HON. W. W. WARREN.

Territory of Minnesota, }
County of Ramsey, } ss.

I, P. P. Bishop, a Notary Public in the aforesaid county, do certify that the above named John Rollins, John W. North, J. H. Vincent, D. T. Sloan, and W. W. Warren, whose names are above subscribed, were severally sworn by me, in due form of law, on this 11th day of January, 1851, at St. Paul.

P. P. BISHOP,

Notary Public.

On motion of Mr. Tilden,

The report was accepted, and the committee discharged.

Mr. Trask, in pursuance of previous notice, and by leave, introduced,
 No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company;
 Which was read the first time.

Mr. Tilden, in pursuance of previous notice, and by leave, introduced
 No. 3, H. of R. A bill, for an act regulating Tavern and Grocery Licenses;
 Which was read the first time.

No. 1, H. of R. A bill for an act to dissolve the marriage contract between
 Silas Henry Axtell and Catharine Maria Axtell;

Was read the second time.

The Chair announced a joint resolution, G. F. No. 2; which,

On motion of Mr. Tilden,

Was taken from the table.

Mr. Rice asked for the reading of the resolution;

Which, on motion, was read.

Mr. Rice then moved its adoption.

The question was then put,

And the Chair being unable decide,

The ayes and nays were called for and ordered;

And those who voted in the affirmative are—Messrs. North, Patch, Rice, Trask,
 Warren and Ames, (Speaker)—6.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Lud-
 den, Ramsey, Randall, Sloan, Taylor, Tilden and Wells—10.

And so the resolution was not adopted.

On motion of Mr. Brunson,

The report of the committee on newspaper publishers or other persons, offering
 bribes, &c., to members of this House;

Was taken up.

Mr. Brunson then moved that the whole matter be indefinitely postponed.

Mr. Rice moved to amend, by adding that the report be printed.

The Chair decided that the amendment could not be made.

Mr. Rice then moved to amend by striking out the word "indefinitely."

The question being put on the adoption of the amendment,

And the ayes nays being called for and ordered;

Those who voted in the affirmative are—Messrs. North, Patch, Rice, and
 Warren—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford,
 Ludden, Ramsey, Randall, Sloan, Taylor, Tilden, Trask, Wells and Ames,
 (Speaker)—12.

And so the amendment was lost.

The question then recurring on Mr. Brunson's motion to postpone indefinitely,
 It was decided in the affirmative.

Mr. Rice moved that fifty copies of the report be printed.

The Speaker decided the motion out of order.

Mr. Rice then withdrew his motion.

On motion of Mr. Brunson,

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

TUESDAY, JANUARY 14, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Gilman, Ludden and North, were reported absent.

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

On motion of Mr. Rice,

Mr. Gilman was excused from attendance on the House to-day.

The Speaker announced the following joint committees for the present session:

On Territorial Expenditures.—Messrs. Patch, Wells and Farribault.

On Legislative Expenditures.—Messrs. Trask, Rice and Ludden.

On Enrolled Bills.—Messrs. Olmstead, Randall and Ford.

On Engrossed Bills.—Messrs. North, Ramsey and Tilden.

The Sergeant-at-Arms reported the absent members in their seats.

On motion of Mr. Tilden,

Ordered, That the Chief Clerk notify the Council that the House of Representatives is now ready to meet them in Joint Convention for the purpose of electing a printer.

The Convention of the two Houses then met in the Hall of this House, pursuant to adjournment;

And the following proceedings were had:

The Secretary and Chief Clerk called the roll of their respective Houses;

And all were found to be present.

Mr. Brunson offered the following resolution:

Resolved, That this Convention do now proceed by ballot, to elect a printer or printers, to do all the incidental printing, and the printing of the Laws and Journals, for one year, agreeably to the provisions of an act entitled "An Act to regulate the public printing and binding;" approved the first day of November, one thousand eight hundred and forty-nine.

Mr. Rice moved that the Convention take a recess of fifteen minutes, to enable the Hon. D. Gilman, who is sick, to appear in his seat, agreeably to his request.

The question being put, it was decided in the negative.

And a division having been called for,

There were ayes—9; nays—9.

And so the motion was lost.

Mr. Olmsted, of the Council, moved to strike out all in Mr. Brunson's resolution relative to the act of 1849.

Mr. Norris offered the following substitute to Mr. Brunson's resolution:

Resolved, That this Convention now proceed to ballot for public printers, in the following manner, viz:

First. Shall be elected by ballot, a printer to do the incidental printing of the Council.

Second. Shall be elected a printer to do the incidental printing of the House of Representatives.

Third. Shall be elected a printer to print the Journals of both Houses.

Fourth. Shall be elected a printer to print the Laws which may be authorized to be printed by the Legislature during its present session, and the person or persons so elected, shall be governed in all respects, by the act entitled "An Act to regulate the public printing and binding," approved Nov. 29th, A. D. 1849.

The question being put on the adoption of the substitute,

It was decided in the negative.

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Boal, Norris, Olmsted, Rollins, Sturgis, Gilman, North, Olmstead, Patch, Rice and Warren—11.

Those who voted in the negative are—Messrs. Burkleo, Forbes, McLeod, Loomis (President,) Farribault, Ford, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden, Trask, Wells and Ames, (Speaker)—15.

The question then recurring on Mr. Olmsted's amendment, and being put;
It was decided in the negative.

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Olmsted, Sturgis, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—9.

Those who voted in the negative are—Messrs. Burkleo, Forbes, Boal, McLeod, Norris, Rollins, Loomis (President,) Brunson, Farribault, Ford, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—18.

And so the amendment was lost.

The question then recurring on the adoption of the original resolution;

And the question being put,

It was decided in the affirmative.

Mr. Olmsted, of the Council, moved to dispense with tellers, and vote *viva voce*.

The Speaker declared the motion out of order.

Mr. Olmsted, of the Council, then moved a re-consideration of the vote adopting Mr. Brunson's resolution;

The question being put,

And the Chair being unable to decide, a division was ordered;

And there were ayes—10; nays—15.

So the motion was lost.

Mr. Olmsted, of the Council, then renewed his motion, "that the vote be taken *viva voce*."

The President of the Council, then stated that he coincided with the Speaker in his decision, that the motion was out of order.

Mr. Trask moved that the Chair appoint two tellers, to receive and count the votes;

The question being put;

It was agreed to.

Whereupon, the Chair appointed Mr. McLeod, of the Council, and Mr. Rice; of the House, tellers.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 27—of which,

J. M. Goodhue	received	15	votes.
D. A. Robertson	"	1	"
Henniss & Vincent	"	"	"
Goodhue & Robertson	"	1	"
James W. Vincent	"	1	"
Robertson & Henniss	"	2	"
D. A. Robertson	"	7	"

James M. Goodhue having received a majority of all the votes cast, was declared duly elected Printer for one year.

Mr. North moved that the Convention now proceed to elect a second printer.

Mr. Trask moved that the Convention adjourn *sine die*;

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Burkleo, Forbes, McLeod, Norris, Loomis (President,) Brunson, Farribault, Ford, Ludden, Olmstead, Ramsey, Randall, Taylor, Tilden, Trask and Wells—16.

Those who voted in the negative are—Messrs. Boal, Olmsted, Rollins, Sturgis, Gilman, North, Patch, Rice, Sloan, Warren and Ames (Speaker)—11.

So the Convention adjourned *sine die*.

The House of Representatives was then called to order by the Speaker.

On motion of Mr. Olmstead,

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

WEDNESDAY, JANUARY 15, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,
Messrs. Farridault, Ford, Gilman, Ludden, Olmstead, Ramsey, Randall, Rice and Sloan, were reported absent.

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

The Journal of yesterday was read and corrected.

Mr. North offered the following resolution:

Resolved, That the printing of the daily slips, containing the Journal of this House, be dispensed with.

On motion of Mr. Tilden,

The resolution was laid on the table until to-morrow.

Mr. Ludden offered the following joint resolutions:

Resolved, By the House of Representatives, the Council concurring therein, that George L. Becker, Allen Pierson and M. S. Wilkinson, be employed to assist the Judiciary Committees of the Council and House of Representatives, in compiling and revising the laws of this Territory. And that they be required to report their action from time to time to said committees, in season for the action of the Legislative Assembly thereon, at its present session.

Resolved, That the persons employed by the authority of the foregoing resolution, be allowed such compensation for their services, not exceeding three dollars per day, as the Legislative Assembly may allow.

On motion of Mr. North,

The resolution was laid on the table until to-morrow.

No. 1, H. of R. A bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;

Was read the third time.

Mr. Rice moved that said bill be referred to the Committee on Internal Improvements.

Mr. Brunson moved to amend Mr. Rice's motion, by striking out "the Committee on Internal Improvements," and inserting in lieu thereof, "the Committee on the Judiciary."

The question being put,

The amendment was agreed to.

The question then recurring on the original motion, as amended;

And being put,

It was decided in the affirmative.

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company,

Was taken up; and

On motion of Mr. Trask,

Ordered, That the said bill be read a second time by its title, and that it be laid on the table and printed, and taken up in committee of the whole on Monday next.

No. 3, H. of R. A bill for an act regulating Tavern and Grocery licenses,

Was taken up; and

On motion of Mr. Brunson,

Ordered, That the said bill be read the second time by its title, and laid on the table and printed.

Mr. Tilden moved to re-consider the vote upon the joint resolution offered by Mr. Ludden, relative to employing certain individuals to assist in compiling and revising the laws of Minnesota; which was agreed to.

A call of the House was asked for and ordered;

Messrs. Gilman and Trask were reported absent.

On motion of Mr. Rice,

Mr. Gilman was excused from attendance on the House to-day.

The Sergeant-at-Arms reported the absent member in his seat.

Mr. Tilden moved the adoption of the resolution of Mr. Ludden.

Mr. Rice offered the following amendment, viz:

“By striking out after the word “concurring,” and insert as follows:

“That the Hon. Justus C. Ramsey, Hon. B. W. Brunson, the Hon. James Wells, be appointed Commissioners to revise the Laws; and that they be empowered to call to their assistance the Hon. Chief Justice, Aaron Goodrich, and the Hon., the now Board of County Commissioners of Ramsey County; who shall be allowed in the aggregate, the sum of \$48 00 per day, to be certified and divided by his Excellency, the Governor.”

The question being put, and the ayes and nays being called for and ordered,

Those who voted in the affirmative are—Messrs. North, Rice, Trask and Wells—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Olmstead, Patch, Ramsey, Randall, Sloan, Taylor, Tilden, Warren and Ames (Speaker)—13.

Mr. Olmstead moved to amend the original resolution, by striking out the name of George L. Becker, and inserting in lieu thereof, the name of Hon. B. B. Meeker.

The question being put,

It was disagreed to.

Mr. Rice moved to amend the original resolution, by striking out the name of George L. Becker, and inserting in lieu thereof, the name of James M. Goodhue.

The question being put,

It was disagreed to.

Mr. Trask moved to amend the original resolution, by striking out the names of Allen Pierse and M. S. Wilkinson, and inserting in lieu thereof, the names of T. E. Parker, Esq., and Hon. B. B. Meeker.

The Speaker called on Mr. Tilden to preside.

Mr. Tilden in the chair,

Mr. Ames moved that the question be put separately, as to the striking out, and as to inserting.

The question was then put on striking out the names of Allen Pierse and M. S. Wilkinson.

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Trask, Warren and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Rice, Sloan, Taylor, Tilden and Wells—10.

And so the motion was disagreed to.

Mr. Ames moved to strike out the name of George L. Becker.

The question being put,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Rice, Trask, Warren, Wells and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Randall, Sloan, Taylor and Tilden—9.

And so the motion was lost.

Mr. North moved to amend the original resolution, by inserting,

“That the Judiciary Committee be authorized to employ,” and that the words “be employed,” be stricken out.

The question being put upon said motion,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Randall, Rice, Trask, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Sloan, Taylor, Tilden and Wells—9.

And so the motion was disagreed to.

Mr. Ames moved that the original resolution be laid on the table.

The ayes and nays having been called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Rice, Trask, Warren, Wells and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Randall, Sloan, Taylor and Tilden—9.

And so the motion to lay on the table, was disagreed to.

Mr. Gilman moved that the three names in the original resolution be stricken out.

The ayes and nays having been called for and ordered.

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Trask, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden and Wells—9.

And so the motion was disagreed to.

Mr. Brunson moved that the House adjourn until two o'clock p. m.

The question being put,

And the Speaker not being able to decide, a division was ordered;

And there were ayes—8; nays—6.

And so the House adjourned.

TWO O'CLOCK, P. M.

The roll having been called,

Messrs. Ramsey and Rice were reported absent.

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

The Sergeant-at-Arms reported the absent members in their seats.

Mr. Wells moved that the joint resolution, relative to employing individuals to assist the Judiciary Committee in revising the laws, &c., be taken up;

The Speaker decided that the motion was not necessary, as the resolution was already before the House.

Mr. Trask moved to amend the original resolution, by striking out the names of G. L. Becker and A. Pierse, and inserting in their stead, Wm. P. Murray and T. E. Parker;

Which amendment was accepted by the mover of the original resolution.

The Speaker again called Mr. Tilden to the Chair.

Mr. Tilden in the Chair.

Mr. Ames moved to amend the resolution, by striking out the name of M. S. Wilkinson, and inserting in lieu thereof, the name of L. A. Babcock, Esq.;

Mr. Gilman moved a call of the House;

Which was ordered,

And Mr. Rice was reported absent.

The Sergeant-at-Arms reported Mr. Rice in his seat.

The question being put on the amendment of Mr. Ames,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, North, Patch and Ames (Speaker)—5.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, Olmstead, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, Warren and Wells—13.

And so the amendment was lost.

Mr. Ames moved that the resolution be laid on the table;

At the request of Mr. North, Mr. Ames withdrew his motion to lay on the table.

Mr. North then moved to amend the resolution, by striking out all the names,

and authorizing the Committee to select one from St. Paul, one from Stillwater, and one from St. Anthony.

Mr. Brunson moved a call of the House;

Which was ordered,

Mr. Farribault was reported absent.

The Sergeant-at-Arms reported the absent member in his seat.

Mr. Olmstead moved to amend the amendment, by striking out St. Paul, Stillwater and St. Anthony;

Which was accepted.

The question was then taken on Mr. North's amendment,

And the Chair being unable to decide,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Trask, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden and Wells—9.

And so the amendment was lost.

Mr. North renewed his original amendment.

Mr. Ames moved the previous question;

Which motion prevailed.

The question being put on the adoption of the original resolution as amended by Mr. Trask,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Randall, Taylor, Tilden, Trask and Wells—10.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Patch, Rice, Sloan, Warren and Ames (Speaker)—8.

And so the resolution as amended, was adopted.

On motion of Mr. Olmstead,

The House adjourned until to-morrow at two o'clock, p. m.

THURSDAY, JANUARY 16, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Farribault and Wells were reported absent.

The Journal of yesterday was read and corrected.

Mr. Trask, in pursuance of previous notice, and by leave, introduced, No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota.

Which was read the first time.

The resolution of Mr. North, of yesterday, in relation to dispensing with the printing of daily slips,

Was taken up.

Mr. Patch moved its adoption.

Mr. Brunson moved to lay the resolution on the table;

And the question being put,

It was decided in the affirmative.

On motion of Mr. Brunson,

The House adjourned.

FRIDAY, JANUARY 17, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Farribault, Olmstead, Rice, Sloan and Wells, were reported absent.

The Journal of yesterday was then read.

No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota,

Was taken up.

Mr. Trask moved that it be read a second time by its title, and laid on the table and printed, and taken up on Tuesday next in committee of the whole.

Mr. North moved to amend, as follows:

“That it be taken up in committee of the whole in three weeks from this day.”

Mr. Tilden moved to amend the amendment, by inserting “one week” instead of “three weeks;”

Which amendment was accepted by the mover of the original motion,

The question being put on Mr. North’s amendment;

The yeas and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Patch, Rice and Warren—6.

Those who voted in the negative are—Messrs. Brunson, Ford, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Ames (Speaker)—9.

And so the amendment was disagreed to.

The question being put on the original motion as amended,

It was decided in the affirmative.

No. 3, H. of R. A bill to regulate Tavern and Grocery Licenses,

Was read a second time.

Mr. Trask moved that said bill be referred to the Committee on Finance.

Mr. Brunson moved that the House resolve itself into a committee of the whole for the consideration of the said bill.

Mr. Trask withdrew his motion to refer, &c.

The question being put on Mr. Brunson’s motion,

It was decided in the affirmative.

So the House resolved itself into the committee of the whole;

Mr. Brunson in the chair.

After some time passed therein, the committee rose, and by their chairman, reported the said bill back to the House with amendments.

On motion of Mr. Wells,

Ordered, That the question of concurrence in the said amendments be taken on them collectively.

The said amendments of the committee of the whole to the said bill were then concurred in.

Mr. Brunson offered the following amendment to the bill:

“In the fourth line of section 8, after the word “same,” insert “or by complaint before any justice of the peace having jurisdiction.”

Mr. Tilden moved that the bill be referred to the Committee on the Judiciary;

The question being put on Mr. Brunson’s amendment,

And the Chair not being able to decide, a division was ordered;

And there were yeas—7; nays—5.

And so the amendment was adopted.

Mr. Brunson offered to amend Mr. Tilden’s motion,

“That the bill be engrossed instead of referred.”

After some debate, Mr. Brunson withdrew his motion to engross.

The question being put on Mr. Tilden's motion,
It was decided in the affirmative.

On motion of Mr. Wells,
The House adjourned.

TWO O'CLOCK, P. M.

The roll was called,
And Messrs. Farribault, Rice and Wells, were reported absent.
There being no business before the House,

On motion of Mr. North,
The House adjourned until Monday next at two o'clock, P. M.

MONDAY, JANUARY 20, 1851.

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

The roll being called,
Messrs. Ludden, Ramsey, Rice, Taylor, Trask and Warren, were reported absent.

The Journal of Friday was then read.

The Committee on the Judiciary, to whom was referred a bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell, reported as follows:

To the House of Representatives of the Territory of Minnesota:

The Judiciary Committee, to whom was referred a "Bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell," have the honor to report, that they have had the same under consideration, together with the petition of the said Silas Henry Axtell, and the official certificate of the Hon. Henry A. Lambert, Judge of Probate for Ramsey county.

The facts set forth in the petition, are briefly these:

The parties married in 1839; their connection was an unhappy one; and finding themselves mutually dissatisfied, they agreed to a final separation in 1844, and the wife returned to her relatives. No attempts have been made to effect a reunion. No children or child sprung from the marriage; no property is involved, and no claim of alimony is made.

Mr. Axtell represents his wife "as a woman entirely unfit for the marriage state, having neither the inclination nor disposition to fulfil the proper conjugal duties mutually obligatory upon husband and wife; though to a stranger, her manner was freer than propriety would warrant."

From this, it would seem, that he at least, was deceived, and she turned out not to be "the woman he took her to be." Whether the difficulty was partially physical, does not appear but by inference. If no such defect existed, the petitioner could have no relief in a court of law on the ground of imposition.

We are to presume the facts set forth in the petition are true, as they are sworn to by the petitioner, who says himself, "that he has always borne a good character and unsullied reputation, a man of peaceable habits and disposition."

The petitioner is also sustained by the judicial certificate of a functionary whose peculiar office is to adjudicate upon matters coming under the head of "domestic relations," Judge Lambert certifying as follows:

"That in the summer of 1844, said Axtell being at my house in Dane county, Wisconsin, gave me the information precisely as set forth in his petition!"

The judge does not say that he believes the facts stated in the petition to be true; but leaves it to be inferred, we suppose, that having been stated twice alike, they are true, as a matter of course.

Seriously, it would be better, if Mr. Axtell had brought testimony directly corroborating his own statements. It is a dangerous practice to allow one party a divorce upon his own oath alone, and without notice to the other. But, Mr. Axtell has the reputation of being an upright man; he is known by many of the members of this body to be such; and it is more than probable that he has stated the facts truly.

By the laws of several of the States, a wanton abandonment and refusal by one party to live with the other for a given time, varying in different States, from one to five years, entitles the party aggrieved to an absolute divorce by application to the courts.

The case under consideration does not come within the letter of such laws; but in some degree, it is within the spirit of them. The parties have mutually abandoned and refused to live with each other, for faults in the conduct, habits, temper, disposition or person of each, reciprocally abhorrent to the other, and have persisted in such abandonment for seven years. If the wife had abandoned the husband, or the husband the wife, there would be a remedy for the forsaken party. Why not grant relief then, where there is an abandonment by each; for seven long years, for causes, physical, mental, or social, acquired or hereditary, which neither could tolerate, avoid, or overcome? We think there is no good reason to refuse it, especially as there are no collateral rights or interests which would be neglected, or hereafter require adjudication.

The remarks of the Executive in his late annual message, apply with as much force to this case as to defects in the law of which he speaks.

He says:—"The laws too, regulating marriage licenses and the solemnization of marriage contracts, require modification. * * * *"

"In a Country where population is by no means inconveniently dense, the wisdom of a policy may well be questioned, which shall annex additional obstacles to those which naturally inhere in the premises."

We simply refer to the argument of the Executive, but do not wish to be understood as adopting his views, applied by himself, especially, if he intended the laws to be so modified as to permit parties to enter into the marriage contract and abandon it at the pleasure of either.

Had the parties in question, a remedy at the hands of the courts, your committee would not recommend legislative action; but they have none; their case is a peculiar one, and we therefore, recommend the passage of the bill herewith returned, dissolving the marriage between the petitioner and his wife.

All of which is respectfully submitted.

ED. RICE, }
J. W. NORTH, } Committee.

Mr. Randall, in pursuance of previous notice, and by leave, introduced No. 5, H. of R. A bill for a charter of the Minnesota General Manufacturing Association.

On motion of Mr. Olmstead,

Ordered, That the bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell, be engrossed and read the third time tomorrow.

A message from the Council by Joseph R. Brown, Esq., Secretary thereof,

"MR. SPEAKER:—The Council has adopted No. 1, H. of R. Joint Resolution relative to employing certain persons to assist in compiling and revising the Laws of Minnesota, with an amendment, in which the concurrence of this House is respectfully requested."

On motion of Mr. Olmstead,

The message from the Council was taken up.

Mr. Tilden moved that the amendment of the Council be disagreed to, and that a committee of conference, consisting of three members, be appointed to confer with a similar committee on the part of the Council, on said joint resolution.

The Chair decided that the motion was not necessary as to the question of disagreeing; but that the motion as to the appointing of a committee of conference would be in order after the question of concurring was disposed of.

The question being put upon concurring in the amendment of the Council to the joint resolution,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Trask, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden and Wells—9.

And so the amendment was disagreed to.

The question being taken on Mr. Tilden's motion, as to the appointment of the committee of conference, &c.

It was decided in the affirmative.

Messrs. Tilden, Patch and North, were appointed said committee.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole, on No. 2, H. of R. A bill to incorporate the St. Croix Boom Company, Mr. Ramsey in the Chair.

And after some time spent therein, rose and reported the bill back to the House with amendments;

In which they asked the concurrence of the House.

The question being put on the several amendments separately,

They were all agreed to.

On motion of Mr. Trask,

Ordered, That the said bill be engrossed and read a third time to-morrow.

On motion of Mr. Patch,

The House adjourned.

TUESDAY, JANUARY 21, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Ludden, Ramsey and Rice, were reported absent.

The Journal of yesterday was then read.

Mr. Tilden, from the joint committee of conference, to which was referred the disagreeing vote of the two Houses on

No. 1, H. of R. Joint resolution relative to employing certain persons to assist in compiling and revising the Laws of Minnesota, made the following report:

The committee appointed on the 20th instant, to confer with a similar committee on the part of the Council, to consider joint resolution No. 1, of House of Representatives, relative to employing certain persons to assist in compiling and revising the Laws of Minnesota, report, that they have performed that duty, and the joint committee unanimously recommend the passage of said resolution as amended by the Council.

H. L. TILDEN, Chairman.

Mr. Tilden moved to re-consider the vote of yesterday, in which the House non-concurred in the amendment of the Council to said joint resolution.

The question being put,

It was decided in the affirmative.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed, the following, to-wit:

No. 1, H. of R. A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell.

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company.

No. 5, H. of R. A bill for a charter of the Minnesota General Manufacturing Association,

Was read the second time by its title; and

On motion of Mr. Randall,

The bill was ordered to be printed and referred to the Committee on Corporations.

The following entitled bills were read the third time:

No. 1, H. of R. A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell.

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company.

And the question recurring on the passage of,

No. 1, H. of R. A bill for an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;

On motion of Mr. Wells,

Mr. Farribault was excused from voting on the said question.

The question having been put,

"Shall the bill pass?"

It was decided in the affirmative.

The question being on agreeing to the title of the bill,

On motion of Mr. Wells,

The title of said bill was agreed to informally.

The question having been put on the passage of

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company,

It was decided in the affirmative, and the title thereof agreed to.

The question recurring on concurring in the amendment of the Council to joint resolution,

No. 1, H. of R., relative to employing certain persons to assist in revising and compiling the Laws of Minnesota;

And being put,

It was decided in the affirmative.

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Ludden, Olmstead, Ramsey, Tilden and Trask, were reported absent.

Mr. North moved a call of the House;

Which was ordered.

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

On motion of Mr. North,

Further proceeding under the call of the House were dispensed with.

Mr. Brunson, Chairman of the Committee on Elections reported as follows:

"The Committee on Elections, to whom was referred the credentials of B. H. Randall and Alexander Farribault, sitting members from the seventh Council district, with instructions to "enquire, ascertain and report, whether said sitting members are, by law, entitled to seats upon the floor of this House, and that said committee be authorized to send for persons and papers;" would respectfully report, that they have had the subject under their consideration, and respectfully submit the following report:

"The committee have examined the credentials of the said B. H. Randall and Alexander Farribault, and find that they are the same as read to this House by the Secretary of the Territory, on the first day of the present session, and have examined the law both in the Organic Act of the Territory, and statutes of the Territory, and your committee are of the opinion that they are in accordance

with the spirit and meaning of said laws, which your committee herewith attach marked 'A.'

"The committee by summons, required the attendance before them of John H. Stevens, whose evidence is herewith attached, marked 'B.'

"The committee have examined the duplicate poll books, or returns from the precinct of Mendota, of an election held on the second day of September, A. D. 1850, on file in the office of the Secretary of the Territory, and in the office of Register of Deeds for Ramsey county, a copy of which is hereunto attached, marked 'C.'

"Your committee would respectfully represent, that upon inquiry, they find that there are no County Commissioners, and consequently, no Clerk of the Board of Commissioners, within the county of Dakota, and that it would be an impossibility to give the usual notice as required in organized counties, and your committee are of opinion, that the act entitled 'an act regulating the time of holding general elections, and for other purposes,' approved the first day of November, A. D. 1850, and the 'joint resolution relative to Council Districts,' together with the proclamation of the Governor, of the 7th day of July, A. D. 1849, was sufficient to warrant the opening of the polls in said district, and the returns being made to the office of the Secretary of the Territory; and receiving the returns thus made, the certificate of the said Secretary, under the just seal of the Territory, is sufficient evidence of the election of the members to which they refer. Your committee would further represent, that the first Council District, as designated by the proclamation of the Governor, includes part of three counties, to-wit: part of Ramsey, part of Washington and Wabashaw counties; that it would be an impossibility for that District to make returns in the usual way as laid down in the statute for organized counties, and as an only resource, was compelled to make their returns to the Secretary of the Territory; and that all the credentials held by the members from that, the Stillwater and Marine Mills Districts are from the same source, your committee are, therefore, of opinion that the credentials of the sitting members from the Seventh Judicial District, are sufficient to warrant them in taking their seats as members of this House, and that they are by law, entitled to seats in this House.

"Your Committee have been unable to find in the laws of the Territory, any law in respect to the rights and privileges of persons living in, and upon Military Reservations of the Territory, either upon ceded or unceded lands; your committee would respectfully suggest to the Legislature, the necessity of some action defining the rights and privileges of such persons.

BENJ. W. BRUNSON, }
 J. D. LUDDEN, } Committee."
 DAVID GILMAN, }

A

In section first of an "Act to establish the Territorial Government of Minnesota," approved March third, 1849, provides "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 on the Mississippi river, at the point where the line of the 43d deg. 30 min. 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 northwest 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 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 northermost 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, &c."

Section 4, same act, provides that "The Legislative power and authority of said Territory, shall be vested in a Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and a House of Representatives. The Council shall consist of nine members, having the qualification 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 same section provides that, "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 member of the Council, shall be declared by the Governor, to be duly elected to the Council; and in the same manner, members of the House of Representatives, &c."

"And the persons thus elected to the Legislative Assembly, shall meet at such place, 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 and 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, &c."

Section 5th of same act, provides, "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, &c."

Section 1 of "An act regulating the time of holding General Elections, and for other purposes," [Chap. III, page 6, Minnesota Laws,] approved the first day of November, A. D. 1849, provides,

"That the first general election in this Territory, shall be held on the fourth Monday in November next; but thereafter, the general election shall be held on the first Monday in September, in each and every year."

Section 5 provides, "That at the first election held in conformity to the provisions of this act, the polls shall be opened at such precincts as may have been established by law, within the limits of the several counties organized for county purposes, and such other precincts as may be designated and laid out by the Board of County Commissioners, in the several counties; and the elections shall be conducted and the returns made in conformity to the law to provide for and regulate general elections."

Section 6 provides "That the several Council Districts as established by the Governor in his proclamation of the 7th day of July, A. D. 1849, are hereby declared to be confirmed until otherwise provided for by the Legislative Assembly."

Section 1 of "An act to prescribe the qualification of voters and of holding office," [Chap. 4, Laws of Minnesota, page 6,] provides, "That all free white male inhabitants, over the age of twenty-one years, who shall have resided within

this Territory for six months next preceding an election, shall be entitled to vote at any election for Delegate to Congress, and for Territorial and County officers, provided, &c."

No. 6, Joint Resolution relative to Council Districts, [No. 6, page 163,] provides, "That the several Council Districts as established by proclamation of the Governor, July the 7th, 1849, are continued in force, as well as the manner of opening, conducting and closing said elections, making the returns thereof, as provided for in said proclamation." Approved 1st day of November, 1849.

In the proclamation, July 7, 1849, by the Governor, it is declared that "the country and settlements west of the Mississippi river, 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, &c., &c."

"The qualified voters of the Seventh Council District, will vote at the following places, viz:

"The voters of Mendota, Fort Snelling, Black Dog Village, Prairieville, Oak Grove, Traverse de Sioux and Crow Village, at the Lower Warehouse, in Mendota."

"The elections at the several polls shall be opened, organized and conducted, in all respects, as required by the laws in force of 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."

"At all places of election herein provided for, out 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 elections 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."

B

COMMITTEE ROOM, }
House Representatives. }

John H. Stevens, being duly sworn, says:

That he was residing in Dakota county, in the Seventh Council District, at the time of the last general election, held Sep. 2, A. D. 1850.

Was not present at the time the poll was opened at the Mendota precinct; does not know of any notice of election being posted; was at the polls, or near the same, from 10 o'clock A. M., until the time the same were closed, about 4 o'clock, or may have been late as 5 o'clock, P. M. That there was a general attendance of the voters of the precinct, and knows of no one deprived of the privilege of voting who was entitled to vote.

At the election the year previous, there was no other notice given than that contained in the Governor's message; and at the last election, they assembled under the provisions of the joint resolution of the Legislative Assembly, approved Nov. 1st, A. D. 1849. I know of no objection having been made to the manner of opening, conducting or closing said polls.

To my knowledge, there were no votes cast for either of the sitting members in the House of Representatives from the Seventh Council District, that in my opinion, were not entitled to vote.

I am acquainted with Hazen Moore, J. B. Farribault and Nathaniel R. Brown, who served as judges of the said election, and John W. Brown, who served as

clerk, of said election; that they are citizens of the United States, and were, at that time, qualified voters of the precinct. I heard they, the judges, were elected by the electors there assembled, and sworn by Hypolite Dupuis, Esq., as I was informed at the time.

That the said justice of the peace, (Hypolite Dupuis,) holds his office by appointment of the Governor.

The voters generally, were residents of the Indian country and the military reservation of Fort Snelling.

To the best of my knowledge, neither of the now sitting members of the House Representatives from the Seventh Council District, hold any office of emolument under the Government of the United States.

JOHN H. STEVENS.

Sworn to, and subscribed before me, at the Committee Room of the House of Representatives, this 20th day of January, A. D. 1851.

BENJ. W. BRUNSON,

Chairman Committee on Elections.

C

[COPY.]

At a general election, held at the lower warehouse of Henry H. Sibley, in the precinct of Mendota, in the county of Dakota, and Territory of Minnesota, this 2d day of September, A. D. 1850, the following named persons were elected by the legal voters present, to perform the duties of judges of election, viz: Jean B. Farribault, Hazen Moore and Nathaniel R. Brown.

The following persons were also elected to act as clerks of said election, viz: Philander Prescott and John W. Brown.

At 9 o'clock of said day, the polls were opened by proclamation, and continued open until 4 o'clock of said day.

After the votes were counted, Mr. N. R. Brown was selected, and agreed to carry duplicate poll books of said election to the office of the County Clerk of Ramsey county, and of the Secretary of the Territory.

Witness our hands, this second day of September, A. D. 1850.

HAZEN MOORE,
J. B. FARRIBAULT,
NATHANIEL R. BROWN, } Judges of Election.

Attest.

JOHN W. BROWN,
PHILANDER PRESCOTT, } Clerks of Election,

We, Jean B. Farribault, Hazen Moore and Nathaniel R. Brown, having been elected to serve as judges of election, do solemnly swear that we will perform the duties according to law, and to the best of our abilities; that we will studiously endeavor to prevent fraud, deceit and abuse, in conducting the said election.

J. B. FARRIBAULT,
HAZEN MOORE,
NATHANIEL R. BROWN,

Sworn and subscribed to before me, this 2d day of Sep. A. D. 1851.

HYPOLITE DUPUIS,

Justice of the Peace,

Dakota County, Minnesota.

We, Philander Prescott and John W. Brown, having been duly elected to act as clerks of election, do solemnly swear that we will perform the duties thereof according to law, and to the best of our ability; that we will studiously endeavor to prevent fraud, deceit and abuse, in conducting the same.

PHILANDER PRESCOTT,
JOHN W. BROWN.

Sworn to, and subscribed before me, this second day of September, A. D. 1850.

HYPOLITE DUPUIS,

Justice of the Peace,

Dakota County, Minnesota.

At a general election for one Delegate to Congress, and two members of the House of Representatives, held in pursuance of law, at Mendota, in the county of Dakota, Territory of Minnesota, on Monday, the 2d day of September, A. D. 1850, the following named persons received the number of votes set opposite their respective names, for the following described offices, viz:

Henry H. Sibley had (78) seventy-eight votes for Delegate to Congress.

Alexander M. Mitchell had (3) three votes for Delegate to Congress.

Alexander Farribault had (76) seventy-six votes for member of the House of Representatives.

Benjamin H. Randall had (56) fifty-six votes for member of the House of Representatives.

Eli Pettijohn had (22) twenty-two votes for member of the House of Representatives.

John W. Brown had (1) one vote for member of the House of Representatives.

Certified by us,

J. B. FARRIBAULT,

HAZEN MOORE,

NATHANIEL R. BROWN, } Judges of Election.

Attest.

JOHN W. BROWN,

PHILANDER PRESCOTT, } Clerks of Election.

A true copy of the returns of an election held at Mendota, Dakota county, Minnesota Territory, on the 2d day of September, A. D. 1850, from the duplicate copies on file in the office of the Secretary of the Territory, and the clerk's office of Ramsey county.

Attest.

B. W. BRUNSON,

Chairman Com. Elections.

A message from the Council by Joseph R. Brown, Secretary thereof, as follows:

"MR. SPEAKER:—The Council has passed, No. 1, C. F., 'A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake Saint Croix, opposite Willowriver;'

In which the concurrence of this House is respectfully requested.

The Council has adopted the report of the Committee of Conference on No. 1, H. of R. "A joint resolution relative to employing certain person to assist in compiling and revising the laws of Minnesota."

Mr. Rice moved that the report of the Committee on Elections be accepted.

The Speaker decided that the motion was unnecessary, as a report from a Standing Committee was accepted as a matter of course.

The Sergeant-at-Arms reported all the absent members in their seats except Mr. Farribault, who could not be found.

On motion of Mr. Trask,

Ordered, That the message from the Council be now taken up.

No. 1, C. F. A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver;

Was read the first time.

Mr. Tilden moved that the report of the Committee on Elections be adopted.

Mr. Rice moved to amend,

"That the report be laid on the table until next Saturday."

Mr. Tilden withdrew his original motion, and moved that the report be laid on the table until Saturday next.

Which motion was agreed to.

On motion of Mr. Rice,

The House adjourned.

WEDNESDAY, JANUARY 22, 1851.

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

The roll having been called,
Messrs. Brunson, Farribault, Gilman, North, Rice and Trask, were reported absent.

The Journal of yesterday was then read.

Mr. Randall offered the petition of Ard Godfrey, praying for a charter for the building a bridge across Elk River, at or near the mouth of said river.

Mr. Olmstead offered the following resolution:

Resolved, That each member and officer of this House, be allowed thirty copies (including the twenty copies already ordered) of any newspaper printed in this Territory.

On motion of Mr. Warren,

The said resolution was adopted.

Mr. Randall offered the following resolution:

Resolved, That each member of this House be allowed to subscribe for any number of papers called the Dakota Friend, not exceeding twenty copies each month, and the same be paid for out of the moneys appropriated for the incidental expenses of the Legislature.

On motion of Mr. Olmstead,

The said resolution was adopted.

Mr. Warren gave notice, that on to-morrow, or some future day, he would ask leave to introduce a Bill for a change in the present boundaries of the counties of Wahnatah, Mankato, Itasca and Pembina, and for the attachment of said counties for judicial purposes, to the present organized counties most convenient to their respective inhabitants.

No. 1, C. F. A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver.

Was read the second time.

Mr. Olmstead moved that the said bill be read the third time to-morrow.

Which was agreed to.

Mr. Brunson gave notice, that on to-morrow, or some subsequent day, he would introduce a bill for an act to incorporate St Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the Town of St. Paul.

On motion of Mr. Ford,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Ford, Gilman, Ludden, North, Olmstead, Patch, Ramsey, Rice, Sloan, Tilden and Trask, were reported absent.

There not being a quorum present,

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

The roll having been called again,

Messrs. Ford, Gilman, Ludden, Patch, Ramsey, Rice and Sloan, were reported absent.

A quorum being present,

Mr. Brunson moved that the report of the Librarian be taken up and referred to the Committee on Territorial Expenditures.

Which was agreed to.

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

leave to introduce a bill granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river above the Falls of St. Anthony.

Mr. Tilden moved a call of the House,

Which was ordered.

And Messrs. Ford, Gilman, Ludden, Patch, Ramsey, Rice and Sloan were reported absent.

The Sergeant-at-Arms was directed to notify the absent members to appear in their seats forthwith.

The Speaker directed the Messenger to notify all the members he could find to appear in their seats.

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

The question being put,

It was decided in the negative.

A division being called for and ordered;

There were yeas—8; nays—3.

Mr. Wells moved that the House adjourn;

The question being put,

And the Speaker being unable decide,

A division was ordered;

And there were ayes—7; nays—4.

So the House adjourned.

THURSDAY, JANUARY 23, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Rice, Sloan and Warren were reported absent.

The Journal of yesterday was then read.

Mr. Olmstead offered the following resolution:

Resolved, That in future, the calling of the roll of the House be dispensed with, unless ordered by the House;

The question having been put on the adoption of the resolution;

It was disagreed to.

Mr. North, in pursuance of previous notice, and by leave, introduced,

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

Which was read the first time.

Mr. Brunson, pursuant to previous notice, and by leave, introduced,

No. 7, H. of R. A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of St. Paul.

Which was read the first time.

A message from the Council by Joseph R. Brown, Esq., Secretary thereof,

“MR. SPEAKER:—The Council has concurred in,

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company, with amendments; in which the concurrence of this House is respectfully requested.

“The Council has ordered the report made by the Territorial Auditor to the Legislative Assembly, to be printed and referred to the Committee on Territorial Expenditures.”

The message from the Council was taken up in the order of business.

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company, Was taken up;

And the 1st, 2d, 3d, 4th and 5th amendments of the Council were concurred in.

And the sixth and seventh amendments of the Council non-concurred in.
No. 1, C. F. A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver;

Was read the third time.

The question being put,

“Shall this bill pass?”

It was decided in the affirmative; and the title thereof agreed to.

Mr. Ludden moved, “as the sixth amendment of the Council to,

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company, which was non-concurred in by the House,” that a committee of conference be appointed, to confer with a similar committee on the part of the Council thereon.

Which motion prevailed.

And Messrs. Ludden, Trask and Rice were appointed said committee.

Mr. Rice offered the following resolution:

Resolved, That 41st rule of this House be suspended, and until otherwise ordered, the House shall adjourn from day to day, to the hour of half past nine o'clock, A. M.

The question being put on the adoption of the resolution,

The yeas and nays being ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, North, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, Warren and Ames, (Speaker)—16.

Those who voted in the negative are—Messrs. Olmstead, and Wells—2.

And so the resolution was adopted.

Mr. Rice gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to “provide for the exemption of certain personal and real property from levy and sale on execution.”

Mr. Tilden, Chairman of the Committee on Corporations, made the following report:

The Committee on Corporations, to whom was referred House bill No. 5,

“A bill for an act to charter the Minnesota General Manufacturing Association,” having had said bill under consideration, report the same back to the House, and recommend its passage, with the following amendment:

In the second line in the last enactment, strike out the word “fifty,” and insert “twenty.”

On motion of Mr. Wells,

The House adjourned.

FRIDAY, JANUARY 24, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Randall and Warren, were reported absent.

The Journal of yesterday was then read.

No. 5, H. of R. A bill for an act to incorporate the Minnesota General Manufacturing Association, was taken up.

Mr. Randall moved that said bill be engrossed and read a third time on Tuesday next.

Mr. Rice moved that the consideration of the bill be postponed for three weeks;

Which motion prevailed.

No. 6, H. of R. A bill for an act granting to Franklin Steele, the right to establish and maintain a Ferry across the Mississippi river,

Was read the second time.

Mr. North moved that the bill be engrossed.

Mr. Tilden moved that the bill be laid on the table for the present.

Mr. Wells moved that the bill be laid on the table and printed;

Which motion prevailed.

No. 7, H. of R. A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of St. Paul,

Was read a second time.

Mr. Gilman moved that the said bill be laid on the table;

Which motion was disagreed to.

Mr. Rice moved that said bill be referred to the Committee on Corporations;

Which motion was agreed to.

Mr. Warren, in pursuance to previous notice, and by leave, introduced,

No. 8, H. of R. A bill for an act to change the boundaries of Wahnatah and Mahkahto counties, and to attach Wahnatah and Itasca counties, to the county of Benton for judicial purposes.

Which was read the first time.

