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MINNESOTA
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JOURNAL

1857

COUNCIL OF MINNESOTA,

HELD DURING THE SEVENTH SESSION

LEGISLATIVE ASSEMBLY.

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1857

May 1904
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1894

JOURNAL

OF THE

COUNCIL OF MINNESOTA,

DURING THE EIGHTH SESSION

OF THE

LEGISLATIVE ASSEMBLY,

BEGUN AND HELD AT ST. PAUL, WEDNESDAY, JAN. 7TH, ONE THOUSAND EIGHT HUNDRED AND FIFTY-SEVEN

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JOURNAL OF THE COUNCIL.

WEDNESDAY, JANUARY 7TH, 1857.

The first Wednesday in January being the day designated by law for the Annual Meeting of the Legislative Assembly, for the Territory of Minnesota, that being the 7th day of the month.

At 12 o'clock, M. the Council was called to order by Wm. Colville, Jr. who, being the Secretary of the last Council, was the person designated by law to perform that duty.

Prayer by the Rev. Mr. Penman.

The following members appeared in their seats and answered to their names:

2nd District—	J. B. Brisbin,	7th District—	Joseph Rolette,
4th “	Wm. Freeborn,	8th “	B. F. Tillotson,
5th “	Lewis Stone,	9th “	St.A.D. Balcombe,
6th “	H. G. Bailly,	9th “	W. D. Lowry,
6th “	Samuel Dooley,		

And the following persons appeared, presented their certificates of election and were sworn in by the Hon. A. G. Chatfield, Judge of the Third Judicial District Court of the Territory of Minnesota, viz:

3rd District—	W. W. Wales,	11th District—	Joel B. Bassett.
10th “	P. P. Humphrey,		

The election of President of the Council being first in order, Mr. Freeborn moved,

That the Council proceed to elect a permanent President.

Mr. Balcombe moved as an amendment to Mr. Freeborn's motion,

That the Council proceed to elect a President *pro tempore*.

The question being upon the adoption of the amendment of Mr. Balcombe, and

The ayes and nays being called for and ordered,

There were ayes 5, and nays 7, as follows:

Ayes—Messrs. Balcombe, Bassett, Dooley, Humphrey, Wales—5.

Nays—Messrs. Bailey, Brisbin, Freeborn, Lowry, Rolette, Stone, Tillotson—7.

So the amendment was lost.

The question then recurring upon the original motion of Mr. Freeborn,

The motion was carried.

Mr. Freeborn nominated the Hon. John B. Brisbin, and

Mr. Bassett nominated the Hon. St. Andrew D. Balcombe.

The roll being called,

Mr. Brisbin received	6 votes.
Mr. Balcombe received	4 votes.
Mr. Bassett received	1 vote.
Mr. Stone received	1 vote.

As follows:

Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, and Tillotson, voted for Mr. Brisbin.

Messrs. Bassett, Dooley, Humphrey, and Wales voted for Mr. Balcombe.

Mr. Balcombe voted for Mr. Bassett.

Mr. Bassett voted for Mr. Balcombe.

There being no choice,

A second vote was taken, with the following result:

Mr. Brisbin received	6 votes.
Mr. Balcombe received	4 votes.
Mr. Bassett received	1 vote.

As follows:

Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, and Tillottson, voted for Mr. Brisbin.

Messrs. Bassett, Dooley, Humphrey, and Wales voted for Mr. Balcombe.

Mr. Balcombe voted for Mr. Bassett.

Whereupon the Hon. John B. Brisbin having received a majority of all the votes cast was declared duly elected President of the Council for the present term.

Mr. Brisbin was then sworn in, as such President, by the Secretary,

And upon taking the chair, addressed the Council as follows:

COUNCILLORS OF MINNESOTA:—Your suffrages have elevated me for a second term to the Presidency of this body; and while I accept the position with feelings of equal gratitude, I embrace its duties and responsibilities with far less of diffidence than characterized their first assumption.

With less of diffidence, because my experience of the last session has assured to me the reciprocity of your courteous co-operation.

The Presidency of a body made up of partizan and to some extent of hostile elements, has of necessity its situations of difficulty and embarrassment; allow me then to renew the pledge of my sincere desire and intention to conduct the offices of the chair with fairness, and again to solicit your indulgence.

When we look around us and mingle our congratulations at the opening of this session we are painfully reminded that one is not here—that the pale but remorseless hand has been laid upon one of the best and brightest of our number—and the place which knew him but one short year ago, now knows him no more. David M. Hanson, in the prime of his promising years, with the first fruits of his dauntless energy and his honorable ambition just flush and green upon him has gone

“To that high Capital where kingly Death
Holds his pale Court in beauty and decay.”

Let us not be unmindful that lessons like these have their application to ourselves.

The Session upon which we are now entering promises to be the most eventful and important of any which has transpired in the history of Minnesota.

May we so conduct with the exalted trusts which have been reposed in us that we will be able to return unfearing and self-approved, not merely to our immediate constituencies, but to confront the future in the attitude of those who have discharged their whole duty and discharged it well.

The next business in order being the election of a Secretary of the Council,

Mr. Lowry nominated W. Colville, Jr., as such Secretary, *Pro tem.*

Mr. Bassett nominated R. H. Sibley.

The roll being called

Mr. Colville had seven votes, and

Mr. Sibley had five votes, as follows—

Messrs. Bailly, Freeborn, Lowry, Stone, Tillotson, and Mr. President, voted for W. Coville, Jr.

Messrs. Balcombe, Bassett, Dooley, Humphrey, and Wales, voted for R. H. Sibley.

Whereupon Wm. Colville, Jr., was declared duly elected Secretary *P. T.* The Council then proceeded to vote for Assistant Secretary, for the session.

Mr. Stone nominated Charles H. Mix.

Mr. Bassett nominated W. F. Bradley.

Whereupon the roll was called, with the following result:

Mr. Mix had 7 votes.