On motion of Mr. Task,

The House resolved itself into a committee of the whole, for the consideration of,

No. 4, H. of R. A bill for an act to provide for the erection of Public Buildings in the Territory of Minnesota;

Mr. Rice in the Chair.

During the session of the committee, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker took the Chair for its reception, viz:

“MR. SPEAKER:—The Council has concurred in,

“No. 1, H. of R. A bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell.

“The Council has appointed Messrs. Rollins, Burkleo and Forbes, a committee to confer with a similar committee on the part of the House, on the disagreeing vote of the two Houses on,

“No. 2, H. of R. A bill for an act to incorporate the Saint Croix Boom Company.”

The Secretary then withdrew.

And the committee of the whole resumed its session.

And after some time passed therein, the committee rose, and by the chairman, reported the bill back to the House with amendments.

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

Mr. Brunson moved that the amendments be taken separately;

Which motion prevailed.

The question having been put on concurring in the first amendment of said committee,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, Warren and Wells—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, and Ames (Speaker)—9.

And so the amendment was not concurred in.

And the question having been put separately on the second and third amendments, they were concurred in.

The question having been put on concurring in the fourth amendment,

And the Speaker not being able to decide, a division was ordered;

And there were yeas—8; nays—8.

And so the amendment was not concurred in.

The question having been put separately on concurring in the fifth, sixth and seventh amendments of the committee;

They were severally concurred in.

Mr. Brunson moved that the bill be engrossed and read the third time on tomorrow.

Mr. Rice moved to amend the bill by striking out the word "Stillwater" and insert "Saint Paul," in the fourth line of section 1, and strike out "Stillwater" wherever it occurs in said bill, and insert "Saint Paul."

The Speaker decided, that Mr. Brunson's motion to engross, took precedence.

Mr. Brunson withdrew his motion for the present.

The question then recurring on Mr. Rice's amendment to the bill,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—11.

So the amendment was disagreed to.

Mr. Brunson renewed his motion to engross.

Mr. Rice offered the following amendment to the bill:

"Strike out Stillwater wherever it occurs in said bill, and insert St. Anthony."

The Speaker decided that the amendment was not in order until the motion of Mr. Brunson to engross was acted upon, as the motion was renewed and seconded before the motion of Mr. Rice to amend was made.

Mr. North moved to amend Mr. Brunson's motion, as follows:

"That it be engrossed and taken up one week from to-morrow."

Mr. Olmstead moved that the bill be referred to the Committee on Public Buildings;

The question being put,

And the ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Randall, Rice, Sloan, and Warren—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—9.

So the motion was disagreed to.

The question recurring on Mr. North's amendment to Mr. Brunson's motion,

And the ayes nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Randall, Rice, Sloan and Warren—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—9.

And so the amendment was disagreed to.

Mr. Rice moved that the bill be laid on the table;

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Patch, Randall, Rice, Sloan and Warren—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

So the motion was disagreed to.

Mr. Olmstead then moved that the bill be indefinitely postponed.

The question being put,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Patch, Rice, Sloan and Warren—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—11.

So the motion was disagreed to.

Mr. Rice took an appeal from the decision of the Chair, deciding that the motion to amend the bill was not in order until after the motion to engross was disposed of.

And the question being put,

"Will the House sustain the decision of the Chair?"

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, and Warren—8.

So the decision of the Chair was sustained.

Mr. Warren moved that the House adjourn;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Randall, Rice, Sloan and Warren—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—9.

So the motion was lost.

The question recurring upon the motion of Mr. Brunson, that the bill be engrossed and read a third time to-morrow; was put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

So the motion prevailed.

And the bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Randall,

The House adjourned.

SATURDAY, JANUARY 25, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Ford, Ludden, Olmstead, Randall, Rice, Trask and Warren, were reported absent.

The Journal of yesterday was then read.

A quorum not being present for the transaction of business,

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

Mr. North, Chairman of the Committee on Engrossed Bills, reported as correctly engrossed:

No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota.

No. 8, H. of R. A bill to change the boundaries of Wahnahtah and Mahkahto counties, and to attach Wahnahtah and Itasca counties to the county of Benton for judicial purposes,

Was read a second time.

The Sergeant-at-Arms reported the absent members in their seats.

Mr. Warren moved that the said bill be engrossed and read a second time on Monday next;

Mr. Tilden moved that the bill be laid on the table;

Which motion was agreed to.

No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota,

Was read the third time.

And the question being put,

“Shall this bill pass?”

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Gilman, North, Olmstead, Patch, Randall, Rice, Sloan, and Warren—8.

So the bill was passed.

Mr. Olmstead offered the following amendment to the title of the bill, viz:

“A bill to provide for carrying out a magnificent scheme of log-rolling, by which a presiding officer of this House and a Territorial Printer was elected.”

The Speaker decided that the amendment was highly indecorous, and directed the Clerk to hand the same back to the mover;

Which was done.

The original title of the bill was agreed to.

Mr. Ludden, Chairman of the Committee of Conference, made the following report:

The committee appointed to confer with a committee of the Council, upon Bill No. 2, H. of R., entitled “a bill for an act to incorporate the St. Croix Boom Company;” unanimously report:

Your committee would recommend the following amendment to said bill, viz:

Sec. 16. “The Legislature of this Territory shall have the right to alter or amend this act, at any time after the period of ten years from passage of this act.”

All of which is respectfully submitted.

J. D. LUDDEN, SYLVANUS TRASK, EDMUND RICE,	}	Committee of House.
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Mr. Sloan offered the following resolution:

Whereas, the 8th section of the act to establish the Territorial Government of Minnesota, provides that “no person holding a commission or appointment under the United States, except Post Master, shall be a member of the Legislative Assembly:”

And whereas, Justus C. Ramsey has been sworn as a member of the House of Representatives whilst holding an office under the United States; therefore,

Resolved, That the Committee on Elections be instructed to inquire, whether the said Justus C. Ramsey holds the appointment of Messenger for the Governor, and whether he is legally entitled to a seat in the Legislative Assembly.

Mr. Tilden moved that the resolution be laid on the table;

Mr. Ludden moved to amend Mr. Tilden’s motion,

“That said resolution be indefinitely postponed;”

Which was accepted.

And the question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Ludden, North, Randall, Taylor, Trask, Warren, Wells and Ames, (Speaker)—11.

Those who voted in the negative are—Messrs. Gilman, Olmstead, Patch, Rice, Sloan, and Tilden—6.

Mr. North moved that the House adjourn;

The question being put,

And the Speaker not being able to decide,

A division was ordered,

And there were ayes—6; nays—9.

So the House refused to adjourn.

The Speaker announced as the special order of the day, the consideration of the report of the Committee on Elections, to whom was referred the credentials of B. H. Randall and Alexander Farribault, sitting members from the Seventh Council District.

On motion of Mr. Rice,

The consideration of said report was postponed until Monday next.

On motion of Mr. Trask,

The House adjourned until Monday next at two o’clock, P. M.

MONDAY, JANUARY 27, 1851.

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

The roll having been called,

Mr. Ford was reported absent.

The Journal of last Saturday was then read and corrected.

Mr. Olmstead moved that the Journal of Saturday be so amended, that his amendment to the title of the bill in relation to Public Buildings appear upon the Journal.

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Ludden, North, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, Warren and Ames (Speaker)—14.

Those who voted in the negative are—Messrs. Brunson, Farribault, and Wells—3.

So the amendment was ordered to be made.

Mr. Randall, from the Committee on Enrolled Bills, reported

No. 1, (H. of R.) A bill for an act to dissolve the marriage contract between Silas Henry Axtell, and Catharine Maria Axtell;

As correctly enrolled.

When the Speaker signed the said act.

No. 8, H. of R. A bill to change the boundaries of Wahnahtah and Mankahto counties, and to attach Wahnahtah and Itasca counties to the county of Benton for judicial purposes,

Was taken up, and

On motion of Mr. Warren,

Ordered, To be referred to the Committee on Territorial Affairs.

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Was taken up.

On motion of Mr. Trask,

Ordered, That said bill be taken up in committee of the whole House, on to-morrow.

Mr. Brunson moved a call of the House, which was ordered;

Mr. Ford was reported absent.

The Sergeant-at-Arms not being present, the Fireman was directed to notify the absent member to appear in his seat.

The Fireman reported the absent member in his seat.

The report of the Committee on Elections was taken up, and

On motion of Mr. Trask,

The House adjourned.

TUESDAY, JANUARY 28, 1851.

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

The roll having been called,

Messrs. Gilman, Olmstead, Randall, Rice, and Tilden were reported absent.

The Journal of yesterday was then read.

Mr. Warren gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill, providing for the location of the county seat of Benton county by vote of the people.

The Speaker announced,
No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.

Mr. Warren moved a call of the House;

Which was ordered,

And the roll having been called,

Messrs. Brunson, Gilman, Olmstead and Tilden were reported absent.

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

Mr. Warren moved that further proceedings under the call of the House be dispensed with;

The question having been put,

The Chair being unable to decide, a division was ordered;

And there were ayes—7; nays—5.

So the motion was agreed to.

On motion of Mr. North,

The House resolved itself into committee of the whole, for the consideration of, No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

Mr. Trask in the chair,

During the session of the committee, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker took the chair for its reception, viz:

“MR. SPEAKER:—The Council has passed,

“No. 3, C. F. ‘Resolutions requesting the Secretary of War to employ additional agents for the survey of certain roads in the Territory of Minnesota.’

“No. 6, C. F. ‘A bill to incorporate the Mississippi Boom Company;’ and

“No. 4, C. F. ‘A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory.’

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The committee of the whole resumed its session;

After some time passed therein, the committee rose, and by their chairman, reported the bill back to the House with amendments.

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

They were severally concurred in.

The Sergeant-at-Arms reported the absent members in their seats.

The report of the Committee on Elections was taken up for further consideration.

On motion of Mr. Rice,

The House adjourned.

WEDNESDAY, JANUARY 29, 1851.

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

The roll having been called,

Messrs. Brunson, Farribault, Gilman, Olmstead, Ramsey and Rice were reported absent.

The Journal of yesterday was then read.

No. 3, C. F. Resolutions requesting the Secretary of War to employ additional agents for the survey of certain roads in the Territory of Minnesota,

Were read the first time.

No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory,

Was read the first time.

No. 6, C. F. A bill to incorporate the Mississippi Boom Company,

Was read the first time.

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Was taken up; and

On motion of Mr. North,

Was ordered to be engrossed and read a third time on to-morrow.

The report of the Committee on Elections was taken up for further consideration.

Mr. Rice moved a call of the House;

Which was ordered,

And the roll having been called,

Messrs. Farribault and Olmstead were reported absent.

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

On motion of Mr. Taylor,

Mr. Farribault was excused from attendance on the House to-day.

The Sergeant-at-Arms reported the absent member in his seat.

The question being put on the adoption of the report of the Committee on Elec-

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ford, Gilman, Ludden, Olmstead, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—11.

Those who voted in the negative are—Messrs. North, Patch, Rice, Sloan and Warren—5.

So the report of the committee was adopted.

Mr. Rice gave notice of his intention to withdraw as chairman of the Judiciary Committee.

Mr. Trask moved that the report of the Committee of Conference on

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company, be concurred in;

Which was agreed to.

On motion of Mr. North,

Mr. Rice was excused from serving as chairman of the Judiciary Committee.

Mr. Wells moved to adjourn;

Which was disagreed to.

The Speaker announced the re-organization of the Judiciary Committee, as follows:

Messrs. North, Ludden and Trask.

Mr. Ludden asked to be excused from serving on said committee; and,

On motion of Mr. Trask,

He was accordingly excused.

The Speaker then appointed Mr. Brunson in the place of Mr. Ludden on said committee.

On motion of Mr. Warren,

The House adjourned.

THURSDAY, JANUARY 30, 1851.

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

The roll having been called,

Messrs. Brunson, Olmstead, Ramsey, Rice, Sloan, Tilden and Trask, were reported absent.

The Journal of yesterday was then read.

Mr. North, from the Judiciary Committee, reported back to the House, with sundry amendments:

No. 3, H. of R. A bill for an act regulating Tavern and Grocery Licenses.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

No. 3, C. F. Resolutions requesting the Secretary of War to employ additional agents for the survey of certain roads in the Territory of Minnesota.

Was read the second time; and

On motion of Mr. Trask,

The 51st rule of this House was suspended;

And the said resolutions were read the third time by their title.

And the question being put,

“Shall the resolutions be concurred in?”

It was agreed to.

The title of said resolutions was then agreed to.

No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory,

Was read the second time.

No. 6, C. F. A bill to incorporate the Mississippi Boom Company,

Was read the second time.

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof,

“MR. SPEAKER:—The Council has concurred in,

“No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota.”

The Secretary then withdrew.

On motion of Mr. Wells,

Ordered, That No. 6, C. F. A bill to incorporate the Mississippi Boom Company,

Be laid on the table and printed.

On motion of Mr. Trask,

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Was read the third time by its title.

The question being put,

“Shall this bill pass?”

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, Patch, Ramsey, Randall, Rice, Taylor, Tilden, Trask, Warren, Wells and Ames (Speaker)—15.

Negative, Mr. Sloan—1.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Trask,

The House resolved itself into committee of the whole,

Mr. Olmstead in the chair,

For the consideration of,

No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory; also,

No. 3, H. of R. A bill, for an act regulating Tavern and Grocery Licenses;

After some time passed therein, the committee rose, and by their chairman, reported said bills back to the House with amendments;

In which they asked the concurrence of the House.

The amendments of the committee of the whole to both of said bills were concurred in by the House.

On motion of Mr. Trask,

Ordered, That No. 3, H. of R. A bill for an act regulating Tavern and Grocery Licenses,

Be engrossed and read the third time on to-morrow.

Mr. Trask moved that

No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory,

Be referred to the Committee on Corporations.

Mr. Rice moved to amend,

“That it be referred to the Committee on the Militia;”

Which amendment was accepted.

And the question being put,

It was agreed to.

The Speaker announced the following communication:

“ST. PAUL, January 30, 1851.

“*Hon. M. E. Ames, Speaker of the House of Representatives:*

“DEAR SIR:—Other imperative duties will prevent my attendance to the Chaplaincy, to which the House was pleased to elect me. Please announce my resignation of the office to the House.

“With many wishes for the prosperity of the Territory and the members individually,

I am, respectfully,

E. D. NEILL.”

On motion of Mr. Wells,
The communication was accepted.

On motion of Mr. Wells,
The House adjourned.

FRIDAY, JANUARY 31, 1851.

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

The roll having been called,

Messrs. Brunson, Ford, North, Olmstead, Ramsey and Rice, were reported absent.

The Journal of yesterday was then read.

Mr. Trask offered the following resolution:

Resolved, That the Secretary of the Territory be requested to lay before this House a copy of the last census of the Territory of Minnesota, as made and returned by the Marshal of the Territory.

On motion of Mr. Trask,

The 33d rule of this House was suspended.

And the question being put,

The resolution was adopted.

Mr. Tilden, from the Committee on Corporations, to whom was referred

No. 7, H. of R. A bill for an act to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows,

Offered a majority and minority report, as follows:

“A majority of the Committee on Corporations, to whom was referred House bill,

No. 7, entitled ‘A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows;’

“Report, that they have had said bill under consideration, and report the same back to the House without amendment, and recommend its passage.

HENRY L. TILDEN.

JESSE TAYLOR.”

“The minority of the committee, to whom was referred House bill, No. 7; on the files of the House of Representatives, entitled, ‘A bill to incorporate St. Paul

Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul, respectfully reports, that he dissents from the action of the majority, because he is unacquainted with the nature and character of the Independent Order of Odd Fellows; and because he is opposed to granting corporate privileges for purposes not distinctly made known and set forth. He would not be understood as intending to cast any unfavorable imputation upon the order referred to; on the contrary, he has reasons to believe that it is a good institution. But he is unwilling to legislate in the dark; and cannot, in his capacity of Representative, vote for the bill reported by the majority of the committee, and therefore, recommends that it be negatived.

DAVID GILMAN."

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 3, H. of R. A bill for an act regulating the sale of Spirituous Liquors.

On motion of Mr. Tilden,

Ordered, That No. 7, H. of R. A bill for an act to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul,

Be engrossed and read the third time on to-morrow.

No. 3, H. of R. A bill for an act regulating the sale of Spirituous Liquors,

Was read the third time.

And the question being put,

"Shall this bill pass?"

It was decided in the affirmative,

And the title thereof agreed to.

Mr. Wells moved that the House now proceed to the election of Chaplain, to fill the vacancy occasioned by the resignation of the Rev. Mr. Neill.

Mr. Brunson offered the following resolution:

Resolved, That the Speaker request the Rev. Mr. Hobart to officiate as Chaplain to this House for the balance of the session;

Mr. Wells withdrew his motion.

Mr. Gilman offered the following amendment to Mr. Brunson's resolution:

By adding after the words "Rev. Mr. Hobart," "Messrs. Parsons, Raveaux and Breck;"

The question being put on the adoption of the amendment,

It was decided in the affirmative.

A division being called for and ordered;

There were ayes—6; nays—9.

So the amendment was disagreed to.

Mr. Warren moved to amend,

"That the name of Mr. Hobart be stricken out, and the name of William T. Boutwell be inserted in lieu thereof;"

The question being put,

It was disagreed to.

The question recurring on the adoption of the original resolution,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, North, Olmstead, Ramsey, Randall, Rice, Taylor, Tilden, Trask and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Farribault, Ford, Gilman, Luden, Patch, Sloan, Warren and Wells—8.

So the resolution was adopted.

Mr. Olmstead from the Joint Committee on Enrolled Bills, reported as correctly enrolled:

No. 1, C. F. A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver;

Mr. Wells moved that the House adjourn until Monday next, at 2 o'clock P. M.

The question being put,

It was decided in the negative.

A division being called for and ordered;

There were ayes—8; nays—6.

So the House adjourned.

MONDAY, FEBRUARY 3, 1851.

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

The roll having been called,

Messrs. Ford, Olmstead, Ramsay, Rice, and Sloan were reported absent.

Prayer by the Rev. Mr. Hobart.

The Journal of last Saturday was then read.

The committee on Enrolled Bills, reported as follows:

“The Committee on Enrolled Bills, have examined and found carefully enrolled the following bills, viz:

“No. 2, H. of R. ‘A bill for an act to incorporate the St. Croix Boom Company.’

“No. 4, H. of R. ‘A bill to provide for the erection of Public Buildings in the Territory of Minnesota.’

B. H. RANDALL,
Chairman.”

The Joint Committee on Enrolled Bills, reported as follows:

“The joint committee did, on the 31st. of January, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills:

“A bill entitled ‘An act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;’

“A bill entitled ‘An act to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake Saint Croix, opposite Willowriver.’

M. McLEOD, Council,
B. H. RANDALL, H. of R., } Committee.”

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 7, H. of R. A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul,

Mr. North, from the Committee on Schools, made the following report, accompanied with

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota.

“The Committee on Schools, to whom was referred so much of the Governor’s message, as relates to Schools, and the endowment of a University; and such portion as relates to the Territorial Library, respectfully ask leave to report:

“That they have had the subjects above mentioned under consideration, and unanimously concur in the views contained in the message of his Excellency. The education of the young is inseparably connected with all that pertains to the public weal. The children of the present, are the citizens and rulers of the future; and upon their education, depends the character and destiny of our infant commonwealth. The characters of all men are formed in a great degree, by the instruction and impressions received in early life. The man is a good or bad citizen, from the influence of early training. He is useful or pernicious as a member of society, in proportion as his intellectual and moral education has been attended to or neglected. Let every child in the community grow up under the influence of virtuous instruction; and the men and women of each succeeding generation, will be mentally and morally, what their instruction was calculated to make them. Men do not ‘gather grapes of thorns, or figs of thistles;’ neither does society gather virtuous citizens from the haunts of vice, or exalted minds from the abodes of ignorance and stupidity. On the contrary, the prison and the alms-house are every where supplied from the ranks of those who have been neglected in childhood; and the worst traits of human character are attributable, in a great degree, to a neglected or perverse education. To cultivate and encourage the right, is

far easier than to restrain the wrong. To cherish virtue is less expensive than to punish vice, and to govern and restrain the ignorant is far more difficult than to educate and fit men to govern themselves.

“Your committee find already existing, a system of schools established by an act of the last session of the Legislature, which, though it possesses some imperfections, has nevertheless, one feature which is a crown of glory to our new Territory—that is a provision for *Free Schools*. The principle is already established here, that every child in the community is entitled to an education at the public expense; and all experience has shown that the public welfare, as well as that of the individual, demands a system thus free and universal. We may well congratulate ourselves on having commenced with a system, which older States are now striving with great difficulty to adopt; that what with us, is the starting point of progress, is with them, the goal of their future hopes.

“To render the system already established, prosperous and efficient, your committee would respectfully concur in the recommendation of his Excellency, the Governor, that provision be made by law, for the appointment of a Superintendent of Common Schools. To accomplish that object, a provision has been already incorporated in a bill, which will soon be before this body, providing for the appointment of such an officer, and defining his powers and duties; together with such amendments to the present law as the committee deem necessary; which, it is hoped, will meet the approbation and concurrence of this House.

“In regard to the endowment of a University, to which his Excellency calls attention in his message, the committee would respectfully suggest, that in their opinion, the cause of education in the Territory demands the early establishment and endowment of an institution of learning, which shall afford to the youth of the Territory an opportunity of obtaining a liberal, scientific and classical education. And let it not be said that this is too early in our history to form the nucleus of such an institution. The foundations of some of the New England Universities were laid almost at the commencement of their colonies. As soon as the forests were cleared from their streets, and they had constructed dwellings for themselves, they immediately began to erect institutions of learning for their children. Harvard University, the first in the United States, was founded in 1638, eight years after the first settlement of Massachusetts Bay, and only eighteen years after the landing of the Pilgrims at Plymouth Rock. *There were at that time, only about half as many inhabitants in all New England, as are now residing in the Territory of Minnesota.*

“Yale College was also founded in the very infancy of the Connecticut colony. These Institutions, though small in their beginnings, have kept pace with the growth of our country, and have done more than any other, to give an impress of virtue, intelligence and refinement to our national character. Situated as we are, hundreds of miles removed from the institutions of the older States, there is the greater necessity of our having institutions of learning of our own. Besides, we have a country in healthfulness, and in most other respects, calculated to become the New England of the West. With proper energy on the part of her people, in the promotion of education, she may yet become to the West, what New England is to the Union.

“The committee would therefore, recommend the passage of an act, (a bill for which is herewith submitted,) to incorporate the ‘University of Minnesota.’ Though such an institution should not come to maturity in many years, it may now receive an endowment in lands, that will increase in value with the growth of the country, and when wanted, will be amply sufficient to erect and furnish an institution commensurate with our wants. In the mean time, its preparatory department may serve as an Academic Institution for the entire youth of the Territory.

“The committee therefore, respectfully concur in the recommendation of the Governor, that Congress be memorialized for a grant of land for the endowment of such a University.

“The committee having learned that the subject of the Territorial Library had been referred to the Committee on Territorial Expenditures, and that a bill for

the regulation of the Library is now before the Council, have deemed it unnecessary to take any action thereon.

All which is respectfully submitted.

J. W. NORTH, Chairman,
B. H. RANDALL, } Committee."
J. C. RAMSEY, }

No. 7, H. of R. A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul,

Was read the third time.

And the question being put,

"Shall the bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

No. 6, C. F. A bill to incorporate the Mississippi Boom Company,

Was taken up.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole;

Mr. Trask in the Chair.

For the consideration of said bill.

During the session of the committee, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker took the Chair for its reception, viz:

"MR. SPEAKER:—The Council has passed,

"No. 4, C. F. 'A resolution of the two Houses of the Legislature relative to the Annals of the Minnesota Historical Society, for 1851.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

And the committee of the whole resumed its session.

And after some time passed therein, the committee rose, and reported the bill back to the House with amendments.

The amendments were severally concurred in except the fourth.

Mr. Gilman offered the following amendment:

"Amend section 11, line 4, by inserting after the word 'down,' 'or going up.'

The question being put,

It was decided in the affirmative.

A division being called for and ordered;

There were yeas—6; nays—4.

So the amendment was concurred in.

Mr. Rice offered the following amendment:

"Amend section 2, by striking out all after the word 'company' in line 5."

The question being put,

And the yeas and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, Ludden, North, Patch, Rice, Sloan, Taylor, Tilden, Trask, Warren, Wells and Ames (Speaker)—13.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ramsey, and Randall—4.

And so the amendment was concurred in.

Mr. Wells offered the following amendment:

"In section 13, line 6, strike out the word 'two' and insert 'five.'

The question being put,

The amendment was concurred in.

Mr. Ramsey offered the following amendment:

"SEC. 17. The proprietors of the present and future mills in the town of St. Paul, shall not, by any provisions of this bill, be prohibited from constructing side boom or booms, at such point or points, as they may select, between the lower mill in said town of St. Paul, and a point on said Mississippi river, at the lower extremity of the military reserve; and shall in no wise, while using the said side boom exclusively, be subject to charges provided for in this bill."

The question being put,
The amendment was concurred in.

On motion of Mr. Tilden,

Ordered, That the said bill as amended, be read the third time on to-morrow.

Mr. Tilden moved that the Hon. M. E. Ames have leave of absence from this House during the present week;

The question being put,
It was decided in the affirmative.

Mr. Trask moved that Hon. H. L. Tilden preside as Speaker, during the absence of Mr. Ames.

On motion of Mr. Rice,
The House adjourned.

TUESDAY, FEBRUARY 4, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Olmstead, Randall, Rice, Sloan and Warren, were reported absent.

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

The Journal of yesterday was then read.

Mr. Wells, from the Committee on the Militia, made the following report, accompanied with

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory.

“The Committee on the Militia, to which was referred,

“No. 4, C. F. ‘A bill to authorize the establishment of Ferries and Bridges in this Territory,’ respectfully report:

“That your committee has given the subject referred to their consideration, the attentive and careful consideration which its importance demanded.

“Your committee fully appreciate the honor conferred on them by this House, by assigning to them the Herculean task of submitting to this House for its consideration, a subject, no less grave and important, than a system for the establishment of Ferries and Bridges in this Territory.

“Your committee, composed as it is, of members of the House residing west of the Mississippi river, may truly be supposed to possess some experience in *crossing from one side to the other*, of our great ‘national thoroughfare’—and also, may have been supposed to be anxious that all obstacles might be removed which have rendered the Halls of Legislation in our Territory less accessible to the members elected west of the Mississippi, than to those blessed with a residence east of that river. ‘Practical experience should tend to perfection,’ and your committee having to some extent, personally encountered and overcome difficulties incident to crossing and re-crossing the larger streams in this Territory, was no doubt, supposed, (and very justly too,) capable of grasping the subject, and of clearly demonstrating to the minds of the members of this House, all the improvements, necessary to make the system of *ferriage* now used in the West, and more particularly in our own beautiful Territory, perfectly equal in all its operations.

“Although it has been the general practice, in all Legislative bodies heretofore, to preserve a Legislative distinctness between the subjects of Ferries, Bridges, Roads, &c., and that of the Militia, and to appoint committees appropriate to each; yet in these days of improvement and progression, they have been found to be, like politicians, supporting profligate candidates, much more closely allied than was heretofore supposed; and there is no doubt, but the present, as well as

future generations, will accord to this honorable body, due credit for having discovered, and so judiciously acted upon, the close connection of those important subjects.

“The duties incident to a Committee on the Militia, in all Legislative bodies, may be supposed to lead to deep reflection on the condition, not only of the Militia, as a body, and its efficiency, but also of the adaptation of the country to facilitate the movements of this bulwark of Western defence.

“Nothing should impede the progress of troops, either in advance or retreat; and very many instances may be found in history, where the want of proper facilities for crossing streams have led to much hazard and toil. If there had been proper boats at Dow’s ferry when the detachment under Major Lee reached that place, his little band of wearied troops would not have been compelled to endure the fatigue or hazard of a march to the new bridge across the Hackensack: the passage of the Yaddin, by Green, would most probably have resulted in the destruction and loss of a large part of his command, had he not obtained the timely use of boats; and the subsequent retention of those boats, added much to the security of his position. Historians very gravely intimate, although it is not asserted in so many words, that if there had been no bridge at Lodi, the memorable battle would not have been fought on it, nor the subsequent passage over it, of a large, but diminished army, been secured; and boats were found to be indispensable in facilitating the embarkation of the army under the brave, but unfortunate Moore, from a country that was evidently becoming too hot.

“The annals of all military operations teem with instances where great advantages have been derived from the operation of well regulated ferries; and in our own days, although our Territory has never, from its earliest settlement until the present day, experienced but one outbreak which called forth a display of military and militia powers; yet on that occasion, the efficiency of that chivalrous band of heroes, who rushed to the rescue of their fellow-citizens from the Tomakawk and Scalping Knife of the Winnebagoes, would have been much less conspicuous, had not the power of steam contributed much to effect the movements of our brave volunteers.

“Your committee, after due and deliberate reflection and much experience on the subject, can truly say, and have no doubt but the reflecting portion of this House will also admit, that fording a rapid stream, of whatever color, name or location it may be, if wide, and from five to ten or fifteen feet in depth, is certainly a matter of much inconvenience. Even our beautiful lakes, where a perceptible current does not exist, and where the zephyrs fan the smooth and mirror like surface until miriads of smiles are perceptible through the sunbeams, can be much more conveniently and expeditiously traversed in a good and commodious boat, with or without steam, than on a raft.

“Your committee are therefore of opinion, that Ferries and Bridges may be considered useful, and they certainly are convenient in crossing streams, particularly the large ones, even in a new country; and your committee do not believe the subject is one entirely above the comprehension of modern Legislators.

“Your committee would, however, respectfully state, that with their united wisdom, and the experience they have had in such matters, together with the deepest reflection on the subject, they have been unable to make such amendments to the bill referred to them, as to at all meet the views of your committee.

“Your committee consider the wants of our Territory would be much better met by the establishment of a general system, which would abolish the present one, of special legislation; but no feature of any principle of the kind is now contained in the bill.

“Your committee have much confidence in the ability of the people to select competent persons to administer the internal affairs of their country, and those persons so elected, being conversant with the wants of the various portions of their country, and more especially of the points towards which travel is more particularly directed, as well as those points where there is less travel, but where the wants of the few should be administered to, are thought to be much more compe-

tent to give general satisfaction, than the members of a Legislature, but one or two of whom are acquainted with the circumstances, and entirely without accountability to those interested.

"There are points where Ferries are now valuable, and a license would be eagerly sought, for a short period, and at a tax important to the finances of the county. Other points there are, where the peculiar location of the country is such, that a nominal tax, and long licenses are necessary to induce the persons to incur the expense of providing the necessary boats and other expenses incidental to the establishment of a ferry, still a few persons would be much benefited by the establishment of a ferry at such a point.

"Both our mothers, Wisconsin and Iowa, have, and do now act on this principle, on all large rivers, to the infinite advantage of their inhabitants; and your committee are clearly of opinion that the same system would much benefit Minnesota.

"Your committee much regret that no principle of the kind could be engrafted on the bill referred to. It appears to have been intended to perpetuate a system of special legislation on the subject of Ferries and Bridges, to which your committee is strongly opposed. Existing instances of the evils resulting therefrom, may now be found on the Mississippi and other streams in Iowa and Wisconsin.

"Failing in their attempt to engraft on the bill the necessary provisions to render it useful to the people, your committee respectfully recommend, as the best means of attaining the object desired, the adoption of the substitute herewith submitted for

"No. 4, C. F. 'A bill to authorize the establishment of Ferries and Bridges in this Territory.'

All of which is respectfully submitted.

JAMES WELLS,
Committee."

Mr. Rice moved that fifty thousand copies of the report be printed;

The question being taken,

It was decided in the negative.

On motion of Mr. North,

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota, Was read the second time by its title, and ordered to be printed and taken up in committee of the whole on next Thursday.

No. 6, C. F. A bill to incorporate the Mississippi Boom Company,

Was taken up, and

On motion of Mr. Trask,

It was read the third time by its title;

The question being put,

"Shall this bill pass?"

It was decided in the affirmative; and the title thereof agreed to.

A message from the Governor, by W. B. White, Esq., Private Secretary.

"MR. SPEAKER:—I have the honor to place in your hands a message from the Governor, in writing."

No. 4, C. F. A resolution of the two Houses of the Legislature relative to the Annals of the Minnesota Historical Society,

Was taken up; and

On motion of Mr. Wells,

Said resolution was adopted.

The message from the Governor was read, and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, February 4th, 1851. }

To the honorable, the Speaker of the House of Representatives:

"SIR:—I return to the House of Representatives, in which it originated, without my approval, a bill entitled 'an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell,' presented me on Friday, the 31st ultimo.

"Waiving a discussion of the constitutionality and propriety of Legislative

divorces, I should be derelict to duty, if I failed to notice the entire nakedness and absence of evidence in support of the statement of the petitioner.

"The reports of the Judiciary Committees of the respective Houses, show that on the simple statement of Silas Henry Axtell, unsupported by other testimony, and without notice to his wife, who is now in a distant State, and who might thereby, be irreparably wronged, is predicated the action of the Legislative Assembly.

With great respect,

Your ob't. servant,

ALEX. RAMSEY."

No. 1, H. of R. An act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;

Returned by the Governor without his signature,

Was taken up;

The question then being put upon the re-consideration of said bill,

It was decided in the affirmative.

And the question then being,

"Shall the bill pass?"

And the ayes and nays being ordered;

Mr. Brunson moved a call of the House;

Which was ordered.

Messrs. Farribault, North and Olmstead, were reported absent.

Mr. Trask moved that Mr. Olmstead be excused from attendance on the House;

Mr. Rice moved to amend,

"That the Sergeant-at-Arms be excused from hunting for Mr. Olmstead;"

Mr. Gilman moved to amend,

"That Mr. Olmstead be excused from attendance on this House for one week;"

Which was agreed to.

The Sergeant-at-Arms reported Mr. North in his seat, and that Mr. Farribault was absent from town.

On motion of Mr. Trask,

That further proceedings under the call of the House were dispensed with.

The question recurring on the passage of,

No. 1, H. of R. An act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;

Those who voted in the affirmative are—Messrs. Brunson, Ford, Gilman, Rice, Sloan, Taylor and Trask—7.

Those who voted in the negative are—Messrs. Ludden, North, Patch, Ramsey, Randall, Warren and Wells—8.

So the House refused to pass the bill.

On motion of Mr. Wells,

The House adjourned.

WEDNESDAY, FEBRUARY 5, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Rice, Trask and Wells, were reported absent.

There not being a quorum present,

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

The Journal of yesterday was then read.

Mr. Randall, from the Joint Committee on Enrolled Bills, submitted the following report:

“The Joint Committee did, on the 4th of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills.

“A bill entitled ‘an act to incorporate the St. Croix Boom Company;’

“A bill entitled ‘an act to provide for the erection of Public Buildings in the Territory of Minnesota.’

M. McLEOD, Council, }
B. H. RANDALL, H. of R., } Committee.”

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory.

Was read the first time.

On motion of Mr. Trask,

The report of the Committee on the Militia, substituting

No. 9, H. of R. for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory;

Was accepted.

Mr. Trask moved that said bill be engrossed and read the third time on tomorrow.

The Speaker remarked that the motion was out of order inasmuch as it had not been read the second time.

Mr. Trask then withdrew his motion.

On motion of Mr. Wells,

The rules were so far suspended that the bill was read the second time by its title.

On motion of Mr. Trask,

The said bill was laid on the table and ordered to be printed.

A message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has concurred in the first, second, third, fifth and sixth amendments made by this House to

“No. 6, C. F. ‘A bill to incorporate the Mississippi Boom Company;’ and have non-concurred in the fourth and seventh amendments made by this House to said bill.

“The Council has passed

“No. 7, C. F. ‘A bill providing for the appointment of a Librarian, and for other purposes;’

“And have concurred in

“No. 3, H. of R. ‘A bill for an act regulating the sale of spirituous liquors;’

“No. 6, H. of R. ‘A bill for an act granting to Franklin Steele, the right to establish and maintain a Ferry across the Mississippi river,’ with amendments.

“In all of which the concurrence of this House is respectfully requested.”

The message from the Council was taken up.

No. 3, H. of R. A bill for an act regulating the sale of Spirituous Liquors, returned from the Council with an amendment;

Was taken up;

The question being put on concurring in the amendment of the Council,

It was agreed to.

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Returned from the Council with amendments;

Was taken up, and the said amendments read.

The question being put on concurring in the first amendment of the Council,

It was concurred in.

The question was then put on concurring in the second amendment of the Council to said bill;

And said amendment was not concurred in.

Mr. Patch moved that said bill be referred to the Committee on Corporations;

The question being put,

It was decided in the affirmative.

And a division being called for and ordered;

There were ayes—6; nays—5.

So the motion was agreed to.

No. 6, C. F. A bill to incorporate the Mississippi Boom Company,
Returned from the Council with their non-concurrence in the fourth and seventh
amendments made by this House to said bill,

Was taken up.

On motion of Mr. Ramsey,

Said bill was referred to the Committee on Corporations.

No. 7, C. F. A bill providing for the appointment of a Librarian, and for
other purposes,

Was taken up and read the first time.

On motion of Mr. Trask,

The vote referring to the Committee on Corporations,

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to es-
tablish and maintain a Ferry across the Mississippi river;

Was re-considered.

On motion of Mr. Ludden,

The vote referring to the Committee on Corporations,

No. 6, C. F. A bill to incorporate the Mississippi Boom Company,

Was re-considered.

Mr. Trask offered the following resolution:

Resolved, That the Chief Clerk of the House, be requested to inquire of the
committee to which was referred so much of the Governor's message as relates to
the solemnization of marriages, at what time of the session they intend to report,
and whether by bill, or otherwise.

The question being put upon the adoption of the resolution,

It was decided in the affirmative.

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to es-
tablish and maintain a Ferry across the Mississippi river;

Was again taken up.

Mr. North moved that a Committee of Conference be appointed to confer with
a similar committee on the part of the Council on the amendments of the Council
to said bill;

The question being put,

And the Speaker not being able decide,

A division was ordered;

And there were ayes—7; nays—6.

So the motion prevailed.

Messrs. North and Ludden were appointed said committee.

No. 6, C. F. A bill to incorporate the Mississippi Boom Company,

Was again taken up.

Mr. Ramsey moved that a Committee of Conference be appointed to confer with
a similar committee on the part of the Council on the amendments of the Council
to said bill.

The question being put,

It was decided in the affirmative.

A division being called for and ordered;

There were ayes—9; nays—2.

So the motion prevailed;

And Messrs. Ramsey and Gilman were appointed said committee.

On motion of Mr. Randall,

The House adjourned.

THURSDAY, FEBRUARY 6, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Rice and Wells, were reported absent.

The Journal of yesterday was then read.

Mr. North, from the Committee on Schools, reported

No. 10, H. of R. A bill for an act to establish and maintain Common Schools.

No. 7, C. F. A bill to provide for the appointment of a Librarian and for other purposes, was,

On motion of Mr. Trask,

Read the second time by its title and laid on the table.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Wells in the Chair;

For the consideration of,

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory.

During the session of the committee of the whole, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker resumed the chair for its reception, viz:

“MR. SPEAKER:—The Council has concurred in

“No. 7, H. of R. ‘A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul.’”

Then the Secretary withdrew.

The committee of the whole resumed its session;

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

The question then recurring on concurring in the amendments by the House,

They were severally read and concurred in.

Mr. Brunson offered the following amendment to the bill;

“Strike out ‘five’ and insert ‘three,’ in the third line of section 3.”

And the question being put,

It was decided in the negative.

Mr. Brunson offered the following amendment to the title of the bill;

“Strike out the words ‘and bridges.’”

The question being put

The amendment was agreed to.

On motion of Mr. Rice,

Ordered, That the bill be engrossed and read the third time on to-morrow.

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota, Was taken up.

On motion of Mr. Trask,

Said bill was laid on the table.

On motion of Mr. Brunson,

The report of the Committee on Schools was taken up, and

No. 10, H. of R. A bill for an act to establish and maintain Common Schools, reported by said committee,

Was read the first time by its title.

Mr. Brunson moved that the rules be so far suspended that the said bill be read the second time by its title.

The question being put,

And the members not all voting,

A division was called for and ordered;

And there were ayes—12; nays—1.

So the motion prevailed.

And the bill was read the second time by its title.

On motion of Mr. Wells,

Said bill was laid upon the table and ordered to be printed.

Mr. North, from the Judiciary Committee, reported by bill, as follows:

“No. 11, H. of R. A bill for revising and consolidating the general statutes of this Territory.”

On motion of Mr. Trask,

The bill reported by the Judiciary Committee was read the first time by its title, and ordered to be printed.

On motion of Mr. Wells,

The House adjourned.

FRIDAY, FEBRUARY 7, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Gilman, Ramsey, Rice and Warren were reported absent.

A quorum not being present,

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

The Journal of yesterday was then read.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries.

Mr. North, from the Committee of Conference on

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Reported as a substitute,

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.

The report of the Committee was taken up, and the substitute read the first time.

On motion of Mr. North,

The rules were so far suspended, that the substitute of the committee was read the second time by its title.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole;

Mr. Ludden in the Chair,

For the consideration of

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.

During the session of the committee of the whole, the following message was received from the Council by J. R. Brown, Esq., Secretary thereof; when the Speaker resumed the chair for its reception, viz:

“MR. SPEAKER:—His Excellency, the Governor, has notified the Council, that he did, on the third day of February, A. D. 1851, approve and sign an act to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver.”

The Secretary then withdrew.

The committee of the whole resumed its session;

And after some time spent therein, rose and by their chairman, reported the bill back to the House with an amendment;

Which was concurred in by the House.

Mr. Rice offered the following amendment to the bill:

“Strike out in the eight section, the words ‘or repeal,’ and all after the word ‘act,’ and insert the word ‘or’ between the words ‘alter’ and ‘amend.’”

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ford, Gilman, Ludden, Patch, Ramsey, Rice, Sloan, Taylor, Tilden, Trask and Warren—12.

Those who voted in the negative are—Messrs. Farribault, North, Randall, and Wells—4.

So the amendment was concurred in.

The following message was received from the Governor, by W. B. White, Esq., Private Secretary, viz:

“MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing.”

On motion of Mr. North,

Ordered, That No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river, Be engrossed and read the third time on to-morrow.

The message from the Governor was read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 7th, 1851.

“To the honorable Speaker of the House of Representatives:

“SIR:—I have examined and approved the following bills, to-wit:

“An act to provide for the erection of Public Buildings in the Territory of Minnesota.

“An act to incorporate the St. Croix Boom Company.

Very respectfully,

Your obedient servant,

ALEX. RAMSEY.”

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries in this Territory;”

Was taken up and read the third time.

The question being put,

“Shall the bill pass?”

It was decided in the affirmative,

And the title thereof was agreed to.

On motion of Mr. Trask,

No. 10, H. of R. A bill for an act to establish and maintain Common Schools.