Mr. Bradley had 5 votes, as follows:

Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, Tillotson, and Mr. President, voted for Charles H. Mix.

Messrs. Balcombe, Bassett, Dooley, Humphrey, and Wales, voted for W. F. Bradley.

Whereupon Mr. Charles H. Mix was declared duly elected Assistant Secretary for the session.

The next business in order being the election of an Enrolling Clerk

Mr. Tillotson nominated Joseph W. Brockett as Enrolling Clerk for the session, and

Mr. Dooley nominated George H. Spencer.

The roll being called,

Mr. Brockett had 7 votes, and

Mr. Spencer had 5 votes, as follows:

Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, Tillotson, and Mr. President, voted for Joseph W. Brockett.

Messrs. Balcombe, Bassett, Dooley, Humphrey, and Wales, voted for George W. Spencer.

Whereupon Joseph W. Brockett was declared duly elected Enrolling Clerk for the session.

The next business in order was the election of a Sergeant at Arms.

Mr. Lowry nominated J. H. Lamb, as Sergeant-at-Arms, and

Mr. Dooley nominated P. A. Frayer.

The roll being called

Mr. Lamb had 7 votes, and

Mr. Frayer had 5 votes, as follows:

Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, Tillotson, and Mr. President, voted for J. H. Lamb.

Messrs. Balcombe, Bassett, Dooley, Humphrey, and Wales, voted for P. A. Frayer.

Whereupon J. H. Lamb was declared duly elected Sergeant-at-Arms of the Council for the session.

The next business in order was the election of a Messenger.

Mr. Rolette nominated Wm. Murphy, as Messenger, for the session, and

Mr. Bassett nominated A. J. Putnam.

Whereupon the roll being called,

Mr. Murphy had 7 votes, and

Mr. Putnam 5 votes, as follows:

Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, Tillotson, and Mr. President, voted for William Murphy.

Messrs. Balcombe, Bassett, Dooley, Humphrey, and Wales, voted for A. J. Putnam.

Whereupon Mr. Murphy was declared duly elected Messenger for the Council for the session.

The next business in order being the election of a Fireman,
Mr. Bailly nominated Francois L'Equié, as Fireman for the session.
Mr. Bassett nominated Joshua Draper.

The roll being called,
Mr. L'E'quié had seven votes, and

Mr. Draper had five votes, as follows:

Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, Tillotson, and Mr. President, voted for Francois L'Equié.

Messrs. Balcombe, Bassett, Dooley, Humphrey, and Wales, voted for Joshua Draper.

Whereupon Francis L'Equié was declared duly elected Fireman for the session.

The next business in order being the election of Chaplain,

Mr. Freeborn nominated the Rev. Mr. Penman as Chaplain for the session, and

Mr. Dooley nominated the Rev. Mr. Torbet.

Whereupon the roll being called,

Mr. Penman had seven votes, and

Mr. Torbet had five votes, as follows:

Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, Tillotson, and Mr. President, voted for Rev. Mr. Penman.

Messrs. Balcombe, Bassett, Dooley, Humphrey, and Wales, voted for Rev. Mr. Torbet.

Whereupon the Rev. Mr. Penman was declared duly elected Chaplain for the session.

The officers elect then came forward and were severally sworn in by the President.

Mr. Freeborn moved that the Rules of the last session be adopted as the rules of the present session. Carried.

Mr. Lowry moved that the Council adjourn until twelve o'clock to-morrow morning. Carried.

And the Council adjourned accordingly.

JOHN B. BRISBIN, President.

W. COLVILLE, Jr. Secretary *pro tem*.

THURSDAY MORNING, JANUARY 8TH, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Penman.

A quorum being present, the Journal of yesterday was read, and amended, and then approved.

On motion of Mr. Freeborn,

A call of the Council was ordered.

Messrs. Bassett, Ludden, Lowry and Setzer were found to be absent.

The Sergeant-at-Arms was instructed by the President to report the absent members in their seats.

The Sergeant-at-Arms, after being absent a short time, returned and reported,

Messrs. Bassett and Lowry in their seats.

On motion of Mr. Freeborn,

The further proceedings under the call of the House were dispensed with.

On motion of Mr. Rolette,

The Council then proceeded to the election of permanent Secretary.

Mr. Bailly nominated L. Smith for that office, and

Mr. Bassett nominated D. A. Secombe.

The roll being called,

Mr. Smith received 7 votes, and

Mr. Secombe received 6 votes, as follows:

Those voting for Mr. Smith, were—Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, Tillotson, and Mr. President—7.

Those voting for Mr. Secombe, were—Messrs. Balcombe, Bassett, Dooley, Humphrey, Thompson, and Wales—6.

Mr. Smith having received a majority of the votes, was declared elected Secretary for the session.

On motion of Mr. Freeborn,

The Council then proceeded to the election of a Printer, to furnish the incidental printing of the Council during the session.

Mr. Freeborn nominated E. S. Goodrich, and

Mr. Balcombe nominated W. C. Dodge.

And the vote being taken,

Mr. Goodrich received 7 votes, and

Mr. Dodge received 6 votes, as follows:

Those voting for Mr. Goodrich, were—Messrs. Bailly, Freeborn, Lowry, Rolette, Stone, Tillotson, and Mr. President—7.

Those voting for Mr. Dodge, were—Messrs. Balcombe, Bassett, Dooley, Humphrey, Thompson, and Wales—6.

Mr. Goodrich having received a majority of the votes, was declared elected Printer.

Mr. L. Smith, Secretary elect, being present, was sworn in by the President, and entered upon the discharge of his duties.

The Secretary read the following invitation, which was laid on the President's desk:

SAINT PAUL, January 8, 1857.

To the Council of Legislative Assembly of Minnesota :

GENTLEMEN :—

You are respectfully invited to attend the opening Lecture before the Minnesota Historical Society this evening, at the First Presbyterian Church. The address this evening will be by James W. Taylor, Esq., on "The Organization of New States from the Territories."