Was taken up,

And the House resolved itself into a committee of the whole,

Mr. Randall in the chair,

Having said bill under consideration.

After some time spent therein, the committee of the whole arose, and by their chairman, reported the bill back to the House with amendments, and asked leave to sit again;

Which was granted.

Mr. North moved that the House adjourn until two o'clock p. m.

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—8; nays—0.

So the House adjourned.

TWO O'CLOCK, P. M.

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

The roll being called,

Messrs. Brunson, Farribault, Gilman, Ludden, Ramsey, Rice, Taylor and Warren, were reported absent.

A quorum not being present,

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

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Randall in the chair,

For the consideration of

No. 10, H. of R. A bill for an act to establish and maintain Common Schools; and also,

No. 7, C. F. A bill providing for the appointment of a Librarian, and for other purposes.

After some time passed therein, the committee rose, and by their chairman, reported the bills back to the House with sundry amendments to each;

In which they asked the concurrence of the House.

The amendments to

No. 10, H. of R. A bill for an act to establish and maintain Common Schools, Were severally read;

And the 1st, 2d and 3d amendments of the committee were severally concurred in.

Mr. Brunson offered the following amendment to the fourth amendment of the committee of the whole:

"Sec. 24. An act entitled 'an act to establish and maintain Common Schools,' approved the 1st day of November, A. D. 1849, is hereby repealed."

The question being put,

Said amendment was concurred in.

On motion of Mr. Rice,

The vote adopting Mr. Brunson's amendment was re-considered.

Mr. North offered the following amendment:

"Strike out section 24, and insert as a substitute the following:

"All laws heretofore existing in this Territory, in relation to Common Schools, are hereby repealed."

The question being put,

The amendment was concurred in.

On motion of Mr. Trask,

The said bill was ordered to be engrossed and read the third time to-morrow.

The amendments to

No. 7, C. F. A bill to provide for the appointment of a Librarian and for other purposes,

Were severally read,

And the 1st, 2d, 3d, 4th, 5th, 6th and 7th amendments of the committee of the whole were concurred in.

And the question being put upon concurring in the 8th amendment of the committee,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Rice and Tilden—5.

Those who voted in the negative are—Messrs. Ford, North, Patch, Ramsey, Randall, Sloan, Trask, Warren and Wells—9..

So the amendment was not concurred in.

On motion of Mr. Trask,

Ordered, That the said bill be read the third time on to-morrow.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled,

“No. 7, H. of R. A bill to incorporate St Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the Town of St. Paul.

“No. 3, H. of R. A bill for an act regulating the sale of Spirituous Liquors.

B. H. RANDALL,
Chairman.”

Mr. Patch moved that the House adjourn;

The question being put,

And the Speaker not being able to decide, a division was ordered;

And there were yeas—7; nays—1.

So the House adjourned.

SATURDAY, FEBRUARY 8, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Gilman, Ramsey, Rice, Sloan and Warren were reported absent.

A quorum not being present.

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

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river; and

No. 10, H. of R. A bill for an act to establish and maintain Common Schools.

The Speaker announced the following communication from the Secretary of the Territory:

Which was read.

MINNESOTA TERRITORY, SECRETARY'S OFFICE, }
St. Paul, February 7, 1851. }

“To the honorable Speaker of the House of Representatives:

“SIR:—The following resolution, adopted on the 31st ultimo, by your branch of the Legislative Assembly of the Territory of Minnesota, has been furnished me by the Chief Clerk of your honorable body, in these words, to-wit:

“Resolved, “That the Secretary of the Territory be requested to lay before this House, a copy of the last census of the Territory of Minnesota, as made and returned by the Marshal of the Territory.”

“In answer to which, I beg leave respectfully to state, that the last census of the Territory has been handed to me by the Marshal, since the adoption of said resolution; and by inspection of the same, I find it would take a clerk a number of days to make a copy thereof, which the resolution, by its terms, seems to require, and which I will have the honor to furnish at the earliest period it can be accomplished, if such a copy is deemed necessary. But I am informed by the mover thereof, Hon. S. Trask, that only a statement of the aggregate population of the several counties of the Territory is needed; upon which an apportionment for legislative purposes may be made; agreeably to this suggestion, I subjoin herewith, a statement of the population in the aggregate, of the several counties of the Territory, as shown by the Marshal's returns, remaining on file in this

office. If any other, or more particular information is wanted from the detailed returns of the Marshal, it will afford me pleasure to furnish the same.

Benton County,	-	-	-	-	-	-	-	-	418
Dakota	"	-	-	-	-	-	-	-	586
Itasca	"	-	-	-	-	-	-	-	99
Makata	"	-	-	-	-	-	-	-	142
Pembina	"	-	-	-	-	-	-	-	1135
Ramsey	"	-	-	-	-	-	-	-	2227
Wabashaw	"	-	-	-	-	-	-	-	243
Wahnahta	"	-	-	-	-	-	-	-	178
Washington	"	-	-	-	-	-	-	-	1104

Aggregate population of the Territory, - - - - 6,192
All which is respectfully submitted.

C. K. SMITH,
Secretary."

No. 7, C. F. A bill providing for the appointment of Librarian,
Was taken up; and

On motion of Mr. Trask,

Was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

No. 10, H. of R. A bill for an act to establish and maintain Common Schools,
Was taken up; and

On motion of Mr. Wells.

It was read the third time by its title,

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to
establish and maintain a ferry across the Mississippi river,

Was taken up; and

On motion of Mr. North,

It was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. North moved that the House adjourn until Monday next at 2 o'clock, P. M.

The question being put,

It was decided in the negative.

A division being called for,

There were ayes—7; nays—3.

So the House adjourned.

MONDAY, FEBRUARY 10, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Ford, Gilman, Rice, Sloan and Warren were reported ab-
sent.

The Journal of last Saturday was then read.

Mr. Randall offered the following resolution:

Resolved, That a further suspension of the 41st rule of for the government of this House, be dispensed with.

On motion of Mr. Trask,

The said resolution was adopted.

The following message was received from the Council by J. R. Brown, Esq., Secretary thereof:

"MR. SPEAKER:—The Council has concurred in the 1st, 2d, 3d, 5th and 6th amendments made by this House, to

"No. 7, C. F., 'A bill providing for the appointment of a Librarian, and for other purposes;'

"And have non-concurred in the fourth amendment made by this House, to said bill.

"The Council has adopted the report of the Committee of Conference on the disagreeing vote of the two Houses to

"No. 6, C. F. 'A bill to incorporate the Mississippi Boom Company.'

"The Council has passed No. 1, C. F. 'A memorial to Congress for a grant of land to endow a University.'

In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The message from the Council was taken up.

No. 7, C. F. A bill providing for the appointment of a Librarian, and for other purposes;

Was taken up.

And the fourth amendment to said bill, was,

On motion of Mr. Wells, receded from.

No. 1, C. F. Memorial to Congress for a grant of land to endow a University.

Was taken up and read the first time.

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota,

Was taken up, and

On motion of Mr. Rice,

Was re-committed to the Committee on Schools,

Mr. Ramsey, from the Committee of Conference appointed to confer on the disagreeing vote of the two Houses on a bill to incorporate the Mississippi Boom Company;

Made the following report, which was accepted, viz:

"The Joint Committee of the two Houses, recommend that the following be adopted as a substitute to the amendment of the House to the 11th section, viz:

"Add to section 11 the words 'and the said Boom Company shall be required to complete a good and sufficient boom or booms, for securing all logs and hewn timber floating down said Mississippi river, as above provided, on or before the first day of May, A. D. 1852.'

"The committee further recommend the following as a substitute for the 17th section, as adopted by the House, viz:

"SEC. 17. All persons having logs in said boom or booms or having logs or other timber floating down the Mississippi to said boom, may have the said logs or other timber turned out of said boom or booms loose, without rafting the same; and the price of boomage in such case, shall not exceed one half the amount allowed under the provisions of this act for booming and rafting: *Provided*, That the said Boom Company shall not be held accountable for the loss of any logs or other timber, resulting from the so turning out of said logs or other timber."

On motion of Mr. Ludden,

The report of the committee was accepted, and the committee discharged.

Mr. Tilden moved that the report of the committee be adopted.

Mr. Brunson moved to amend,

"That the substitutes reported by the committee be adopted;"

Which was accepted.

And the question being put on concurring in the report of the Committee of Conference,

It was decided in the affirmative.

Mr. Trask offered the following resolution:

Resolved, That a committee of three be appointed to confer with the Territorial Printer, and ascertain how much delay will be occasioned by printing the reports of the Judiciary Committee.

Mr. Ludden moved that the Journal of last Friday be corrected, as follows:

“Strike out after the words, ‘Mr. North, from the Committee of Conference on No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river, and reported as a substitute;’ and insert,

“On leave, introduced,

“No. 12, H. of R. A bill for an act granting to Franklin Steele, the right to establish and maintain a Ferry across the Mississippi river.”

“Strike out, ‘The report of the committee was taken up, and the substitute was read the first time.’

“And insert, ‘The bill was read the first time.’

“Strike out the words, ‘The substitute of the committee,’ and insert the word ‘Bill.’”

The question being put,

The motion prevailed.

The question then recurring on the adoption of Mr. Trask’s resolution, was put, And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Patch, Rice, Sloan, Trask and Ames (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Warren and Wells—9.

So the resolution was not adopted.

On motion of Mr. Wells,

The House adjourned.

TUESDAY, FEBRUARY 11, 1851.

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

Prayer by the Rev. Mr. Parsons,

The roll having been called,

Messrs. Brunson Ramsey, Rice, Tilden and Warren, were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Patch presented the petition of W. Richardson and 59 others, praying for an additional ferry across the Mississippi river, at the lower end of the village, below the Falls, called St. Anthony city; and

On motion of Mr. Patch,

The petition was referred to the Committee on Corporations.

Mr. Ludden presented the petition of W. H. C. Folsom and 51 others, residents of the vicinities of St. Croix Falls and Snake River, praying for the erection and constitution of a new county, to be called the county of Chisago; and

On motion of Mr. Ludden,

Said petition was referred to the Committee on Internal improvements.

Mr. Gilman offered the following resolution:

Resolved, That each member of this House be and is hereby authorized to subscribe for ten copies of the Watab Reveille.

Mr. Wells moved that the resolution be rejected.

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Sloan, Wells and Ames, (Speaker)—4.

Those who voted in the negative are—Messrs. Ford, Gilman, Ludden, North, Patch, Rice, Taylor, Tilden and Trask—9.

So the motion was disagreed to.

Mr. Gilman, moved that the resolution be adopted.

Mr. Rice offered the following amendment to the resolution:

By adding "to be paid for out of any moneys appropriated for the contingent expenses of the Legislature."

Mr. Tilden moved a call of the House;

Which was ordered;

And Messrs. Brunson and Warren, were reported absent.

In the absence of the Sergeant-at-Arms,

The Fireman was directed to notify the absent members to appear in their seats.

The Fireman reported the absent members in their seats.

The question being put on the adoption of Mr. Rice's amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Patch, and Rice—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford Lud- den, Randall, Sloan, Taylor, Tilden, Trask, Warren, Wells and Ames (Speaker)—12.

So the amendment was disagreed to.

Mr. Rice moved to amend the resolution by striking out 'Watab Reveille,' and insert 'The Dakota Friend;'

Which motion was disagreed to.

The question recurring on the adoption of the resolution,

And being put,

It was decided in the affirmative.

Mr. North, from the Committee on Schools, to whom was referred

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota, Reported as a substitute therefor a bill with the same number and title.

Mr. Randall, from the Committee on Enrolled Bills, reported as correctly en- rolled, the following bill:

No. 6, C. F. A bill to incorporate the Mississippi Boom Company.

The report of the Committee on Schools was accepted; and

On motion of Mr. Trask,

The said bill was laid on the table and ordered to be printed,

No. 1, C. F. Memorial to Congress for a grant of land to endow a University, Was read the second time.

Mr. Trask moved that the rules be so far suspended that the memorial be read the third time by its title;

Which motion was agreed to.

The question being put,

"Shall this memorial pass?"

It was decided in the affirmative,

And the title thereof was agreed to.

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Was taken up, and

On motion of Mr. Brunson,

Said bill was read the second time by its title.

On motion of Mr. Trask,

Ordered, That the said bill be taken up in committee of the whole this after- noon.

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.
The roll having been called,

Messrs. Brunson, Ramsey, Rice, Sloan, Tilden and Warren, were reported absent.

On motion of Mr. North,

The House resolved itself into a committee of the whole;

Mr. North in the Chair,

For the consideration of,

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

During the session of the committee of the whole, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker resumed the chair for its reception, viz:

“MR. SPEAKER:—The Council has passed,

“No. 12, C. F. A bill to provide for the establishment and maintainance of Common Schools.”

“The Council has concurred in

“No. 12, H. of R. ‘A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;’ and

“No. 9, H. of R. Substitute for No. 4, C. F. ‘A bill to authorize the establishment and regulation of Ferries,’ each with amendments.

“In all of which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

And the committee of the whole resumed its session.

The committee rose, and the Speaker of the House not being present,

On motion of Mr. Ramsey,

Ordered, That a committee be appointed to notify the Speaker that his presence was required in the House.

Whereupon Mr. Ramsey was appointed said committee.

On motion of Mr. Trask,

Mr. Wells was appointed Speaker, *pro tem*.

Mr. North, from the committee of the whole, then reported the bill back to the House without amendment.

On motion of Mr. Trask,

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Ramsey, from the committee to notify the Speaker, &c., reported that he was now present.

The Speaker then resumed the Chair.

On motion of Mr. Trask,

The message from the Council was taken up.

No. 12, C. F. A bill to provide for the establishment and maintainance of Common Schools,

Was taken up.

Mr. North moved that the said bill be laid on the table, and that a committee of three be appointed to confer with a similar committee on the part of the Council on the said bill.

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

Was taken up for the consideration of the amendments made by the Council;

The question being put upon concurring in the first amendment of the Council to said bill,

And the Speaker not being able to decide,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, Patch, Ramsey, Rice, Sloan, Taylor, Trask and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Farribault, North, Randall, and Wells—4.

So the amendment was concurred in.

The question being put on concurring in the second amendment of the Council to said bill,

It was decided in the affirmative.

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries,

Was taken up for the consideration of the amendments of the Council.

The 2d, 3d, 4th and 5th amendments of the Council to said bill were concurred in;

And the 1st and 6th amendments were non-concurred in.

On motion of Mr. Wells,

The House adjourned.

WEDNESDAY, FEBRUARY 12, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Farribault, Gilman, Ramsey, Rice, Tilden and Warren were reported absent.

The Journal of yesterday was then read.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

"The Joint Committee did, on the 11th of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills.

"A bill entitled 'an act to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul.'

"A bill entitled 'an act regulating the sale of spirituous liquors;'

"A bill entitled 'an act to incorporate the Mississippi Boom Company.'"

M. McLEOD, Council,

B. H. RANDALL, H. of R.,

} Committee."

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Was taken up, and

On motion of Mr. North,

Was read the third time.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative,

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

Mr. Trask moved to amend the title by inserting the words, "the 9th, 10th and 11th chapters of,"

And the question then being on agreeing to the amendment,

It was decided in the affirmative.

A division being called for and ordered;

There were ayes—2; nays—1.

The ayes and nays being then called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ramsey, Rice, Taylor, Tilden, Trask, Warren and Ames, (Speaker)—8.

Those who voted in the negative are—Messrs. Ford, Gilman, Ludden, North, Patch, Randall and Sloan—7.

So the amendment was concurred in.

The question being put, upon agreeing to the title of the bill as amended,

It was decided in the affirmative.

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called.

Messrs. Farribault, Ford, Randall, Rice, Tilden and Warren were reported absent.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Trask in the Chair;

For the consideration of part of chapter 11, and chapters 12 and 13 of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

During the session of the committee of the whole, the following message was received from the Council by J. R. Brown, Esq., Secretary thereof; when the Speaker resumed the chair for its reception, viz:

"MR. SPEAKER:—The Council has passed chapter 2, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The committee of the whole resumed its session;

And after some time passed therein, the committee rose, and by their chairman, reported said chapters; and part of a chapter of said bill back to the House with amendments;

In which they asked the concurrence of the House.

On motion of Mr. Wells,

The amendments were concurred in collectively.

Mr. Ludden moved that the first fourteen sections of chapter 13 be stricken out.

Mr. North moved to amend line 1st in the 15th section of chapter 13, by striking out the words, "this chapter," and inserting the words "the preceding chapters;"

Which motion prevailed.

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof, viz:

"MR. SPEAKER:—The Council has receded from its first amendment made to

"No. 9, H. of R. Substitute for No. 4, C. F. 'A bill to authorize the establishment and regulation of Ferries;'

"And have refused to recede from its sixth amendment, being the second amendment of the Council to said bill, non-concurred in by this House."

The Secretary then withdrew.

The question recurring upon the motion of Mr. Ludden to strike out the first fourteen sections of chapter 13, of said bill,

And being put,

It was decided in the affirmative.

Mr. Rice moved to amend,

"That the numbers of sections be so amended, so as to read 1, 2, 3, 4, 5, instead of 14, 15, 16, 17 and 18;"

"And that the words 'this chapter' in the 1st line of the 13th section be stricken out, and the words 'the preceding chapters,' be inserted."

Which motion prevailed.

On motion of Mr. Brunson,

The title of chapter 13 was stricken out.

On motion of Mr. Brunson,

Said chapters, and part of a chapter of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory;

Were ordered to be engrossed and read the third time on to-morrow.

On motion of Mr. Brunson,
 The messages from the Council were taken up.
 No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries;
 Was taken up; and
 On motion of Mr. Rice,
 The 6th amendment of the Council to said bill was concurred in.
 Chapter 2, of bill
 No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,
 Was taken up; and
 On motion of Mr. Brunson,
 Read the first time by its title.
 On motion of Mr. Brunson,
 The rules were so far suspended that the said bill was read the second time by its title.
 On motion of Mr. North,
 Ordered, That said bill be taken up in committee of the whole on to-morrow.
 On motion of Mr. Randall,
 The House adjourned.

WEDNESDAY, FEBRUARY 13, 1851.

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

Prayer by the Rev. Mr. Parsoas.

The roll having been called,

Messrs. Farribault, Ford, Rice, Tilden and Wells were reported absent.

The Journal of yesterday was then read.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed, chapters 11, 12 and 13, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

Mr. Randall, from the Committee on Enrolled Bills, reported as correctly enrolled:

A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.

A bill for an act providing for the appointment of a Librarian, and for other purposes.

B. H. RANDALL,
 Chairman.

The Speaker then signed said acts.

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota,

Was taken up;

Mr. Patch moved a call of the House;

Which was ordered,

And Mr. North reported absent.

The Sergeant-at-Arms was directed to notify the absent member to appear in his seat.

The Sergeant-at-Arms reported Mr. North in his seat.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Rice in the chair,

For the consideration of

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota; and also, chapter 2, of bill

No. 13. C. F. A bill for revising and consolidating the general statutes of the Territory.

During the session of the committee of the whole, a message was received from the Governor, by W. B. White, Esq., Private Secretary;

When the Speaker resumed the chair for its reception, viz:

“**MR. SPEAKER:**—I have the honor to communicate to you a message from the Governor, in writing.”

The Private Secretary then withdrew.

And the committee of the whole resumed its session.

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

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota, with amendments.

In which they asked the concurrence of the House.

Also, chapter 2, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, without amendment.

The question recurring on concurring in the amendment of the committee of the whole to House bill No. 8,

They were severally concurred in.

Mr. Brunson moved to amend the bill, as follows:

“Strike out in first line, section 13, after the word ‘at,’ the words, ‘or near the Falls of St. Anthony,’ and insert the words, ‘such place as the Board of Regents may select.’”

Mr. Wells offered the following amendment to Mr. Brunson’s amendment;

“Strike out all after the enacting clause;”

The Speaker remarked that the amendment of Mr. Wells, was not in the form of an amendment to Mr. Brunson’s amendment, and therefore, Mr. Brunson’s motion would be put.

The question recurring on concurring in the amendment of Mr. Brunson,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, and Wells—2.

Those who voted in the negative are—Messrs. Farribault, Ford, Gilman, Ludden, North, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, and Ames (Speaker)—14.

So the amendment was not concurred in.

The question recurring on concurring in the amendment of Mr. Wells,

The ayes and nays being called for and ordered;

Mr. Wells voted in the affirmative.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, North, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask and Ames (Speaker)—15.

So the amendment was not concurred in.

Mr. Ludden offered the following amendment to the bill:

“By adding section 20; The Legislative Assembly may, at any time, alter, amend, modify or repeal this act.”

The question being put,

The amendment was concurred in.

Mr. Rice offered the following amendment to the bill:

“Amend section 10, line first, by striking out the word ‘four,’ and inserting ‘five,’ and add after the fourth subdivision, ‘5,’ ‘the department of agriculture.’”

The question being put,

The amendment was concurred in.

On motion of Mr. North,

The said bill was ordered to be engrossed and read the third time on tomorrow.

Chapter 2, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

On motion of Mr. Trask,

Read the third time by its title.

The question being put,

“Shall this chapter of the revision pass?”

It was decided in the affirmative.

Mr. Brunson, from the Committee on Internal Improvements, reported as follows:

“The Committee on Internal Improvements, to whom was referred the petition of W. H. C. Folsom and others, ‘citizens of the Territory of Minnesota, and residing in the vicinity of St. Croix Falls and Snake River;’ praying for the ‘erection and constitution of a new county, to be called Chisago, entitled to all the powers, privileges and immunities, enjoyed and exercised by other organized counties of this Territory,’ within the following boundaries, to-wit: ‘Beginning at a point on the river St. Croix, where the township line between towns 32 and 33, north of range 19, west of the 4th principal meridian, crosses said river; thence running west on said town line to its intersection with range line between 21 and 22; thence north on said range line to the south line of town 36; thence west on said line to the range line between 23 and 24; thence north on said range line to the south boundary line of the county of Itasca; thence east along the south boundary line of the county of Itasca, to the boundary between the Territory of Minnesota and State of Wisconsin; thence on said boundary line between Minnesota and Wisconsin, to the place of beginning;’ would respectfully report that they have had the matter under consideration, and are of the opinion, that the prayer of the petitioners should be granted, with the following amendment, to-wit: Instead of the line between ranges 23 and 24, the line should be on the line between ranges 22 and 23 west; and would therefore recommend the following as an additional section to chapter 1, of No. 13, ‘A bill for revising and consolidating the general statutes of the Territory,’ to-wit:

“That so much of the said Territory as is contained within the following boundaries, be, and the same is hereby erected into a separate county, which shall be known by the name of Chisago; to-wit: ‘Beginning at a point on the St. Croix river, where the township line between townships 32 and 33, north of range 19, west of the 4th principal meridian, intersects said river; thence west on said township line to its intersection with the range line between ranges 21 and 22, west; thence north on said range line to its intersection with the southern boundary line of township 36, north; thence west on said township line to its intersection with the range line between ranges 22 and 23 west; thence north on said range line to its intersection with the northern boundary line of township 36 north; thence due north to the southern boundary line of Itasca county; thence in a south easterly direction along said county line to the eastern boundary line of the aforesaid Territory, thence on said boundary line to its intersection with the St. Croix river; thence down said river to the place of beginning:’ *Provided*, That no special election shall be required to elect county officers for said county; but the said officers shall be elected at the next general election held in this Territory; who shall qualify and enter upon the discharge of their duties of office, on the first day of January, 1852.

All which is respectfully submitted.

BENJ. W. BRUNSON, }
EDWARD PATCH, } Committee.”
DAVID GILMAN, }

On motion of Mr. Ludden,

Said report was adopted.

Part of chapter 11 and chapters 12 and 13 of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

On motion of Mr. Brunson,
Was read the third time by its title.

The question being put,
"Shall these chapters of the revision pass?"

It was decided in the affirmative.

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

Mr. North offered the following amendment:

"A part of the 11th chapter and the 12th and 13th chapters, of bill

"No. 11, H. of R. For revising and consolidating the general statutes of the Territory;"

Which motion was concurred in.

And the title of the bill as amended, was agreed to.

The message from the Governor was then read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 13, 1851.

"To the honorable Speaker of the House of Representatives:

"SIR:—I have examined and approved,

"An act regulating the sale of Spirituous Liquors."

"An act to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul."

Very respectfully,

Your obedient servant,

ALEX. RAMSEY."

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll being called,

Messrs. Brunson, Farribault, Ford, Ludden, Olmstead, Ramsey, Rice, Warren and Wells, were reported absent.

Mr. North, from the Judiciary Committee, reported,

Chapters 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, of No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

Mr. North, from the Select Committee of Conference on

No. 12, C. F. A bill to provide for the establishment and maintainance of Common Schools;

Reported the bill back to the House, and asked to be discharged from further action thereon.

The question being put,

It was decided in the affirmative.

No. 12, C. F. A bill to provide for the establishment and maintainance of Common Schools,

Was taken up and read the first time.

On motion of Mr. North,

The rules were so far suspended that the bill was read the second time by its title.

Mr. Brunson moved that the said bill be referred to a select committee of five;

Which motion was agreed to.

And Messrs. Trask, Ludden, Rice and Tilden, were appointed said committee.

The Speaker announced that chapters 9, 10 and 11, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Was ready for commitment or engrossment.

Mr. Brunson moved a call of the House;
Which was ordered;
Messrs. Olmstead and Wells were reported absent.
The Sergeant-at-Arms was directed to notify the absent members to appear in their seats.

Mr. North moved that further proceedings under the call of the House be dispensed with;

Which motion was disagreed to.

Mr. Tilden moved that the House adjourn;

The Speaker stated that a motion to adjourn was not in order pending the proceedings under the call of the House.

A message from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has negatived, by refusing to order to a third reading,

“No. 10, H. of R. A bill for an act to establish and maintain Common Schools.

“The Council has passed,

“No. 2, C. F. A memorial to Congress relative to unpaid appropriations.

“In which the concurrence of this House is respectfully requested.”

“His Excellency, the Governor, has notified the Council, that he did, on the 13th day of February, A. D. 1851, examine and approve an act to incorporate the Mississippi Boom Company.”

The Secretary then withdrew.

Mr. North took an appeal from the decision of the Chair, as to adjourning;

The question being put,

“Shall the decision of the Chair stand as the judgment of the House?”

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, North, Patch, Randall, Rice, Tilden, Trask and Warren—10.

Those who voted in the negative are—Messrs. Brunson, Ludden, Ramsey, Sloan and Taylor—5.

So the decision of the Speaker was sustained.

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

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, North, Randall, Sloan and Ames (Speaker)—7.

Those who voted in the negative are—Messrs. Gilman, Ludden, Patch, Ramsey, Rice, Taylor, Tilden, Trask, and Warren—9.

So the motion was lost.

Mr. Tilden moved that the Hon. M. E. Ames be excused from attendance on the House, this evening;

The Speaker decided the motion out of order.

From which decision, Mr. Tilden took an appeal.

The question being put,

“Shall the decision of the Chair stand as the judgment of the House?”

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, North, Patch, Ramsey, Randall, Rice, Sloan, Trask and Warren—13.

Those who voted in the negative are—Messrs. Taylor, and Tilden—2.

So the decision of the Chair was sustained.

Mr. Randall moved a re-consideration of the vote refusing to suspend further proceedings under the call of the House;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford,

North, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Warren and Ames (Speaker)—12.

Those who voted in the negative are—Messrs. Gilman, Ludden, Patch and Trask—4.

So the motion was agreed to.

Mr. Tilden moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, North, Randall, Sloan, Taylor and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Gilman, Ludden, Patch, Ramsey, Rice, Trask and Warren—7.

So the motion was lost.

Mr. Trask moved that Mr. Ludden be excused from attendance on the House this evening;

The Speaker decided the motion out of order.

The Fireman was directed to assist the Sergeant-at-Arms in finding the absent members.

Mr. Trask moved to re-consider the vote refusing to suspend further proceedings under the call of the House;

The question being put,

It was decided in the affirmative.

And a division being called for and ordered;

There were ayes—9; nays—6.

So the motion prevailed.

Mr. Tilden moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, North, Patch, Randall, Sloan, Taylor, Tilden, Trask and Ames (Speaker)—11.

Those who voted in the negative are—Messrs. Gilman, Ludden, Ramsey, Rice and Warren—5.

So the motion prevailed.

Mr. Rice moved a call of the House;

The Chair decided that a call of the House was not in order, as proceedings under a call had just been dispensed with, and no other proceedings having intervened.

On motion of Mr. North,

The rules were so far suspended, that chapters 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Were read the first and second times by their title.

On motion of Mr. Tilden,

The said chapters of the bill were laid on the table and ordered to be printed.

Mr. Ramsey moved a call of the House,

Which was ordered;

Messrs. Olmstead, and Wells were reported absent.

The Sergeant-at-Arms was again directed to notify the absent members to appear in their seats.

Mr. Tilden moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Patch, Ramsey, Randall, Sloan Taylor, Tilden and Trask—9.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, North, Rice, Warren and Ames (Speaker)—7.

So the motion was disagreed to.

The Fireman reported that the absent members could not be found by him.

Mr. Trask moved that the House take a recess of one hour and a half;

The Speaker decided the motion out of order.

Mr. Tilden moved to re-consider the vote refusing to suspend further proceedings under the call of the House;

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, Ludden, North, Ramsey, Rice, Taylor, Tilden and Trask—10.

Those who voted in the negative are—Messrs. Brunson, Patch, Randall, Sloan, Warren and Ames (Speaker)—6.

So the motion was agreed to.

Mr. Tilden moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in affirmative are—Messrs. Farribault, Ford, Gilman, Ludden, North, Ramsey, Rice, Taylor, Tilden and Trask—10.

Those who voted in the negative are—Messrs. Brunson, Patch, Randall, Sloan, Warren and Ames (Speaker)—6.

So the motion was disagreed to.

Mr. Trask moved that the House adjourn;

The Speaker decided the motion out of order.

An appeal being taken, the decision of the Chair was sustained.

The Speaker called Mr. Rice to the Chair.

Mr. Trask moved that the House adjourn;

The Speaker *pro tem.* decided the motion out of order.

An appeal was taken,

And the Speaker decided that an appeal could not be taken.

Mr. North moved that a vote of thanks be tendered the member who first moved a call of the House;

The Speaker decided the motion out of order.

The Sergeant-at-Arms reported that Mr. Olmstead could not be found, and that he had notified Mr. Wells to appear in his seat.

Mr. North then moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Patch, Randall, Rice, Taylor and Trask—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, Ludden, Ramsey, Sloan, Tilden, Warren and Ames (Speaker)—9.

So the motion was disagreed to.

The Speaker *pro tem.* ordered the Sergeant-at-Arms to take what force was necessary, and compel the absent members to appear in their seats.

The Sergeant-at-Arms reported the absent members in their seats.

Mr. Wells moved that the House adjourn;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North and Warren—3.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, Ludden, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, Wells and Ames (Speaker)—15.

So the House refused to adjourn.

A call of the House was ordered;

Mr. North was reported absent.

The Sergeant-at-Arms reported the absent member in his seat.

Mr. Patch moved to adjourn.

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, North, Patch, Randall, Rice, Taylor, Trask and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, Olmstead, Ramsey, Sloan, Tilden, Warren and Wells—9.

So the House refused to adjourn.

Mr. Warren moved to re-consider the vote;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, North, Patch, Randall, Rice, Taylor, Trask, Warren, Wells and Ames (Speaker)—11.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, Olmstead, Ramsey, Sloan and Tilden—7.

So the vote was re-considered.

Mr. Trask moved that the House adjourn;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, North, Patch, Ramsey, Randall, Rice, Taylor, Trask, Warren and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Brunson, Ford, Gilman, Ludden, Olmstead, Sloan, Tilden and Wells—8.

So the House adjourned.

FRIDAY, FEBRUARY 14, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Farribault, Ludden, Olmstead, Rice and Wells were reported absent.

The Journal of yesterday was then read and corrected.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

Substitute for House bill No. 8, entitled a bill for an act to incorporate the University of Minnesota.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills:

“No. 1, C. F. ‘A memorial to Congress for a grant of land to endow a University.’

Chapter 2 of

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,
Chairman.”

Substitute for House bill No. 8, A bill for an act to incorporate the University of Minnesota;

Was taken up, and

On motion of Mr. Trask,

Was read the third time by its title.

The question being put,
 "Shall this bill pass?"

It was decided in the affirmative; and the title thereof agreed to.

No. 5, H. of R. A bill for an act to charter the Minnesota General Manufacturing Association,

Was taken up; and

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Ludden in the chair,

Having said bill under consideration.

After some time passed therein, the committee rose, and by their chairman, reported said bill back to the House with amendments.

On motion of Mr. Randall,

The amendments of the committee of the whole to said bill were concurred in collectively.

Mr. Trask moved that the bill be engrossed and read the third time on tomorrow.

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Branson, Patch, Ramsey, Rice, Tilden and Trask—6.

Those who voted in the negative are—Messrs. Farribault, Ford, Ludden, North, Randall, Sloan, Taylor, Warren, Wells and Ames (Speaker)—10.

So the motion was disagreed to.

No. 2, C. F. A memorial to Congress relative to unpaid appropriations,
 Was taken up and read the first time.

On motion of Mr. Brunson,

The rules were so far suspended that the said memorial was read the second time by its title.

Mr. Ramsey offered the following amendment to the memorial, viz:

"Your memorialists further represent, that an appropriation was made at the last session of the Legislature, of one hundred dollars, to Henry A. Lambert for bringing up the records of bills in a permanent form after the adjournment of the Legislature, rendered necessary by the fact that, at the opening of the session, no books could be found proper to be used as a permanent record; which amount up to this time, has not been recognized or audited by the Comptroller of the Treasury. Your memorialists would respectfully ask that the payment of said appropriation be provided for."

The question being put on concurring in the amendment,

It was decided in the affirmative.

On motion of Mr. Wells,

The memorial was laid on the table and ordered to be printed.

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed chapters 1, 3, 4 and 5, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has also concurred in the (H. of R.) 8th and 9th articles of (C. F.) chapter 8, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory,' with amendments.

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

On motion of Mr. Wells,

The House adjourned until Monday next, at two o'clock P. M.

MONDAY, FEBRUARY 17, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Ford, Ludden, Rice, Sloan, Tilden and Wells, were reported absent.

The Journal of last Friday was then read.

M. Olmstead presented the petition of Marcelle Couturier, for a divorce from his wife, Margaret Couturier.

On motion of Mr. Olmstead,

Said petition was referred to a select committee, consisting of Messrs. Olmstead, Ramsey and Ludden.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, “No. 9, H. of R. Substitute for No. 4, C. F. ‘A bill to authorize the establishment and regulation of Ferries.

B. H. RANDALL,
Chairman.”

The Speaker then signed said act.

No. 2, C. F. A memorial to Congress relative to unpaid appropriations,
Was taken up; and

On motion of Mr. Rice,

Said memorial was referred to the Committee on Claims.

Chapter 1, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was read the first time.

Chapter 3 of said bill was read the first time.

The following message was received from the Council by J. R. Brown, Esq., Secretary thereof:

“MR. SPEAKER:—The Council has concurred in H. of R. Article 10 of C. F., chapter 8, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory;’ with amendments.

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

Chapters 4 and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Trask,

Were read the first time by their titles.

On motion of Mr. Trask,

The rules were so far suspended, that chapters 1, 3, 4 and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were read the second time by their titles.

Chapters 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, of bill

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

Were taken up; and

On motion of Mr. North,

The House resolved itself into a committee of the whole,

Mr. Ludden in the Chair;

Having said chapters under consideration.

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

H. of R., 8th article of C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up for the consideration of the amendments of the Council thereto, And the question being put separately upon the amendments of the Council, They were severally concurred in.

H. of R., 9th article of C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory;

Were taken up for the consideration of the amendments of the Council thereto, And the question being put separately upon the amendments of the Council, They were severally concurred in.

H. of R. No. 10, of chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendments of the Council thereto; Which were read.

On motion of Mr. Trask,
The House adjourned.

TUESDAY, FEBRUARY 18, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Ford, Gilman, Rice and Sloan, were reported *absent*.

The Journal of yesterday was then read and corrected.

Mr. Randall, from the Joint Committee on Enrolled Bills, reported as follows:

"The Joint Committee did, on the 18th of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills.

"A bill entitled 'an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;'

"A bill entitled 'an act to authorize the establishment and regulation of Ferries;'

"A memorial to Congress for a grant of land to endow a University."

M. McLEOD, Council,
B. H. RANDALL, H. of R., } Committee."

H. of R., 10th article of C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendments of the Council thereto; And the question being put separately upon the amendments of the Council, They were severally concurred in.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed chapters 6 and 7, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"And have concurred in a substitute for House bill

"No. 8, entitled 'A bill for an act to incorporate the University of Minnesota.'

“And the 12th and 13th chapters of bill

“No. 11, H. of R. ‘A bill for revising and consolidating the general statutes of the Territory;’

“With amendments, and amendments to the titles of both.”

“In all of which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

A substitute for House bill

No. 8, entitled a bill for an act to incorporate the University of Minnesota,

Was taken up for the consideration of the amendments of the Council thereto.

The question being put separately upon the amendments of the Council,

They were severally concurred in.

Chapters, from 17 to 31 inclusive, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Were taken up, and

On motion of Mr. Wells,

The House resolved itself into a committee of the whole;

Mr. Warren in the Chair,

For the consideration of said chapters.

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

On motion of Mr. Randall,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll being called,

Messrs. Brunson, Farribault, Ford, Ramsey, Sloan and Tilden, were reported absent.

C. F. Chapters 6 and 7, of

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up, and

On motion of Mr. North,

Were read the first time by their titles.

On motion of Mr. North,

The House resolved itself into a committee of the whole,

Mr. Warren in the chair,

Having under consideration chapters, from 17 to 31 inclusive, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

A message from the Council, by J. R. Brown, Esq., Secretary thereof; was announced,

When the Speaker resumed the chair for its reception, viz:

“MR. SPEAKER:—The Council has passed,

“No. 3, C. F. ‘A memorial to Congress asking for a donation of land to the county of Benton.’

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The committee of the whole resumed its session;

And after some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House with amendments;

And asked the concurrence of the House therein.

On motion of Mr. Rice,

The House adjourned.

WEDNESDAY, FEBRUARY 19, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called, Messrs. Brunson, Farribault, Randall, Rice and Warren, were reported absent.

The Journal of yesterday was then read.

On motion of Mr. North,

Leave was given the Committee on Enrolled Bills to amend the report made by them on yesterday, by striking out chapter 2 of

An act revising and consolidating the general statutes of the Territory.

Mr. Tilden, from the Committee on Corporations, made the following report:

"The Committee on Corporations, to whom was referred the petition of W. Richardson, and others, praying that W. A. Cheever have the right to establish and maintain a Ferry across the Mississippi river, at the lower end of St. Anthony city; having had the same under consideration, report the following bill:

"No. 13, H. of R. 'A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.'

H. L. TILDEN,
Chairman."

Said bill was read the first time.

On motion of Mr. Tilden,

The rules were so far suspended, that the bill was read the second time by its title.

On motion of Mr. Trask,

Said bill was laid on the table.

No. 3, C. F. A memorial to Congress asking for a donation of land to the county of Benton;

Was read the first time.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed C. F., chapters 8, 13, 14 and 16, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

C. F., chapters 6 and 7, of

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Trask,

Read the second time by their titles.

Chapters 12 and 13, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory;

Were taken up for the consideration of the amendment of the Council thereto;

The question being put,

The amendment was concurred in.

Chapters, from 17 to 31 inclusive, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Were taken up for the consideration of the amendments made thereto by the committee of the whole.

The amendments of the committee of the whole to chapters 17, 18, 19, 23, and the first amendments to chapter 24, were severally concurred in.

The question being put upon concurring in the second amendment to chap. 24, And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ludden, Olmstead, Randall, Sloan and Trask—6.

Those who voted in the negative are—Messrs. Farribault, Ford, North, Patch, Ramsey, Rice, Taylor, Tilden, Warren, Wells and Ames (Speaker)—11.

So the amendment was not concurred in.

Mr. Randall offered the following amendment:

“Strike out the words, ‘all times,’ in the first line of the ninth section of chapter 24, and insert ‘any time;’”

Which amendment was concurred in.

The amendments of the committee of the whole to chapters 25 and 26, were severally concurred in.

Mr. Ludden moved to amend,

“By striking out the 4th section of chapter 26.”

A message from the Governor, was announced by W. B. White, Esq., Private Secretary.

“MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing.”

The Private Secretary then withdrew.

The question recurring on the amendment offered by Mr. Ludden,

And being put,

It was decided in the negative.

A division being called for and ordered;

There were yeas—7; nays—6.

So the amendment was concurred in.

Mr. Ludden offered the following amendment to the amendment of the committee of the whole, to section 3 of chapter 26:

“By inserting after the word ‘sum,’ the words ‘not less than ten;’”

Which amendment was concurred in.

The amendments of the committee of the whole to chapters 29 and 30, were severally concurred in.

Mr. North moved to re-consider the vote concurring in the amendment of the whole striking out chapter 30;

Which motion did not prevail.

On motion of Mr. Brunson,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll being called,

Messrs. Ford, Ludden and Randall, were reported absent.

Chapters, from 17 to 31, inclusive, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Were taken up.

Mr. Rice offered the following amendment, as a substitute for section 4, of chapter 23:

“SEC. 4. Indians are hereby declared to be competent witnesses in cases arising under the provisions of this act; but the same objections may be made to their competency, and the same rules shall govern in the admission of their testimony that may be made, and that govern as to other witnesses;”

Which amendment was concurred in.

Mr. Tilden asked, and obtained leave to introduce a chapter concerning seals, as a substitute for section 30, of unauthorized banking:

Which was read the first time.

On motion of Mr. Tilden,

The rules were so far suspended that said chapter was read the second time by its title.

Mr. Trask moved that chapter 17, of the public printing be re-committed to the Committee on Printing; and that chapters, from 18 to 31 inclusive, be engrossed and read the third time on to-morrow;

Mr. Rice moved that the questions be taken separately;

Which motion prevailed.

And the question being put upon referring said chapter to the Committee on Printing,

It was decided in the negative.

A division being called for and ordered;

There were ayes—3; nays—5.

So the motion did not prevail.

On motion of Mr. Tilden,

Said chapters, from 18 to 31 inclusive, were ordered to be engrossed and read the third time on to-morrow.

On motion of Mr. Olmstead,

Ordered, That C. F., chapter 1, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Be taken up and considered in committee of the whole, in one week from to-day.

On motion of Mr. Warren,

The House resolved itself into a committee of the whole;

Mr. Patch in the Chair.

For the consideration of C. F., chapters 6 and 7, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House with amendments;

And asked the concurrence of the House therein.

Mr. Wells moved that the amendments be concurred in collectively,

Which motion did not prevail.

The question being put on concurring in the amendment to chapter 6,

It was concurred in.