E. D. NEILL,

Secretary of the Minnesota Historical Society.

Mr. Rolette moved to suspend the rules, and the Council adjourn till Monday next, at ten o'clock, A. M.

And the Yeas and Nays being called for, and ordered,

There were Yeas 3, and Nays 10, as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Lowry, and Stone—3.

Those who voted in the negative were:

Balcomb, Bassett, Dooley, Freeborn, Humphrey, Rolette, Thompson, Tillotson, Wales and Mr. President—10.

So the motion was lost.

On motion of Mr. Freeborn,

The Council adjourned till to-morrow morning, at 11 o'clock.

J. B. BRISBIN, President.

L. SMITH, Secretary.

FRIDAY MORNING, JANUARY 9TH, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Penman.

A quorum being present, the Journal of yesterday was read and approved.

On motion of Mr. Freeborn,

Resolved, That each member and officer of the Council be and is authorized to subscribe for and take ten daily newspapers, to be selected by each member or officer respectively.

On motion of Mr. Freeborn,

Resolved, That the use of the Council Chamber be tendered to the Rev. J. Penman, Chaplain, for the purpose of Divine Service once each Sabbath during the present session, and that the Fireman be instructed to warm the chamber on such Sabbath days as the same may be used as aforesaid.

On motion of Mr. Freeborn, the vote adopting the resolution in relation to newspapers was re-considered.

On motion of Mr. Bassett, the resolution was amended so as to read as follows:

Resolved, That each member and officer of the Council be and is authorized to subscribe for and take ten daily, or the equivalent in daily and weekly newspapers, to be selected by each member or officer respectively.

On motion of Mr. Bassett, the resolution as amended was adopted.

On motion of Mr. Stone, the Council adjourned until Monday next, at 2 o'clock, P. M.

J. B. BRISBIN, President.

L. SMITH, Secretary.

MONDAY MORNING, JANUARY 12, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

A quorum of the Council being present, the Journal of Friday last was read and approved.

The following message was received from the House of Representatives, by their Clerk:

MR. PRESIDENT,—The House has instructed me to inform the Council that the House of Representatives is now permanently organized by the election of Hon. J. W. Furber, Speaker; H. L. Edwards, Chief Clerk; J. L. Jones, Assistant Clerk; Thomas Burton, Sergeant-at-Arms; C. G. Wykoff, Messenger; Josiah Outhout, Fireman; Rev. E. J. Kinney, Chaplain.

The House has also passed the following Resolution, in which they ask the concurrence of the Council:

Resolved,—By the House of Representatives, (the Council concurring,) that a Committee of two be appointed by the presiding officer of each House, to act in conjunction, and that the said Committee be instructed to wait upon his Excellency the Governor, and inform him that the two

Houses are now organized and ready to receive any communication he may have to make.

The House have on their part appointed Messrs. Chamblin and Thompson, on said Committee.

H. L. EDWARDS,

Chief Clerk of the House of Representatives.

Mr. Setzer moved the Council adjourn.

The motion being put, it was decided in the negative.

So the motion was lost.

On motion of Mr. Balcombe, the resolution reported from the House was taken up and adopted.

The President appointed Messrs. Setzer and Lowry a Committee on the part of the Council to wait on the Governor and inform him that the two Houses were ready to hear any communication he might be pleased to make.

Mr. Balcombe moved a call of the Council.

The roll being called, Messrs. Bailly, Freeborn, Lowry, Rolette, Setzer, Stone and Tillotson were found to be absent.

On motion of Mr. Balcombe, further proceedings under the call of the Council was dispensed with.

Mr. Balcombe moved that the Council meet the House in Convention, for the purpose of receiving the Message of his Excellency, the Governor.

Mr. Setzer moved a call of the Council.

The roll being called, Messrs. Freeborn, Lowry and Rolette were absent.

Mr. Balcombe moved to dispense with further proceedings under the call.

And the yeas and nays being called for and ordered, there were yeas 7 and nays 6, as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson, Wales—7.

Those who voted in the negative were,

Messrs. Bailly, Lowry, Setzer, Stone, Tillotson, Mr. President.—6.

Two-thirds not voting in the affirmative, the motion was lost.

Mr. Balcombe moved the previous question on his motion, that the Council meet the House in convention.

Mr. Setzer moved to lay the motion on the table.

The President ruled both motions out of order, as a call of the Council was then pending.

The President then ordered the Sergeant-at-Arms to report Messrs. Freeborn, Lowry and Rolette in their seats.

Mr. Setzer moved that a Committee of two be appointed to notify the Governor of the organization of the Council, and that the Council was ready to receive any communications he might be pleased to make.

The President decided the motion not in order.

Mr. Setzer moved a re-consideration of the vote refusing to suspend further proceedings under the call of the Council.

And the yeas and nays being called for and ordered, there were, yeas 6, and nays 7, as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Lowry, Setzer, Stone, and Mr. President—6.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson and Wales—7.

So the motion was lost.

Mr. Lowry moved that the Council adjourn.

And the yeas and nays being called for and ordered, there were yeas 3, and nays 10, as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Lowry, and Stone—3.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Ludden, Thompson, Tillotson, Wales, and Mr. President—10.

So the motion was lost.

Mr. Balcombe moved that the Council adjourn until to-morrow morning at 10 o'clock, then to meet the House in convention.

The President ruled that the motion was not in order.

On motion of Mr. Bassett, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

TUESDAY MORNING, JANUARY 13, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

A quorum being present, the Journal of yesterday's proceedings was read and approved.

The first business being further proceedings under a call of the Council, as ruled by the President.

Mr. Balcombe appealed from the decision of the President on that point.

And the yeas and nays being called for and ordered, there were yeas 7, and nays 6, as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Humphrey, Lowry, Rolette, Setzer, Stone and Tillotson—7.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Ludden, Thompson and Wales—6.
So the decision of the Chair was sustained.

Mr. Rolette moved, that the Council adjourn until to-morrow at 10 o'clock.

And the yeas and nays being called for and ordered, there were yeas 5, and nays 9, as follows:

Those who voted in the affirmative were,
Messrs. Rolette, Setzer, Stone, Tillotson and Mr. President—5.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, Ludden, Lowry, Thompson and Wales—9.

So the motion was lost.

Mr. Balcombe moved a re-consideration of the vote just taken, refusing to adjourn.

And the yeas and nays being called for and ordered, there were yeas 4, and nays 10, as follows:

Those who voted in the affirmative were,
Messrs. Lowry, Rolette, Stone and Tillotson—4.

Those who voted in the negative were,
Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Ludden, Setzer, Thompson, Wales and Mr. President—10.

So the negative of the question prevailed, and the Council refused to re-consider said vote.

Mr. Rolette moved the Council adjourn.

Mr. Balcombe arose to a point of order.

The President decided a motion to adjourn to be in order.

Mr. Balcombe appealed from the decision of the Chair.

And the yeas and nays being called for and ordered, there were yeas 12, and nays 0, as follows,

Those who voted in the affirmative were,
Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Ludden, Lowry, Rolette, Stone, Thompson, Tillotson and Wales—12.

So the affirmative of the question prevailed, and the Chair was sustained.

The question recurring on the motion to adjourn,

And the yeas and nays being called for and ordered, there were yeas 6, and nays 7, as follows :

Those who voted in the affirmative were,
Messrs. Lowry, Rolette, Setzer, Stone, Tillotson and Mr. President—6.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson and Wales—7.

So the negative of the question prevailed, and the Council refused to adjourn.

Mr. Rolette moved the Council adjourn until 2 o'clock this afternoon.

The President ruled the motion not in order.

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

And the yeas and nays being called for and ordered, there were yeas 12, and nays 0, as follows:

Those who voted in the affirmative were,
Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Rolette, Setzer, Stone, Tillotson, Wales and Mr. President—12.

So the affirmative of the question prevailed, and the further proceedings under the call of the Council were dispensed with.

Mr. Rolette moved that the Council adjourn until to-morrow at 10 o'clock, A. M.

And the yeas and nays being called for and ordered, there were yeas 6, and nays 7, as follows:

Those who voted in the affirmative were,
Messrs. Bailly, Rolette, Setzer, Stone, Tillotson and Mr. President—6.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson and Wales—7.

So the negative of the question prevailed, and the motion was lost.

Mr. Rolette moved that the Council adjourn until to-morrow morning at half-past ten o'clock.

And the yeas and nays being called for and ordered, there were, yeas 8, and nays 6, as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Freeborn, Lowry, Rolette, Setzer, Stone, Tillotson and Mr. President—8.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, Thompson and Wales,
—6.

So the affirmative of the question prevailed, and the Council adjourned accordingly.

J. B. BRISBIN, President.

L. SMITH, Secretary.

WEDNESDAY MORNING, JANUARY 14TH, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

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

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President.

The Journal of yesterday was read, amended, and then approved.

Mr. Setzer, from the joint select Committee appointed to wait upon his Excellency, the Governor, and inform him of the organization of the two Houses, and that they were ready to receive any communication he might be pleased to make, reported that they had attended to the duty assigned them, and received from his Excellency the following communication in writing:

EXECUTIVE DEPARTMENT, January 14, 1857.

SIRS:—You have my authority to announce to the Council and House of Representatives, that I am ready to deliver my Annual Message, and shall be prepared to do so at 2 o'clock this afternoon.

Respectfully your ob't serv't,

W. A. GORMAN.

To Messrs. Setzer, Lowry, Chamblin and Thompson, Joint Committee.

On motion, the report was accepted, and Committee discharged.

Mr. Setzer offered the following resolution:

Resolved, That no bills of a private nature shall be introduced into the Council after the 10th day of February next, unless by unanimous consent.

On motion of Mr. Ludden, said resolution was laid on the table.

Mr. Setzer gave notice of a motion for leave to introduce a bill to incorporate the Stillwater Bridge Company.

Mr. Wales gave notice, that he would on to-morrow or some future day move for leave to introduce a bill entitled an act to legalize the organization of the St. Anthony Falls Water Power Company.

Mr. Bassett gave notice, that on to-morrow or some future day he would move for leave to introduce a bill to incorporate the St. Anthony and North Minneapolis Bridge Company.

Mr. Humphrey gave notice that on to-morrow or some future day he would move for leave to introduce bills providing for Territorial Roads from Winnebago City, Farribault county, to Mankato, in Blue Earth county;

From Winnebago City to Albert Lea in Freeborn county.

From Winnebago City to Chain Lakes in Brown county.

Also, a bill to incorporate Winnebago City.

Mr. Bailly gave notice, that on to-morrow or some subsequent day, he would move for leave to introduce a bill in relation to the location of the county seat of Dakota County.

Mr. Bassett gave notice, that on to-morrow or some future day he would move for leave to introduce a bill to establish a Ferry at Bloomington, across the Minnesota River.

On motion of Mr. Setzer, a committee of two were appointed to wait on the Secretary of the Territory, and confer with him in relation to postage for the members of the Council.

The President appointed Messrs. Setzer and Wales said Committee.

On motion of Mr. Balcombe,

Resolved, That a Committee of three be appointed to prepare and report Rules for the government of the Council.

The President appointed Messrs. Balcombe, Setzer and Freeborn said Committee.

Mr. Setzer, from the Committee appointed to confer with the Secretary of the Territory, in relation to postage for the members of the Council, reported that the Committee had attended to the duty assigned them, and that the Secretary of the Territory proposed to furnish each member of the Council with five dollars' worth of postage stamps, or pay the postage of the members of the Council at the Post Office, as heretofore, as the Council might elect.