The question being put upon adopting the amendment as a substitute for chapter 6,

It was decided in the affirmative.

Mr. Rice offered the following amendment to the substitute, viz:

“Add to section 5—‘Provided that the judgment or decision of the circuit court in term time, or the decision of a judge thereof in vacation, as the case may be, may be removed to the supreme court by writ of error, or in such other manner as is provided for removing causes from the district to the supreme court: *And provided further*, That appeals may be taken from the decision of a judge of probate to the district court, as in probate cases; in all which cases, the party removing any such judgment or decision by writ of error or appeal, shall file in the proper court, a bond to the opposite party, in such sum, and with such sureties, as shall be prescribed by the judge thereof; conditioned for the payment of all costs that may be properly taxed against him.’”

Which amendment was concurred in.

On motion of Mr. Trask,

The rules were so far suspended, that said substitute for chapter 6, was read the first and second times by its title.

On motion of Mr. Tilden,

Ordered, That said substitute be engrossed and read the third time on to-morrow.

The question being put upon concurring in the amendment of the committee of the whole to C. F., chapter 7, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

The amendment was concurred in.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

“The Committee on Enrolled Bills have examined and found correctly enrolled, the following bill:

“Substitute for House bill No. 8, ‘A bill for an act to incorporate the University of Minnesota, at the Falls of St. Anthony.’

B. H. RANDALL,
Chairman.”

On motion of Mr. North,

Ordered, That C. F. chapter 7, of bill No. 13, C. F., be read the third time on to-morrow.

The message from the Governor was read, and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, February 19, 1851.

To the honorable, the Speaker of the House of Representatives:

“SIR:—I have examined and approved,

“An act to authorize the establishment and regulation of Ferries.”

“An act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.”

Very respectfully,
Your obedient servant,
ALEX. RAMSEY.”

Mr. Ludden, by leave, introduced

No. 1, H. of R. A memorial to the Secretary of War for a continuation of certain explorations in the Territory of Minnesota;

Which was read the first time.

The Speaker signed the following acts:

An act providing for the appointment of a Librarian, and for other purposes.

An act to incorporate the University of Minnesota at the Falls of St. Anthony.

On motion of Mr. Wells,

The House adjourned.

THURSDAY, FEBRUARY 20, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Rice and Wells, were reported absent.

The Journal of yesterday was then read and corrected.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

Substitute for C. F., chapter 6, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

And H. of R., chapters, from 17 to 31 inclusive, of bill

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

No. 1, H. of R. A memorial to the Secretary of War for a continuation of certain explorations in the Territory of Minnesota,

Was taken up and read the second time.

On motion of Mr. Trask,
Ordered, That said memorial be engrossed, and read the third time on to-morrow.

No. 3, C. F. Memorial to Congress asking for a donation of land to the county of Benton,

Was taken up; and

On motion of Mr. Ludden,
 Was read the second time by its title.

On motion of Mr. Warren,
 Said memorial was referred to the Committee on Territorial Affairs.
 Substitute for C. F., chapter 6, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

Was taken up; and

On motion of Mr. Randall,
 Was read the third time by its title.

The question being put,
 "Shall this substitute for chapter 6 pass?"

It was decided in the affirmative.

H. of R., chapters from 17 to 31 inclusive, of bill

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Patch,
 Were read the third time by their titles.

On motion of Mr. North,
 Chapter 22, regulating the sale of spirituous liquors, was laid on the table.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed, C. F. chapters 32, 33, 35, 36, 37 and 38, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The question recurring upon Mr. North's motion, to lay on the table chapter 22, regulating the sale of spirituous liquors,

And being put,

It was decided in the affirmative.

The question then recurring upon the passage of said chapters, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30 and 31,

And being put,

It was decided in the affirmative,

C. F. chapter 7, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

On motion of Mr. North,
 Read the third time by its title.

The question being put,
 "Shall this chapter pass?"

It was decided in the affirmative.

On motion of Mr. Patch,

No. 13, H. of R. A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river,

Was taken up.

Mr. Trask offered the following amendment to the bill;
 Which was concurred in.

“Add section 6: The Legislative Assembly may, at any time, alter, amend, modify, or repeal this act.”

On motion of Mr. Tilden,

Said bill was ordered to be engrossed and read the third time on to-morrow.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Randall in the chair,

For the consideration of chapters 3, 4, and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

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

On motion of Mr. Warren,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Ford, Olmstead, Rice, Sloan and Warren, were reported absent.

C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, was,

On motion of Mr. Trask,

Read the first time by its title.

On motion of Mr. Trask,

The rules were so far suspended, that the said chapter was read the second time by its title.

C. F., chapter 13, of bill No. 13, C. F., was,

On motion of Mr. Wells,

Read the first time by its title.

On motion of Mr. Wells,

The rules were so far suspended, that said chapter was read the second time by its title.

C. F., chapter 14, of bill No. 13, C. F., was,

On motion of Mr. Patch,

Read the first time by its title; and

On motion of Mr. Patch,

The rules were so far suspended, that said chapter was read the second time by its title.

C. F., chapter 16, of bill No. 13, C. F., was,

On motion of Mr. Randall,

Read the first time by its title; and,

On motion of Mr. Patch,

The rules were so far suspended, that said chapter was read the second time by its title.

C. F., chapters 32, 33, 35, 36, 37, and 38 of bill No. 13, C. F., were,

On motion of Mr. Randall,

Read the first time by their titles; and,

On motion of Mr. Brunson,

The rules were so far suspended, that said chapters were read the second time by their titles.

On motion of Mr. Tilden,

The House resolved itself into a committee of the whole,

Mr. Ramsey in the chair.

For the consideration of C. F., chapters 3, 4 and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

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

On motion of Mr. Randall,

The House adjourned.

FRIDAY, FEBRUARY 21, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Farrisbault, Rice and Warren were reported absent.

The Journal of yesterday was then read.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 13, H. of R. A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.

Mr. Randall, from the Joint Committee on Enrolled Bills, made the following report:

"The joint committee did, on the 21st of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills:

'A bill entitled 'An act providing for the appointment of a Librarian, and for other purposes.'

'A bill entitled 'An act to incorporate the University of Minnesota, at the Falls of St. Anthony.'

M. McLEOD, Council, } Committee."
B. H. RANDALL, H. of R., }

No. 13, H. of R. A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river,

Was taken up; and

On motion of Mr. Randall,

Was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

C. F., chapters 3, 4 and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were again taken up; and

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Ford in the chair.

Having said chapters under consideration.

A message from the Council, by J. R. Brown, Esq., Secretary thereof; was announced,

When the Speaker resumed the Chair for its reception, viz:

"MR. SPEAKER:—The Council has passed C. F., chapters 39, 40, 41, 42, 43, and 44, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested.

"The Council has concurred in the amendment made by this House to C. F., chapter 7, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has concurred in H. of R., chapters 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, and 31; chapters 17, 23, 24 and 25, with amendments.

"In which the concurrence of this House is respectfully requested.

"The Council has refused to concur in the amendment made by this House to C. F., chapter 6, reported as a substitute for chapter 6, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'"

The Secretary then withdrew.

The committee of the whole resumed its session;

And after some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House with amendments;

In which they asked the concurrence of the House.

On motion of Mr. Trask,

All the amendments, except the sixth, to chapter 3, were concurred in collectively.

And the question being put upon concurring in the sixth amendment of the committee of the whole;

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Olmstead, Patch, Randall, Rice, Sloan, Trask and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Taylor, Tilden and Wells—6.

So the amendment was concurred in.

Mr. North; from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 1, H. of R. A memorial to the Secretary of War for the continuation of certain explorations in the Territory of Minnesota.

Mr. Wells moved to adjourn;

The question being put,

And the Speaker being unable to decide, a division was ordered;

And there were ayes—6; nays—8.

So the House refused to adjourn.

On motion of Mr. Trask,

The amendments to chapter 4, were concurred in collectively.

Mr. Randall offered the following amendment to chapter 4, article 3;

"Strike out the first word in sections 1, 4 and 5;"

Which amendment was concurred in.

Mr. Trask offered the following amendment:

"Strike out the first word in sections 4 and 5, of article 2;"

Which amendment was concurred in.

The first and second amendments to chapter 5, were concurred in.

On motion of Mr. Trask,

The rules were so far suspended, that chapters 3, 4 and 5, were read the third time now by their titles.

The question being put upon the passage of chapters 3, 4 and 5, separately,

They were severally passed, and the titles thereof severally agreed to.

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll being called,

Messrs. Brunson, Farribault, Sloan, Warren and Wells, were reported absent.

No. 1, H. of R. A memorial to the Secretary of War for the continuation of certain explorations in the Territory of Minnesota;

Was taken up, and

On motion of Mr. Randall,

Read the third time by its title.

The question being put,

“Shall this memorial pass?”

It was decided in the affirmative, and the title thereof agreed to.

C. F., chapters 8, 13, 14, 16, 32, 33, 35, 36, 37 and 38, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up.

On motion of Mr. Tilden,

Messrs. Trask and Randall were excused from attendance on the House during this afternoon and to-morrow.

Mr. Patch moved that the House adjourn until Monday next at 2 o'clock, p. m.

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Olmstead, Patch, Ramsey, Rice and Taylor—5.

Those who voted in the negative are—Messrs. Ford, Ludden, North, Tilden, and Ames (Speaker)—5.

So the House refused to adjourn.

Mr. North then moved that the House adjourn;

Which motion did not prevail.

Mr. Tilden moved a call of the House;

Which was ordered;

The roll being called,

Messrs. Brunson, Farribault, Sloan, Warren and Wells, were reported absent.

Mr. Olmstead moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. North, Olmstead, Patch, Taylor and Warren—5.

Those who voted in the negative are—Messrs. Ford, Ludden, Ramsey, Rice, Sloan, Tilden and Ames (Speaker)—7.

So the motion was disagreed to.

Mr. Tilden moved to re-consider the vote refusing to suspend further proceedings under the call of the House;

Which motion prevailed.

Mr. Tilden then moved to suspend further proceedings under the call of the House;

A division being ordered;

There were ayes—9; nays—2.

So the motion prevailed.

Mr. Patch moved that the House adjourn until Monday next, at 2 o'clock p. m.

The question being put,

It was decided in the affirmative,

A division being called for and ordered;

There were ayes—8; nays—2.

So the House adjourned.

MONDAY, FEBRUARY 24, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, Ford, Ludden, Olmstead, Ramsey, Rice, Sloan and Tilden were reported absent.

Mr. Gilman presented the petition of N. Myrick, and fifty-four others, praying that the location of county seat of Benton county, may, by an act of the Legislative Assembly, now sitting, be determined by the vote of the qualified voters of said county, at the next regular election.

On motion of Mr. Rice,

Said petition was referred to the Committee on Corporations.

Mr. Patch presented the petition of Daniel Stinchfield and eighty-two others, praying for a road from the Falls of St. Anthony, to the Falls of St. Croix;

And on his motion, said petition was referred to the Committee on Corporations.

Mr. Ludden presented the petition of Ansell Smith, and eleven others, praying for a road from the Falls of St. Croix, to the Falls of St. Anthony;

And on his motion, said petition was referred to the Committee on Corporations.

Mr. Warren, from the Committee on Territorial Affairs, to whom was referred No. 3, C. F. A memorial to Congress asking for a donation of land to the county of Benton,

Reported the same back to the House with an amendment.

Said memorial was read the second time, laid on the table, and ordered to be read the third time to-morrow.

On motion of Mr. Trask,

C. F., chapters 39, 40, 41, 42, 43 and 44, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Trask,

The rules were so far suspended that said chapters were read the first and second times by their titles.

H. of R., chapters, from 17 to 31 inclusive, were taken up for the consideration of the amendments of the Council.

The amendment to chapter 17, was,

On motion of Mr. Randall,

Read the first and second time by its title.

Chapter 23 was taken up for the consideration of the amendments of the Council thereto,

The first and second amendments to said chapter, were concurred in.

Mr. Trask offered the following amendment to the first amendment of the Council to chapter 23:

“Strike out the word ‘appropriation,’ in the sixth line of section 4;”

Which amendment was concurred in.

Section 24 was taken up for the consideration of the amendment of the Council thereto,

And the amendment was concurred in.

Section 25 was taken up for the consideration of the amendments of the Council thereto.

Mr. North moved to amend the first amendment as follows:

“After the word ‘license,’ insert ‘may be granted.’”

Which amendment was concurred in.

The amendment of the Council, as amended, was concurred in.

Mr. Trask offered the following amendment to the second amendment of the Council to chapter 25:

“Insert after the word ‘serenade,’ the words ‘or shiveree;”

Which amendment was concurred in.

Mr. Gilman offered the following amendment:

“Insert after the word ‘shiveree,’ ‘or gabloring bands, who shall use tin horns, corn stalk fiddles, pumpkin vine whistles, cow bells, tin-pans or other instruments;”

Which amendment was concurred in.

The question recurring upon concurring in the amendment of the Council, as amended;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ludden, Randall, Taylor, Trask and Wells—6.

Those who voted in the negative are—Messrs. Brunson, Gilman, North, Patch, Ramsey, Rice, Sloan, Warren and Ames (Speaker)—9.

So the amendment was not concurred in.

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof, viz:

“MR. SPEAKER:—The Council has passed C. F., chapters 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56 of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

Chapter 6, substitute for chapter 6, C. F., was taken up; and

The question being put,

“Shall the House recede from its amendment?”

It was decided in the negative.

Mr. Brunson asked and obtained leave, and made the following report:

“The special committee, to whom was referred

“No. 12, C. F. ‘A bill to provide for the establishment and maintainance of Common Schools,’

“Would report that they have had the subject under their consideration, and would respectfully submit

“No. 14, H. of R. ‘A bill to establish and maintain Common Schools.’

“As a substitute for said bill.

B. W. BRUNSON,
SYLVANUS TRASK,
EDMUND RICE,
J. D. LUDDEN,
H. L. TILDEN,

Committee.”

No. 14, H. of R. A bill to establish and maintain Common Schools,

Was read the first time.

On motion of Mr. North,

The rules were so far suspended, that the said bill was read the second time by its title.

No. 3, C. F. A memorial to Congress asking for a donation of land to the county of Benton,

Was read the second time; and

On motion of Mr. Trask,

Ordered, That said memorial be laid on the table and read the third time on to-morrow.

Chapter 8, and chapters, from 32 to 38 inclusive,

Were taken up; and

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Wells in the Chair;

For the consideration of said chapters.

After some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House without amendments;

On motion of Mr. Wells,

The House resolved itself into a committee of the whole;

Mr. Taylor in the Chair,

For the consideration of chapter 8, and chapters, from 32 to 38 inclusive, of C. F., bill No. 13.

After some time passed therein, the committee rose, and by their chairman, reported progress, and asked leave to sit again; which was granted.

Mr. Trask moved that the House adjourn until 7 o'clock this evening;

The question being put,

And a division being called for and ordered;

There were yeas—8; nays—6.

Two-thirds of the members not voting in the affirmative, the motion to adjourn did not prevail.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

‘The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills, viz:

Article 8, article 9, article 10 and article 11, of chapter 8, of bill

‘No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,
Chairman.”

Mr. Wells moved to adjourn until to-morrow morning at 9 o'clock.

Mr. Trask moved to amend, by moving to adjourn until 7 o'clock this evening.

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ludden, North, Patch, Randall, Rice, Sloan, Tilden, Trask and Ames, (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, Ramsey, Taylor, Warren and Wells—7.

So the House adjourned until 7 o'clock this evening.

SEVEN O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Olmstead, Patch, Rice, Taylor, Tilden, Warren and Wells, were reported absent.

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

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Gilman in the chair,

For the further consideration of C. F., chapter 8, and chapters, from 32 to 38 inclusive, of C. F. bill No. 13.

After some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House, with sundry amendments to each.

In which they asked the concurrence of the House.

On motion of Mr. Trask,

The House adjourned.

TUESDAY, FEBRUARY 25, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ludden, Olmstead, Ramsey, Rice, Sloan, Tilden, Warren, and Wells, were reported absent.

The Journal of yesterday was then read.

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

leave to introduce a bill to incorporate the St. Paul and St. Anthony Railroad Company.

C. F., chapters from 45 to 56 inclusive,
Were taken up and read the first time.

On motion of Mr. Trask,
The rules were so far suspended, that the said chapters were read the second time by their titles.

No. 3, C. F. A memorial to Congress asking for a donation of land to the county of Benton;

Was taken up; and

On motion of Mr. Trask,
Was read the third time by its title.

The question being put,
"Shall this memorial pass?"

It was decided in the affirmative, and the title thereof agreed to.

C. F., chapter 8, and chapters, from 32 to 38 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up for the consideration of the amendments made thereto by the committee of the whole.

The first amendment of the committee of the whole to chapter 8, was concurred in.

The question being put upon concurring in the second amendment of the committee of the whole to chapter 8,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, North, Patch, Rice, Sloan, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Ludden, Ramsey, Randall, Taylor, and Trask—6.

So the amendment was concurred in.

The 3d, 4th and 5th amendments of the committee of the whole were severally concurred in.

The question being put upon concurring in the sixth amendment to said chapter,
And the ayes and nays being called for and ordered;

Those who voted in affirmative are—Messrs. Ford, Gilman, North, Patch, Rice, Sloan, Warren and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

So the amendment was not concurred in.

The seventh amendment to said chapter, was not concurred in.

Mr. Brunson offered the following amendment to the bill:

"Strike out all after the word 'county,' in the 5th line of section 4, article 3I, to the word 'year,' inclusive, in the 6th line."

Which amendment was concurred in.

Chapter 32 was taken up for the consideration of the amendments of the committee of the whole thereto;

The first, and only amendment to said chapter, was concurred in.

Chapter 35 was taken up for the consideration of the amendments of the committee of the whole thereto;

The 1st, 2d and 3d amendments to said chapter, were severally concurred in.

Chapter 37 was taken up for the consideration of the amendments of the committee of the whole thereto;

The amendment striking out said chapter, was concurred in.

Chapter 38 was taken up for the consideration of the amendments of the committee of the whole;

The 1st and 2d amendments to said chapter, were concurred in.

Mr. North offered the following amendment to chapter 38:

"Strike out of the second line of section 14, the words 'by the same persons;'"

Which amendment was concurred in.

On motion of Mr. Trask,

Ordered, That chapter 8, and chapters, from 32 to 38 inclusive, except chapter 37, be read the third time on to-morrow.

No. 14, H. of R. A bill for an act to establish and maintain Common Schools,
Was taken up; and

On motion of Mr. Trask,

Was laid upon the table and ordered to be printed;

On motion of Mr. Trask,

The House resolved itself into a committee of the whole;

Mr. Ford in the Chair.

For the consideration of C. F., chapter 13, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

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

Mr. Wells, on leave, introduced

No. 2, H. of R. Memorial to Congress, praying that the 15th section of the act of Congress of the 4th of September, 1841, may be amended, &c.;

Which was read the first time.

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll being called,

Messrs. Brunson, Farribault, Ford, North, Olmstead, Randall, Rice, Sloan, and Warren were reported absent.

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

On motion of Mr. Trask.

The House resolved itself into a committee of the whole,

Mr. Trask in the chair,

For the consideration of C. F., chapters 13, 14, 15, 16 and 17 inclusive, and chapters, from 39 to 56 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported chapters 13, 14, 16, 17, 39, 40 and 41, back to the House with amendments.

In which they asked the concurrence of the House.

And asked and obtained leave to sit again, on chapters, from 42 to 56 inclusive.

C. F., chapter 13, was taken up for the consideration of the amendments of the committee of the whole thereto;

And the 1st, 2d and 3d amendments to said chapters, were severally concurred in.

C. F., chapter 14, was taken up for the consideration of the amendments of the committee of the whole thereto;

The first, and only amendment to said chapter, was concurred in.

The Speaker announced that chapters 16, 33, 36, 39, 40 and 41, were open for amendment.

On motion of Mr. Trask,

C. F., chapters 13, 14, 15, 16, 39, 40 and 41, were ordered to be read the third time on to-morrow.

On motion of Mr. Brunson,

Chapter 17 was laid on the table and ordered to be printed.

On motion of Mr. Patch,

The House adjourned.

WEDNESDAY, FEBRUARY 26, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,
Messrs. Farribault, North, Ramsey, Rice, Sloan, Taylor, Warren and Wells,
were reported absent.

The Journal of yesterday was then read and corrected.

No. 3, H. of R. A memorial to Congress, praying that the 15th section of the act of Congress of the 4th of September, 1841, may be amended, &c.,

Was taken up; and

On motion of Mr. Patch,

Was read the second time by its title.

Mr. Trask moved that said memorial be laid on the table and printed, and taken up ten days hence, in committee of the whole;

Which motion prevailed.

C. F., chapters 8, 13, 14, 16, 32, 33, 35, 36, 38, 30, 40 and 41,

Were taken up; and

On motion of Mr. Randall,

Read the third time by their titles.

The question being put,

“Shall these chapters pass?”

It was decided in the affirmative; and the titles thereof agreed to.

On motion of Mr. Warren,

The House resolved itself into a committee of the whole,

Mr. Trask in the chair,

For the consideration of C. F., chapter 1, and chapters from 42 to 56 inclusive, of bill

No. 13. C. F. A bill for revising and consolidating the general statutes of the Territory,

During the session of the committee of the whole, a message was received from the Governor, by W. B. White, Esq., Private Secretary;

When the Speaker resumed the chair for its reception, viz:

“MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing.”

The Private Secretary then withdrew,

And the committee resumed its session.

And then a message was announced from the Council by J. R. Brown, Esq., Secretary thereof;

When the Speaker again resumed the chair for its reception, viz:

“MR. SPEAKER:—The Council has concurred in the sixth, and has refused to concur in the first, second, third, fourth, fifth, seventh and eighth amendments made by this House, to C. F., chapter 3, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“The Council has concurred in the first, second, third, fourth, fifth, seventh, tenth and eleventh, and refused to concur in the sixth, eighth and ninth amendments made by this House, to C. F., chapter 4, of the same bill.

“The Council has concurred in the first, and refused to concur in the second amendment made by this House, to chapter 5, of the same bill.

“The Council has concurred in,

“No. 1, H. of R. ‘A memorial to the Secretary of War, for a continuation of certain explorations in the Territory of Minnesota.’

“The Council has passed,

“C. F., chapters 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69 and 70, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The committee of the whole resumed its session.

And after some time passed therein, the committee rose and by their chairman, reported progress on said chapters, and asked and obtained leave to sit again.

On motion of Mr. Brunson,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called.

Messrs. Farribault, Ford and Wells were reported absent.

The message from the Governor was then read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 26, 1851. }

“To the honorable Speaker of the House of Representatives:

“SIR:—I have examined and approved, ‘An act to incorporate the University of Minnesota, at the Falls of St. Anthony.’

With great respect,

Your ob’t. servant,

ALEX. RAMSEY.”

On motion of Mr. Randall,

The House resolved itself into a committee of the whole,

Mr. Trask in the chair.

For the consideration of C. F., chapter 1, and chapters, from 42 to 56 inclusive, of

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

After some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House with amendments;

And asked the concurrence of the House therein.

C. F., chapter 1, was taken up for the consideration of the amendments of the committee of the whole thereto.

On motion of Mr. Brunson,

The amendments to said chapter, except the 15th amendment,

Were concurred in collectively.

On motion of Mr. Patch,

A call of the House was ordered;

The roll having been called,

Messrs. Randall and Wells were reported absent.

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

Mr. Warren moved that Mr. Wells be excused from attendance on the House for ten days;

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—4; nays—12.

So the motion did not prevail.

Mr. Warren then moved that Mr. Wells be excused from attendance on the House this afternoon;

Which motion prevailed.

Mr. Brunson moved that further proceedings under the call of the House be dispensed with;

The question being put,
 And a division being ordered;
 There were ayes—9; nays—4.
 Two-thirds of the members present not having voted in the affirmative,
 The motion did not prevail.

Mr. Brunson moved that Mr. Randall be excused from attendance on the House this afternoon;

The question being put,
 And the ayes and nays being called for and ordered;
 Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Rice, Taylor, Tilden and Trask—9.

Those who voted in the negative are—Messrs. Gilman, North, Olmstead, Patch Sloan, Warren and Ames (Speaker)—7.

So the motion prevailed.

Mr. Rice moved that further proceedings under the call of the House be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms reported Mr. Randall in his seat, and that Mr. Wells was not in town.

Mr. Brunson moved to adjourn;

The Chair decided that a motion to adjourn was not in order pending a call of the House.

Mr. Warren moved that further proceedings under the call of the House be dispensed with;

The Speaker here remarked, that proceedings under a call of the House could not be dispensed with, without two-thirds of the members present voting in the affirmative.

The question then recurring upon the motion of Mr. Warren,
 And a division being ordered;

There were ayes—12.

Two-thirds of the members present having voted in the affirmative,
 The motion prevailed.

The 15th amendment of the committee of the whole to C. F., chapter 1, was taken up for consideration.

On motion of Mr. Brunson,

Mr. Ford was excused from voting on said amendment.

The question being put upon concurring in the 15th amendment of the committee of the whole to C. F. chapter 1,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Patch, Trask, Warren and Ames (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Rice, Sloan, Taylor and Tilden—9.

So the amendment was not concurred in.

Mr. Trask moved that the rules be so far suspended, that C. F., chapter 1, and chapters, from 42 to 56 inclusive, be read the third time by their titles, this afternoon;

The question being put,
 And a division being ordered;

There were ayes—16.

Two-thirds of the members present having voted in the affirmative,
 The motion prevailed.

The said chapters were then read the third time by their titles.

And the question being put,

“Shall chapter 1, and chapters, from 42 to 56 inclusive, pass?”

It was decided in the affirmative, and the titles thereof agreed to.

The message from the Council was taken up and read.

On motion of Mr. Brunson,

The House adjourned.

THURSDAY, FEBRUARY 27, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ramsey, Randall, Rice, Taylor and Tilden, were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Patch, in pursuance of previous notice, and by leave, introduced,

No. 15, H. of R. An act to incorporate the St. Paul and St. Anthony Railroad Company;

Which was read the first time.

Mr. Tilden moved that the rules be so far suspended, that said bill be read the second time by its title, and laid upon the table and be printed.

The question being put,

And a division being ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

The message from the Council of yesterday, was taken up.

C. F., chapter 3, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

Was taken up for the consideration of the amendments of this House, which were non-concurred in by the Council.

Mr. Tilden moved that the House recede from its amendments to said chapter;

The question being put,

And the Speaker being unable to decide,

And a division being ordered;

There were yeas—3; nays—7.

So the House refused to recede from its amendments.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Governor, has notified the Council, that he did, on the 25th day of February, A. D. 1851, approve and sign, ‘An act providing for the appointment of a Librarian, and for other purposes.’

“The Council has appointed Messrs. Boal and Olmsted, a committee to confer with a similar committee to be appointed by this House, on the disagreeing vote of the two Houses, on the amendment made by this House to C. F., chapter 6, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“And the appointment of said committee is respectfully requested.

“The Council has concurred in the amendment made by this House to

“No. 3, C. F. ‘A memorial to Congress, asking for a donation of land to the county of Benton.’

“The Council has concurred in the second, third, fourth, fifth, sixth and seventh, and has refused to concur in the first amendment made by this House to C. F., chapter 8, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“The Council has concurred in the second and third, and refused to concur in the first amendment made by this House, to C. F., chapter 13, of the same bill.

“The Council has concurred in the amendments made by this House, to C. F., chapters 14, 32 and 38, of the same bill.

“The Council has concurred in the second, amended and concurred in the third,

and refused to concur in the first amendment made by this House, to C. F., chapter 35, of the same bill.

"The Council has refused to concur in the amendment made by this House, to C. F., chapter 37, of the same bill."

The Secretary then withdrew.

Mr. Trask moved that the amendments to chapter 3, be considered separately;

The Speaker decided that the question could not be put upon receding from the amendments separately, after the House had refused to recede from them collectively.

Mr. North took an appeal from the decision of the Chair.

The question being put,

"Shall the decision of the Chair stand as the judgment of the House?"

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, Ludden, Sloan and Tilden—6.

Those who voted in the negative are—Messrs. North, Randall, Taylor, and Trask—4.

So the decision of the Chair stands as the decision of the House.

C. F., chapter 4, of bill No. 13, C. F., was taken up for the consideration of the amendments of this House thereto, which were non-concurred in by the Council.

On motion of Mr. Trask,

The House receded from their amendments to said chapter, in gross.

C. F., chapter 5, was taken up for the consideration of the amendments of this House, which were non-concurred in by the Council.

On motion of Mr. Tilden,

The amendments were receded from collectively.

C. F., chapters from 57 to 70 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up.

Mr. North moved that the rules be so far suspended that said chapters be read the first and second times by their titles;

The question being put,

And a division being ordered;

There were ayes—13.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

C. F., chapters, from 57 to 70 inclusive, were read the first and second times by their several titles.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Tilden in the chair,

For the consideration of C. F., chapters 67 and 68, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

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

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Farribault, Olmstead, Randall, Taylor and Warren were reported absent.

On motion of Mr. Rice,

The House resolved itself into a committee of the whole,
 Mr. Ford in the chair,
 For the further consideration of C. F., chapters 67, and 68, of bill
 No. 13, C. F. A bill for revising and consolidating the general statutes of the
 Territory.

And after some time passed therein, the committee rose, and by their chairman,
 reported the said chapters back to the House with amendments;

In which they asked the concurrence of the House.

Mr. Trask moved that the amendments to said chapters, made in committee of
 the whole, be acted upon in gross;

Which motion did not prevail.

C. F., chapter 67, was taken up for the consideration of the amendments of the
 committee of the whole thereto.

The question being put upon concurring in the first amendment to said chapter,
 And a division being called for and ordered;

There were ayes—8; nays—3.

So the amendment was concurred in.

The question being put upon concurring in the second amendment,

And a division being called for and ordered;

There were ayes—2; nays—4.

So the amendment was not concurred in.

The question being put upon concurring in the third amendment,

And a division being called for and ordered;

There were ayes—5; nays—5.

So the amendment was not concurred in.

The question being put upon concurring in the fourth amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Ludden, North,
 Ramsey, Randall, Sloan, Tilden, Trask and Ames (Speaker)—9

Those who voted in the negative are—Messrs. Brunson, Ford, and Rice—3.

So the amendment was concurred in.

The fifth amendment to said chapter was concurred in.

The sixth amendment was not concurred in.

The question being put upon concurring in the 7th amendment,

And a division being called for and ordered;

There were ayes—7; nays—3.

So the amendment was concurred in.

The question being put upon concurring in the eight amendment,

And a division being called for and ordered;

There were yeas—3; nays—8.

So the amendment was not concurred in.

The question recurring upon concurring in the ninth amendment of the com-
 mittee of the whole to chapter 67;

Mr. Rice offered the following amendment to the amendment:

“Strike out ‘or other female;’”

Which amendment to the amendment, was adopted.

And the question then recurring upon concurring in the amendment as amended,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Olmstead, Rice,
 Sloan, and Trask—5.

Those who voted in the negative are—Messrs. Brunson, Ford, Ludden, North,
 Patch, Ramsey, Randall, Tilden and Ames (Speaker)—9.

So the amendment was not concurred in.

Mr. Ludden moved to strike out section 6, of chapter 67;

And the question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Ludden, North,
 Patch, Ramsey, Sloan, Tilden and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Brunson, Ford, Olmstead, Randall, Rice and Trask—6.

So the amendment was concurred in.

C. F., chapter 68, was taken up for the consideration of the amendments of the committee of the whole thereto.

On motion of Mr. Brunson,

The eighth sub-division of section 1, of the amendment to said chapter, was stricken out.

The question then recurring upon concurring in the amendment of the committee of the whole as amended;

And being put, it was concurred in.

Mr. Rice moved that chapter 68 be referred to a select committee;

Which motion prevailed.

And Messrs. Rice, Ludden and Olmstead were appointed said committee.

Mr. Tilden moved that the rules of this House be so far suspended, that chapters, from 57 to 70 inclusive, except chapter 68, be read the third time by their titles now;

And a division being ordered;

There were ayes—10.

Two-thirds of all the members present having voted in the affirmative,

The motion prevailed.

And C. F., chapters, from 57 to 70 inclusive, except chapter 68, were read the third time by their separate titles.

And the question being put,

“Shall these chapters pass?”

It was decided in the affirmative, and the titles thereof agreed to.

The message from the Council was taken up and read.

Mr. Trask moved that a committee of conference be appointed to confer with a similar committee already appointed on the part of the Council, on the disagreeing vote on C. F., chapter 6, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Which motion prevailed.

And Messrs. Trask and Rice were appointed said committee.

On motion of Mr. Trask,

The House adjourned.

FRIDAY, FEBRUARY 28, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Gilman, Olmstead, Ramsey, Randall, Rice, Sloan, Taylor and Warren, were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Trask introduced joint resolution,

No. 2, H. of R. For the meeting of the two Houses of the Legislature in joint convention, for the election of Regents for the University of Minnesota;

On motion, said resolution was adopted.

Mr. Rice gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill granting to John Banfill, the right to establish and maintain a ferry across the Mississippi river.

Mr. Tilden, from the Committee on Corporations, made the following report: “The Committee on Corporations, to whom was referred the petition of Ansell Smith and others, citizens of St. Croix Falls, and Daniel Stinchfield and others,

citizens of St. Anthony, praying for the laying out and establishment of a Territorial Road from St. Anthony Falls, in Ramsey county, to the Falls of St. Croix, in Washington county; having had said petition under consideration, beg leave to report the following bill:

H. L. TILDEN,
D. GILMAN,
JESSE TAYLOR,
Committee."

No. 16, H. of R. A bill to provide for laying out a territorial road from the village of St. Anthony Falls, to Falls of St. Croix;

Was read the first time.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following bills and memorial, viz:

"No. 3, C. F. 'A memorial to Congress asking for a donation of land to the county of Benton.'

"Chapters 7, 16, 32, 36 and 40 of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

The message from the Council of yesterday was taken up.

C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the first amendment of this House, which was not concurred in by the Council.

Mr. Rice moved that the House recede from its amendments to said chapter;

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—7; nays—4.

So the amendment was receded from.

C. F., chapter 13, of the same bill, was taken up for the consideration of the first amendments of this House, which was non-concurred in by the Council.

The question being put,

"Shall the House recede from its amendment?"

And a division being called for and ordered;

There were ayes—7; nays—5.

So the amendment was receded from.

C. F., chapter 35, of the same bill, was taken up for the consideration of the first amendment of this House, which was non-concurred in by the Council.

The question being put,

The amendment was receded from.

C. F., chapter 37 of the same bill, was taken up for the consideration of the amendment of this House, which was non-concurred in by the Council.

The question being put,

"Shall the House recede from its amendment?"

It was decided in the negative.

On motion of Mr. Randall,

The House resolved itself into a committee of the whole,

Mr. Warren in the chair,

For the consideration of C. F., chapter 17, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory. Also,

No. 14, H. of R. A bill to establish and maintain Common Schools. Also,

No. 15, H. of R. A bill for an act to incorporate the St. Paul and St. Anthony Railroad Company.

After some time passed therein, the committee rose, and by their chairman, reported C. F., chapter 17, back to the House with amendments.

In which they asked the concurrence of the House.

And asked and obtained leave to sit again upon bills No. 14 and 15, H. of R.

On motion of Mr. Tilden,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Ford, Gilman, North, Sloan and Tilden, were reported absent.

Mr. Trask moved that the House adjourn until Monday next at 2 o'clock, P. M.

The question being put,

And a division being called for and ordered;

There were yeas—6; nays—2.

So the House adjourned.

MONDAY, MARCH 3, 1851.

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

Prayer by the Rev. Mr. Hobart.

The Journal of last Friday was then read.

Mr. Trask offered No. 3, H. of R. Joint resolution providing for the election of a suitable person to do the binding of the Laws and Journals of the present session;

On motion of Mr. Tilden,

Said resolution was adopted.

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

No. 17, H. of R. A bill granting to John Banfill the right to establish and maintain a ferry across the Mississippi river;

Which was read the first time.

Mr. Trask moved that the rules be so far suspended, that said bill be now read the second time by its title;

Which motion prevailed.

And the bill was read the second time by its title.

Mr. Wells moved that said bill be laid upon the table and printed;

The question being put,

And the Speaker being unable to decide, a division was ordered;

And there were ayes—1; nays—4.

On motion of Mr. Ludden,

Said bill was laid on the table.

No. 16, H. of R. A bill to provide for laying out a territorial road from the village of St. Anthony Falls, to the Falls of St. Croix,

Was read the second time.

Mr. Tilden moved that the rules be so far suspended, that said bill be engrossed and read the third time this afternoon.

The question being put,

There were ayes—10; nays—1.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

Chapter 17, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendments of the committee of the whole thereto.

The several amendments of the committee to said chapter, were concurred in by the House.

Mr. Tilden moved that chapter 17 be read the third time now.

On motion of Mr. Ludden,

Said chapter was laid on the table.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 16, H. of R. A bill to provide for laying out a territorial road from the village of St. Anthony Falls, to the Falls of St. Croix.

On motion of Mr. Randall,

Said bill was read the third time by its title.

The question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Randall,

The House resolved itself into a committee of the whole,

Mr. Randall in the chair.

Having under consideration,

No. 14, H. of R. A bill to establish and maintain Common Schools; also,

No. 15, H. of R. A bill for an act to incorporate the St. Paul and St. Anthony Railroad Company.

After some time passed therein, the committee rose, and reported said bills back to the House with amendments to each;

And asked the concurrence of the House therein.

No. 14, H. of R., was taken up for the consideration of the amendments of the committee of the whole thereto;

The first, and only amendment to said bill, was concurred in.

No. 15, H. of R., was taken up for the consideration of the amendments of the committee of the whole thereto;

Mr. Randall offered the following amendment to the last amendment of the committee of the whole to said bill:

“Strike out the word ‘ten’ and insert the word ‘fifteen;’”

Which amendment was adopted.

On motion of Mr. Wells,

The amendments of the committee of the whole to said bill as amended, were concurred in.

Mr. Trask offered the following amendment to said bill:

“Strike out of section 2, the words ‘or to do such other business as the President and Directors may think advisable for the benefit of said company, and of giving mortgages, issuing certificates and evidences of indebtedness, signed by President and countersigned by the Secretary.’”

Mr. Ludden offered the following amendment to Mr. Trask’s amendment:

“Strike out of section 2, the words ‘and of borrowing such sums of money, on loan, from time to time, as may be necessary to enable them to complete their said road, or to do such other business as the President and Directors may think advisable for the benefit of said company, and giving of mortgages, issuing certificates and evidence of indebtedness, signed by the President and countersigned by the Secretary.’”

The question being put upon concurring in the amendment to the amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Gilman, Ludden, Randall, Sloan, Taylor, Trask and Wells—9.

Those who voted in the negative are—Messrs. Ford, North, Olmstead, Patch, Ramsey, Rice, Warren and Ames (Speaker)—8.

So the amendment to the amendment, was concurred in.

The question then being put upon concurring in the amendment as amended,
And the ayes and nays being called for and ordered;
Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford,
Ludden, Randall, Sloan, Taylor, Trask and Wells—9.

Those who voted in the negative are—Messrs. Gilman, North, Olmstead, Patch,
Ramsey, Rice, Warren and Ames (Speaker)—8.

So the amendment as amended, was adopted.

Mr. Ludden offered the following amendment to the bill:

“Add to section 2: ‘and the stockholders shall be individually liable for all
debts of the company;’”

The question being put upon the adoption of said amendment,
And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford,
Gilman, Ludden, North, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Tay-
lor and Ames (Speaker)—14.

Those who voted in the negative are—Messrs. Trask, Warren and Wells—3.
So the amendment was adopted.

Mr. Trask offered the following amendment to the bill:

“Strike out all after the word ‘company,’ in the ninth line of section 4.”

Mr. North moved that said bill be referred to the Committee on Corporations;

The question being put,

And the Speaker not being able to decide,

A division was ordered;

And there were ayes—7; nays—7.

So the motion did not prevail.

The question recurring upon the adoption of Mr. Trask’s amendment,

And being put,

It was decided in the negative.

Mr. Rice offered the following amendment to bill

No. 14, H. of R. A bill to establish and maintain Common Schools;

“Add to the end of section 2: ‘Not otherwise appropriated by law.’”

On motion of Mr. Randall,

H. of R. Bills No. 14 and 15, were ordered to be engrossed and read the third
time on to-morrow.

On motion of Mr. Randall,

The House adjourned.

TUESDAY, MARCH 4, 1851.

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

Prayer by the Rev. Mr. Hobart.

The Journal of yesterday was then read and corrected.

Mr. Ludden offered the petition of Thomas F. Morton, for a divorce from his
wife, Mary Morton.

On motion of Mr. Ludden,

Said petition was referred to a special committee, consisting of Messrs. Lud-
den, Ramsey and Randall.

Mr. North, from the Committee on Engrossed Bills, reported as correctly en-
grossed:

No. 14, H. of R. A bill to establish and maintain Common Schools; also,

No. 15, H. of R. A bill for an act to incorporate the St. Paul and St. Anthony
Railroad Company.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

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

“Chapters 14, 33, 39 and 41, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,
Chairman.”

Mr. Tilden asked and obtained leave, to introduce

No. 18, H. of R. A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet;

Which was read the first time.

On motion of Mr. Tilden,

Said bill was referred to a select committee of three;

Messrs. Tilden, Trask and Ramsey, were appointed said committee.

On motion of Mr. Trask,

No. 14, H. of R. A bill to establish and maintain Common Schools,
Was taken up and read the third time by its title.

The question being put,

“Shall this bill pass?”

It was decided in the affirmative; and the title thereof agreed to.

On motion of Mr. Wells,

No. 15, H. of R. A bill for an act to incorporate the St. Paul and St. Anthony Railroad Company,

Was taken up and read the third time by its title.

The question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Rice,

No. 17, H. of R. A bill granting to John Banfil the right to establish and maintain a Ferry across the Mississippi river,

Was taken from the table; and

On motion of Mr. Rice,

Read the third time.

And the question being put,

“Shall the bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. North,

C. F., chapter 17, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken from the table, and read the third time by its title;

The question being put,

“Shall this chapter pass?”

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Randall,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Olmstead and Warren, were reported absent.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has concurred in

“No. 2, H. of R. ‘Joint resolution for the meeting of the two Houses of the Legislature, for the purpose of electing Regents for the University of Minnesota.’

"The Council has appointed Messrs. Forbes and Sturgis, a committee to confer with a similar committee of this House, on the disagreeing vote of the two Houses, on C. F., chapter 3, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The appointment of which committee by the House, is respectfully requested.

"The Council has refused to adhere to the vote non-concurring in the amendment made by this House, to C. F., chapter 37, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has concurred in the first and second, and refused to concur in the third and fourth amendments made by this House to C. F., chapter 67, of the same bill.

"The Council has concurred in

"No. 3, H. of R. 'Joint resolution providing for the election of a suitable person to do the binding of the Laws and Journals of the present session.'