On motion of Mr. Setzer,

Resolved, That the Secretary of the Council be directed to inform the Secretary of the Territory, that the members of the Council elect to have their postage paid at the Post Office as heretofore.

Mr. Setzer gave notice of a motion for leave to introduce a Joint Resolution providing for the appropriation of sufficient funds out of the Territorial Treasury, to furnish each member of the Legislative Assembly with ten copies of daily papers, such as he may select.

On motion of Mr. Thompson,

Resolved, (The House concurring), That the Council will meet the House in Joint Convention to-day, at 2 o'clock, p. m., in the Representatives' Hall, to receive the Governor's Message, and also to transact such other business as may come before the Convention.

Ordered, That the Secretary inform the House thereof, and request their concurrence therein.

On motion of Mr. Setzer, the Council adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment and was called to order by the President.

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

Messrs. Bailly, Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President.

A message from the House being announced,

H. L. Edwards, the Chief Clerk thereof, appeared, and delivered the following message:

MR. PRESIDENT:—The House of Representatives have concurred with the Council in the passage of a resolution, fixing upon two o'clock this afternoon, as the time when the Council would meet the House of Representatives in Convention in the Representatives' Hall, for the purpose of receiving the Message of his Excellency, the Governor, and for transacting such other business as may come before the Convention.

On motion of Mr. Setzer, the Council repaired to the Hall of the House of Representatives.

JOURNAL OF THE JOINT CONVENTION.

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

Mr. Setzer moved a call of the Convention.

And the roll being called, the Clerk reported all members present, except Mr. Kingsbury.

Upon motion of Mr. Adams, all further proceedings under the call were dispensed with.

Mr. Whitlock moved, that the officers of the House be considered the officers of the Joint Convention.

Also that the Rules of the Council be considered the rules of the Joint Convention.

Mr. Ludden moved to amend, by making the rules of the House the rules of the Joint Convention.

The question then recurring upon the adoption of the amendment.

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

Those who voted in the affirmative were,

Messrs. Adams, Branch, L. M. Brown, Berry, Case, Chase, Foster, Howell, Hetchman, Hayden, King, Keith, Noble, Plumer, Ramsey, Stannard, Smith, Thompson, Thomas, Mr. Speaker, Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson and Wales—27.

Those who voted in the negative were,

Messrs. Abbe, Barrows, Baasen, Black, Costello, Chamblin, Wilkie, Greeley, Gere, McVay, Murray, Payne, Sweney, Troll, Grant, Whitlock, Wilson, Freeborn, Lowry, Rolette, Setzer, Stone, Tillotson and Mr. President—25.

So the amendment was adopted.

Mr. Murray moved that the previous motion, as amended, be laid upon the table.

And the yeas and nays being called for and ordered, there were yeas 25, and nays 27, as follows:

Those who voted in the affirmative were,

Messrs. Abbe, Barrows, Baasen, Black, Costello, Chamblin, Grant, Greeley, Gere, McVay, Murray, Payne, Sweney, Troll, Wilkie, Whitlock, Wil-

son, Bailly, Freeborn, Lowry, Rolette, Setzer, Stone, Tillotson and Mr. President—25.

Those who voted in the negative were,
Messrs. Adams, Branch, L. M. Brown, Berry, Case, Chase, Foster, How-ell, Hetchman, Hayden, King, Keith, Noble, Plumer, Ramsey, Stannard, Smith, Thompson, Thomas, Mr. Speaker, Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson and Wales—27.

Which motion was not adopted.

The question then recurring upon the motion as amended.

And the yeas and nays being called for and ordered, there were yeas 28 and nays 25, as follows :

Those who voted in the affirmative were,
Messrs. Adams, Branch, L. M. Brown, Berry, Case, Chase, Foster, How-ell, Hetchman, Hayden, King, Keith, Noble, Plumer, Ramsey, Stannard, Smith, Thompson, Thomas, Mr. Speaker, Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson, Wales, and Mr. President—28.

Those who voted in the negative were,
Messrs. Abbe, Barrows, Baasen, Black, Costello, Chamblin, Grant, Gree-ley, Gere, Kingsbury, McVay, Murray, Payne, Sweney, Troll, Wilkie, Whit-lock, Wilson, Bailly, Freeborn, Lowry, Rolette, Setzer, Stone, and Tillotson—25.

So the motion was adopted.

Mr. Adams moved that a Committee of three be appointed to wait up-on the Governor and inform him that the two Houses were now met in Joint Convention, and ready to receive any communication he may have to make.

The motion was adopted,

And the Chair appointed Messrs. Adams, Gere and Setzer as said Com-mittee.

After some time, the Committee appeared and reported that they had performed the duty assigned them.

His Excellency, the Governor, was then announced and took his seat between the Speaker of the House and President of the Council, and del-ivered the following Message to the two Houses :

Gentlemen of the Council and House of Representatives :

It has pleased Divine Providence to permit you again to meet at the Capitol to consider the measures necessary to be adopted for the future welfare and general prosperity of our Territory. The year which has just closed has been one of most extraordinary prosperity to Minnesota; every element of wealth has poured in upon us from the States with such rich profusion as to astonish the most hopeful in our future development. The agricultural products of the past year have more than doubled those of any former one; the increase of cash capital has more than trebled; the quantity of land entered by actual settlers has far outstripped that of any former year; and our population, the only sure foundation of real wealth and greatness, has more than doubled. These and other evidences of a prosperous growth are attributable to the goodness of a kind Providence in blessing us with a healthful climate, a good soil, and a remarkably intelligent and enterprising population. It has also been the administra-tive policy of the Territory, to secure peace and quiet among the people, and thus to avail ourselves of the capital, enterprise and population, that would otherwise have gone elsewhere in the great West.

It is but just to the dignified character and standing of Minne-sota to say, that her prosperity has been greatly promoted by the

careful avoidance of internal strife about questions of National policy; and even in her own internal affairs a free expression of opinion has been tolerated with a forbearance and good sense that may be pointed to with pride and satisfaction in all time to come.