"The Council has concurred in the first, third, fifth, eighth, ninth and thirteenth, has amended and concurred in the sixth, seventh, eleventh and sixteenth, and has refused to concur in the second, fourth, tenth, twelfth, fourteenth, fifteenth, seventeenth and eighteenth amendments of this House to C. F., chapter 1, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"And the concurrence of this House is respectfully requested to said amendments.

"A communication, addressed to the Council and House of Representatives, by J. M. Goodhue, Printer, has been laid on the table, and entered on the Council Journal; and a copy is herewith reported."

The Secretary then withdrew.

Mr. Trask moved that a committee of two be appointed, to inform the Council, that the House is now ready to meet them in joint convention, for the purpose of electing twelve Regents for the University of Minnesota; and a suitable person to do the pressing and binding of the Laws and Journals of the present session of the Legislative Assembly;

Messrs. Trask and Olmstead were appointed said committee.

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

Mr. Rice moved a call of the House;

The roll having been called,

Messrs. Farribault and Warren were reported absent.

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

On motion of Mr. Trask,

Mr. Farribault, was excused from attendance on the House this afternoon;

The Sergeant-at-Arms reported Mr. Warren in his seat.

The Sergeant-at-Arms announced the Council in attendance, to meet the House in joint convention.

On motion of Mr. Rice,

Further proceedings under the call of the House were dispensed with.

The convention of the two Houses then met in the Hall of this House; and the following proceedings were had:

The Secretary and Chief Clerk, called the roll of their respective Houses,

And all were found to be present.

On motion of Mr. Trask,

The convention then proceeded to elect twelve Regents for the University of Minnesota;

Messrs. Ludden and Norris were appointed tellers.

And the ballots having been received and counted by the tellers;

It appeared that the whole number of votes cast was 26; of which,

Alex. Ramsey	received	25	votes.
H. H. Sibley	"	22	"
C. K. Smith	"	23	"
W. R. Marshall	"	24	"
H. M. Rice	"	21	"
F. Steele	"	25	"
I. Atwater	"	19	"
B. B. Meeker	"	23	"
A. Vanvorhes	"	22	"
G. L. Becker	"	8	"
S. Nelson	"	17	"
N. C. D. Taylor	"	23	"
J. W. Furber	"	14	"
A. D. Foster	"	12	"
Rev. J. A. Myrick	"	2	"
Rev. Mr. Ayr	"	6	"
S. B. Lowry	"	3	"
M. E. Ames	"	1	"
C. W. Borup	"	1	"
N. W. Taylor	"	1	"
W. L. Larned	"	1	"
Mr. Bartlett	"	1	"
William Sturgis	"	1	"
J. M. Goodhue	"	1	"
Blank ballot,		1	

The following named gentlemen having received a majority of all the votes cast, were declared duly elected Regents of the University of Minnesota, viz:

Gov. Alexander Ramsey, Hon. H. H. Sibley, Hon. C. K. Smith, Wm. R. Marshall, H. M. Rice, F. Steele, I. Atwater, Hon. B. B. Meeker, A. Vanvorhes, J. W. Furber, S. Nelson, N. C. D. Taylor.

Mr. Trask offered the following resolution:

Resolved, That the Secretary of the Council and Chief Clerk of the House, deposite the names of the Regents in a box, and the President of the Council proceed to draw therefrom. The first four names drawn from the box, shall hold their office six years; the next, four years; and the last two years.

The question being put upon the adoption of said resolution,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Burkleo, Boal, Norris, Olmsted, Rollins, Sturgis, Loomis (President,) Ford, Ludden, North, Patch, Rice, Tilden, Trask and Ames (Speaker)—15.

Those who voted in the negative are—Messrs. Forbes, McLeod, Brunson, Gilman, Olmstead, Ramsey, Randall, Sloan, Taylor, Warren and Wells—11.

So the resolution was adopted.

Alex. Ramsey, H. H. Sibley, B. B. Meeker, and A. Vanvorhes, being the first four names drawn from the box, were declared elected for six years.

F. Steele, I. Atwater, J. W. Furber, and N. C. D. Taylor, being the second four names drawn from the box, were declared elected for four years.

C. K. Smith, W. R. Marshall, H. M. Rice, and S. Nelson, being the last four names drawn from the box, were declared elected for two years.

Mr. Trask moved that the convention now proceed to the election of a suitable person to do the pressing and binding of the Laws and Journals of the present Legislative Assembly, by a *vive voce* vote;

Which motion prevailed.

The rolls being called, the vote resulted as follows:

Mr. Burkleo	voted for	J. P. Owens.
" Boal	"	"
" Forbes	"	"
" McLeod	"	W. G. LeDuc.

Mr. Norris	voted for	D. A. Robertson.
“ Olmsted	“	“
“ Rollins	“	“
“ Sturgis	“	“
“ Loomis	“	J. P. Owens.
“ Brunson	“	“
“ Ford	“	D. A. Robertson.
“ Gilman	“	“
“ Ludden	“	J. P. Owens.
“ North	“	D. A. Robertson.
“ Olmstead	“	“
“ Patch	“	“
“ Ramsey	“	J. P. Owens.
“ Randall	“	D. A. Robertson.
“ Rice	“	“
“ Sloan	“	J. P. Owens.
“ Taylor	“	“
“ Tilden	“	“
“ Trask	“	D. A. Robertson.
“ Warren	“	“
“ Wells	“	J. P. Owens.
“ Ames	“	D. A. Robertson.

D. A. Robertson received 14 votes; J. P. Owens received 11 votes; W. G. LeDuc received 1 vote.

D. A. Robertson having received a majority of all the votes cast, was declared duly elected, to do the pressing and binding of the Laws and Journals of the present session of the Legislative Assembly.

Mr. Wells moved that the convention adjourn *sine die*;

The question being put,

And the Chair being unable to decide, a division was ordered;

And there were ayes—11; nays—7.

So the convention adjourned *sine die*.

The House was called to order by the Speaker.

On motion of Mr. Warren,

The House adjourned.

WEDNESDAY, MARCH 5, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ford, Olmstead, Ramsey and Sloan, were reported absent.

The Journal not having been received from the printer in time,

On motion of Mr. Ludden,

The reading thereof was dispensed with.

Mr. Wells offered the following resolution:

Resolved, That the Chief Clerk of this House be instructed to procure from the Secretary of the Council, a copy of their Journal daily, and have the same printed as daily slips, for the use of this House;

Mr. Tilden moved to lay said resolution on the table;

And the question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—5; nays—4.

So the motion prevailed.

Mr. North offered the following resolution:

Resolved, That the printing of the daily slips for this House be dispensed with;

Mr. Wells moved to lay said resolution upon the table;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Ludden, Taylor, Tilden, Trask and Wells—7.

Those who voted in the negative are—Messrs. Gilman, North, Olmstead, Patch, Rice, Warren and Ames, (Speaker)—7.

So the motion to lay on the table was lost.

Mr. Rice moved that said resolution be adopted;

On motion of Mr. Taylor,

A call of the House was ordered.

The roll having been called,

Messrs. Brunson, Ramsey, Randall and Sloan were reported absent.

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

Mr. Warren moved that further proceedings under the call of the House be dispensed with;

The question being put, and a division ordered;

There were ayes—10; nays—4.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

The Sergeant-at-Arms reported the absent members in their seats.

The question recurring upon the adoption of the resolution,

And being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Rice and Warren—6.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden, Trask, Wells and Ames (Speaker)—11.

So the resolution was not adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters and memorial, viz:

“Chapters 38 and 42, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“No. 1, H. of R. ‘A memorial to the Secretary of War for a continuation, of certain explorations in the Territory of Minnesota.’

B. H. RANDALL,
Chairman.”

The Speaker then signed said memorial.

The last message from the Council was then taken up;

Mr. Trask moved that a Committee of Conference be appointed to confer with a similar committee, already appointed by the Council, on the disagreeing vote of the two Houses on

C. F., chapter 3, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

Which motion prevailed.

Whereupon, the Speaker appointed Messrs. Trask and Rice said committee.

C. F. chapter 67, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendments which were non-concurred in by the Council;

It appearing that two amendments to said chapter, made by the House, had been lost, and not considered upon by the Council,

On motion of Mr. Brunson,

The Chief Clerk was directed to notify the Council of the fact, and return chapter 67 to the Council, together with the amendments, and ask their concurrence therein.

C. F., chapter 1, of same bill, was taken up for the consideration of the amendments of the Council to the amendments of the House, and the amendments of the House to said chapter, which were non-concurred in by the Council.

The question being put upon agreeing to the amendment of the Council to the sixth amendment of the House to said chapter,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, North, Olmstead, Rice, Sloan and Wells—7.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, Patch, Ramsey, Randall, Taylor, Tilden, Trask, Warren and Ames (Speaker)—11.

So the House refused to agree.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has concurred in the amendments made by this House to the amendments of the Council, to H. of R., chapter 17, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

“The Council has concurred in the amendment of this House, to the first amendment of the Council to H. of R., chapter 23, of same bill.

“The Council has concurred in the amendment of this House, to the first amendment of the Council to H. of R., chapter 25, of same bill.

“The Council has concurred in the amendment of this House to the first amendment of the Council to H. of R., chapter 25, of the same bill.

“And has receded from the second amendment to said chapter.

“The Council has passed C. F., chapter 71, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

On motion of Mr. Brunson,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called.

Messrs. Ford, Gilman, Patch and Rice, were reported absent.

C. F., chapter 1, of C. F., bill No. 13, was again taken up, for the consideration of the amendments of the Council to the amendments of the House, and the amendments of the House to said chapter which were non-concurred in by the Council.

The amendment of the Council to the seventh amendment of the House to said chapter, was taken up for consideration;

When Mr. Ludden offered the following as a substitute for the amendment of the Council, viz:

“The returns of said election shall be made to, and the certificates of election issued by the Clerk of the Board of Commissioners of Washington county.”

Which substitute was adopted.

The second amendment of the House, which was non-concurred in by the Council, was taken up;

And the question being put,

“Shall the House recede from its amendment?”

It was decided in the negative.

The question being put upon receding from the fourth amendment of the House which was non-concurred in by the Council,

It was decided in the negative.

The question being put upon receding from the tenth amendment of the House, non-concurred in by the Council,

It was decided in the negative.

The question being put upon receding from the eighth amendment of the House, non-concurred in by the Council,

And a division being called for and ordered;

There were ayes—5; nays—6.

So the House refused to recede.

The question being put upon agreeing to the amendment of the Council to the eleventh amendment of the House.

And the ayes and nays being called for and ordered;

Those who voted in affirmative are—Messrs. North, Olmstead Rice, and Wells—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, Ludden, Patch, Ramsey, Randall, Sloan, Taylor, Tilden, Trask, Warren and Ames (Speaker)—13.

So the amendment was not agreed to.

The question being put upon receding from the twelfth amendment of the House, not concurred in by the Council,

It was decided in the negative.

The question being put upon receding from the fourteenth amendment of the House, not concurred in by the Council,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Olmstead, Randall, and Wells—5.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, North, Patch, Ramsey, Rice, Sloan, Taylor, Tilden, Trask, Warren and Ames (Speaker)—13.

So the House refused to recede.

The House refused to recede from the fifteenth, seventeenth and eighteenth amendments, which were non-concurred in by the Council; and refused to agree to the amendment of the Council to the sixteenth amendment of the House to said chapter.

The Speaker announced as part of the message of the Council, a communication from J. M. Goodhue, the Public Printer; which was read, and is as follows:

ST. PAUL, MONDAY MORNING, }
March 3, 1851. }

To the honorable, the Council and House of

Representatives, of the Territory of Minnesota:

The undersigned begs leave respectfully to represent, that, *Whereas*, it appears by the Journal of the Council of Friday, the 31st ult., that two chapters, viz: chapters 72 and 73, of bill No. 13, C. F., a bill for revising and consolidating the general statutes of the Territory, were that day reported to the Council, and, under the rules, should have been immediately placed in my hands, as Public Printer, to print; but that said two chapters, (except so much of one of them as is printed and sent herewith to the Council, and a little more thereof; but not enough for a form, now standing in type,) have not yet been placed in my hands; that we are, and have been, anxiously waiting for copy, our cases filled with type; that if we had been furnished with sufficient copy, we could to-day, have furnished you with nearly or quite, one hundred pages of bills—that this delay of the work of ten hands, is a very serious inconvenience and loss to the undersigned and to those in his employ—that it does not appear by the Journal, that any such delay was contemplated, expected, or warranted by you—that the undersigned has spared no labor, inconvenience or expense, to do the printing with all possible despatch, consistent with careful accuracy, and desires to stand acquitted of any accusation of negligence or delay.

The undersigned believes, that the *reasons* why said two chapters have not been promptly placed in his hands to print, and the *cause* of this delay of the public business, demand your searching inquiry.

Very respectfully, your obd't. servant,

JAMES M. GOODHUE,

Printer.

Mr. Olmstead moved that the communication be laid upon the table, and taken up and considered in committee of the whole, on the first day of April next;

Which motion did not prevail.

Mr. Patch moved that ten thousand copies of said communication be printed for the use of the Minnesota Historical Society;

Which motion prevailed.

Mr. Warren moved that a committee of three be appointed, "to make the searching inquiry, alluded to in the communication;"

Which motion prevailed.

Messrs. Warren, Sloan and Olmstead were appointed said committee.

C. F., chapter 71, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

On motion of Mr. Trask,

Read the first time by its title.

On motion of Mr. North,

The rules were so far suspended, that said chapter was read the second time by its title.

On motion of Mr. Randall,

Said chapter was laid on the table, and ordered to be taken up and considered in committee of the whole on to-morrow.

Mr. Warren moved the House adjourn;

The question being put,

And the Speaker being unable to decide, a division was ordered;

And there were ayes—9; nays—3.

So the House adjourned.

THURSDAY, MARCH 6, 1851.

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

The roll having been called,

Messrs. Brunson, Gilman, Patch, Rice and Sloan, were reported absent.

The Journal of yesterday was then read.

Mr. Wells gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill providing for the encouragement of agriculture and stock growing.

Mr. Tilden made the following report:

"The select committee, to whom was referred a bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet, submit the testimony taken in the case, and report the bill back to the House, and recommend its passage.

H. L. TILDEN,

S. TRASK,

J. C. RAMSEY,

} Committee."

No. 18, H. of R. A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet,

Was read the second time.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:
 "The Committee on Enrolled Bills, have examined and found carefully enrolled the following chapters:

"Chapter 35, 66 and 70, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
 Chairman."

The Speaker announced a communication upon his table, from James M. Goodhue, Public Printer;

Which was read, and is as follows:

ST. PAUL, THURSDAY MORNING, }
 March 6th, 1851. }

To the honorable, the House of Representatives,
 of the Territory of Minnesota:

The undersigned has to beg the indulgence of your honorable body, for not having in readiness this morning, the whole of the very large edition of the letter of yesterday, ordered to be printed upon the motion of Mr. Patch. By the utmost exertion, I have been able to complete only nine thousand copies; of which, the most are not yet stitched and covered; but I shall spare no exertion to have the whole number completed within a few more hours.

I remain, very respectfully,

Your obd't. servant,

JAMES M. GOODHUE,

Printer.

Mr. Tilden asked for the reading of the testimony taken in the case of Marinas P. Bennet and Sarah A. Bennet; which was read.

Mr. Tilden moved that the rules be so far suspended, that

No. 18, H. of R. A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet;

Be read the third time now.

The question being put,

And a division being ordered;

There were ayes—12.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

Said bill was read the third time,

And the question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Randall,

The House resolved itself into a committee of the whole,

Mr. Wells in the chair.

Having under consideration, C. F., chapter 71, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

During the session of the committee, the following message from the Council by Joseph R. Brown, Esq., was announced,

When the Speaker resumed the chair for its reception, viz:

"MR. SPEAKER:—The Council has negatived, by indefinitely postponing,

"No. 17, H. of R. 'A bill granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.'

"And have negatived, by refusing to order to a third reading,

"No. 16, H. of R. 'A bill to provide for laying out a territorial road from the village of St. Anthony Falls, to Falls of St. Croix.'

"The Council has passed C. F., chapter 71, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The committee of the whole resumed its session.

After some time passed therein, the committee rose, and by their chairman, reported said chapter back to the House with amendments;

In which they asked the concurrence of the House.

On motion of Mr. Wells,

The amendments of the committee of the whole were concurred in collectively.

Mr. Warren offered the following amendment to the chapter, viz:

“In section 12, article 3, second line, strike out ‘Itasca and,’ and in third line, strike out ‘Mahkahto and Wahnahta,’ and insert ‘Meeker and Itasca.’”

Which amendment was adopted.

On motion of Mr. Trask,

C. F., chapter 71, was read the third time by its title.

The question being put,

“Shall this chapter pass?”

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Wells,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Gilman, Olmstead, Ramsey, Rice, Sloan, Tilden and Warren were reported absent.

The Speaker called Mr. Tilden to the Chair.

Mr. Ames moved that the vote by which

No. 18, H. of R. A bill to dissolve the marriage contract between **Marinas P. Bennet** and Sarah A. Bennet, be reconsidered;

Which motion prevailed.

Mr. Ames then asked and obtained the unanimous consent of the House, and offered the following amendment to the bill:

“SEC. 2. The control, care and education of the children of said Sarah A. Bennet, shall be, and the same is hereby given to their mother, the said Sarah A. Bennet, until they arrive at full and lawful age.”

Said amendment was adopted.

And the question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

Mr. Ames moved the House adjourn;

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. **Farribault, Patch, Ramsey, Sloan, Taylor, Tilden, Trask, Warren, Wells and Ames (Speaker)**—10.

Those who voted in the negative are—Messrs. **Ford and North**—2.

So the House adjourned.

FRIDAY, MARCH 7, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Gilman, Olmstead and Sloan were reported absent.

The Journal of yesterday was then read.

Mr. Ludden introduced No. 4, H. of R. Joint resolution, instructing the Joint Judiciary Committee to make their final report to the Legislature, at a certain time, therein specified;

The question being put upon the adoption of the resolution,
 And the Speaker being unable to decide, a division was ordered;
 And there were ayes—8; nays—5.
 So the resolution was adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:
 "The joint committee did, on the 6th day of March, A. D. 1851, present to his
 Excellency, the Governor of Minnesota Territory, for his examination and ap-
 proval, the following entitled memorial:

"A memorial to Congress asking for a grant of land to the county of Benton.
 M. McLEOD, Council, } Committee."
 B. H. RANDALL, H. of R., }

Mr. Wells, in pursuance of previous notice, and by leave, introduced
 No. 19. H. of R. A bill providing for the encouragement of agriculture and
 stock growing, in the Territory of Minnesota;
 Which was read the first time.

Mr. Ludden, from the select committee made the following report, viz:
 "The committee, to whom was referred the petition of Thomas F. Morton,
 praying to be divorced from his wife, Mary Morton, would respectfully report, that
 they have had the same under consideration, and are of opinion that the prayer
 of the petitioner should be granted.

"The testimony in the case is herewith submitted to the House; and, in the
 opinion of your committee, affords abundant evidence to support the affidavit of
 the petitioner, and sufficient reason for granting the relief asked for.

"Your Committee, would therefore, recommend the passage of the following
 bill:

J. D. LUDDEN, } Committee."
 J. C. RAMSEY, }
 B. H. RANDALL, }

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing
 existing between Thomas F. Morton and Mary Morton,
 Was read the first time.

On motion of Mr. Wells,

The report of the select committee was accepted, and the committee discharged.

Mr. Randall moved that the rules be so far suspended, that H. of R. No. 20,
 be read the second time now by its title;

A division was ordered;

And there were ayes—12.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And said bill was read the second time by its title.

Mr. Brunson moved that the rules be so far suspended, that bill No. 19, H. of
 R. be read the second time by its title;

The question being put,

And a division being ordered;

There were ayes—13.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And said bill was read the second time.

C. F., chapter 72, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the
 Territory,

Was taken up; and

On motion of Mr. Randall,

Said chapter was read the first time by its title.

Mr. Wells moved that the rules be so far suspended, that said chapter be read
 the second time now by its title;

The question being put,

And a division being ordered;

There were ayes—12.

Two-thirds of the members present, having voted in the affirmative,
The motion prevailed.

And the said chapter was read the second time by its title.

On motion of Mr. North,

The House resolved itself into a committee of the whole;

Mr. Brunson in the Chair,

Having under consideration,

No. 19, H. of R. A bill providing for the encouragement of agriculture and stock growing, in the Territory of Minnesota; also,

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton; also,

C. F., chapter 72, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported bills No. 19 and 20, H. of R., back to the House without amendments; and memorial to Congress, No. 2, with an amendment;

In which they asked the concurrence of the House.

And reported progress on C. F., chapter 72, of bill No. 13, C. F., and asked and obtained leave to sit again, for the consideration of said chapter.

The question being put upon concurring in the amendment of the committee of the whole to said memorial,

It was concurred in.

Mr. Brunson offered the following amendment to the memorial:

“Strike out the word ‘file,’ and insert the work ‘make,’ in the ninth line of said memorial;”

Mr. Trask moved that bill No. 19, H. of R. and bill No. 20, H. of R., be engrossed and read the third time on to-morrow.

Mr. Rice asked that the question might be taken on the bill separately;

The question being put, on

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton,

It was decided in the affirmative.

On motion of Mr. Wells,

Leave of absence was granted to Mr. Ames for this afternoon and to-morrow.

Mr. Rice nominated Mr. Trask Speaker *pro tem*.

And the question being put,

Mr. Trask was unanimously elected.

Mr. Trask in the Chair,

Mr. Ames moved that the rules be so far suspended, that No. 19, H. of R., be engrossed and read the third time now;

The question being put,

And a division being ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

Mr. North, from the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed,

No. 19, H. of R. A bill providing for the encouragement of agriculture and stock growing, in the Territory of Minnesota.

The question being put,

“Shall this bill pass?”

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Gilman, Patch, Taylor, Trask, Wells and Ames—7.

Those who voted in the negative are—Messrs. North, Ramsey, Randall, Rice, and Sloan—5.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Brunson,

The House adjourned until to-morrow morning, at 10 o'clock, A. M.

SATURDAY, MARCH 8, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Ludden, North, Rice, Sloan, Tilden and Wells, were reported absent.

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

The Journal of yesterday was then read.

Mr. Ramsey, from the Committee on Engrossed bills, reported as correctly engrossed,

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.

No. 2, H. of R. Memorial to Congress, praying that the 15th section of the act of Congress of the 4th of September, 1841, may be amended, &c.;

Was taken up; and

Mr. Rice offered the following amendment to the memorial:

“Amend, line 3, from the bottom, by striking out all after the word ‘who,’ to, and including the word ‘lands;’ and insert ‘settle upon unsurveyed land, (not reserved by the United States,) to which the Indian title has been extinguished.’”

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—4; nays—3.

So the amendment was adopted.

Mr. Rice then offered the following amendments to the memorial:

Which were adopted.

“Strike out in lines 2 and 3, the words, ‘when the Indian title is extinguished,’ and strike out in lines 3 and 4, after the word ‘instalments,’ the words ‘and on failure to pay any instalment when due, to forfeit all previous payments and all improvements made;’”

On motion of Mr. Tilden,

The said memorial was ordered to be engrossed and read the third time on Monday next.

Mr. Randall, from the Committee on Claims, made the following report:

“The Committee on Claims, to whom was referred,

“No. 2, C. F. ‘A memorial to Congress relative to unpaid appropriations,’

“Have had the same under consideration, and submit the following report:

“That your committee find no law of Congress which restricts the Legislature of any Territory in the appropriation of any sum, which they may deem reasonable and just, for the printing done for the Legislature, at any session thereof—nor can they find any law prohibiting the Legislature from requiring duties to be performed connected with the session, by any person or persons, after the adjournment of said session, and appropriating a reasonable compensation therefor.

“By an act of Congress, approved August 29th, 1842, your committee find a provision, prohibiting the payment of enrolling clerks for the two Houses, or the payment of any appropriation for extra services to any clerk of the Legislature.

“Your committee, therefore, deem it inexpedient to memorialize Congress for payment of any appropriation made in contravention of any law of Congress; but believe the appropriation of \$243 to A. V. Fryer, and \$100 each, to Joseph R. Brown and H. A. Lambert, for enrolling and engrossing, if paid, must be paid from the Territorial Treasury.

“The unpaid appropriations, now contained in the memorial for printing, and for labor performed after the adjournment of the Legislature, your committee be-

lieve, should be paid by the General Government, out of the fund appropriated to cover the deficiency in the appropriation for the expenses of the first session of the Legislative Assembly of Minnesota.

B. H. RANDALL,
J. D. LUDDEN,
J. A. FORD, } Committee."

No. 2, C. F. A memorial to Congress relative to unpaid appropriations,
Was taken up.

Mr. Ludden offered the following amendment to the memorial:

"In line 8, third division, strike out the words 'to be paid,' and insert the word 'claimed;'

The question being put, the amendment was adopted.

Mr. Randall offered the following amendment to the memorial:

"Strike out the word 'refund' and insert 'pay,' and strike out the words 'still due,' and insert 'claimed.'"

The question being put, the amendment was adopted.

On motion of Mr. Gilman,

Said memorial was laid on the table.

Mr. Randall, from the Committee on Enrolled Bills, submitted the following report:

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following chapters:

"Chapters 48, 49, 50 and 69, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

Mr. Olmstead moved that the House adjourn until Monday morning next at 10 o'clock;

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—7; nays—5.

So the House adjourned.

MONDAY, MARCH 10, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Gilman, Ludden, Olmstead, Sloan, Tilden and Warren, were reported absent.

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

The Journal of last Saturday was then read.

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton,

Was taken up and read the third time.

And the question being put,

"Shall the bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. Rice, from the committee, to whom was referred C. F., chapter 68, made the following report:

To the House of Representatives, of the Territory of Minnesota:

"The committee, to whom was referred chapter 68 of the revision, have had the same under consideration, and have the honor to report a substitute therefor, which, with some omissions and slight modifications, is the same as the chapter reported by the Judiciary Committee.

"With but one exception, there is no essential difference between the causes of divorce enumerated in the chapter referred to us, and those specified in the substitute, and the only essential difference in other respects is, that the former declares in general terms, that 'the district court has jurisdiction of all the causes of divorce and alimony and guardianship, connected therewith;' while the latter specifies in what manner, and to what extent such jurisdiction may be exercised. The former, leaves the mode of administering, and the extent of relief, to be ascertained from the various commentaries of writers upon law and equity, and from the reported decisions of ecclesiastical and equity courts—the principles collected and established from which are termed 'unwritten law;' while the latter defines in plain terms all the remedies which, according to the principles and usages of courts of equity in this country, are applicable to the subject of divorce, and as incident thereto, of alimony and guardianship, and which are termed 'written law.' The former has the advantage of brevity, but leaves the incidental rights of parties and their wards, to be ascertained by lawyers who, it is said, often disagree, and by courts, which are sometimes mistaken; while the latter, places the whole subject, and all the remedies and disabilities connected with it, at full length upon the statute—and is designed to be 'in ordinary and concise language, without repetition, and in such a manner as to enable a person of common understanding to know what is intended.'

"All which is respectfully submitted.

EDMUND RICE,
J. D. LUDDEN.

February 10, 1851.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 3, H. of R. A memorial to Congress, praying that the 15th section of the act of Congress of the 4th of September, 1841, may be amended, &c.

On motion of Mr. Wells,

Said memorial was read the third time by its title.

The question being put,

"Shall the memorial pass?"

It was decided in the affirmative; and the title thereof agreed to.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Ludden in the chair,

For the consideration of C. F., chapter 72, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported the said chapter back to the House with amendments;

In which they asked the concurrence of the House.

On motion of Mr. Tilden,

The said amendments were adopted in gross.

On motion of Mr. North,

The rules were so far suspended, that said chapter was read now, the third time by its title.

The question being put,

"Shall the said chapter pass?"

It was decided in the affirmative, and the title thereof agreed to.

The report of the select committee, to whom was referred C. F., chapter 68, Was taken up; and

On motion of Mr. North,

Said report was accepted, and the committee discharged.

On motion of Mr. Randall,
Said report was adopted.

On motion of Mr. North,
H. of R., substitute for C. F., chapter 68, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the
Territory,

Was read the third time by its title.

And the question being put,
"Shall this chapter pass?"

It was decided in the affirmative, and title thereof agreed to.

On motion of Mr. Randall,
No. 2, C. F., Memorial to Congress, relative to unpaid appropriations,
Was taken from the table; and

On motion of Mr. Wells,
The said memorial was postponed indefinitely.

Mr. Wells moved that the House adjourn;

And the question being put,

It was decided in the negative.

A division being called for and ordered;

There were yeas—7; nays—4.

So the House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Gilman, North, Ramsey and Warren, were reported absent.

Mr. Ludden, from the select committee to whom was referred the petition of
Marcelle Couturier for a divorce from his wife, Margaret, reported as follows:

"The committee, to whom was referred the petition of Marcelle Couturier, for
a divorce from his wife, Margaret Couturier, beg leave to report:

"That they have had the same under consideration, and are of opinion that the
prayer of the petitioner should be granted.

"The testimony in reference to the case, consists of the affidavits of Joseph R.
Brown and Margaret Couturier; which affidavits are herewith submitted.

S. B. OLMSTEAD, }
J. C. RAMSEY, } Committee."
J. D. LUDDEN, }

Mr. Rice moved that the House adjourn;

The question being put,

It was decided in the affirmative.

A division being called for and ordered;

There were ayes—8; nays—7.

So the House adjourned.

TUESDAY, MARCH 11, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ford, Gilman, Olmstead, Ramsey, Randall, Sloan, Tilden
and Warren, were reported absent.

The Journal of yesterday was then read.

Mr. Trask offered the following resolution:

Resolved, That a committee of three be appointed to examine and measure the printing done by J. M. Goodhue, for the last Legislative Assembly, and report thereon as soon as practicable.

On motion of Mr. Trask,

Said resolution was adopted.

Whereupon Messrs. Trask, Brunson and Ramsey were appointed said committee.

Mr. Ludden gave notice as follows:

That on to-morrow, or some future day, he would introduce a bill for the divorce of Marcelle Couturier from his wife, Margaret Couturier.

Mr. Wells offered the following resolution:

Resolved, That no bills or memorials be received in this House, after the twentieth instant;

On motion of Mr. Rice,

The said resolution was laid on the table.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapter:

Articles 1, 2, 3, 4, 5, 6 and 7, of chapter 8, and chapters 4, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 47 and 51, of bill

‘No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,
Chairman.”

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof, viz:

“MR. SPEAKER:—Mr. Sturgis has been excused from serving on the committee appointed to confer on the disagreeing vote of the two Houses on C. F., chapter 3, of bill

‘No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“And Mr. Norris has been appointed on said committee.

“The Council has concurred in

‘No. 14, H. of R. ‘A bill to establish and maintain Common Schools,’ with amendments, and an amendment to the title thereof,

“In which the concurrence of this House is respectfully requested.

“The Council, upon consideration of the amendments of this House, which were lost, to C. F., chapter 67, of bill

‘No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“Concurred in the second, and refused to concur in the first of said amendments.

“The Council has appointed Messrs. McLeod and Burkleo, a committee to confer with a similar committee to be appointed by this House, on the disagreeing vote of the two Houses, on C. F., chapter 1, of bill

‘No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“And the appointment of a similar committee is respectfully requested.

“The Council has negatived, by indefinitely postponing,

No. 4, H. of R. Joint resolution instructing the Joint Judiciary Committee to make their final report, at a certain time therein specified.

“The Council has passed

‘No. 17, C. F., ‘A bill to incorporate St. Paul Division, No. 1, Sons of Temperance.’

“In all which the concurrence of this House is respectfully requested.

“The Council has concurred in

‘No. 18, H. of R. ‘A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet.’

"The Council has passed,

"No. 15, 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 Sauk Rapids;'

"And C. F., chapter 73, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In all which the concurrence of this House is respectfully requested.

"The Council has concurred in,

"No. 13, H. of R. 'A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.'"

The Secretary then withdrew.

Mr. Brunson gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill, supplementary to an act entitled

"An act to incorporate the town of St. Paul, in the county of Ramsey," approved Nov. 1, 1849.

The message from the Council was then taken up; and

No. 14, H. of R. A bill to establish and maintain Common Schools;

Was taken up for the consideration of the amendments of the Council thereto; The first, second, third, fifth, sixth, eighth, ninth, tenth, and eleventh amendments of the Council to said bill, were severally concurred in by the House.

And the fourth and seventh amendments of the Council to said bill, were not concurred in.

C. F., chapter 67, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the first amendment of this House, which was lost; and which was not concurred in by the Council,

The question being put,

"Shall this House recede from the amendment?"

It was decided in the affirmative.

A division being called for and ordered;

There were ayes—10; nays—0.

So the House receded from the amendment.

No. 15, 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 Sauk Rapids;

Was taken up, and read the first time.

No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance;

Was taken up, and read the first time.

C. F., chapter 73, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

On motion of Mr. North,

Was read the first time by its title.

Mr. North moved that C. F., chapter 73, and C. F., bills No. 15 and 17, be read the second time by their titles;

The question being put,

And two-thirds of the members present voting in the affirmative,

The motion prevailed.

On motion of Mr. North,

The House resolved itself into a committee of the whole,

Mr. Ford in the chair,

For the consideration of

No. 17, 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 Sauk Rapids; also,

No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance.

During the session of the committee of the whole, a communication from the Council was announced by J. R. Brown, Esq., Secretary thereof;

When the Speaker resumed the chair for its reception, viz:

MR. SPEAKER:—The Council respectfully requests this House to return to the Council for further action,

“No. 17, H. of R. ‘A bill granting to John Banfill the right to establish and maintain a ferry across the Mississippi river;’

“The Council has concurred in the substitute adopted by this House to C. F., chapter 68, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“The Council has concurred in the first, second, third, fifth, sixth, seventh and eighth, and have amended and concurred in the fourth amendments of this House, to C. F., chapter 72, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

The Secretary then withdrew.

When the committee of the whole resumed its session.

After some time passed therein, the committee rose, and by their chairman, reported bill No. 15, C. F., back to the House with amendments;

In which they asked the concurrence of the House.

And reported progress on bill No. 17, C. F., and asked and obtained leave to sit again, for the further consideration of said bill.

On motion of Mr. Trask,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Rice, Sloan, Warren and Wells were reported absent.

Mr. Trask moved that a committee of two, be appointed by this House, to confer with a similar committee appointed on the part of the Council, on the disagreeing vote of the two Houses, on C. F., chapter 1, of the revision;

The question being put,

The motion prevailed.

The Speaker called upon the House to make their nominations;

When Mr. Trask remarked that he did not intend to convey that idea by his motion.

On motion of Mr. Gilman,

The vote by which Mr. Trask’s motion was adopted, was re-considered.

On motion of Mr. Olmstead,

Ordered, That a committee of two be appointed by the Speaker, to confer with a similar committee appointed on the part of the Council, on the disagreeing vote of the two Houses on C. F., chapter 1, of the revision;

Whereupon the Speaker appointed Messrs. Olmstead and Rice, said committee.

Bill No. 15, C. F., was taken up for the consideration of the amendments of the committee of the whole thereto;

Mr. Tilden moved that said bill be indefinitely postponed.

On motion of Mr. North,

A call of the House was ordered.

The roll being called,

Messrs. Farribault, Rice, Warren and Wells were reported absent.

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

The Sergeant-at-Arms reported all the absent members in their seats except Mr. Warren, who was absent from town.

Mr. Olmstead moved that further proceedings under the call of the House be dispensed with;

The question being put,
And a division being ordered;
There were ayes—13.

Two-thirds of the members present having voted in the affirmative,
The motion prevailed.

The question recurring on the motion of Mr. Tilden, for the indefinite postponement of the bill,

And the ayes and nays being called for and ordered;
Those who voted in the affirmative are—Messrs. Brunson, Farribault, Gilman, Ludden, Olmstead, Ramsey, Sloan, Taylor and Tilden—9.

Those who voted in the negative are—Messrs. Ford, North, Patch, Randall, Rice, Trask, Wells and Ames (Speaker)—8.

So the motion prevailed.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,
Mr. Olmstead in the chair,
For the consideration of

No. 17, C. F., A bill to incorporate St. Paul Division, No. 1, Sons of Temperance; also,

C. F., chapter 73 of No. 13, C. F. of the revision.

After some time passed therein, the committee rose.

The Speaker being absent,

On motion of Mr. Olmstead,

Mr. Randall was elected Speaker *pro tem*.

The committee of the whole by their chairman, reported progress, and asked and obtained leave to sit again.

Mr. Olmstead moved that the House adjourn;

The question being put,
And the Speaker being unable to decide.

A division was ordered;
And there were ayes—5; nays—4.

So the House adjourned.

WEDNESDAY, MARCH 12, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Ludden, North, Ramsey, Sloan, Tilden, Trask, Warren and Wells, were reported absent.

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

The Speaker called Mr. Tilden to the chair.

Mr. Sloan presented a memorial of Catharine Wells, praying for a divorce from her husband, George Wells.

Mr. Rice moved that the said memorial be referred to a select committee of three;

Whereupon the Chair appointed Messrs. Ludden, Olmstead and Taylor said committee.

No. 21, H. of R. A bill for an act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier,

Was read the first time.

No. 22, H. of R. A bill supplementary to an act entitled 'An act to incorporate the town of St. Paul, in the county of Ramsey;' approved Nov. 1, 1849,

Was read the first time.

On motion of Mr. Rice,

The rules were so far suspended, that said bill was read the second time by its title and ordered to be printed.

Mr. Rice moved that

No. 17, H. of R. A bill granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river,

Be returned to the Council for further action, agreeably to the request thereof.

The question being put,

The motion prevailed.

C. F., chapter 72, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendment of the Council to the 4th amendment of this House to said chapter.

The question being put,

The amendment was agreed to.¹

Mr. Farribault, through Mr. Wells, moved a re-consideration of the vote of yesterday, by which

No. 15, 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 Sauk Rapids, was indefinitely postponed.

On motion of Mr. Brunson,

A call of the House was ordered.

The roll being called,

Messrs. Gilman, North and Warren were reported absent.

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

Mr. Olmstead moved that further proceedings under the call of the House be dispensed with;

The question being put, and a division being ordered;

There were ayes—10; nays—3.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

The question recurring upon the motion of Mr. Farribault, to re-consider,

And being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Patch, Rice, Trask, Wells and Ames (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Ludden, Ramsey, Randall, Sloan, Taylor and Tilden—7.

So the motion to re-consider did not prevail.

Mr. Olmstead having refused to vote on said motion to re-consider, and objection having been made;

Mr. Ames moved that Mr. Olmstead be excused from voting on said question;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Patch, Randall, Rice, Trask, Wells and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Brunson, Ludden, Ramsey, Sloan, Taylor and Tilden—6.

So the said motion prevailed.

Mr. Rice, from the select committee of conference, on the disagreeing vote of the two Houses, on C. F. chapter 3, of the revision, made the following report:

“To the House of Representatives :

“The committee appointed to confer with a similar committee of the Council, touching the disagreeing vote of the two Houses, on the amendments of this House, to C. F. chapter 3, of the revision, have the honor to report that they have performed the duty assigned them, and they unanimously recommend that the House do recede from the first, second and fourth amendment.

“That the third amendment be amended in line 15, section 11, by striking out all after the word ‘houses,’ and inserting ‘need not be deposited as above provided, until the expiration of thirty days after the adjournment of the Legislative Assembly;’

“That the fifth amendment be amended by substituting therefor, the following, as section 16:

“The Librarian, in addition to other duties assigned him by law, shall also have the custody of the furniture and property appertaining to the chambers of the Legislative Assembly, and to the respective committee rooms thereof; and shall be liable on his official bond, for any loss or injury to such furniture or property, arising from negligence or misconduct; and he shall also prepare for the accommodation of members, the respective chambers of the Legislative Assembly, previous to each annual session thereof.”

“That the seventh amendment be amended in line 3, section 18, by striking out (in addition to the amendment of the House) also the words ‘time they serve as such officers,’ and insert ‘session of the Legislative Assembly;’

“And that the Council concur in the eighth amendment.

SYLVANUS TRASK, } Committee.”
EDMUND RICE, }

March 11, 1851.

On motion of Mr. Wells,
The report of said committee was accepted, and the committee discharged.

On motion of Mr. Brunson,
The House resolved itself into a committee of the whole,
Mr. Wells in the chair,
For the consideration of
No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance; also,
C. F., chapter 73, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

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

On motion of Mr. Wells,
The House resolved itself into a committee of the whole,
Mr. Wells in the Chair,
For the further consideration of
No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance;

Also, chapter 73 of the revision.

After some time passed therein, the committee rose, and by their chairman, reported said chapter and bill back to the House without amendments.

On motion of Mr. Ludden,
C. F., chapter 73, of the revision, was laid on the table.
No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance,

Was taken up, and read the third time.

And the question being put,

“Shall this bill pass?”

It was decided in the affirmative, and title thereof agreed to.

On motion of Mr. Tilden,
The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called.

Messrs. Farribault, Ford, Gilman, Ludden, Olmstead, Ramsey, Sloan, Taylor, Tilden, Trask, Warren and Wells were reported absent.

Mr. Randall moved a call of the House;

Which was ordered.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Ludden, Olmstead, Ramsey, Sloan, Taylor, Tilden, Trask, Warren and Wells, were reported absent.

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

The Speaker called Mr. Patch to the Chair.

On motion of Mr. Brunson,

Further proceedings under the call of the House were dispensed with.

On motion of Mr. Brunson,

The House adjourned.

THURSDAY, MARCH 13, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, Olmstead, Ramsey, Sloan and Warren, were reported absent.

No. 21, H. of R. A bill for an act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier,

Was taken up, and read the second time.

On motion of Mr. Trask,

The said bill was ordered to be engrossed and read the third time on to-morrow.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The joint committee did, on the 12th day of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following memorials:

"A memorial to the Secretary of War for the continuation of certain explorations in the Territory of Minnesota.

"A memorial to Congress asking for a donation of land to the county of Benton.

WM. STURGIS, Council, }
B. H. RANDALL, H. of R., } Committee."

Mr. Tilden offered the following resolution:

Resolved, That the hour to which the House shall stand adjourned from day to day, shall be 9 o'clock A. M., and 2 o'clock P. M., unless otherwise ordered by this House.

The question being put upon the adoption of the resolution,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Gilman, Ludden, Patch, Ramsey, Randall, Sloan, Taylor, Tilden and Trask—10.

Those who voted in the negative are—Messrs. Ford, Rice, Wells and Ames (Speaker)—4.

So the resolution was adopted.

On motion of Mr. Patch,
C. F., chapter 73, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken from the table.

Mr. Ludden offered the following amendment to the chapter:

“Insert as substitute for section 100, ‘personal property to the amount of five hundred dollars, belonging to any person or family, shall be exempt from sale under any execution, writ of attachment, or any other final process of a court;’”

The following message from the Council, by J. R. Brown, Esq., Secretary thereof, was received, viz:

“MR. SPEAKER:—The Council has adopted the report of the committee of conference on C. F., chapter 3, of bill

‘No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“The Council has concurred in

‘No. 20, H. of R. ‘A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.’

“The Council has negatived, by striking out the enacting clause, of

‘No. 15, H. of R. ‘A bill for an act to incorporate the St. Paul and St. Anthony Railroad Company.’

“The Council has receded from the fourth and seventh amendments made by the Council, to C. F., chapter 30, of bill

‘No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory;’ reported as

‘No. 14, H. of R. ‘A bill to establish and maintain Common Schools;’ in which this House refused to concur.

“The Council has passed,

‘No. 16, C. F. ‘A bill to incorporate the St. Anthony Boom Company;’ and C. F. chapters, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84 of bill

‘No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“In all which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The question recurring upon Mr. Ludden’s amendment,

And being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Patch, Ramsey, Taylor and Trask—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, Randall, Rice, Sloan, Tilden, Wells and Ames (Speaker)—11.

So the amendment was not concurred in.

Mr. Rice offered the following amendment to said chapter 73, of bill No. 13, C. F.:

“Amend section 101, line 1, by striking out ‘section 101,’ and inserting ‘10;’ and insert the word ‘are,’ after the word ‘section’ in line 2.”

Which was agreed to.

Mr. Trask offered the following amendment to the chapter:

“Strike out the last four words of the tenth sub-division of section 100;”

Which amendment was agreed to.

On motion of Mr. Tilden,

C. F., chapter 73, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was read the third time by its title.

The question being put,

“Shall this chapter pass?”

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Tilden,

The report of the select committee of conference, on the disagreeing vote of the two Houses, on C. F., chapter 3, of the revision, was taken up and adopted.

The message from the Council was taken up.

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company,

Was read the first time.

C. F., chapters, from 74 to 84 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Randall,

Were read the first time by their title.

Mr. Rice moved that

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company,

Be indefinitely postponed.

The Speaker called Mr. Tilden to preside.

Mr. Patch moved that the House adjourn;

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—9; nays—3.

So the House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Ford, Ludden, Olmstead, Ramsey and Warren, were reported absent.

On motion of Mr. Rice,

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company,

Was laid on the table for one week.

C. F., chapters from 74 to 84 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

Mr. Randall moved that the rules be so far suspended, that the said chapters be read the second time by their titles.

The question being put,

And a division being ordered;

There were ayes—11.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And the said chapters were read the second time by their titles.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Brunson in the chair,

Having under consideration, C. F., chapters from 74 to 84 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House without amendment.

Mr. Wells moved that the rules be so far suspended, that chapters from 76 to 84 inclusive, be read the third time now by their titles;

The question being put,

And a division being ordered;

There were ayes—9.

Two-thirds of all the members present having voted in the affirmative,

The motion prevailed.

And said chapters were read the third time by their several titles.

The question being put,

“Shall these chapters pass?”

It was decided in the affirmative, and the titles thereof agreed to.

Mr. Trask moved that C. F., chapter 75 of the revision, be referred to a select committee of three;

Which motion prevailed.

Whereupon the Speaker appointed Messrs. Trask, Taylor and Gilman, said committee.

Mr. Rice moved that the rules be so far suspended, that C. F., chapter 74, of the revision, be read the third time now by its title;

The question being put,

A division was ordered;

And there were ayes—11.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And the said chapter was read the third time by its title.

And the question being put,

“Shall this chapter pass?”

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Rice,

The House adjourned.

FRIDAY, MARCH 14, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Ludden, Olmstead, Ramsey, Randall, Rice, Sloan, Trask, Warren and Wells, were reported absent.

The Journal of yesterday was then read.

Mr. Farribault presented the account of Alexis Bailly, for thirteen days per diem allowance as member of the House of Representatives, at its last session; which account,

On motion of Mr. Ludden,

Was referred to the Committee on Territorial Expenditures.

Mr. Olmstead gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to authorize G. W. Sweet to establish and maintain a ferry across the Mississippi river, at the head of Sauk Rapids.

Mr. Trask, from the joint committee of conference, on the disagreeing vote on C. F., chapter 6, of the revision, reported as follows:

To the House of Representatives:

“The joint committee of the two Houses appointed to confer upon the disagreeing vote on chapter 6, of the revision, have conferred thereon, and recommend that the Council concur in the amendment of the House.

“Without giving their reasons at length, the committee are of the opinion that if the amendment, (being a substitute,) became the law, it will render the settlement of contests easy, expeditious and certain.

“It enables parties to command the power of courts of record to obtain the testimony of witnesses, as well as to enforce decisions when made, and also the payment of costs. It leaves to the respective Houses of the Legislative Assembly the ancient privilege of taking testimony at such times and places and before such persons—or not take any at all—as to them may seem proper. It prescribes the manner of removing contested cases to the supreme court; but gives no new

right—the right of appeal would exist without such provision. It has been in practical operation in the late Territory of Wisconsin for ten years, and more recently, in this Territory, and, it is believed, proved satisfactory to all.

Respectfully submitted.

SYLVANUS TRASK, } Committee."
EDMUND RICE, }

March 13, 1851.

The question being put upon the adoption of said report,

It was decided in the affirmative.

Mr. Tilden, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 21, H. of R. A bill for an act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier.

Said bill was taken up, and read the third time.

And the question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

No. 22, H. of R. A bill supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,

Was taken up; and

On motion of Mr. Rice,

Referred to the Committee on Corporations.

Mr. Randall offered the following resolution:

Resolved, That the Chief Clerk of this House, be instructed to procure such additional help as may be necessary to do the enrolling for the present session of the Legislature;

The question being put upon the adoption of said resolution,

It was decided in the affirmative.

On motion Mr. Gilman,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Gilman, Ludden, Olmstead, Sloan, and Warren were reported absent.

Mr. Tilden moved to adjourn until Monday next, at 9 o’clock A. M.

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Rice, Taylor, Tilden, Trask and Wells—8.

Those who voted in the negative are—Messrs. Patch, Ramsey, Randall and Ames, (Speaker)—4.

So the House adjourned.

MONDAY, MARCH 17, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ford, North, Ramsey, Tilden and Warren were reported absent.

The Journal of last Friday was then read.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills and chapters:

"No. 13, H. of R. 'A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.'

"No. 18, H. of R. 'A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet.'

"No. 20, H. of R. 'A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.'

"And chapters 5, 52, 53 and 56, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

Mr. Wells moved to adjourn;

The question being put,

And the Chair being unable to decide, a division was ordered;

And there were ayes—6; nays—4.

So the House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Olmstead, Rice, Warren and Wells were reported absent.

The following message from the Governor, was announced by W. B. White, his Private Secretary, viz:

"MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing;"

Which was read, and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, March 14, 1851. }

To the honorable, the Speaker of the House of Representatives:

"SIR:—I have examined and approved,

"No. 1, H. of R. 'A memorial to the Secretary of War for a continuation, of certain explorations in the Territory of Minnesota.'

Very respectfully,

Your obedient servant,

ALEX. RAMSEY."

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has adopted the report of the committee of conference, on C. F., chapter 6, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has amended and concurred in the first, and concurred in the second amendment of this House, to C. F., chapter 73, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has negatived, by refusing to order to a third reading,

"No. 19, H. of R. 'A bill providing for the encouragement of agriculture and stock growing, in the Territory of Minnesota.'

"The Council has passed C. F., chapters 85, 86, 87, 88, 89, 90 and 91, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested.

“His Excellency, the Governor, has notified the Council that he has examined and approved,

“A memorial to Congress asking for a donation of land to the county of Benton.”

“The Council has concurred in

“No. 17, H. of R. ‘A bill granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.’

“The Council has passed, C. F., chapters 92, 93, 94, 95 and 96, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“In which the concurrence of this House is respectfully requested.

“The Council has concurred in

“No. 21, H. of R. ‘A bill for an act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier.’”

The Secretary then withdrew.

The message from the Council was taken up.

C. F. chapter 73, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for consideration of the amendment of the Council to the second amendment of the House to said chapter.

The question being put,

The amendment was agreed to.

C. F., chapters, from 85 to 96 of the revision, were taken up; and

On motion of Mr. Randall,

Were read the first time by their titles.

Mr. Trask moved that the rules be so far suspended, that the said chapters be read the second time by their titles;

The question being put,

And a division being ordered,

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And the said chapters were read the second time by their titles.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Wells in the chair,

For the consideration of C. F., chapters, from 85 to 96 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose; and the Speaker of the House being absent,

On motion of Mr. Trask,

Mr. Gilman was elected Speaker, *pro tem*.

The chairman of the committee of the whole, then reported that the committee had arisen on account of there not being a quorum present.

Mr. Brunson then moved that the House adjourn;

The Speaker *pro tem*. decided the motion out of order.

Mr. Trask moved a call of the House; which was ordered.

And the roll having been called,

Messrs. Ludden, Olmstead, Patch, Ramsey, Taylor, Tilden, Warren and Ames (Speaker) were reported absent.

On motion of Mr. Brunson,

Further proceedings under the call of the House were dispensed with.

Mr. Trask moved that the House adjourn;

The question being put,

It was decided in the affirmative.

And a division being called for and ordered;

There were ayes—6; nays—3.

So the House adjourned.

TUESDAY, MARCH 18, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, Ford, Ludden, Olmstead, Ramsey, Rice, Sloan, Taylor, Tilden, Warren and Wells were reported absent.

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

The Journal of yesterday was then read.

Mr. Brunson gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to incorporate the St. Paul Institute.

Mr. Trask, from the select committee, to whom was referred C. F., chapter 75, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Made the following report, viz:

"The select committee, to which was referred chapter (75) seventy-five, of the revision, would beg leave to make the following report:

"That they have had the same under consideration, and in the opinion of your committee, the whole chapter needs a thorough and careful examination and revision. Your committee would therefore beg leave to return the chapter to the House, and ask that it be recommitted to the Joint Judiciary Committee, to be amended, altered and modified as they, in their united wisdom, shall deem proper and expedient.

SYLVANUS TRASK, }
JESSE TAYLOR, } Committee."

The question being put upon the adoption of said report,

It was decided in the affirmative.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

"Chapters, 13, 43, 44, 45 and 46 of bill

"No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory."

B. H. RANDALL,
Chairman."

C. F., chapters, from 85 to 96 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Rice,

The House resolved itself into a committee of the whole,

Mr. Trask in the chair,

For the further consideration of said chapters 85 to 96 inclusive, of No. 13, C. F., of the revision.

After some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House with amendments;

And asked the concurrence of the House therein.

The question being put upon concurring in the amendment of the committee of the whole, to chapter 92,

It was concurred in.

The question being put upon concurring in the amendments of the committee of the whole, to chapter 95,

They were concurred in.

The question being put upon concurring in the amendments of the committee of the whole, to chapter 96,

They were severally concurred in.

On motion of Mr. Trask,

C. F., chapters, from 85 to 96 inclusive, of bill No. 13, C. F., were read the third time by their title.

The question being put,

“Shall these chapters pass?”

It was decided in the affirmative; and the titles thereof agreed to.

The Speaker called Mr. North to the Chair.

Mr. Ames asked and obtained the unanimous consent of the House, and introduced,

No. 4, H. of R. A memorial to Congress relative to the construction of a Railroad,

Which was read the first time.

On motion of Mr. Rice,

The rules were so far suspended, that the said memorial was read the second time by its title, laid on the table, and ordered to be printed.

On motion of Mr. Tilden,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Olmstead, Ramsey, Taylor, Tilden, Warren and Wells were reported absent.

Mr. Rice moved that the following resolution, which was adopted on Thursday, March 13th, 1851, be rescinded, viz:

“Resolved, That the hour to which this House shall stand adjourned, from day to day, shall be 9 o’clock A. M., and 2 o’clock P. M., unless otherwise directed by this House.”

And the question being put,

The motion prevailed.

On motion of Mr. Randall,

The House adjourned.

WEDNESDAY, MARCH 19, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Ludden, Rice, Sloan and Warren were reported absent.

The Journal of yesterday was then read.

Mr. Patch presented the petition of Lardner Bostwick and one hundred and two others, praying for a charter to construct a boom for the safety of logs above the Falls of St. Anthony.

On motion of Mr. Patch,

The said petition was referred to the Committee on Corporations.

Mr. Gilman presented the petition of E. B. Price and twenty-three others, residents and citizens of Benton county, praying that the seat of justice of Benton county may be located by a vote of the citizens of said county, at the next ensuing election;

Also, the petition of Paul H. Beaulieu and fifty-six others, citizens of Benton county, and the counties attached to it for judicial purposes, praying that the seat

of justice of Benton county, may be located at a spot designated by a majority of the voters of said county, at the next general election.

On motion of Mr. Ludden,

Said petitions were referred to the Joint Committee of Conference on the disagreeing vote of the two Houses, on chapter 1, of the revision.

Mr. Brunson presented the petition of Chauncey Hobart and sixty others, praying for a charter for School District No. 2, of St. Paul.

Mr. Brunson, in pursuance of previous notice, and by leave, introduced No. 23, H. of R. A bill to incorporate the St. Paul Institute; Which was read the first time.

On motion of Mr. Brunson,

The rules were so far suspended, that said bill was read the second time by its title.

On motion of Mr. Wells,

Said bill was laid on the table and ordered to be printed.

Mr. Randall, from the Committee on Enrolled Bills, made the following reports:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills and chapters:

“No. 17, H. of R. ‘A bill granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.’

“No. 21, H. of R. ‘A bill to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier.’

No. 17, C. F., A bill to incorporate the St. Paul Division, No. 1, Sons of Temperance.’

“And chapters, 3, 6 and 54, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,
Chairman.”

“The Joint Committee did, on the 18th of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills:

“A bill entitled ‘an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.’

“A bill entitled ‘an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.’

“A bill entitled ‘an act to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet.’

JAMES S. NORRIS, Council, }
B. H. RANDALL, H. of R., } Committee.”

The Speaker announced to the House the annual report of the Treasurer of the Territory,

Which was read.

Mr. Tilden, from the Committee on Corporations, to whom was referred,

No. 22, H. of R. A bill supplementary to an act entitled ‘an act to incorporate the town of St. Paul, in the county of Ramsey,’ approved Nov. 1, 1849; made the following report:

“The Committee on Corporations, to whom was referred House bill

“No. 22. A bill supplementary to an act entitled ‘an act to incorporate the town of St. Paul, in the county of Ramsey,’ approved Nov. 1, 1849, having had said bill under consideration, report the same back to the House, and recommend its passage, with the following amendment:

“Strike out the words ‘and that part of the south east quarter of section thirty-one, east of Hoyt’s addition and Whitney’s & Smith’s addition, and the south west quarter of section thirty-two, in township number twenty-nine north, range twenty-two west, and lot No. 1, in section number five, in township number twenty-eight, north range twenty-two, west of the fourth principal meridian.’

H. L. TILDEN,
DAVID GILMAN, }
JESSE TAYLOR, } Committee.”

On motion of Mr. Rice,

Said report was accepted.

Mr. Rice gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to repeal an act, entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey.'

No. 22, H. of R. A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849; was,

On motion of Mr. Rice,

Laid on the table.

Mr. Ludden, from the select committee to whom was referred the memorial of Catharine Wells, made the following report:

"The committee, to whom was referred the petition of Catharine Wells, asking to be divorced from her husband, George Wells, and that she may have the care and custody of their child, have had the same under consideration, and would respectfully report:

"This petition has been strongly contested before the committee. Able counsel was employed by each party, and a large number of witnesses examined. Subsequently, an arrangement was made by the parties, that prevents the necessity of bringing a large part of the testimony before the House.

"The petitioner, Catharine Wells, asks leave to withdraw so much of her petition as relates to the care and guardianship of her child, and only asks to be divorced from her husband, George Wells.

"The husband, George Wells, unites with his wife in asking that her petition for a divorce may be granted, and ask leave to withdraw the testimony offered by him before the committee.

"Your committee have therefore, submitted a part only of the testimony offered by the petitioner, that submitted herewith being sufficient, as your committee think, to establish the allegations upon which the petition is based.

"In the course of this examination, it has been shown that a lack of harmony between the parties was apparent to their relatives, within a few months after their marriage—later, a great degree of indifference is shown, then an aversion—a strong dislike—until at present, they utterly refuse to "affiliate."

"They only unite in asking to be separated; the husband has already left his wife, and the parties appear in a transition disuniting state, and appeal to the Legislative Assembly to do for them, what their united persevering effort has failed to accomplish—to sever the unyielding tie that binds two unwilling hearts.

"By the testimony submitted herewith, it is shown that, for nearly two years, the parties have lived in a constant quarrel; the husband, repeatedly threatening to kill his affectionate wife, and in several cases actually inflicting blows upon one who is deemed to be defenceless, obliging her, in some cases, to summon her neighbors to protect her from the striking propensities of her natural protector.

"By other testimony, it is manifest to your committee, that each party has been accustomed to maintain a great degree of suspicious vigilance upon the actions of the other, and that the effect has been to weaken, in some degree, the perfect confidence that is supposed to exist between those associated matrimonially.

"Your committee are of opinion, that the prayer of the petitioner, so far as it relates to granting a divorce, should be granted—they would therefore, recommend the enactment of the following bill.

"All of which is respectfully submitted.

J. D. LUDDEN,
S. B. OLMSTEAD,
JESSE TAYLOR, } Committee."

No. 24, H. of R. A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife,

Was read the first time.

On motion of Mr. Tilden,

The report of the select committee on the memorial of Catharine Wells, was accepted.

The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof:

“MR. SPEAKER:—The Council has passed C. F., chapters 97, 98 and 99, of bill ‘No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.’

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The message from the Council was then taken up.

C. F., chapters 97, 98 and 99, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Randall,

Were read the first time by their titles.

Mr. Randall moved that the rules be so far suspended, that the said chapters be read the second time by their titles.

The question being put,

And a division being ordered;

There were ayes—12.

Two-thirds of all the members present having voted in the affirmative,

The motion prevailed.

And the said chapters were read the second time by their titles.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Olmstead in the chair,

For the consideration of C. F., chapters 97, 98 and 99, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House without amendment.

On motion of Mr. Ludden,

The House again resolved itself into a committee of the whole,

Mr. Olmstead in the chair,

For the further consideration of the said chapters.

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House with amendments.

And asked the concurrence of the House therein.

The question being put upon concurring in the amendments of the committee of the whole to chapter 99,

They were severally concurred in.

Mr. Tilden moved that the rules be so far suspended, that said chapters be read now, the third time by their titles;

The question being put,

A division was ordered;

And there were ayes—9.

Two-thirds of all the members present having voted in the affirmative,

The motion prevailed,

And said chapters were read the third time by their titles.

And the question being put,

“Shall these chapters pass?”

It was decided in the affirmative.

And the titles of chapters 97 and 98, were agreed to.

Mr. Rice offered the following amendment to the title of chapter 99:

“Amend the title of chapter 99, by inserting after the word ‘laborers,’ the words ‘and others;’”

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,
Messrs. Brunson, Farribault, Ford, Gilman, Ludden, Olmstead, Ramsey,
Randall, Sloan, Tilden, Trask, and Wells, were reported absent.

On motion of Mr. Trask,
The House adjourned.

THURSDAY, MARCH 20, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,
Messrs. Brunson, Ramsey, Rice and Sloan were reported absent.

On motion of Mr. Olmstead,

The reading of the Journal of yesterday was dispensed with.

Mr. Trask gave notice that on to-morrow, or some future day, he would introduce a bill for an act supplementary to an act to provide for the erection of public buildings in the Territory of Minnesota.

Mr. Randall gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill granting to James M. Goodhue, the right to establish and maintain a ferry across the Mississippi river, at the Lower Landing at the town of St. Paul.

Mr. Rice, in pursuance of previous notice, and on leave, introduced

No. 25, H. of R. A bill to repeal an act entitled 'An act to incorporate the town of St. Paul, in the county of Ramsey;' approved Nov. 1, 1849,

Which was read the first time.

Mr. Wells moved that the rules be so far suspended, that the said bill be read the second time by its title.

The question being put,
And a division being ordered;

There were ayes—10.

Two-thirds of all the members present having voted in the affirmative,
The motion prevailed.

And said bill was read the second time by its title.

Mr. Wells moved that the bill be laid on the table and printed;

Mr. Olmstead called for a division of the question,

The question being put as to laying the bill on the table,

It was decided in the affirmative.

The question then being put as to printing the bill,

It was decided in the negative.

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company,

Was taken up; and

On motion of Mr. North,

Was referred to a select committee of three, consisting of Messrs. North, Randall and Trask.

No. 24, H. of R. A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife,

Was taken up, and read the second time.

Mr. Rice moved that the rules be so far suspended that the bill be now read the third time by its title.

The question being put,
 And a division being ordered;
 There were ayes—12.
 Two-thirds of the members present having voted in the affirmative,
 The motion prevailed.
 And said bill was read the third time by its title.
 The question being put,
 "Shall the bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

No. 4, H. of R. A memorial to Congress relative to the construction of a Railroad,

Was taken up; and
 On motion of Mr. Rice,
 Read the third time.
 The question being put,
 "Shall this memorial pass?"

It was decided in the affirmative, and the title thereof agreed to.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed C. F., chapters 100, 101 and 102, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;'

"In which the concurrence of this House is respectfully requested.

"The Council has concurred in the amendments made by this House, to C. F., chapters 92, 95 and 96, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'"

The Secretary then withdrew.

The message from the Council was then taken up;

C. F., chapters 100, 101 and 102, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and
 On motion of Mr. Trask,
 Read the first time by their titles.

On motion of Mr. North,
 The rules were so far suspended, that the said chapters were read the second time by their titles.

On motion of Mr. North,
 The House resolved itself into a committee of the whole,
 Mr. Rice in the Chair,

Having under consideration, C. F., chapters 100, 101 and 102, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House with an amendment to chapter 102,

In which they asked the concurrence of the House.

The question being put upon concurring in said amendment of the committee of the whole,

It was decided in the affirmative.

Mr. Wells moved to amend chapter 102, "by striking out sections 26 and 27;"

The question being put upon concurring in the amendment,

It was decided in the negative.

Mr. Trask moved to amend chapter 100,

"By striking out the word 'death,' in the first sub-division of section 1, and inserting the words 'imprisonment for life;'"

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. North, Randall, Rice, Tilden, Trask, Warren and Ames, (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Sloan, Taylor and Wells—8.

So the amendment was not agreed to.

Mr. Rice offered the following amendment to chapter 102,

“Amend section 2, by striking out the words, ‘it shall be the duty of the Governor to,’ and insert ‘the Governor may, in his discretion;’ and add at the close of the first sub-division, the words ‘and until such warrant be issued and executed, such prisoner shall, unless discharged by due course of law, remain in solitary confinement;’”

The question being put upon agreeing to said amendment,

It was decided in the affirmative.

Mr. Wells moved that chapters 101 and 102, be laid on the table;

Which motion did not prevail.

Mr. North then moved that the rules be so far suspended, that the said chapters be now read the third time by their titles;

The question being put,

And a division being ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And the said chapters were read the third time by their titles.

The question being put,

“Shall these chapters pass?”

It was decided in the affirmative, and titles thereof agreed to.

On motion of Mr. Randall,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Gilman, Ludden, North, Olmstead, Ramsey, Taylor, Tilden, and Warren were reported absent.

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

The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has passed C. F., chapters 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The message from the Council was taken up.

C. F., chapters, from 103 to 114 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Tilden,

Were read the first time by their titles.

Mr. Wells moved that the rules be so far suspended, that said chapters be read the second time by their titles;

The question being put,

And a division being ordered;

There were ayes—13.

Two-thirds of all the members present having voted in the affirmative,

The said motion prevailed.

And said chapters were read the second time by their titles.

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

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company,

Made the following report:

"The select committee, to whom was referred Council bill, No. 16, C. F. A bill to incorporate the St. Anthony Boom Company, ask leave to report that they have had the same under consideration, and recommend the following amendments, to wit:

"1st. Strike out section 12, and substitute in place thereof, the following:

"SEC. 12. 'The said Company shall, within twelve months from the passage of this act, construct one or more good and sufficient booms, at, or above the mouth of Rice Creek, for the purpose of stopping, separating and retaining logs; and the said Company shall be responsible for all logs or hewn timber coming down the said river, the owner or owners of which shall have requested any member of said Company to have the same stopped in their boom; and shall pay to such owner or owners, all damages that may be sustained in consequence of not stopping the said logs; and the said Company shall sort out the said logs and timber according to their several marks, and if required, shall raft the same out of said boom sufficiently securely to run to the mills at the Falls of St. Anthony, so called, and shall deliver the same to the several owners thereof, at or near the foot of said boom; or may turn into the pond east of the Mississippi and near the said Falls, all such logs or hewn timber as the owner or owners thereof shall request to be turned in: *Provided*, That nothing herein contained shall be so construed as to require said Company to turn into said pond any logs or hewn timber after said pond shall be sufficiently filled: *And provided*, That said Company shall not be responsible for any logs turned into said boom or booms, after retaining the same for a period of thirty days. But for all logs or hewn timber turned into said pond, the said Company shall not be entitled to any pay for rafting or running the same. And all logs delivered out of said pond, shall be delivered at the head of the large island above the said Falls.'

"2d. Add to section 15, the following, to wit:

"And nothing herein contained shall be so construed as to prevent any person from constructing side booms, and fastening rafts at any place within the limits of this charter, excepting the grounds occupied by the booms of said Company, and one mile of shore on the west bank of the river, below the foot of each boom, which said Company shall have for the purpose of rafting and fastening rafts."

J. W. NORTH,
B. H. RANDALL,
SYLVANUS TRASK, } Committee."

On motion of Mr. Trask,

Said report was adopted, and the committee discharged.

On motion of Mr. North,

Said bill was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to,

On motion of Mr. Wells,

The House resolved itself into a committee of the whole;

Mr. Ludden in the Chair,

Having under consideration, C. F., chapters from 103 to 114 inclusive, of bill No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

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

On motion of Mr. Wells,

The House adjourned.

FRIDAY, MARCH 21, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Olmstead, Rice, Sloan, Tilden and Warren were reported absent.

The Journal of yesterday was then read.

Mr. Trask, in pursuance of previous notice, and on leave introduced No. 26, H. of R. Supplement to an act to provide for the erection of Public Buildings in the Territory of Minnesota;

Which was read the first time.

Mr. Wells moved that the rules be so far suspended, that the said bill be read the second time by its title;

The question being put,

And a division being ordered;

There were yeas—13.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And said bill was read the second time by its title.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills have examined and found correctly enrolled, the following chapters:

Chapters 30, 55 and 60, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,
Chairman.”

C. F., chapters from 103 to 114 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, and bills

No. 23, H. of R. A bill to incorporate the St. Paul Institute; and

No. 25, H. of R. A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1st, 1849,

Were taken up; and

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Olmstead in the Chair,

For the consideration of said bills, and for the further consideration of said chapters.

After some time passed therein, the committee rose, and by their chairman, reported said bills and chapters back to the House with amendments:

In which they asked the concurrence of the House.

The following message was received from the Governor, by W. B. White, Esq., his Private Secretary, viz:

“MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing.”

Which was read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, March 21st, 1851. }

“To the honorable Speaker of the House of Representatives:

“SIR:—I have examined and approved,

“An act granting to William A. Cheever the right to establish and maintain a ferry across the Mississippi river.”

“An act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.”

"An act to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet."

Very respectfully,
Your ob't. servant,
ALEX. RAMSEY."

No. 23, H. of R. A bill to incorporate the St. Paul Institute,
Was taken up for the consideration of the amendments of the committee of the whole thereto;

The question being put upon concurring in the first and second amendment,
They were concurred in.

The question being put upon concurring in the third amendment of the committee of the whole to said bill,

Mr. Brunson offered the following as a substitute for section 4:

"Sec. 4. The six trustees aforesaid shall hold their offices respectively, as follows, to wit:

"The two persons receiving the highest number of votes, shall hold their office three years; the two persons receiving the next highest number of votes, two years; the next, one year; and should there be a tie, it shall be determined by lot;"

Which amendment was adopted.

The question being put upon concurring in the fourth and fifth amendments of the committee of the whole,

Mr. Brunson offered the following amendment to the bill:

"Section 5, line 2, strike out 'one,' and insert 'two,' and strike out all after the word 'years' in the third line;"

Which was agreed to.

Mr. North offered the following amendment to the bill:

"In the third line of the sixth sub-division of section 8, after the word 'degrees' insert the words, 'and grant diplomas, which shall certify the proficiency of the pupils of said Institute;'"

The question being put upon the adoption of said amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Olmstead, Patch and Wells—5.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, Ludden, Ramsey, Randall, Rice, Taylor, Tilden, Trask, Warren and Ames (Speaker)—12.

So the motion was disagreed to.

Mr. North then offered the following amendment to the bill:

"Add to the sixth sub-division of section 8, the following:

"And all other School Districts in this Territory, shall have the same power of conferring degrees as is given by this section to the Second District in St. Paul;"

The question being put upon the adoption of said amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. North, Olmstead, Patch and Wells—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, Ramsey, Randall, Rice, Tilden, Trask, Warren and Ames (Speaker)—12.

So the amendment was disagreed to.

On motion of Mr. Randall,

Ordered, That said bill be engrossed and read the third time on to-morrow.

Mr. Brunson moved that the House adjourn until Monday next, at 10 o'clock,
A. M.;

The question being put,

It was decided in the negative.

A division being called for and ordered;

There were ayes—7; nays—7.

The Speaker voting in the affirmative, the motion prevailed.

So the House adjourned.

MONDAY, MARCH 24, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Patch, Sloan and Wells were reported absent.

On motion of Mr. Randall,

The reading of the Journal of last Friday was dispensed with.

Mr. Randall offered joint resolution No. 5, H. of R., as follows:

“Resolved by this House, the Council concurring therein, that the present session of the Legislative Assembly shall adjourn without day, on Monday, the 31st day of March, 1851.”

Mr. Olmstead offered the following amendment to the resolution, viz:

“Strike out ‘Monday the 31st,’ and insert instead thereof, ‘Saturday, the 29th.’”

The question being put upon concurring in the amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Rice, Sloan and Warren—6.

Those who voted in the negative are—Messrs. Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Ames (Speaker)—7.

So the amendment was disagreed to.

The question being put upon the adoption of the resolution,

It was decided in the affirmative.

Mr. Olmstead, from the committee of Conference, to whom was referred the disagreeing vote of the two Houses, on C. F., chapter 1, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, made the following majority report:

“A majority of the committee on conference, to whom was referred chapter 1, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“Respectfully beg leave to report, that they have taken into due consideration, the disagreeing votes of the Council and House of Representatives on said chapter, and respectfully recommend as follows:

“That the House recede from their amendment, by which the name of ‘Meeker’ was inserted instead of ‘Cass.’

“Your committee, (a majority of them,) believing that there was not any sufficient or good grounds for the change; and the said name of ‘Cass’ having been first inserted, they recommend its adoption.

“A majority of your committee, also recommend, that the Council recede from their amendment to the county lines of Washington, by which a new county, to be called ‘Douglass,’ was contemplated to be laid off. The organization of said county not to take effect until 1852.

“We believe there is no urgent necessity for any change in the original lines of Washington county, for the formation of said county of Douglass at this early day.

“And further, your committee respectfully recommend that the House recede from their amendment, intended to effect a change in the present county seat of Benton, as established last session. Believing that it is not the general wish of the people at this time, that the said petition of a change in the locality of their county seat, should be submitted to them.

“All of which is respectfully submitted.

M. McLEOD,
SAML. BURKLEO,
S. B. OLMSTEAD,

Committee of Conference.

Mr. Olmstead, on the part of the minority of the committee of conference, offered the following report:

"To the House of Representatives:

"The undersigned, one of the committee appointed to confer with a similar committee of the Council, on concurring in the disagreeing vote of the two Houses on chapter 1, of the revision, dissents from the report of the majority of the joint committee, so far as it relates to the location of the county seat of Benton county; If they fail to see any reason for changing the county seat, they certainly fail to give any reason why it should not be left to the people to do it if they please.

"It is paying a poor compliment to the people of a county, to refuse them the privilege of locating their seat of justice.

"More than one hundred and twenty citizens of the county, have petitioned for that privilege; and a strong presumption therefore, arises, that some change is necessary. It should be borne in mind, that the people themselves, have as yet, had no voice in the matter.

"At the last session of the Legislature, the seat of justice was fixed at the same time the county was organized, and no election of Councillors has since taken place; but four new members of the House have since been elected, three of whom, are of the opinion, that the people and their interests, imperatively demand a modification of the chapter. It is conceded that no county buildings have been erected, and that none will be, within the next eighteen months or two years; and before the expiration of that time, at least two general elections will have taken place, at either of which, the people could decide upon a location without expense or trouble.

"The question then arises, whether they are as competent to decide upon a location as the present Legislative Assembly. Or is it, that it is a dangerous power for them to exercise? Would they be likely to make a location that would endanger the interests of the Territory at large? If so, the undersigned fails to see it; and he is of the opinion that the House should not recede from its amendment relating to said county seat.

"All of which is respectfully submitted.

EDMUND RICE,

Of the House Committee."

March 21, 1851.

Mr. Olmstead moved that the report of the majority of the committee be adopted.

Mr. Tilden gave notice, that on to-morrow, or some future day, he would introduce a bill relative to the location of the county seat of Benton county.

Mr. North moved the report of the majority of the committee be laid on the table;

The question being put,

And the Speaker being unable to decide,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Rice, Sloan, Taylor and Warren—6.

Those who voted in the negative are—Messrs. Brunson, Ludden, Olmstead, Ramsey, Randall, Tilden, Trask, Wells and Ames (Speaker)—9.

So the motion was disagreed to.

The question being put upon the adoption of the report of the majority of the committee of conference,

Mr. Wells moved a call of the House;

Which was ordered.

And Messrs. Farribault and Ford were reported absent.

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

The Speaker called Mr. Trask to the Chair.

Mr. Olmstead moved that further proceedings under the call of the House be dispensed with;

The question being put,

And a division being ordered;

There were ayes—3; nays—5.

So the motion did not prevail.

The Sergeant-at-Arms reported that Mr. Farribault was in his seat, and that Mr. Ford was not in town.

Mr. Randall moved that further proceedings under the call of the House be dispensed with;

The question being put,

And a division having been ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

The question then recurred upon the motion to adopt the majority report,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Gilman, Ludden, North, Olmstead, Patch, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—14.

Those who voted in the negative are—Messrs. Rice, Sloan, and Warren—3.

So the majority report was adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

“Chapters 57, 58, 80, 81, 82, 83 and 84 of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,

Chairman, H. of R. Committee.”

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 23, H. of R. A bill to incorporate the St. Paul Institute.

Mr. Tilden asked and obtained leave, and introduced,

No. 27, H. of R. A bill supplementary to an act for revising and consolidating the general statutes of the Territory; and also entitled chapter 1, of the division of the Territory into counties, and their boundaries.

Which bills were read the first time.

Mr. Tilden moved that the rules be so far suspended, that the bill be read the second time by its title;

The question being put,

And a division being ordered;

There were ayes—15.

Two-thirds of the members present having voted in the affirmative,

The said motion prevailed.

And said bill was read the second time by its title.

Mr. Brunson offered the remonstrance of Louis Roberts and sixty others, praying that the act entitled

“An act to incorporate the town of St. Paul, in the county of Ramsey,” approved the 1st day of Nov. 1849, may not be repealed.

On motion of Mr. Rice,

Said remonstrance was referred to the Committee on Corporations.

On motion of Mr. Brunson,

No. 27, H. of R., was referred to the Judiciary Committee.

No. 23, H. of R. A bill to incorporate the St. Paul Institute,

Was taken up; and

On motion of Mr. Olmstead,

Read the third time by its title.

The question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

No. 26, H. of R. Supplement to an act to provide for the erection of Public Buildings in the Territory of Minnesota,

Was taken up;

Mr. Ames moved that said bill be referred to a select committee, who should report on to-morrow;

Which motion prevailed.

Whereupon, the Speaker *pro tem.* appointed Messrs. Brunson, Randall and Ludden said committee.

On motion of Mr. North,

C. F., chapters from 103 to 114 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up for the consideration of the amendments of the committee of the whole thereto;

The question being put upon concurring in the first, second, third and fourth amendments of the committee of the whole to chapter 108,

They were severally concurred in.

On motion of Mr. Rice,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called.

Messrs. Brunson, Ford, Gilman, Ludden, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Taylor and Tilden, were reported absent.

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

C. F., chapter 109, of the revision, was again taken up for the consideration of the amendments of the committee of the whole thereto;

The question being put upon concurring in the first amendment of the committee to said chapter,

It was non-concurred in.

The second amendment to said chapter, was concurred in.

The first amendment of the committee of the whole to chapter 110, was concurred in.

The second amendment to said chapter, was non-concurred in.

The third and fourth amendments of the committee of the whole to said chapter, were concurred in.

On motion of Mr. Wells,

Chapters from 103 to 114, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were read the third time by their titles.

The question being put,

"Shall these chapters pass?"

It was decided in the affirmative, and the titles thereof agreed to.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in all the amendments made by this House to C. F., chapter 99, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory,' with an amendment to the third of said amendments;

"In which the concurrence of this House is respectfully requested.

"The Council has concurred in the second, and refused to concur in the first amendment made by this House, to C. F., chapter 102, of the same bill.

"The Council has adopted the report of the committee appointed to confer on the disagreeing vote of the two Houses, on C. F., chapter 1, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has concurred in the first, fourth and fifth, has amended and concurred in the second, and has refused to concur in the third amendment made by this House, to C. F., chapter 71, of bill

'No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

The Secretary then withdrew.

The message from the Council was then taken up.

The House concurred in the amendment of the Council to the third amendment of the House, to C. F., chapter 99, of the revision.

The House refused to recede from the third amendment to C. F., chapter 71, of the revision, which was non-concurred in by the Council, and concurred in the amendment of the Council to the second amendment of the House to said chapter.

The House refused to recede from their first amendment to C. F., chapter 102, of the revision, which was non-concurred in by the Council.

Mr. Rice moved a re-consideration of the vote referring to the Judiciary committee,

No. 27, H. of R. A bill supplementary to an act for revising and consolidating the general statutes of the Territory; and also, entitled chapter 1, of the division of the Territory into counties, and their boundaries;

Which motion prevailed.

On motion of Mr. Tilden,

Ordered, That said bill be engrossed and read the third time on to-morrow.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The joint committee did, on the 22d day of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills:

'A bill entitled 'an act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier.'

'A bill entitled 'an act granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.'

M. McLEOD, Council, } Committee."
B. H. RANDALL, H. of R., }

On motion of Mr. Tilden,

The House adjourned.

TUESDAY, MARCH 25, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson and Ludden were reported absent.

On motion of Mr. Gilman,

The reading of the Journal of yesterday was dispensed with.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 27, H. of R. A bill supplementary to an act for revising and consolidating the general statutes of the Territory; and also, entitled chapter 1, of the division of the Territory into counties, and their boundaries.

Mr. North, from the Judiciary Committee, to whom was recommitted C. F., chapter 75, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Reported the same back to the House with amendments.

No. 27, H. of R. A bill supplementary to an act for revising and consolidating the general statutes of the Territory; and also, entitled chapter 1, of the division of the Territory into counties, and their boundaries,

Was taken up; and

On motion of Mr. Wells,
Was read the third time by its title.

The question being put,
"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in the amendments made by this House, to

'No. 16, C. F. 'A bill to incorporate the St. Anthony Boom Company.'

'The Council has concurred in

'No. 5, H. of R. 'Joint resolution relative to the adjournment of the present session of the Legislature.'

'The Council has concurred in the second, amended and concurred in the third, and refused to concur in the first and fourth amendments made by this House, to C. F., chapter 108, of bill

'No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;'

'The Council has concurred in the amendments made by this House, to C. F., chapter 109, of the same bill.

'The Council has concurred in the first, and refused to concur in the second and third amendments made by this House, to C. F., chapter 110, of the same bill.

'The Council has appointed Messrs. Boal and Sturgis a committee, to confer with a similar committee to be appointed by this House, on the disagreeing vote of the two Houses on chapter 102, of the same bill.

'And the appointment of a committee on the part of this House is respectfully requested.

'The Council has refused to adhere to the disagreeing vote on the third amendment made by this House, to C. F., chapter 71, of the same bill.

'The Council has concurred in,

'No. 4, H. of R. 'A memorial to Congress relative to the construction of a Railroad;' and

'No. 24, H. of R. 'A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife.'

'The Council has passed C. F., chapters 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, and 38, of

'No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

'In all which the concurrence of this House is respectfully requested.'

The Secretary then withdrew.

C. F., chapter 75, of bill No. 13, C. F., of the revision,

Was taken up; and

On motion of Mr. Trask,

The amendments made thereto by the Judiciary Committee, were adopted.

On motion of Mr. Trask,

The said chapter was read the third time by its title.

The question being put,

"Shall this chapter pass?"

It was decided in the affirmative, and the title thereof agreed to.

The Speaker called Mr. Trask to the Chair.

The message from the Council was taken up;

C. F., chapters 108 and 110, were taken up for the consideration of the amendments of the House, which were non-concurred in by the Council.

The House receded from the first amendment to C. F., chapter 108.

And the question being put,

"Shall the House recede from their 4th amendment to said chapter?"

And the Chair being unable to decide, a division was ordered;

There were ayes—5; nays—5.

The Chair voting in the negative,

The House refused to recede from said amendment.

The House receded from their second and third amendments, which were non-concurred in by the Council, to C. F., chapter 110, of the revision.

Mr. Rice moved to re-consider the vote by which the House refused to recede from the fourth amendment to C. F., chapter 108, of the revision;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, North, Randall, Trask and Wells—6.

Those who voted in the negative are—Messrs. Brunson, Ford, Gilman, Patch, Ramsey, Sloan and Taylor—7.

So the motion to re-consider did not prevail.

C. F., chapters from 115 to 138 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. —, —,

Were read the first time by their titles.

Mr. North moved that the rules be so far suspended, that the said chapters be read the second time by their titles;

A division being ordered;

There were ayes—12.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And said chapters were read the second time by their several titles.

Mr. Olmstead moved that the rules be so far suspended that said chapters be now read the third time by their titles;

The question being put,

And a division being ordered;

There were ayes—13.

Two-thirds of the members present having voted in the affirmative,

The said motion prevailed.

And the said chapters were read the third time by their several titles.

The question being put,

“Shall these chapters pass?”

It was decided in the affirmative, and the titles thereof agreed to.

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has passed,

“No. 18, C. F. ‘A bill for the Apportionment of Representation in this Territory.’

“No. 19, C. F. ‘A bill for locating a Territorial Road, between points therein specified;’ and

No. 5, C. F. ‘Memorial to Congress relative to settlers on sections No. 16 and 36.’

“In all which the concurrence of this House is respectfully requested.

The Secretary then withdrew.

Mr. North moved that a committee of two be appointed to confer with a similar committee, already appointed on the part of the Council, on the disagreeing vote of the two Houses on C. F., chapter 102, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Which motion prevailed.