From sources deemed reliable, I am able to state the population of the Territory at about one hundred and eighty thousand souls, and I feel justified in saying that this is rather under than over the estimate made by many who have taken some pains to inform themselves on the subject.

It is proper to state that the taxable property in the Territory amounts to between thirty and thirty five millions of dollars, even at the low rate of assessment made by the officers appointed for that purpose. The returns made by twenty-four counties, show an assessment of twenty-four millions of dollars.

In view of our population and wealth, it seems to be a matter of necessity that steps be taken to throw off our state of dependence on the National Government, and assume the mantle of State sovereignty. Even should the most speedy organization be made to this end, our population must run up to two hundred or two hundred and fifty thousand people, and our taxable property reach fifty or sixty millions of dollars at least, before Congress will probably admit us into the Union. It is necessary to examine this question with some care, and to exercise that prudent and sound judgment characteristic of our intelligent fellow citizens. The only advantage we derive from remaining a political ward of the National Government, is, the annual appropriation made by Congress to pay the expenses of a Governor, Secretary, three Judges, the Legislature, and the incidental expenses thereof, amounting in all to about thirty thousand dollars. The Marshal and District Attorney will continue, under a State government, to be appointed and paid as at present.

If, therefore, the present tax levied and collected for Territorial purposes, of ten cents on each one hundred dollars' valuation, be continued without the least increase, it will raise a fund of more than thirty thousand dollars, enough to pay all the ordinary expenses of a State organization. It is manifest that our *present* tax of ten cents on each one hundred dollars' valuation is as high as need be to support a State government, if the collecting and disbursing officers faithfully perform their duty, which, it is very likely, they will be required to do, when the people have to bear the evil and burden of their neglect. Then, the Legislator will be held to a strict and just accountability to his constituents for every dollar he votes out of their pockets, and we shall thus secure a more rigid system of economy in public expenditures.

In addition to this, we may fairly calculate upon the increase of the value of taxable property from year to year, and therefore avoid any necessity for increasing the per centage of tax to be levied for ordinary State purposes.

In this connection I am forced to the necessity of asking you to scrutinize the subject of Territorial taxes, and especially the disposition which has been made of the funds raised from year to year for Territorial purposes. The last assessment amounted to more than twenty-three millions, which will yield a fund of about twenty three thousand dollars at ten cents on each one hundred dollars' valuation, while every draft on the Treasury will not amount to

eight thousand dollars. This tax, under a proper construction of the law, must be paid to the Collectors without deduction, and with very little delinquency under our tax system.

Many counties seem to increase their indebtedness from year to year without any apparent cause. I trust that all faithful representatives of the people will give this matter their attention.

I am satisfied that under a State organization, public economy will take the place of that seeming neglect, engendered especially under a system of government dependent on foreign support.

It is necessary to a proper understanding of this question, to enquire what hope there is, that the Congress of the United States will ever again make appropriations sufficient for our support.

I consider myself authorized in saying that there is a great reluctance on the part of the present Congress to grant us much further aid as a Territorial Government, because we have a larger population and more internal resources for self-support than any former Territory at the time of its application for admission as a State, and because it is expected of every Territory to ask admission when its population is sufficient to entitle it, if a State, to one Representative in Congress. If admitted into the Union this day, we would be entitled, according to the present ratio of Congressional representation, to at least two Representatives, and before another year elapses, (which must necessarily happen before Congress will again convene,) will most likely have population enough for three.

The ratio of Congressional representation is now fixed at about ninety three thousand. Assuming our population at present to be one hundred and eighty thousand, if the increase is in the same ratio for the ensuing year as for last, it will then reach three hundred thousand souls, and no one will pretend that the coming year promises less than the past.

It is therefore no longer to be disguised that a movement for a State government is forced upon us by public opinion abroad, and candor compels the admission that self-respect and, perhaps, a proper sense of propriety, bid us to assume State sovereignty at as early a day as the nature of our Government will allow.

It is usually charged that scheming politicians desire to hurry on the organization of a State government for their own aggrandizement. But this appeal to popular prejudice cannot be fairly made against the public men of Minnesota, as all of them up to this time have carefully refrained from agitating the subject, until our Delegate has been embarrassed by Congressional sentiment even to thwart his success in matters of ordinary appropriations.

When we arrive at that point where our strength makes us weak in the demand for Territorial support by Congress, it would seem to be the part of wisdom and dignity to place ourselves in a position to send Representatives to Congress to demand for our manhood what has heretofore been granted to our infancy.

The influence of two Senators and perhaps three Representatives, with authority to speak and vote, will surely secure more favorable legislation than can be expected from a Delegate, however faithful and efficient he may be in his capacity as such.

While we remain a Territory, our school lands must lie idle for the want of power to appropriate them where needed for educational purposes.

When we are admitted into the Union as a State, the swamp and overflowed lands can be claimed for State use, and not until then.

Upon our admission as a State, we shall probably receive a donation of public lands equal to the amount received by Iowa and Wisconsin, say five or six hundred thousand acres, for purposes of internal improvement or otherwise. The longer we remain a Territory, and the more dense our population becomes, less valuable lands will have to be taken ; and if this grant is regarded as a desirable object to the State, the sooner we are admitted the better, under all the circumstances.

Upon our admission into the Union, like other land States of the Government, we shall, upon proper conditions, be entitled to five or ten per cent. on the net proceeds of the sales of the public lands within the State, for purposes of internal improvement, which will enable us to build common roads from point to point where they are needed, and which will fully compensate for many years for all the appropriations from the National Treasury for such purposes.

We should bear in mind that if Congress hesitates to grant further aid to support a Territorial government, they will not likely feel free to grant lands to us while a territory to aid in constructing Railroads or other internal improvements.