Whereupon, Messrs. North and Ford were appointed said committee.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory, Was taken up, and read the first time.

Mr. Wells moved that the rules be so far suspended, that the said bill be read the second time now;

Mr. Rice moved to amend,
 "That the bill be postponed indefinitely;"
 Mr. Tilden moved to adjourn;
 The question being put,
 And the ayes and nays being called for and ordered;
 Those who voted in the affirmative are—Messrs. Farribault, Ramsey, Randall,
 Taylor, Tilden, Trask and Wells—7.
 Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead,
 Patch, Rice, Sloan and Warren—8.
 So the House refused to adjourn.
 Mr. Wells moved a call of the House;
 Which was ordered.
 The roll having been called,
 Messrs. Brunson, Ludden and Ames were reported absent.
 Mr. Rice moved that Mr. Ames be excused; and also, that all the absent mem-
 bers members be excused;
 The Speaker *pro tem.* decided that said motion was out of order.
 Pending the call of the House,
 Mr. Warren moved that further proceedings under the call of the House be
 dispensed with;
 The question being put,
 And a division being ordered,
 There were ayes—8; nays—6.
 Two-thirds of the members present not having voted in the affirmative,
 The motion did not prevail.
 Mr. Tilden moved that the House adjourn;
 The question being put,
 The Chair being unable to decide,
 The ayes and nays were called for and ordered;
 Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden,
 Ramsey, Randall, Taylor, Tilden, Trask, and Wells—9.
 Those who voted in the negative are—Messrs. Ford, Gilman, North, Olm-
 stead, Patch, Rice, Sloan and Warren—8.
 So the House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.
 The roll having been called,
 Messrs. Brunson, Farribault, Olmstead, Ramsey, Taylor and Wells, were re-
 ported absent.
 Mr. Rice moved that the Hon. M. E. Ames be excused from attendance on this
 House, this evening and to-morrow;
 Which motion prevailed.
 On motion of Mr. Rice,
 Mr. Trask was elected Speaker *pro tem.*
 No. 19, C. F. A bill for locating a Territorial Road between points therein
 specified,
 Was read the first time.
 No. 5, C. F. Memorial to Congress, relative to settlers on sections No. 16
 and 36,
 Was read the first time.
 Mr. Tilden moved that the rules be so far suspended, that the memorial be read
 the second time by its title;
 The question being put,
 And a division being ordered;
 There were ayes—8.

Two-thirds of the members present having voted in the affirmative,
The motion prevailed.

And the said memorial was read the second time by its title.

Mr. Tilden moved a call of the House;

Which was ordered.

The roll having been called,

Messrs. Brunson, Farribault, Olmstead, Ramsey, Taylor and Wells were reported absent.

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

• Mr. Tilden moved that further proceedings under the call of the House be dispensed with.

The question being put,

And a division having been ordered;

There were ayes—9; nays—5.

Two-thirds of the members present not having voted in the affirmative,

The motion did not prevail.

Mr. Tilden moved that Mr. Olmstead be excused from attendadce on this House this evening;

The Speaker *pro tem.* decided that said motion was out of order, during the pendency of the call of the House.

Mr. Randall moved that the House adjourn;

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, Patch, Rice, Sloan, Warren and Wells—8.

Those who voted in the negative are—Messrs. Brunson, Randall, Taylor, Tilden and Trask—5.

So the House adjourned.

WEDNESDAY, MARCH 26, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Warren and Wells were reported absent.

On motion of Mr. Gilman,

The reading of the Journal of yesterday was dispensed with.

Mr. North, from the committee of Conference, to whom was referred the disagreeing vote of the two Houses, on C. F., chapter 102, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, made the following majority report:

“The committee of conference, to whom was referred the House amendment to section 2, of chapter No. 102, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory;’ on the disagreeing vote of the two Houses, ask leave to report:

“That they have had the same under consideration, and unanimously recommend that the House recede from the said amendment.

JAS. McBOAL,	Council,	} Committee.”
WM. STURGIS,		
J. W. NORTH,	H. of R.,	
J. A. FORD,		

On motion of Mr. Rice,
Said report was adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report: "The Joint Committee did, on the 25th of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bill:

"A bill entitled 'an act to incorporate St. Paul Division, No. 1, Sons of Temperance.'

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee."

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

"Chapters 96, 97 and 98, of bill,
"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

No. 19, C. F. A bill for locating a Territorial Road between points therein specified,

Was taken up, and read the second time.

Mr. North moved that the rules be so far suspended, that the said bill be now read the third time by its title;

The question being put,
And a division being ordered;
There were yeas—5.

Two-thirds of the members present not having voted in the affirmative;

The motion did not prevail.

Mr. Olmstead moved to amend the bill,

"By striking out the third section thereof;"

Which motion prevailed.

Mr. Olmstead moved that the rules be so far suspended, that the said bill be now read the third time by its title;

Mr. Ludden moved that the said bill be indefinitely postponed;

The question being put,
And the yeas and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Gilman, Ludden, Olmstead, Ramsey, Randall, Sloan and Taylor—8.

Those who voted in the negative are—Messrs. Brunson, Ford, North, Patch, Rice, Tilden, Trask and Wells—8.

So the motion was disagreed to.

On motion of Mr. Tilden,

Said bill was referred to the Committee on Roads.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory, Was taken up; and

Mr. Olmstead moved that the further consideration of the bill be postponed until Friday next.

Mr. Olmstead moved a call of the House; which was ordered.

And Mr. Warren was reported absent.

The Sergeant-at-Arms was directed to notify the absent member to appear in his seat.

The Sergeant-at-Arms reported that Mr. Warren was in his seat.

On motion of Mr. North,

Further proceedings under the call of the House were dispensed with.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed,

"No. 21, C. F. A bill to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes; and

"Joint resolution relative to correcting certain chapters of the revision.

"In all which the concurrence of this House is respectfully requested.

“The Council has adopted the report of the joint committee of conference, on C. F., chapter 102, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

The Secretary then withdrew.

Mr. Rice moved that the House adjourn;

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

So the House refused to adjourn.

Mr. Brunson moved a call of the House;

Which was ordered.

And the roll being called,

Mr. Ludden was reported absent.

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

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

Two-thirds of the members present not having voted in the affirmative,

The motion did not prevail.

Mr. Rice moved that the House adjourn;

Mr. Brunson moved a call of the House;

Which was ordered.

And all the members were reported present.

The question being put upon the motion to adjourn,

And the Chair being unable to decide,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice and Sloan—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Warren and Wells—10.

So the House refused to adjourn.

Mr. North moved a call of the House;

Which was ordered.

The roll being called,

Mr. Olmstead was reported absent.

The Sergeant-at-Arms was directed to notify the absent member to appear in his seat.

The Sergeant-at-Arms reported that Mr. Olmstead was in his seat.

Mr. Rice moved that further proceedings under the call of the House be dispensed with;

The Speaker *pro tem.* decided that a motion to suspend further proceedings under a call of the House, was not necessary when the Sergeant-at-Arms had reported the absent members in their seats.

Mr. Gilman moved a call of the House; which was ordered.

The roll having been called,

Mr. Sloan was reported absent.

The Sergeant-at-Arms was directed to notify the absent member to appear in his seat.

The Sergeant-at-Arms reported Mr. Sloan in his seat.

Mr. Olmstead moved that further proceedings under the call of the House be dispensed with;

The Speaker decided as before, that the motion was not in order.

From which decision Mr. Rice took an appeal.
 The question being put,
 "Shall the decision of the Chair stand as the decision of this House?"
 The ayes and nays being called for and ordered;
 Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden,
 Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.
 Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead,
 Patch, Rice, Sloan and Warren—8.
 So the decision of the Chair was sustained by the House.
 Mr. Rice moved that the House adjourn;
 The question being put,
 And the ayes and nays being called for and ordered,
 Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford,
 Gilman, Ludden, North, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Tay-
 lor, Tilden and Warren—15.
 Those who voted in the negative are—Messrs. Trask and Wells—2.
 So the House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker, *pro tem*.
 The roll having been called,
 Messrs. Farribault, Ford, Ramsey and Wells were reported absent.
 Mr. Gilman moved that the House adjourn until to-morrow, at 2 o'clock p. m.;
 Mr. Brunson moved a call of the House;
 Which was ordered.
 And the roll being called,
 Messrs. Farribault, Ford and Ramsey were reported absent.
 The Sergeant-at-Arms was directed to notify the absent members to appear in
 their seats.
 Mr. Patch moved to adjourn;
 Mr. Brunson moved a call of the House;
 Mr. Olmstead moved that the absent members be excused;
 The Speaker decided that the motion to excuse was out of order pending the
 call of the House.
 Mr. Warren moved that further proceedings under the call of the House be
 dispensed with.
 The question being put,
 And a division being ordered;
 There were ayes—11.
 Two-thirds of the members present having voted in the affirmative,
 Said motion prevailed.
 On motion of Mr. North,
 The message from the Council was taken up.
 No. 21, C. F. A bill to authorize the Secretary of the Territory to rent rooms
 for the next Legislative Assembly, and for other purposes,
 Was taken up, and read the first time.
 Mr. North moved that the rules be so far suspended, that said bill be read
 the second time by its title;
 Mr. Ludden moved that the bill be laid on the table;
 The question being put,
 The ayes and nays being called for and ordered;
 Those who voted in the affirmative are—Messrs. Ford, Ludden, Ramsey,
 Taylor and Tilden—6.
 Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman,
 North, Olmstead, Patch, Rice, Sloan, Trask, Warren and Wells—11.
 So the motion did not prevail.

The question then recurring on Mr. North's motion to suspend the rules, &c.,
 And being put,
 And a division being ordered;
 There were ayes—10.

Two-thirds of the members present having voted in the affirmative,
 Said motion prevailed.

And said bill was read the second time by its title.

Mr. Brunson, from the select committee, made the following report:

"The committee, to whom was referred

"No. 26, H. of R. Supplement to 'An act to provide for erection of Public Buildings in the Territory of Minnesota,'

"Would report, that they have had the same under consideration, and would respectfully submit the following bill as a substitute.

BENJ. W. BRUNSON, }
 J. D. LUDDEN, } Committee."
 B. H. RANDALL, }

No. 28, H. of R. Substitute for No. 26, H. of R. Supplementary to an act to provide for the erection of Public Buildings in the Territory of Minnesota,
 Was read.

Mr. North moved that the rules be so far suspended, that said bill be read the second time by its title.

The Speaker decided that the motion was not necessary, as the substitute assumed the position of the original bill, which was upon its second reading.

On motion of Mr. North,

The report of the committee was adopted.

On motion of Mr. North,

The House resolved itself into a committee of the whole,

Mr. Brunson in the Chair,

Having under consideration,

No. 21, C. F. A bill to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes; and

No. 28, H. of R. A substitute for No. 26, H. of R. Supplement to an act to provide for the erection of Public Buildings in the Territory of Minnesota.

After some time passed therein, the committee rose, and by their chairman, reported said bills back to the House; the former without an amendment, and the latter with an amendment.

In which they asked the concurrence of the House.

Mr. Rice offered the following amendment to bill No. 28, H. of R., substitute for No. 26, H. of R.:

"Amend section 2, by striking out the words 'Governor is,' and insert 'qualified members of the board are;'"

Mr. Patch moved a call of the House;

Which was ordered.

The roll having been called,

Messrs. Gilman, Olmstead, and Ramsey were reported absent.

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

Mr. Tilden moved that the absent members be excused from attendance on the House this afternoon;

The Speaker decided the motion out of order pending the call of the House.

The Sergeant-at-Arms reported the absent members in their seats.

The question being put upon Mr. Rice's amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Randall, Taylor, Tilden, Trask and Wells—8.

So the amendment was not agreed to.

Mr. North offered the following amendment

“Seventh line, section 2, after the word ‘act,’ insert ‘or should any Commissioner elected and qualified, refuse to co-operate with the other Commissioners in the erection of the Public Buildings;’”

And the question being put upon agreeing to said amendment,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Randall, Taylor, Tilden, Trask and Wells—8.

So the amendment was not agreed to.

Mr. Tilden moved that said bill be engrossed and read the third time on to-morrow;

Which motion prevailed.

On motion of Mr. Rice,

The rules were so far suspended, that

No. 21, C. F. A bill to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes,

Was read the third time by its title;

The question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

Joint resolution relative to correcting certain chapters of the revision,

Was taken up and read, and

On motion of Mr. Rice, adopted.

Mr. Rice moved No. 5, C. F. Memorial to Congress, relative to settlers on sections No. 16 and 36, be taken up.

The question being put,

And a division being ordered;

There were ayes—6; nays—7.

So the motion did not prevail.

Mr. Brunson moved that No. 18, C. F. A bill for the apportionment of representation in this Territory, be now taken up;

Mr. Patch moved a call of the House;

Which was ordered.

And the roll being called,

Messrs. Olmstead and Sloan were reported absent.

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

Mr. Rice asked leave of absence for a few minutes;

Which was granted.

Mr. Brunson moved that further proceeding under the call of the House be dispensed with;

Mr. North moved a call of the House;

The Speaker decided that the motion was out of order.

Mr. North then moved that the House adjourn;

Mr. Tilden moved that the absent members be excused from attendance on this House this afternoon;

The Speaker decided the motion out of order.

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has concurred in the amendments made by this House, to C. F., chapter 75, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

“The Council has refused to adhere to the non-concurrence in the 4th amendment made by this House, to C. F., chapter 108, of the same bill.

“The Council has passed, C. F., chapters 139, 140, 141 and 142, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

Mr. Rice moved that the House adjourn until the first day of April next.

The Speaker decided said motion out of order.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The third amendment of this House, to C. F., chapter 108, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory,'

"Which was amended and concurred in by the Council, and returned to the Council without action on the part of this House on said amendment, is herewith returned, for the action of this House thereon."

The Secretary then withdrew.

Mr. North moved that further proceedings under the call of the House be dispensed with;

The question being put,

And a division being ordered;

There were ayes—12.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

Mr. North moved that the last message from the Council be taken up;

Mr. Tilden moved that the absent members be excused from attendance on the House this evening;

Mr. North moved that Mr. Tilden's motion be laid on the table;

Mr. North moved a call of the House;

Which was ordered.

The roll being called,

Messrs. Olmstead and Rice were reported absent.

The Messenger was directed to notify the absent members to appear in their seats.

Mr. Tilden moved that Messrs. Olmstead and Rice be excused from attendance on this House, this afternoon;

The Speaker *pro tem.* decided said motion out of order.

The Sergeant-at-Arms reported Mr. Rice in his seat, and that Mr. Olmstead could not be found.

On motion of Mr. Warren,

The House adjourned.

THURSDAY, MARCH 27, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Ford, Gilman, North, Olmstead, Patch, Ramsey, Rice, Sloan and Warren were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Rice offered the following preamble and resolution:

WHEREAS, The completion of the revision of the laws, and the appropriation for the adjustment of the Legislative and Territorial expenditures, are highly important and necessary to be acted upon immediately, be it therefore,

Resolved, That all unfinished business be taken up and acted upon as soon as may be; and that

No. 18, C. F. A bill for the Apportionment of Representation in the Territory, be postponed and considered on Saturday next.

Mr. Brunson moved that the resolution be laid on the table until Saturday next;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Randall, Taylor, Tilden, Wells and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, Trask and Warren—9.

So the motion was disagreed to.

Mr. Patch moved that the resolution be adopted;

Mr. Brunson moved that the resolution be laid on the table until to-morrow;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Randall, Taylor, Tilden, Trask and Wells—8.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, Warren and Ames (Speaker)—9.

So the motion was disagreed to.

The Speaker called Mr. Olmstead to the chair.

Mr. Ames moved to amend the resolution offered by Mr. Rice as follows:

“That the bill be postponed until to-morrow, and then taken up as the special order of the day;”

Which amendment was accepted.

The question being put upon the adoption of the resolution as amended,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, and Wells—9.

So the resolution was not adopted.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 28, H. of R. Substitute for No. 26, H. of R. A bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota.

Mr. Trask, from the select committee, reported as follows:

“The special committee appointed to measure the incidental printing done by James M. Goodhue, by order of the Legislative Assembly of this Territory at the last session, would respectfully report, that they have carefully performed that duty, and find that the whole amount of incidental printing done by the said Goodhue, was 1,793,180 ems; and find by reference to appropriation bill of that session, that the said Goodhue, was allowed for one million ems, leaving a balance in his favor of seven hundred and ninety-three thousand, one hundred and eighty ems. Your committee would also report, that by an order of the House, the said Goodhue had translated and printed, the message of the Governor, in the German language, and are of the opinion that the sum of one hundred dollars should be allowed him for such translation; that being the amount allowed to Louis M. Oliver, for translating the same into French.

SYLVANUS TRASK, }
B. W. BRUNSON, } Committee.”
J. C. RAMSEY, }

On motion of Mr. Wells,

Said report was accepted, and the committee discharged.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills, memorial and chapters:

“An act to incorporate the St. Anthony Boom Company.”

“An act to dissolve the marriage contract between George Wells and Catharine Wells, his wife.”

“Memorial to Congress relative to the construction of a Railroad.”

“And chapters 1, 61, 62, 63, 64, 65, 72, 74, 76, 78, 79, 80, 87, 88, 89, 90, 91 and 95, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,
Chairman.”

Mr. Taylor, from the Committee on Roads, made the following report:

“The Joint Committee on Roads, to whom was referred bill

“No. 19, C. F. ‘A bill for locating a Territorial Road, between points therein specified;’

“Have had the same under consideration, and respectfully submit the following report:

“As the road contemplated by the bill, is entirely of a local character, your committee are of opinion that the bill, as amended by the House, should not pass. And as the construction of the road appears to be of doubtful expediency, it is but right that it be left to the action of the counties interested.

“Your committee would therefore, recommend that the bill be indefinitely postponed.

“All which is respectfully submitted.

JESSE TAYLOR,
D. GILMAN,
DAVID T. SLOAN, } Committee.”

On motion of Mr. Wells,

Said report was adopted.

The message from the Council was taken up;

C. F., chapters 139, 140, 141 and 142, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Wells,

Were read the first time by their titles.

Mr. North moved that the rules be so far suspended, that the said chapters be read the second time by their titles;

The question being put,

And a division being ordered;

There were ayes—10; nays—5.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed.

And said chapters were read the second time by their titles.

A message from the Governor was announced, by W. B. White, Esq., his Private Secretary, viz:

“MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing.”

The last message from the Council of yesterday, was taken up.

C. F., chapter 108 of the revision, was taken up for the consideration of the amendment of the Council to the third amendment of the House to said chapter,

The question being put,

The amendment was agreed to.

No. 28, H. of R. Substitute for No. 26, H. of R. A bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota,

Was taken up; and

On motion of Mr. Trask,

Read the third time by its title.

The question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in
 "No. 23, H. of R. A bill to incorporate the St. Paul Institute."
 The Secretary then withdrew.
 The Governor's message was then read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
 St. Paul, March 27, 1851.

"To the honorable Speaker of the House of Representatives:

"SIR:—I have examined and approved,

"An act granting to John Banfill the right to establish a Ferry across the Mississippi river."

"An act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier."

Very respectfully,
 Your ob't. servant,
 ALEX. RAMSEY."

Mr. Brunson moved that

No. 23, H. of R. A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849,
 Be taken up, and ordered to be engrossed and read the third time on to-morrow;

Mr. Rice moved to amend, that

No. 25, H. of R. A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1st, 1849,
 Be taken up, and ordered to be engrossed and read the third time on to-morrow;
 The question being put upon concurring in Mr. Rice's amendment,
 The Speaker being unable to decide,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Ramsey, Rice, Sloan, Taylor, Tilden and Warren—10.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Randall, Trask, Wells and Ames (Speaker)—7.

So the amendment was adopted.

And No. 25, H. of R., was ordered to be engrossed and read the third time on to-morrow.

The question being put upon Mr. Brunson's motion,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Trask, Wells and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Patch, Rice, Sloan, Tilden and Warren—8.

So the motion prevailed.

And No. 22, H. of R., was ordered to be engrossed and read the third time on to-morrow.

Mr. Randall offered the following resolution:

Resolved, That No. 18, C. F., A bill for the Apportionment of Representation in the Territory, be taken up and considered in committee of the whole, this afternoon.

Mr. Brunson moved that the House adjourn;

The question being put,

And a division being ordered,

There were ayes—6; nays—8.

So the House refused to adjourn.

Mr. Wells moved that Mr. Randall's resolution be adopted;

The Speaker decided that the resolution had not yet been received by the House.

On motion of Mr. Brunson,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Mr. Ford was reported absent.

Mr. Rice asked and obtained the unanimous consent of the House, and introduced, the following joint resolution:

Resolved, (the Council concurring,) that the 18th joint rule of the two Houses, be, and the same is hereby suspended;

The question being put upon the adoption of the resolution,

It was decided in the affirmative.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory, Was taken up; and

On motion of Mr. Tilden,

Read the second time by its title.

On motion of Mr. Tilden,

The House resolved itself into a committee of the whole,

Mr. Brunson in the chair,

For the consideration of said bill, and C. F., chapters 139, 140, 141 and 142, of the revision.

After some time passed therein, the committee rose, and by their chairman, reported said bill and chapters back to the House with amendments;

And asked the concurrence of the House therein.

C. F., chapter 140, of the revision, was taken up for the consideration of the amendment of the committee of the whole to said chapter,

The question being put, the amendment was concurred in.

Mr. Olmstead offered the following amendment to chapter 141:

“Add to section 1, ‘and in case no apportionment bill be passed at the present session of the Legislature, so much of chapter 3 of the laws of Minnesota, passed at the last session of the Legislature, shall remain in force as does not conflict with the provisions of the revised statutes.’”

The question being put upon the adoption of said amendment,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Olmstead, Patch, Rice, Sloan, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—6.

So the amendment was not adopted.

Mr. Brunson offered the following amendment to chapter 141:

“Add to section 1, ‘an act to establish and maintain Common Schools;’”

Which amendment was adopted.

Mr. Ludden moved that C. F., chapters 139, 140, 141 and 142, of the revision, be laid on the table, and taken up and read the third time on Saturday next;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

So the motion prevailed.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 22, H. of R. A bill supplementary to an act entitled ‘an act to incorporate the town of St. Paul, in the county of Ramsey,’ approved Nov. 1, 1849; and

No. 25, H. of R. A bill to repeal an act, entitled ‘an act to incorporate the town of St. Paul, in the county of Ramsey,’ approved Nov. 1, 1849.

Mr. Rice offered the following amendment to No. 18, C. F.:

“Strike out all after the enacting clause, and insert the following:

“SEC. 1. That the Council and House of Representative Districts, shall be, and remain as is hereinafter provided by law.’

“SEC. 2. ‘All that portion of Washington county south of the range line between townships 28 and 29, north, shall constitute the First Council District, and be entitled to elect one member of the House of Representatives; and the county generally, shall also be entitled to elect one additional member of the Council, and two members of the House of Representatives.’

“That portion of said county embracing the precinct of Stillwater, shall constitute the Second Council District, and be entitled to elect one member of the Council.

“The precinct of Stillwater shall constitute one Representative District, and be entitled to elect three members of the House of Representatives.

“SEC. 3. ‘The counties of Itasca and Chisago, (including the Marine precinct, partly in the county of Washington,) shall constitute the Third Council District, and be entitled to elect one member of the Council, and shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.’

“SEC. 4. ‘The counties of Dakota and Wabashaw, shall constitute the Fourth Council District, and be entitled to elect one member of the Council.

“The county of Dakota shall constitute one Representative District, and be entitled to elect two members of the House of Representatives.

“The county of Wabashaw shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.’

“SEC. 5. ‘All that portion of the county of Ramsey, embracing the precinct of St. Paul, and that portion southeast of the same, shall constitute the Fifth Council district, and be entitled to elect three members of the Council.’

“SEC. 6. ‘The precincts of St. Anthony and Little Canada, and all that portion of the county of Ramsey north of the same, shall constitute the Sixth Council District, and be entitled to elect two members of the Council.

“The precinct of St. Paul shall constitute one Representative District, and be entitled to elect five members of the House of Representatives.

“The precinct of Little Canada shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.

“The precinct of St. Anthony, and that portion of the county of Ramsey lying north of the same, shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.

“SEC. 7. ‘The counties of Benton, Cass and Pembina, shall constitute the Seventh Council District, and be entitled to elect two members of the Council.

“The counties of Benton and Cass, shall constitute one Representative District, and be entitled to elect four members of the House of Representatives.

“The county of Pembina shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.’

“SEC. 8. ‘The returns of the election of members from the counties of Itasca and Chisago, shall be made to the Register of the county of Washington.

“The returns from the counties of Wabashaw and Dakota, shall be made to the Register of Deeds of the county of Ramsey.

“The returns from the counties of Pembina and Cass, shall be made to the Register of Deeds of the county of Benton; and the votes returned from said counties, shall be canvassed, and certificates issued in accordance with the statutes providing for the regulation of general elections.”

The Speaker called Mr. Ludden to the chair.

On motion of Mr. North,

The House adjourned.

FRIDAY, MARCH 28, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren were reported absent.

The Speaker suggested to the House, that there was no quorum present, as required by the 40th rule of the House.

By the 40th rule of the House, eleven members constitute a quorum. This is somewhat different from the general parliamentary rule, which makes a majority of a Legislative body, a quorum to transact business.

By the 65th rule of the House, not less than two-thirds of the members of the House present can change or rescind a rule of the House, and then a motion to change a rule must lie over one day, before it can be acted on.

By another clause of the same rule, two-thirds of members present could suspend the rule. Therefore, two-thirds of the members present could suspend the rule under the general parliamentary rule, that a majority constitutes a quorum.

The House may order a call of its members, and compel the attendance of absentees, or may adjourn; or if any member should move to suspend the 40th rule and it were carried by a vote of two-thirds of those present, the rule would be suspended.

Mr. Trask moved that the 40th standing rule of this House be suspended during this day;

The question being put,
And a division being ordered;
There were ayes—10.

Two-thirds of the members present having voted in the affirmative,
Said motion prevailed.

Mr. Brunson, upon the request of Mr. Olmstead, moved that he be excused from attendance on this House for the remainder of the session;

Which motion prevailed.

On motion of Mr. Randall,

The reading of the Journal of yesterday was dispensed with.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—No action appears to have been had by this House, on the third and fourth amendments made by this House, to C. F., chapter 67, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“In which the Council refused to concur, and said chapter is herewith returned, to enable this House to take action thereon.”

The Secretary then withdrew.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills have examined and found correctly enrolled,

the following chapters:
“Chapters 73, 77, 99, 103, 106, 115, 116, 117, 118, 119, 120, 122, 123, 134,

135, 59, 100, 101, 104, 110, 111, 112, 113, 114, of bill
“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

B. H. RANDALL,
Chairman.”

Mr. Tilden gave notice, that on to-morrow, he would introduce a resolution that the 40th rule of this House be rescinded;

The message from the Council was taken up.

C. F., chapter 67, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for consideration of the amendments made thereto by this House which were non-concurred in by the Council,

The question being put upon receding from the said amendment,

It was decided in the affirmative.

No. 22, H. of R. A bill supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,

Was taken up, and read the third time.

The question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

No. 25, H. of R. A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,

Was taken up, and read the third time.

The question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

Mr. Trask moved that

No. 18, C. F. A bill for the Apportionment of Representation in the Territory, be taken up;

The Speaker remarked, that the motion was unnecessary, as the bill would come up in the usual order of business.

The Chief Clerk remarked that said bill had been secretly abstracted some time during the last night, from the possession of the Clerk, by some person or persons unknown, and by breaking open the desk in which the same was deposited, with other bills and papers of the House, and could not be found.

On motion of Mr. Tilden,

The Chief Clerk was directed to inform the Council by message, of the facts in relation to the loss of said bill.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has rejected on a second reading,

“No. 25, H. of R. ‘A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849.’

“The Council has concurred in ‘No. 6, H. of R. Joint resolution to suspend the 18th joint rule of the two Houses.’

“The Council has ordered

“No. 18, C. F. ‘A bill for the apportionment of Representation in the Territory,’ to be engrossed from the engrossed copy on file in the Council, and said bill has been again passed by the Council; and the concurrence of this House therein is respectfully requested.”

The Secretary then withdrew.

The message from the Council was taken up.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory,

Was taken up; and

On motion of Mr. Randall,

Was read the first time by its title.

Mr. Wells moved that the rules be so far suspended, that the said bill be read the second time by its title;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed.

And said bill was read the second time by its title.

On motion of Mr. Tilden,

The House resolved itself into a committee of the whole,

Mr. Ludden in the chair,
For the consideration of No. 18, C. F. A bill for the Apportionment of Representation in the Territory.

After some time passed therein, the committee rose, and by their chairman, reported said bill back to the House without amendment.

Mr. Ludden offered the following amendment to the bill:

“Amend line 4, section 9, by striking out the word ‘six’ and insert ‘three;’”

The question being put upon adopting the amendment,
It was disagreed to.

Mr. Randall moved that the rules be so far suspended, that the said bill be now read the third time by its title;

The Speaker called Mr. Randall to the chair.

Mr. Ames moved that the said bill be laid on the table;

The question being put,

And the Speaker being unable to decide,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Tilden, Trask, Wells and Ames (Speaker)—6.

Those who voted in the negative are—Messrs. Ludden, Ramsey, Randall and Taylor—4.

So the motion prevailed.

On motion of Mr. Ames,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, and Warren were reported absent.

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

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

“Chapters 136, 137 and 138, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory;’

B. H. RANDALL,
Chairman.”

On motion of Mr. Randall,

No. 18, C. F. A bill for the Apportionment of Representation in the Territory,

Was taken from the table.

On motion Mr. Randall,

Said bill was ordered to be taken up, and read the third time on to-morrow morning.

On motion of Mr. Brunson,

The House adjourned.

SATURDAY, MARCH 29, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,
Messrs. Ford, Gilman, North, Patch, Rice, Sloan and Warren were reported absent.

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

The Journal of yesterday was then read.

Mr. Tilden, in pursuance of previous notice, introduced the following resolution:

Resolved, That the 40th rule of this House be, and the same is hereby rescinded.

The question being put upon the adoption of the resolution,

And a division being ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The resolution was adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The joint committee did, on the 23th day of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills and memorials:

“A memorial to Congress relative to the construction of a Railroad.”

“A bill entitled an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife.”

“A bill entitled an act to incorporate the St. Anthony Boom Company.”

M. McLEOD, Council,
B. H. RANDALL, H. of R., } Committee.”

C. F., chapters 139, 140, 141 and 142, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Randall,

Read the third time by their titles.

The question being put,

“Shall these chapters pass?”

It was decided in the affirmative.

The titles of chapters 139, 140 and 142, were agreed to.

Mr. Trask offered the following amendment to the title of chapter 141:

“Strike out the word ‘all’ before ‘acts;’”

Which amendment was adopted.

The title of said chapter as amended, was agreed to.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory,

Was taken up; and

On motion of Mr. Wells,

Read the third time by its title.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—His Excellency, the Governor, has notified the Council, that he did, on the 27th day of March, 1851, examine and approve,

“An act to incorporate the St. Paul Division, No. 1, Sons of Temperance.”

“The Council has passed No. 5, C. F. Joint resolution relative to correcting enrolled chapters.

“The Council has concurred in the amendment made by this House, to C. F., chapter 140, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“And have concurred in the first, and amended and concurred in the second amendments made by this House, to C. F., chapter 141, of the same bill.

“In all which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The question recurring upon the passage of

No. 18, C. F., A bill for the Apportionment of Representation in the Territory, and being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

There were none who voted in the negative.

So the bill passed, and the title thereof was agreed to.

Mr. Brunson moved that a committee of three be appointed to investigate the matter in relation to the abstraction of No. 18, C. F. A bill for the Apportionment of Representation in the Territory, from the Clerk's desk;

Whereupon, the Speaker appointed Messrs. Brunson, Tilden and Wells said committee.

The Speaker announced the following communication upon his table, which was read, and is as follows:

"To the Speaker of the House of Representatives, of the Territory of Minnesota:

"The undersigned, members of the House of Representatives, hereby tender their resignation respectively, as members of said House.

JOHN A. FORD,
DAVID GILMAN,
DAVID T. SLOAN,
WM. W. WARREN,

EDWARD PATCH,
JOHN W. NORTH,
EDMUND RICE.

St. Paul, March 29th, 1851.

Mr. Wells moved that the above resignations be accepted by the House;

Which motion prevailed.

Mr. Tilden moved that a committee of three be appointed by this House, to ascertain the amount of unfinished business to be attended to, the present session of the Legislature;

Messrs. Tilden, Randall and Wells were appointed said committee.

The message from the Council was taken up.

On motion of Mr. Brunson,

No. 5, C. F. Joint resolution relative to correcting enrolled chapters, Was taken up; and

On motion of Mr. Tilden,

Said resolution was read by its title.

The question being put upon the adoption of the resolution,

It was adopted.

C. F., chapter 141, of the revision, was taken up for the consideration of the amendment of the Council to the second amendment of the House to said chapter,

The question being put upon agreeing to the amendment,

It was agreed to.

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Mr. Farribault was reported absent.

The Sergeant-at-Arms was directed to notify the absent member to appear in his seat.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bill and chapters:

"A bill for an act to incorporate the St. Paul Institute."

"And chapters 139, 140 and 142, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

Mr. Tilden, from the select committee, made the following report:

"The select committee, appointed by this House to ascertain the amount of unfinished business to be attended to at the present session, beg leave to report:

"That the appropriation bill and the correction of errors, (as authorized by a joint resolution of the two Houses,) to bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;' is all that remains requiring the action of this House.

H. L. TILDEN,
Chairman."

Mr. Brunson offered the following resolution:

Resolved, That the Secretary of the Territory be requested to furnish this House with any bill or accounts, he may have in his possession, to be paid out of the moneys appropriated for the expenses of the present Legislative Assembly;

Mr. Brunson moved that the resolution be unanimously adopted;

The question being put,

And a division being ordered;

There were ayes—10; nays—0.

So the resolution was unanimously adopted.

Mr. Ludden moved that the House adjourn until 7 o'clock this evening;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

So the House adjourned.

SEVEN O'CLOCK, P. M.

The House was called to order by the Speaker.

A quorum not being present for the transaction of business,

On motion of Mr. Randall,

The House adjourned.

MONDAY, MARCH 31, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson and Randall were reported absent.

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

The Journal of last Saturday was then read and corrected.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

"Chapters 9, 10, 11, 12 and 141, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'"

B. H. RANDALL,
Chairman."

Mr. Brunson, from the select committee, made the following report:

"The Committee of Investigation, to whom was referred the matter of the abstraction of No. 18, C. F., a bill to apportion the Territory of Minnesota into Representative Districts, would respectfully report, that they have examined on

oath, B. W. Lott, Chief Clerk of this House; Taylor Dudley, Assistant Clerk; Wm. Cove, Sergeant-at-Arms; E. B. Sloan, Fireman, and Wm. J. Blake, whose affidavits are respectively hereunto attached.

"Your committee have been unable to get any clue to the matter, or the person who abstracted the bill.

"All of which is respectfully submitted.

B. W. BRUNSON,
H. L. TILDEN,
JAS. WELLS,
Committee of Investigation."

On motion of Mr. Trask,

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

A message from the Governor, was announced by W. B. White, Esq., his Private Secretary, viz:

"MR. SPEAKER:—I have the honor to communicate a message from the Governor, in writing;"

Which was read, and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, March 31, 1851. }

To the honorable, the Speaker of the House of Representatives:

"SIR:—I have examined and approved,

"A memorial to Congress, relative to the construction of a Railroad."

"An act to dissolve the marriage contract between George Wells and Catharine Wells, his wife."

Very respectfully,
Your obedient servant,
ALEX. RAMSEY."

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed, 'No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,' containing chapters, from 1, to 142 inclusive, with the exception of 15, 22 and 37, which chapters were negatived.

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following bill:

"No. 18, C. F. 'A bill for the Apportionment of Representation in the Territory."

B. H. RANDALL,
Chairman."

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, containing chapters from 1, to 142 inclusive, with the exception of chapters 15, 22 and 37; was taken up.

On motion of Mr. Tilden,

Said bill was read the first time by its title.

Mr. Wells moved that the rules be so far suspended, that the said bill be now read the second time by its title;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed.

And the said bill was read the second time by its title.

Mr. Randall moved that the rules be so far suspended, that said bill be now read the third time by its title;

The question being put,
And a division being ordered;
There were ayes—10.

Two-thirds of the members present having voted in the affirmative,
The motion prevailed.

And said bill was read the third time by its title.

The question being put,
"Shall this bill pass?"

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden,
Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

There were none who voted in the negative.

So the bill passed, and the title thereof agreed to.

The following message from the Council, was received by J. R. Brown, Esq.,
Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in,

"No. 22, H. of R. A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved November 1, 1849; and

"No. 28, H. of R. Substitute for No. 26, H. of R. A bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota; each with an amendment.

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

No. 22, H. of R. A bill supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,

Was taken up for the consideration of the amendment of the Council to said bill.

The question being put,
The amendment was concurred in.

No. 28, H. of R. Substitute for No. 26, H. of R. A bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota,

Was taken up for the consideration of the amendment of the Council to said bill.

The question being put,
The amendment was concurred in.

On motion of Mr. Ludden,

No. 5, C. F. Memorial to Congress, relative to settlers on sections No. 16 and 36, was taken from the table.

On motion of Mr. Trask,

Said memorial was read the third time by its title.

The question being put,
"Shall this memorial pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. Randall, from the Committee on Enrolled Bills, made the following reports:

"The Joint Committee did, on the 31st of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bill:

"A bill entitled 'an act for the Apportionment of Representation in the Territory.'

M. McLEOD, Council, } Committee."
B. H. RANDALL, H. of R. }

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following bill:

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;' including chapters from 1 to 142 inclusive, with the exception of chapters 15, 22 and 37."

B. H. RANDALL,
Chairman."

Mr. Ludden offered joint resolution No. 7, H. of R. Relative to establishing a precinct in the county of Itasca;

Which was read the first time.

Mr. Ludden moved that the rules be so far suspended, that said resolution be read the second time by its title;

The question being put,
And a division being ordered;
There were ayes—10.

Two-thirds of the members present having voted in the affirmative,
Said motion prevailed.

And the resolution was read the second time by its title.

Mr. Wells moved that the rules be so far suspended, that said resolution be read the third time by its title;

The question being put,
And a division being ordered;
There were ayes—10.

Two-thirds of the members present having voted in the affirmative,
The motion prevailed.

And said memorial was read the third time by its title.

The question being put,
"Shall the resolution pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Trask,
The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,
All the members were reported present.
The Journal of this morning was then read.

A message from the Governor was announced, by W. B. White, Esq., his Private Secretary, viz:

"MR. SPEAKER:—I have the honor to communicate a message from the Governor, in writing."

Which was read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, March 31, 1851. }

"To the honorable Speaker of the House of Representatives:

"SIR:—I have examined and approved,
"An act to incorporate the St. Paul Institute."

Very respectfully,
Your ob't. servant,
ALEX. RAMSEY."

Mr. Randall, from the Committee on Enrolled Bills, made the following reports:

"The joint committee did, on the 31st of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills:

"A bill entitled 'an act for revising and consolidating the general statutes of the Territory,' including chapters from 1 to 142, with the exception of chapters 15, 22 and 37.

"A bill entitled 'an act to incorporate the St. Paul Institute.'

M. McLEOD, Council,
B. H. RANDALL, H. of R., } Committee."

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills, viz:

"A bill entitled 'a bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota,' approved A. D. 1851.

"A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849.'

B. H. RANDALL,
Chairman."

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following memorial, viz:

"A memorial to Congress, relative to settlers on sections No. 16 and 36.

B. H. RANDALL,
Chairman."

A call of the House was ordered;

And the roll being called,

Messrs. Ramsey, Randall, Tilden and Trask were reported absent.

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

The Sergeant-at-Arms reported the absent members in their seats.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The joint committee did, on the 31st of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills and memorial, viz:

"A memorial to Congress relative to settlers on sections No. 16 and 36.

"A bill entitled 'an act to amend an act to provide for erection of Public Buildings in the Territory of Minnesota,' approved A. D. 1851.

"A bill entitled 'an act supplementary to an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849.

M. McLEOD, Council,
B. H. RANDALL, H. of R., } Committee."

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has negatived, on a third reading,

"No. 27, H. of R. 'A bill supplementary to an act for revising and consolidating the general statutes of the Territory;' and also, entitled chapter I, of the division of the Territory into counties, and their boundaries.

"And has negatived, by indefinitely postponing,

"No. 2, H. of R. 'A memorial to Congress, praying that the 15th section of the act of Congress of 4th September, 1841, may be amended, &c.'

"The Governor has notified the Council, that he has examined and approved,

"An act to incorporate the St. Anthony Boom Company;

"An act to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes;

"An act for the Apportionment of Representation in the Territory; and

"An act for revising and consolidating the general statutes of the Territory.

"The Council has passed,

"No. 20, C. F. A bill to incorporate the St. Peters' Lumbering and Manufacturing Company.

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

A call of the House was ordered;

And Mr. Tilden was reported absent.

The Sergeant-at-Arms was directed to notify the absent member to appear in his seat.

The Sergeant-at-Arms reported Mr. Tilden in his seat.

The message from the Council was taken up; and

No. 20, C. F. A bill to incorporate the St. Peters' Lumbering and Manufacturing Company,

Was read the first time.

Mr. Ludden moved that the rules be so far suspended, that the said bill be read the second time by its title.

The question being put,
And a division being ordered;
There were ayes—9.

Two-thirds of the members present having voted in the affirmative,
Said motion prevailed.

And said bill was read the second time by its title.

Mr. Trask offered the following amendment to the bill:

“Strike out the word ‘general’ wherever it occurs in the bill, and insert in lieu thereof, the word ‘Legislative;’”

The question being put upon the adoption of said amendment, it was agreed to.

Mr. Wells moved that the rules be so far suspended that the said bill be read the third time now by its title;

The question being put,
And a division being ordered;
There were ayes—7; nays—2.

Two-thirds of the members present having voted in the affirmative,
Said motion prevailed.

And said bill was read the third time by its title.

The question being put,
“Shall this bill pass?”

Mr. Wells moved that Capt. W. B. Dodd, have permission to address the House upon said bill.

Which motion prevailed.

Mr. Ramsey asked to be excused from voting upon the passage of said bill.

The question being put,
And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ludden, Tilden and Wells—4.

Those who voted in the negative are—Messrs. Farribault, Randall, Taylor, Trask and Ames (Speaker)—5.

So Mr. Ramsey was not excused.

The question recurring upon the passage of said bill,
And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ludden, Randall, Trask, Wells and Ames (Speaker)—6.

Those who voted in the negative are—Messrs. Farribault, Ramsey, Taylor and Tilden—4.

So the bill passed, and the title thereof was agreed to.

The Speaker called Mr. Taylor to the chair.

A message from the Governor, was announced by W. B. White, Esq., his Private Secretary, viz:

“MR. SPEAKER:—I have the honor to communicate a message to you, from the Governor, in writing.”