If it be true, therefore, that the Government or Congress think we are able to, and should take care of ourselves, and, for that reason, withhold the ordinary funds for supporting our judicial system, and perhaps hereafter our legislative appropriation, our future prospects would be greatly promoted by an early State organization.

While a Territory we have no credit as a Government, if such credit should be desirable to develop our resources ; as a State, we may command such means as may be deemed indispensable to our welfare, especially as our population and wealth are ample to justify entire confidence abroad.

It is to be hoped that during the term of the incoming National Administration, Congress will provide means for a Railroad to the Pacific ; and in that event it is of the highest importance to the North-West, and particularly to Minnesota, that she should be a State, and be fully represented and heard in both branches of Congress. If this great project should be acted upon during the present session, Minnesota could not be heard in one branch of Congress, and would be without a vote in the other. There is no great interest in which Minnesota has so heavy a stake to be won or lost, as in the Pacific Railroad. It may be constructed so as to make us one of the wealthiest States in the Union, and it may be so directed as to make us a mere feeder. If our interest is properly guarded in Congress, our best market for our vast lumbering interest will be in supplying the rich prairie farmers in the West with all their building, fencing material and fuel.

A Pacific Railroad will be a road to India. It will bring us in contact with six hundred millions of people, with a portion of whom we will ultimately open a trade, receiving their commodities, and supplying them with beef, pork, corn, grain, and breadstuffs of every kind. Then, the millions of wealth that has for ages doubled Cape Horn, will pass through the centre of the continent by

land from the Atlantic to the Pacific, and this will be not only the American, but also the European channel of trade between the two oceans. It requires no great effort of the imagination to discover how readily European commerce and travel would take this route, by which they can reach the Pacific in three thousand miles from Boston or New York, while they now have to sail near thirty thousand to reach the same points.

In looking over the ground which promises the most hopeful results to this region of the continent, the conviction is forced upon my mind that a united and vigorous effort should be made for a Northern route through our future State as the surest road to greatness and power. And if we only prove true to ourselves in the effort to be successful, this National highway, stretching from ocean to ocean, will pass over our rich soil, and fill it with millions of wealth and all the incidental elements of prosperity and happiness.

Therefore, before this prize is lost to us by the energy and influence of rival routes, let us put forth all the political energy we possess to get into a position where we may have "blows to give as well as to take." In our present position, we are helpless in all political struggles, we are now at the mercy of public men for good or evil.

It is therefore my opinion, that the speediest action for a State government, consistent with other interests, should be taken. To this end, I would suggest that at an early day in the session, you pass a joint resolution recommending a Convention to form a Constitution. An act should also be passed, providing for a census to be taken in March or April, the returns to be made to the Governor by the first of May, and direct him to issue his proclamation for an election of Delegates to be apportioned according to the ratio of population you may prescribe—certificates of election to be given as at present to members of the Legislature. The Convention may be authorized to assemble in July. Then provide for submitting the Constitution to the people for ratification at the annual October election, and if it shall then be ratified by them, that it be presented to Congress in the December following.

It is highly important to the permanent interest of our future State that you take this initiative step, instead of waiting for Congress to do so for you, as, in the state of political feeling in the present Congress, certain embarrassments may be thrown around our action which might trammel our own views in a very material manner.

But should Congress take any action in the matter during their present session, by giving their assent to the formation of a State government, the steps suggested for you to take will still remain the same, and the necessity for your action will not be changed in the least.

The course here indicated for you to pursue is not without precedent and high authority.

But if it should be your pleasure to adopt any other mode of accomplishing the same end, it will meet my cordial approbation.

There are now fifteen members of the Council and thirty-nine members of the House of Representatives, making in all, fifty-four, which number should probably be increased to ninety or one hun-

dred, in the Constitutional Convention. It will also be necessary to provide for their compensation.

It is, perhaps, desirable that I should briefly recapitulate the history of some of the new States admitted into the Union, the time, and with what population—to serve as a guide in your deliberations on this State question. And first of the Northwestern States.

Indiana, by authority, took the initiatory steps for a State on the 19th of April, 1816; held the Convention in June, and was admitted in December of the same year, with a population of from eighty to one hundred thousand.

Illinois was formed into a territory February 3rd, 1809, and admitted into the Union December 3rd, 1818, with a population of less than fifty thousand.

Michigan was admitted into the Union on the 26th of January, 1837, with a population of about seventy-five or eighty thousand.

The territory now comprised within the State of Iowa, was a part of the Missouri Territory, from 1804 to 1812, and after that was placed successively under the jurisdiction of Michigan and Wisconsin Territories. On the 12th of June, 1838, it was erected into a Territorial Government called Iowa, in which was included all that portion of Minnesota lying west of the Mississippi river. In 1844, it asked admission into the Union as a State, with a population of eighty-one thousand nine hundred and twenty-one, and Congress passed a law, approved March 3rd, 1845, for that purpose, which, however, altered its boundaries, and was, in consequence, not accepted. By the Act of 4th of August, 1846, terms were agreed upon, and it was admitted into the Union on the 28th December, of the same year, with a population of something over one hundred thousand.

Wisconsin was erected into a Territory on the 4th of July, 1836, and admitted into the Union May 29th, 1848, (after the first Constitution had been rejected by the people) with a population of over two hundred and ten thousand.

Missouri first proposed a State Government in 1817, but, owing to the vexed question of slavery creating so much dissension between the Northern and Southern States, was not admitted into the Union until 1821, when it contained a population of sixty-six thousand five hundred and eighty-six.

Arkansas was admitted into the Union on the 15th of June, 1836, with a population of about fifty-five thousand.

Florida was admitted March 3rd, 1845, with a population of about sixty thousand, although a Constitution had been formed in 1838.

It may become necessary to anticipate the ratification of the new Constitution by the people, and provide for the election of all the State officers next fall, so that the Territorial officers may then surrender their charges into the hands of those elected by the people.