Which was read, and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, March 31st, 1851. }

“To the honorable Speaker of the House of Representatives:

“SIR:—I have examined and approved,

“An act to amend an act entitled ‘an act to provide for the erection of Public Buildings in the Territory of Minnesota,’ approved A. D. 1851.

“An act supplementary to an act entitled ‘an act to incorporate the town of St. Paul, in the county of Ramsey,’ approved Nov. 1st, 1849,

Very respectfully,

Your obed't servant.

ALEX. RAMSEY.”

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has passed ‘No. 8, C. F. Joint resolution relative to adjournment.’”

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The message from the Council was taken up.

No. 8, C. F. Joint resolution relative to adjournment of the Legislature, was read; and

On motion of Mr. Wells,

Was adopted.

The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in the amendment of this House to "No. 20, C. F. 'A bill to incorporate the St. Peters' Lumbering and Manufacturing Company.'

"His Excellency, the Governor, has notified the Council, that he has examined and approved,

"A memorial to Congress, relative to settlers on sections No. 16 and 36."

The Secretary then withdrew.

Messrs. Forbes and Norris, a committee from the Council, reported that they had finished all the business before them, and were ready to adjourn *sine die*; and that the Council had also appointed a committee to wait upon his Excellency, the Governor, and inform him of the same, and to enquire of him if he has any further communications to lay before the two Houses of the Legislature.

Mr. Ludden offered the following resolution:

Resolved, That a select committee of two, be appointed on the part of this House, to act in conjunction with a similar committee to be appointed on the part of the Council, to wait on his Excellency, the Governor, and inform him that the two Houses have completed the business before them, and inquire of him if he has any further communications to lay before either branch of the Legislative Assembly at its present session.

The question being put upon the adoption of the said resolution,

It was adopted.

Whereupon Messrs. Ludden and Wells were appointed said committee.

Mr. Tilden offered the following resolution:

Resolved, That the thanks of each member of this House, are hereby tendered to the Hon. Michael E. Ames, for the able, energetic and impartial manner in which he has presided over the deliberations of this House during the present session of the Legislative Assembly.

The question being put upon the adoption of the resolution,

It was unanimously adopted.

Mr. Randall offered the following resolution:

Resolved, That the thanks of each member of this House, are justly due, and are hereby tendered to B. W. Lott, Chief Clerk, Taylor Dudley, Assistant Clerk, and other officers of the House, for their efficient services, and gentlemanly deportment during the present session.

The question being put upon the adoption of the resolution,

It was unanimously adopted.

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has appointed Messrs. Burkleo and Sturgis, a committee, to act in conjunction with a similar committee, to be appointed by this House, to wait on his Excellency, the Governor, and enquire if he has any further communications to lay before the two Houses of the Legislature.

"And the appointment of a similar committee by this House, is respectfully requested."

The Secretary then withdrew.

Mr. Trask moved that a committee of two be appointed, to inform the Council that there was no further business before the House of Representatives at its present session, and that they were now ready to adjourn *sine die*.

Which motion prevailed.

And Messrs. Trask and Tilden were appointed said committee.

On motion of Mr. Trask,

The House took a recess of half an hour.

Mr. Ludden, from the joint committee, appointed to wait on the Governor, &c., made the following report:

"The joint committee, appointed to wait on the Governor, and to inform him that there is no further business before the Legislative Assembly, and to enquire whether he has any further communications to make to either House, would respectfully report, that they have performed that duty, and have been requested by his Excellency, to state to the House, that he has no other communication to make, than to urgently request them to make provision by appropriation, for the payment of the Legislative expenses.

J. D. LUDDEN,

Committee of the House."

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, beg leave to report, that they have examined and found correctly enrolled, the following bill, viz:

"A bill to incorporate the St. Peters' Lumbering and Manufacturing Company.

B. H. RANDALL,

Chairman."

Mr. Ludden moved a re-consideration of the vote by which the House resolved to appoint a committee to inform the Council that there was no further business before them;

Which motion prevailed.

Mr. Trask, from the Committee on Legislative Expenditures, reported,

No. 29, H. of R. An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota;

Which was read the first time.

Mr. Brunson moved that the rules be so far suspended, that the bill be read the second time;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed; and

On motion of Mr. Brunson,

Said bill was read the second time by its title.

Mr. Tilden offered the following amendment to the bill:

"Add E. B. Sloan's account, for \$—;"

The question being put,

The amendment was adopted.

Mr. Tilden moved that the name of H. L. Tilden be stricken out where it first appears in the bill;

Which motion prevailed.

Mr. Wells moved the following amendment to the bill;

"To James Wells, for bringing the election returns from the precinct of Wabashaw, for the year 1849, \$10 00;"

Which amendment was adopted.

Mr. Trask moved that the bill be amended, by inserting

"For C. K. Smith, \$300 00;"

Which motion did not prevail.

Mr. Trask moved that said bill be engrossed and read the third time now;

Which motion prevailed.

Mr. Tilden, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 29, H. of R. An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.

On motion of Mr. Tilden,

The rules were so far suspended, that said bill was read the third time by its title.

The question being put,
 "Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. Tilden moved a call of the House;

Which was ordered.

The roll having been called,

The members were all reported present.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has postponed until to-morrow, at 10 o'clock; "No. 29, H. of R. An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota."

The Secretary then withdrew.

Mr. Wells moved that a committee of two be appointed to inform the Council, that there was no further business before the House, and that they were ready to adjourn *sine die*;

Which motion prevailed.

Messrs. Wells and Ludden were appointed said committee.

After a short absence, the committee reported that they had performed the duty assigned them.

On motion of Mr. Tilden,

The report of the committee was accepted, and the committee discharged.

Mr. Ramsey moved that the House adjourn *sine die*;

When the Speaker rose, and delivered the following valedictory:

"GENTLEMEN:—The Legislative business of our session is about to close, and the associations which we have formed here, in the discharge of our public duties, are about to be dissolved; and the authority extended to us by our constituents, about to be returned to their hands; and our actions to be approved or disapproved by the people, who are, under the principles of free government, happily, the source of all political power, and the only tribunal to whom their Representatives are accountable for their political actions.

"Our session has been an exciting and laborious one; extended, by an act of Congress, from the time fixed by the 'Organic Act,' to the period of 'ninety days,' to enable the present session to undertake and complete a general revision of the Laws for the Territory, it greatly increased the labors as well as the responsibilities of the session.

"And gentlemen, allow me to congratulate you, upon the consummation of the revision of an entire code of laws for the Territory, which your final action has this day adopted.

"Aside from a revision of the laws, many exciting measures, both of general, and local interest, have occupied your attention, and received your final action.

"Measures, upon which, gentlemen entertained, (no doubt,) an honest difference of opinion, which produced heated discussions and much warmth of feeling; and which have been disposed of in a manner, that I doubt not, will receive the approbation of a majority of the people of Minnesota.

"And I believe, the amount of business which has been introduced and disposed of by this Assembly, during its present session, has been equal, and probably much greater, than that of any session of a Territorial Legislature of the same length.

"And could I feel as strongly assured, that no bad result would grow out of this hasty revision of the laws, arising from the inadequacy of time allowed us for its completion, as I do of the pure motives, and untiring industry of every member in the Hall of this House to serve their constituents and promote the best interests of the Territory, I should leave you with unmingled feelings of pleasure.

"I assumed the responsible duties of presiding over the deliberations of this House, relying more upon your kind indulgence and friendly aid, than from any consciousness of my own ability; and I am happy to assure you, that my expectations in that regard, have been more than realized.

"In laboring to promote, (as we believe,) the best general interests of the Territory at large, as well as the local interests of our immediate constituency, and in sustaining those interests—I regret to say, we have at times, been brought in collision, and feelings of disquietude and unkindness excited.

"But on all occasions, that great, sacred, and conservative principle of our government, (the majority principle,) which pervades all our free institutions, and to which, the Representatives, as well as their sovereign constituents, all owe obedience; a principle well recognized in the general parliamentary laws, both of this country and England, has been applied to control and guide our actions.

"The resolution which has just passed this House, in terms so flattering, and adopted with such unanimity, affords me satisfaction, that my honest intentions have not been misconstrued by you.

"Gentlemen, I thank you for so handsome a tribute; which I regard rather as a token of your generosity, than of my own merit.

"Allow me also, to thank you all, for that uniform support, which you have kindly afforded me by your counsels, in the discharge of my duties as a presiding officer.

"Gentlemen, we are about to adjourn without day; and let me assure you, each and all, that you have my best wishes for a safe return to your constituents, your families and friends, and for your prosperity and happiness in all future life."

The question then being put,

"That the House do now adjourn *sine die*?"

It was decided in the affirmative.

And the House was declared to be adjourned *sine die*.

APPENDIX

TO THE

JOURNAL OF THE HOUSE OF REPRESENTATIVES.

ANNUAL REPORT OF THE TERRITORIAL AUDITOR.

*To the Honorable, the Council and House of
Representatives, of the Legislature of Minnesota:*

Agreeably to the fourth section of the act establishing the office of Territorial Auditor and regulating his duties, I proceed to lay before you, my annual statement of the funds of the Territory.

The Territorial tax, authorized by the last Legislature of Minnesota, from which alone, our revenue is derived, amounts, as will appear by the charges upon the books of this office, an exemplification of which is hereto annexed, and marked "Schedule B," to the sum of eight hundred and six dollars and forty-four cents. It will be perceived, that the counties of Ramsey, Washington, Wabashaw, Dakota and Wahnata, only have returned the assessed value for property taxed for county purposes; and the above sum is estimated upon returns from those counties alone; the additional returns yet to be received, it will, it is believed, increase the above amount by about fifty dollars. None of this amount has as yet, been paid into the Territorial Treasury.

The amount of debts due from the Treasury, as will appear from a transcript of the Auditor's books hereto annexed and marked "Schedule A," is eleven hundred and eighty-one dollars and fifty cents. Of this amount, four hundred and eighty-one dollars and fifty cents, has accrued from locating and surveying roads, and seven hundred dollars, for salaries of officers. The balance against the Territory, therefore, as it now appears upon the books of this office, is three hundred and seventy-five dollars and six cents. To this, is probably to be added the expense of "laying out and establishing a Territorial Road from Rum River to Crow Wing," of which no returns have been received, and on account of which no demands have been made. The tax, however, to be charged to the unreturned counties, will in some measure, counterbalance the debt of any due on account of such road; and I think it may be safely estimated that the Territorial debt of this year will not exceed four hundred dollars.

In view of the foregoing facts, and conscious of the great importance of establishing the credit of our infant Territory upon a firm basis, deeming too, that our wiser policy would be to avoid contracting debts year after year against the Treasury, I have thought it my duty, in this first report, and have therefore taken the liberty to recommend a measure for the consideration of the Legislature, which I judge, will avoid the evils consequent upon a lack of confidence in the

Treasury of the Territory. The balance against the Treasury, but four hundred dollars, viewed in one light, is but little; but when, in a Territory like ours, this is due to many different individuals, in small sums, who confidently expect payment on the presentation of a warrant, and when too, the amount of the circulating medium is so disproportioned to the large amount of business carried on in the Territory, the non-payment of warrants for any length of time, is calculated to create distrust and lessen the confidence of the community. Under such a state of the finances, therefore, contractors for any public work of the Territory, and all in fact, who from any cause, expect to receive payment from the Treasury, would be induced necessarily, to charge much higher for their services, or materials furnished, than would be the case were they confident of a prompt discharge of their claims; and thus the Territory, in its inability to pay, would be obliged to contract debts, which under a different state of things, would have been unnecessary.

The inability of the Treasury to meet such warrants would also oblige their holders to realize from private individuals, the money at ruinous rates of discount, and in addition to the great evil of a depreciated credit, and the hawking about of Territorial paper, for every variety of sums at much less than par, a still more serious private injury would result to the holders of warrants, since it would be the poorer class, and those who necessarily rely upon the prompt payment for their services, &c., who would thus be forced to sacrifice their rights to their necessities. This existing for any length of time, the result would be, that the services required by the Territory, would only be performed at exorbitant prices by those who could afford to wait for their remuneration; and the poor man, whom legislation is designed to protect as well as the rich, would, having greater confidence in a private individual's purse than in a doubtful Territorial Treasury, perform the same services under a sub-contractor, at prices far less than the Territory first agreed to pay, and perhaps, for less than those services were really worth; and in consequence, the richer man would pocket the surplus of the contract and enjoy a monopoly of all Territorial expenditures at the expense of his poorer neighbor, and of the Territory itself. It would be unnecessary for me to suggest further reasons for the measure I now offer, as the more capable reflection of the Legislature, will at once discover those which I have failed to advance. I would recommend, therefore, that a loan of five hundred dollars, upon such terms and for such length of time, as to the Legislature shall seem proper, be authorized to be procured for the benefit of the Treasury. It is firmly believed that this sum, with the Territorial tax due from the several counties, will at once pay off all warrants drawn upon, and all debts existing against the Treasury; and in the opinion of the Auditor, there will be little difficulty in procuring such loan within the limits of our own Territory. The loan itself, will then be the only outstanding liability, and the amount of the *revenue* of the next two years will so far increase above the expenses of the Territory, that it is confidently believed the second year's revenue, if not the first, will be amply sufficient to discharge all the Territorial expenses, and, in addition, to take up this loan; thus leaving the Territory entirely free from debt and with a firm and unshaken credit. In support of this estimation, I would refer the Legislature to the expenses of this year as compared with the probable expenses of the next. With the exception of the salaries, the calls upon the Treasury have been exclusively for laying out and establishing roads; an item of expense, which, as a matter of course, will hereafter be much diminished; and in this connection, I would suggest to the Legislature the propriety of requiring all roads hereafter laid out and established, to be located and surveyed at the expense of the counties through which they pass and which they may benefit, with such exceptions and restrictions as the Legislature may see fit to create. One other argument in support of the foregoing estimation, is the ratio of increase of value of taxable property; by referring to the schedule hereto annexed and marked "C," the amount of assessed property for the year 1849, will be found to have been \$414,936, and for the year 1850, as per schedule "B," \$806,437, being an increase in one year, of \$391,501, in fact, nearly doubling itself in twelve months. It is true, that in the assessment of 1849, property on

the west side of the Mississippi was not assessed; but it is equally true, that no returns from Benton and other counties, are included in the assessment of 1850. If then the amount of taxable property in the Territory has doubled itself, or nearly so, in the past twelve months, it would not be unreasonable to presume that the next year's assessment will present an increase of fifty per cent., at a moderate calculation; which will make the assessed value for the year 1851, \$1,209,656, and the amount of Territorial revenue, \$1,209 50, exclusive of the unreturned counties of this year, which would of course, still further increase the amount of Territorial tax.

With these suggestions, this report is respectfully submitted.

JONATHAN E. MCKUSICK,

Territorial Auditor.

Territorial Auditor's Office, Dec. 31st, 1850.

SCHEDULE A.

INDEBTEDNESS OF THE TERRITORY.				DOLLS.	CTS.
For Warrant No.	1,	drawn in favor of	Mahlon Black,	77	70
"	"	"	Albert Harris,	63	30
"	"	"	Harvey Wilson,	43	30
"	"	"	Abel Wilcox,	42	30
"	"	"	John Howard,	14	80
"	"	"	Thomas S. Speak,	14	80
"	"	"	John Folstrom,	13	30
"	"	"	John A. Ford,	24	00
"	"	"	Jacob Mosier,	24	00
"	"	"	Benj. Gervais,	14	00
"	"	"	John R. Cluit,	14	00
"	"	"	Daniel Williams,	7	50
"	"	"	Robert Kennedy,	16	00
"	"	"	H. W. Morse,	7	50
"	"	"	John Rockwell,	7	50
"	"	"	L. A. Babcock,	62	50
"	"	"	"	62	50
"	"	"	"	125	00
"	"	"	J. E. McKusick,	50	00
"	"	"	"	100	00
"	"	"	B. W. Brunson,	16	00
"	"	"	"	37	50
"	"	"	Theo. Furber,	20	00
"	"	"	Calvin A. Tuttle,	50	00
"	"	"	"	50	00
"	"	"	"	50	00
"	"	"	J. W. Furber,	24	00
For salary of Adjutant General, not yet drawn for,				150	00
Recapitulation,				\$1181	50
Indebtedness on account of locating and surveying roads,	\$481	50			
Indebtedness on account of salaries,	700	00		1181	50

SCHEDULE B.

TERRITORIAL REVENUE.			Ter. Tax.	
			DOLLS.	CTS.
<u>RAMSEY COUNTY.</u>				
Lands, town lots and out lots, returned assessed at	\$231,123 00			
Improvements, - - - - -	98,485 00			
Personal property, - - - - -	58,966 00			
Merchandize, - - - - -	88,760 00			
Tax of one mill upon the dollar, upon total - -	<u>\$477,344 00</u>	477	33	
<u>WASHINGTON COUNTY.</u>				
Lands, town lots and out lots, returned assessed at	\$84,736 48			
Improvements, - - - - -	83,448 00			
Merchandize, - - - - -	25,076 00			
Personal property, - - - - -	35,600 00			
Tax of one mill upon the dollar, upon total - - -	<u>\$228,860 00</u>	228	86	
<u>WABASHAW COUNTY.</u>				
Merchandize, returned assessed at - - - -	\$11,025 00			
Personal property, - - - - -	22,183 00			
Tax of one mill upon the dollar, upon total - -	<u>\$33,208 00</u>	33	21	
<u>DAKOTA COUNTY.</u>				
Property returned assessed in aggregate, at - -	\$31,020 00			
Tax of one mill upon the dollar upon amounts returned,		31	02	
<u>WAHNATA COUNTY.</u>				
Property returned assessed in aggregate at - - -	\$36,015 00			
Tax of one mill upon the dollar upon amounts returned,		36	62	
Recapitulation, exclusive of the county of Benton and others, un-				
returned.				
Ramsey County, total - - - - -	\$477,344 00			
Washington " " - - - - -	228,860 48			
Wabashaw " " - - - - -	33,208 00			
Dakota " " - - - - -	31,020 00			
Wahnata " " - - - - -	36,015 00			
Tax of one mill on the dollar, on - - -	<u>\$806,437 48</u>	806	44	

SCHEDULE C.

ASSESSED VALUE OF PROPERTY OF THE COUNTY OF ST. CROIX, MINNESOTA TERRITORY, FOR THE YEAR 1849.

First District, including Stillwater, Marine Mills, Falls of St. Croix and Snake River,		
Real estate,	- - - - -	\$ 40,322 50
Personal property,	- - - - -	112,668 00
Second District, including St. Paul and Point Douglass,		
Real estate,	- - - - -	\$106,422 00
Personal property,	- - - - -	69,836 00
Third District, including Falls of St. Anthony, Sauk Rapids and Crow Wing.		
Real estate,	- - - - -	\$31,027 50
Personal property,	- - - - -	54,660 00

RECAPITULATION.	DOLLARS.	DOLLARS.
First District, Real estate,	40,322 50	
Personal property,		112,668 00
Second District, Real estate,	106,422 00	
Personal property,		69,836 00
Third District, Real estate,	31,027 50	
Personal property,		54,660 00
Totals,	177,772 00	237,164 00
		177,772 00
Grand total,		414,936 00

ANNUAL REPORT OF THE TREASURER OF THE TERRITORY OF
MINNESOTA.

TREASURER'S OFFICE,
St. Paul, March 15, 1851. }

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

GENTLEMEN:—The Treasurer of the Territory, in compliance with the duties assigned him by law, submit to the Honorable Council and House of Representatives, of the Territory of Minnesota, the following report of the receipts and disbursements of the public money, commencing on the first of November, 1850, and ending the fifteenth of March, 1851.

GENERAL REVENUE.

Total assessed value of taxable property, - - - -	\$806,417 50
Territorial revenue, as returned by Auditor, - - - -	806 44
Received from Treasurer of Washington County, - - - -	226 90
Received from Treasurer of Ramsey County, - - - -	268 06
	<hr/>
Total amount received, - - - - -	\$ 496 90
Auditor's drafts cancelled, - - - - -	492 90
Balance in Treasury March 15th, - - - - -	4 00
Whole amount of Auditor's drafts, - - - - -	1831 80
Deficiency of Territorial Revenue, - - - - -	225 06
	<hr/>

TAXES UNPAID.

Due from Washington County, - - - - -	\$ 33 17
Due from Ramsey County, - - - - -	276 37
	<hr/>
Total, - - - - -	\$309 54
Amount of Auditor's drafts outstanding, - - - - -	\$538 60
	<hr/>

The foregoing report is herewith submitted.

C. A. TUTTLE,
Treasurer of Minnesota Territory.

N. B. I am not aware of any returns from Benton County. Also, Washington County refuses to pay, or collect from Wabashaw County.

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 Concurred in by the Council, 144.
 Reported correctly enrolled, 154.
 Presented to the Governor, 158.
 Approved, 165.
- No. 14.—To establish and maintain Common Schools.*
 Introduced, 112.
 Read the first and second time, 112.
 Laid upon the table and ordered to be printed, 115.
 Considered in committee of the whole, 123, 125.
 Ordered to be engrossed, 126.
 Reported correctly engrossed, 126.
 Read the third time, 127.
 Passed and title agreed to, 127.
 Amended and concurred in by the Council, 143.
 Part of amendments concurred in and part non-concurred in, 144.
 Council receded from amendments, 150.
- No. 15.—To incorporate the St. Paul and St. Anthony Railroad Company.*
 Notice for leave to introduce, 114.
 Introduced and read the first time, 119.
 Read the second time, laid on table and ordered to be printed, 119.
 Considered in committee of the whole, 125.
 Ordered to be engrossed, 126.
 Reported correctly engrossed, 126.
 Read the third time, 127.
 Passed and title agreed to, 127.
 Negatived by Council, 150.
- No. 16.—To provide for laying out a Territorial Road from the village of St. Anthony Falls, to the Falls of St. Croix.*
 Introduced and read the first time, 123.
 Read the second time, 124.
 Ordered to be engrossed, 124.
 Reported correctly engrossed, 125.
 Read the third time, 125.
 Passed and title agreed to, 125.
 Negatived by the Council, 135.

BILLS.

No. 17.—*Granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.*

Notice for leave to introduce, 122.
 Introduced and read the first and second time, 122.
 Laid on the table, 122.
 Taken from the table and read the third time, 127.
 Passed and the title agreed to, 127.
 Negatived by the Council, 135.
 A message requesting the return of, 145.
 Returned to the Council by request, 147.
 Concurred in by the Council, 155.
 Reported correctly enrolled, 158.
 Presented to the Governor, 171.
 Approved, 184.

No. 18.—*To dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet.*

Introduced and read the first time, 127.
 Referred to a select committee, 127.
 Reported back by committee, 134.
 Read the second time, 134.
 Read the third time, 135.
 Passed and title agreed to, 135.
 Concurred in by the Council, 143.
 Reported correctly enrolled, 154.
 Presented to the Governor, 158.
 Approved, 166.

No. 19.—*To provide for the encouragement of Agriculture and Stock Growing, in the Territory of Minnesota.*

Notice for leave to introduce, 134.
 Introduced and read the first time, 137.
 Read the second time, 137.
 Considered in committee of the whole, 138.
 Ordered to be engrossed, 138.
 Reported correctly engrossed, 138.
 Read the third time, 138.
 Passed and the title agreed to, 138.
 Negatived by Council, 154.

No. 20.—*To dissolve the marriage contract between Thomas F. Morton and Mary Morton.*

Introduced and read the first time, 137.
 Read the second time, 137.
 Considered in committee of the whole, 138.
 Ordered to be engrossed, 138.
 Reported correctly engrossed, 139.
 Read the third time, 140.
 Passed and title agreed to, 140.
 Concurred in by Council, 150.
 Reported correctly enrolled, 154.
 Presented to the Governor, 158.
 Approved, 165.

No. 21.—*To dissolve the marriage contract between Marcelle Couturier, and his wife, Margaret Couturier.*

Notice for leave to introduce, 143,
 Introduced and read the first time, 147.
 Read the second time, 149.
 Ordered to be engrossed, 149.
 Reported correctly engrossed, 153.

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- Read the third time, 153.
 Passed and the title agreed to, 153.
 Concurred in by Council, 155.
 Reported correctly enrolled, 158.
 Presented to the Governor, 171.
 Approved, 184.
- No. 22.**—*Supplementary to an act entitled "An act to incorporate the town of St. Paul, in the County of Ramsey," approved Nov. 1, 1849.*
 Notice for leave to introduce, 144.
 Introduced and read the first time, 147.
 Read the second time and ordered to be printed, 147.
 Taken up and referred to Committee on Corporations, 153.
 Reported back by the committee, 158.
 Laid on the table, 159.
 Ordered to be engrossed, 184.
 Reported correctly engrossed, 185.
 Read the third time, 188.
 Passed and title agreed to, 188.
 Amended and concurred in by Council, 194.
 Amendment concurred in, 194.
 Reported correctly enrolled, 195.
 Presented to the Governor, 196.
 Approved, 197.
- No. 23.**—*To incorporate the St. Paul Institute.*
 Notice for leave to introduce, 156.
 Introduced and read the first and second time, 158.
 Laid on the table and ordered to be printed, 158.
 Considered in committee of the whole, 165.
 Ordered to be engrossed, 166.
 Reported correctly engrossed, 169.
 Read the third time, 169.
 Passed and the title agreed to, 169.
 Concurred in by the Council, 184.
 Reported correctly enrolled, 191.
 Approved, 195.
- No. 24.**—*To dissolve the marriage contract between George Wells and Catharine Wells, his wife.*
 Introduced and read the first time, 159.
 Read the second time, 161.
 Read the third time, 162.
 Passed and title agreed to, 162.
 Concurred in by the Council, 172.
 Reported correctly enrolled, 182.
 Presented to the Governor, 190.
 Approved, 193.
- No. 25.**—*To repeal an act entitled "An act to incorporate the town of St. Paul, in the County of Ramsey," approved Nov. 1, 1849.*
 Notice for leave to introduce, 159.
 Introduced and read the first and second time, 161.
 Laid on the table, 161.
 Considered in committee of the whole, 165.
 Ordered to be engrossed, 184.
 Reported correctly engrossed, 185.
 Read the third time, 188.
 Passed and title agreed to, 188.
 Negatived by the Council, 188.

BILLS.

- No. 26.—Supplement to an act to provide for the erection of Public Buildings in the Territory of Minnesota.*
 Notice for leave to introduce, 161.
 Introduced and read the first time, 165.
 Read the second time, 165.
 Referred to a select committee, 170.
 Committee reported No. 28, H. of R., as a substitute, 179.
 Report adopted, 179.
 Reported correctly enrolled, 195.
 Presented to the Governor, 196.
 Approved, 197.
- No. 27.—Supplementary to an act for revising and consolidating the general statutes of the Territory; and also, entitled chapter 1, of the division of the Territory into Counties, and their boundaries.*
 Notice for leave to introduce, 168.
 Introduced and read the first time, 169.
 Read the second time, 169.
 Referred to the Committee of the Judiciary, 169.
 Vote referring, reconsidered, 171.
 Ordered to be engrossed, 171.
 Reported correctly engrossed, 171.
 Read the third time, 172.
 Passed and title agreed to, 172.
 Negatived by Council, 196.
- No. 28.—Substitute for No. 26, H. of R. Supplementary to an act to provide for the erection of Public Buildings in the Territory of Minnesota*
 Introduced, 179.
 Considered in committee of the whole, 179.
 Ordered to be engrossed, 180.
 Reported correctly engrossed, 182.
 Read the third time, 183.
 Passed and title agreed to, 183.
 Amended and concurred in by the Council, 194.
 Amendments concurred in, 194.
- No. 29.—To provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.*
 Introduced and read the first time, 199.
 Read the second time, 199.
 Ordered to be engrossed, 199.
 Reported correctly engrossed, 199.
 Read the third time, 199.
 Passed and the title agreed to, 200.
 Postponed by Council, until April 1st, 200.

BILLS.

Council file of,

- No. 1.—To provide for laying out a Territorial Road from St. Anthony, to the west bank of Lake St. Croix, opposite Willow River*
 Received by message, 55.
 Read the first time, 55.
 Read the second time, 56.
 Read the third time, 58.
 Passed and title agreed to, 58.
 Reported correctly enrolled, 68.
 Presented to the Governor, 69.
 Approved, 79.

BILLS.

- No. 6.—To incorporate the Mississippi Boom Company.*
 Received by message, 64.
 Read the first time, 65.
 Read the second time, 66.
 Laid on the table and ordered to be printed, 66.
 Considered in committee of the whole, 71.
 Amended by the House, 71.
 Read the third time, 74.
 Passed and title agreed to, 74.
 Amendments non-concurred in by the Council, 76.
 Referred to the Committee on Corporations, 77.
 Vote referring to the Committee on Corporations re-considered, 77.
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 Report of Committee of Conference adopted by Council, 84.
 Committee of Conference reported to House, 84.
 Report of Committee of Conference, adopted by House, 84.
 Reported correctly enrolled, 86.
 Presented to the Governor, 88.
 Approved, 94.
- No. 4.—To authorize the establishment and regulation of Ferries and Bridges in this Territory.*
 Received by message, 64.
 Read the first time, 65.
 Read the second time, 66.
 Considered in committee of the whole, 66.
 Referred to the Committee on the Militia, 67.
 Reported back by committee with a substitute, 72.
- No. 7.—Providing for the appointment of a Librarian, and for other purposes.*
 Received by message, 76.
 Read the first time, 77.
 Read the second time and laid on the table, 78.
 Considered in committee of the whole, 81.
 Amended by the House, 81.
 Read the third time, 83.
 Passed and title agreed to, 83.
 Amendments non-concurred in by Council, 81.
 Amendments receded from, 81.
 Reported correctly enrolled, 90.
 Signed by the Speaker of the House, 90.
 Presented to the Governor, 103.
- No. 12.—To provide for the establishment and maintenance of Common Schools.*
 Received by message, 87.
 Committee of Conference appointed, 87.
 “ “ report, 93.
 Read the first time, 93.
 Read the second time, 93.
 Referred to select committee, 93.
 Reported back by committee with substitute, (No. 14, H. of R.) 112
- No. 13.—For Revising and Consolidating the General Statutes of the Territory; containing chapters from 1 to 142 inclusive, except chapters 15, 22 and 37.*
 Received by message, 193.
 Read the first time, 193.
 Read the second time, 193.
 Read the third time, 193.
 Passed, 194.
 Reported correctly enrolled, 194.
 Presented to the Governor, 195.
 Approved, 196.

BILLS.

- Chapter 2, of, read the first time, 90.
 Read the second time, 90.
 Considered in committee of the whole, 90.
 Read the third time, 92.
 Passed, 92.
 Reported correctly enrolled, 97.
- Chapter 1, of, received by message, 98.
 Read the first and second time, 99.
 Considered in committee of the whole, 116.
 Amended by the House, 117.
 Read the third time, 118.
 Passed and title agreed to, 118.
 Amendments of House, non-concurred in, 128.
 House refuse to recede, 132.
 Committee of conference appointed by Council, 143.
 " " " " House, 145.
 Reports of committee of conference, 167, 168.
 Report of, adopted by the Council, 170.
 Reported correctly enrolled, 183.
- Chapter 3, of, received by message, 98.
 Read the first and second time, 99.
 Considered in committee of the whole, 107, 108.
 Amended by the House, 108.
 Read the third time, 109.
 Passed and titles agreed to, 109.
 Council refused to concur, 116.
 Committee of conference appointed by Council, 128.
 " " " " House, 131.
 " " reported, 138.
 Report accepted, 138.
 Report adopted by Council, 150.
 " " " House, 151.
 Reported correctly enrolled, 158.
- Chapter 4, of, received by message, 98.
 Read the first and second time, 99.
 Considered in committee of the whole, 107, 108.
 Amended by the House, 108.
 Read the third time, 109.
 Passed and title agreed to, 109.
 Council refused to concur, 116.
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- Chapter 5, of, received by message, 98.
 Read the first and second time, 99.
 Considered in committee of the whole, 107, 108.
 Amended by the House, 108.
 Read the third time, 109.
 Passed and titles agreed to, 109.
 Council refused to concur, 116.
 House receded, 120.
 Reported correctly enrolled, 154.
- Chapter 6, of, received by message, 100.
 Read the first time, 101.
 Read the second time, 102.
 Considered in committee of the whole, 104.
 Amended by a substitute, 104.
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 Ordered to be engrossed, 104.
 Reported correctly engrossed, 105.

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- Chapter 35, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Amended by the House, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Amendment of House non-concurred in by Council, 119.
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 Reported correctly enrolled, 135.
- Chapter 36, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 123.
- Chapter 37, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Amended by the House, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Council refused to concur in amendment, 119.
 House refuse to recede, 123.
- Chapter 38, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 131.
- Chapter 39, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 127.
- Chapter 40, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 123.
- Chapter 41, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 127.
- Chapter 42, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 118.
 Passed and title agreed to, 118.
 Reported correctly enrolled, 131.
- Chapter 43, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 118.
 Passed and title agreed to, 118.
 Reported correctly enrolled, 156.

BILLS.

- Chapter 44, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of whole, 115.
 Read the third time, 118.
 Passed and title agreed to, 118.
 Reported correctly enrolled, 156.
- Chapters, from 45 to 56 inclusive, received by message, 112.
 Read the first and second time, 114.
 Considered in committee of the whole, 115, 116.
 Read the third time, 118.
 Passed and titles agreed to, 118.
 Reported correctly enrolled, 140, 156.
- Chapters, from 57 to 70 inclusive, received by message, 116.
 Read the first and second time, 120.
 Considered in committee of the whole, 120, 121.
 Amended by the House, 121.
 Read the third time, (except chapter 68,) 122.
 Passed and titles agreed to, 122.
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 Reported back by com., 144.
 Report accepted, 141.
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 Read the third time, 142.
 Passed and title agreed to, 142.
 Concurred in by Council, 145.
 Reported correctly enrolled, 154.
- Chapter 71, received by message, 132.
 Read the first and second time, 134.
 Laid on the table, 134.
 Considered in committee of the whole, 135.
 Amended by the House, 136.
 Read the third time, 136.
 Passed and title agreed to, 136.
- Chapter 72, received by message, 135.
 Read the first time, 137.
 Read the second time, 138.
 Considered in committee of the whole, 138, 141.
 Amended by the House, 141.
 Read the third time, 141.
 Passed and title agreed to, 141.
 Amendments of House amended by Council, 145.
 Amendments of Council concurred in, 147.
 Reported correctly enrolled, 183.
- Chapter 73, received by message, 144.
 Read the first time, 144.
 Read the second time, 144.
 Considered in committee of the whole, 144, 146, 148.
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 Amended by the House, 150.
 Read the third time, 150.
 Passed and title agreed to, 150.
 Amendments of House amended and concurred in by
 Council, 154.
 Amendment of Council concurred in, 155.
- Chapters, from 74 to 84 inclusive, received by message, 150.
 Read the first and second time, 151.
 Considered in committee of the whole, 151.
 Read the third time, 162.

BILLS.

- Passed and titles agreed to, 152.
 Reported correctly enrolled, 169.
- Chapters, from 85 to 91 inclusive, received by message, 154.**
 Read the first and second time, 155.
 Considered in committee of the whole, 155, 156.
 Amended by the House, 156.
 Read the third time, 157.
 Passed and titles agreed to, 157.
 Reported correctly enrolled, 183.
- Chapters, from 92 to 96 inclusive, received by message, 155.**
 Read the first and second time, 155.
 Considered in committee of the whole, 155, 156.
 Amended by the House, 156.
 Read the third time, 157.
 Passed and titles agreed to, 157.
 Amendments of House concurred in by Council, 162.
 Reported correctly enrolled, 176.
- Chapters 97, 98 and 99, received by message, 160.**
 Read the first and second time, 160.
 Considered in committee of the whole, 160.
 Amended by the House, 160.
 Read the third time, 160.
 Passed and titles agreed to, 160.
 Amendments concurred in by Council, 170.
 Reported correctly enrolled, 176.
- Chapters 100, 101 and 102, received by message, 162.**
 Read the first and second time, 162.
 Considered in committee of the whole, 162.
 Amended by the House, 162.
 Read the third time, 163.
 Passed and titles agreed to, 163.
 Reported correctly enrolled, 187.
- Chapters from 103 to 114 inclusive, received by message, 163.**
 Read the first and second time, 163.
 Considered in committee of the whole, 164, 165.
 Amended by the House, 165.
 Read the third time, 170.
 Passed and titles agreed to, 170.
 Reported correctly enrolled, 187.
- Chapters, from 115 to 138 inclusive, received by message, 172.**
 Read the first and second time, 173.
 Read the third time, 173.
 Passed and titles agreed to, 173.
 Reported correctly enrolled, 189.
- Chapters 139, 140, 141 and 142, received by message, 180.**
 Read the first and second time, 183.
 Considered in committee of the whole, 185.
 Amended by the House, 185.
 Read the third time, 190.
 Passed and titles agreed to, 190.
 Amendments of House concurred in, 190.
 Reported correctly enrolled, 191.

BILLS.

- Council file of,
- No. 17.**—*To incorporate St. Paul Division No. 1, Sons of Temperance.*
 Received by message, 143.
 Read the first time, 144.
 Considered in committee of the whole, 144, 145, 146, 148.
 Read the third time, 148.
 Passed and title agreed to, 148.
 Reported correctly enrolled, 158.
 Presented to the Governor, 176.
 Approved, 190.
- No. 15.**—*Granting to Charles E. Dole and others, the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony and Sauk Rapids.*
 Received by message, 144.
 Read the first time, 144.
 Considered in committee of the whole, 141.
 Negatived by indefinite postponement, 145.
- No. 16.**—*To incorporate the St Anthony Boom Company.*
 Received by message, 150.
 Read the first time, 151.
 Laid on the table one week, 151.
 Taken up and referred to a select committee, 151.
 Reported back by the committee with amendments, 164.
 Report of the committee adopted, 164.
 Read the third time, 164.
 Passed and the title agreed to, 164.
 Amendments of House, concurred in by the Council, 172.
 Reported correctly enrolled, 182.
 Presented to the Governor, 190.
 Approved, 196.
- No. 18.**—*For the Apportionment of Representation in this Territory.*
 Received by message, 173.
 Read the first time, 173.
 Read the second time, 185.
 Considered in committee of the whole, 185.
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 Considered in committee of the whole, 189.
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 Taken up and read the third time, 190.
 Passed and title agreed to, 191.
 Reported correctly enrolled, 193.
 Presented to the Governor, 194.
 Approved, 196.
- No. 19.**—*For locating a Territorial Road, between points therein mentioned.*
 Received by message, 173.
 Read the first time, 174.
 Read the second time, 176.
 Amended by the House, 176.
 Referred to the Committee on Roads, 176.
 Reported back by committee, 183.
 Report adopted, 183.
 Indefinitely postponed, 183.

BILLS.

- No. 21.—To authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes.*
 Received by message, 176.
 Read the first time, 178.
 Read the second time, 179.
 Considered in committee of the whole, 179.
 Read the third time, 180.
 Passed and title agreed to, 180.
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 Approved, 196.
- No. 20.—To incorporate the St. Peter's Lumbering and Manufacturing Company.*
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 Read the first time, 196.
 Read the second time, 197.
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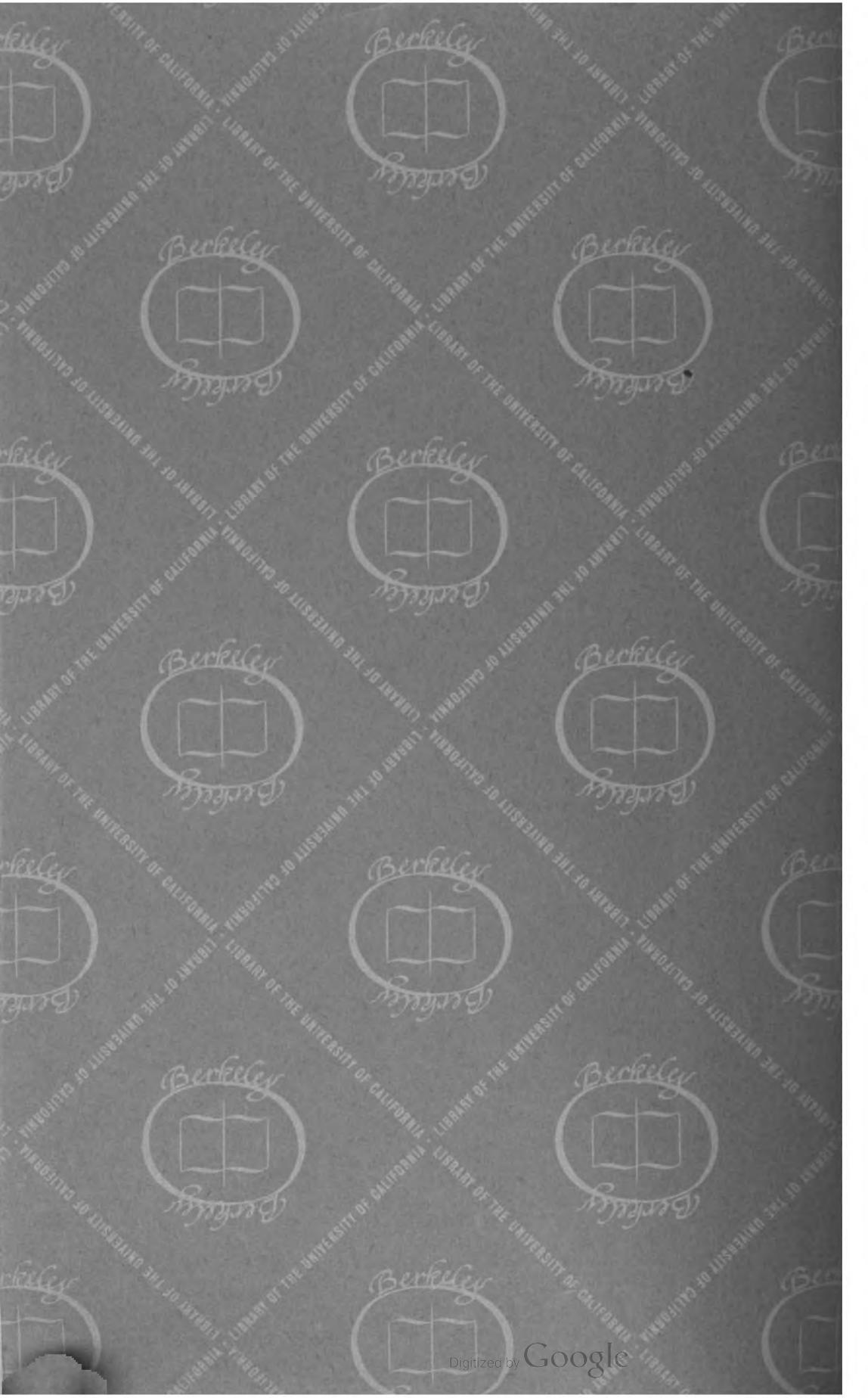
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