It may be, and probably is, necessary to notice an objection which has been heretofore, and may now be urged against immediate action, to wit:—the absence of Congressional authority. It has been settled by the definitive action of both branches of Congress, that their authority is not a necessary pre-requisite to authorize a Territory to form a State Government, nor indeed, is the authority of the Territorial Legislature itself, positively necessary

to enable the people to hold a Convention, form a Constitution, and ask admission into the Union, although some distinguished statesmen, always held that Legislative or Congressional authority was absolutely necessary to divest it of a revolutionary character. This doctrine, however, has been emphatically denied by the action of Congress, and by Mr. Benton, Mr. Buchanan, President Jackson, Mr. Strange, Mr. King, Mr. Niles, and most politicians of the North at the present day.

For a statement of our financial condition I refer you to the reports of the Auditor and Treasurer.

It is again urged upon you to make some change in your revenue system and laws, both in the manner of collecting taxes, and the mode of assessment. The checks necessary to detect fraud and defalcations do not exist in our laws; the facilities for avoiding the penalties our law inflicts are very numerous, and it would seem from the action of some that they were fully aware of the fact. These evidences of official negligence are not seriously felt yet, but the time is coming when our people will have to suffer for the example set by some of your County officers.

I deem it very desirable that you should look to the small details of the public service if you would secure a faithful administration of affairs. It is almost impossible to get the public sufficiently aroused to give their attention to the detail of State and County matters, and especially in our Territory, for the reason that every one is so much engaged in business as to seem to care for nothing beyond the immediate objects in view. While capital and population continue coming, the speculative enterprises of our people will continue, and but few will turn aside to correct or reform the abuses of the law, or bring to punishment the delinquent public servant. These things, to most of our people, are secondary considerations, if they are even entitled to so high a rank.

I have heretofore called the attention of the Legislature to the necessity of amending the revenue laws, especially as to the manner of levying, assessing and collecting the taxes, their disbursement, and the accountability of the various officers. I again renew my former recommendation on the subject.

I am not prepared to inform you what will be the result of the suit instituted by the United States against the Minnesota and Northwestern Railroad Company to test the validity of the Act of Congress repealing the Act making a grant of lands to the Territory to aid in constructing a road from the Iowa line from a point between Ranges (9) nine and (17) seventeen, thence by way of Saint Paul to Lake Superior. The first suit, or rather the writ of error, has been dismissed by the Supreme Court of the United States, and hence the Company are remediless unless they obtain the consent of the Government to bring a new suit. I learn that hopes are entertained by the attorneys of the Company that such consent may be ultimately given. But at present I know of no action necessary to be taken by you.

Many think we are so situated that we cannot attempt any internal improvements without aid from the National Government in the way of a grant of lands. It is believed, however, that Railroads can be built through almost any part of the Territory by individual enterprise, if the proper efforts are made. Let a company be organized under a proper charter, and books be opened for stock

subscriptions in money or land on the proposed route. An amount of land at its present appraised value may be subscribed as stock equal at least to alternate sections for three miles on each side of the road, which will be ample security upon which to obtain loans to an amount sufficient to build the road. But I am assured that men of ample capital can be induced to take hold of a work on such a basis and complete it promptly. It does not require any very great sagacity to see that, as soon as the road is commenced, every acre of land thus subscribed as stock, and all adjacent lands will double and even more than quadruple in value. If even within six miles of any proposed road, especially if it be one running East and West, there could be obtained a stock subscription in land, at the present comparatively cheap rates, of one thousand acres, making in all two thousand acres per mile, it would be sufficient to build the road, supposing the cost per mile to be \$20,000, which is deemed ample in this level region of the west. It is but reasonable to believe that as much can be realized here as there has been out of the lands granted to the Illinois Central Railroad, say seventeen dollars per acre, which would give \$34,000 per mile, supposing the stock equal to two thousand acres per mile. It is believed that the lands subscribed as stock can be had at an average of five or six dollars per acre, and perhaps less, when the owners are conscious that their remaining lands will more than double in value, and every product raised will find a market almost at the door at increased rates. This is but a glance at a plan for building Railroads in Minnesota without government aid.

Some progress has been made in preparations for constructing the proposed Railroad between Saint Paul and Saint Anthony, and to connect ultimately at the St. Croix, with the Chicago, Fond du Lac and Saint Paul Railroad. The latter company, I am informed, design to push forward to completion at as early a day as practicable, their road from the St. Croix to Saint Paul.

Stock has been subscribed to the amount of three hundred thousand dollars, as I am informed, for the Transit Railroad from Winona to Saint Peter on the Minnesota River, and strong hopes are entertained by the company that some aid will be obtained from the Government.

It affords me pleasure to inform you that a contract has been entered into by the Regents, for the construction of the new University edifice, which for architectural beauty and symmetrical proportions, when finished, will not be surpassed in the West.

The cause of education has by no means been neglected in the midst of the strife for wealth and speculation, but on the contrary, common schools have been supported in almost every village in the Territory; Seminaries and Colleges have been erected and are now in operation in several parts of the country, each in a most flourishing condition. The Superintendent of Common Schools has taken great pains to infuse new life and excite a renewed interest in every branch of education, so far as it came under his jurisdiction or control. His able and interesting report will be laid before you, to which I respectfully refer for further information on the subject.

It is earnestly recommended that before you pass charters for any purpose whatever, you will carefully scrutinise the powers and privileges to be conferred upon capital. Combined wealth has or-

dinarily more than its share of influence and power, and when additional facilities are given it, they should be scrupulously guarded so as to prevent them from becoming instruments of wrong and oppression instead of promoting the public weal.

One of the serious obstacles to the rapid development of the resources of some of the new States, has been the numerous chartered monopolies which are now hanging on their prosperity. These monopolies may not seem to threaten our prosperity at present, or for some time to come, but in a few years they may be galvanized into life and used by capital for purposes detrimental to the interest of the people. There are abundant evils in the corporations heretofore chartered, and we may all feel thankful if they do not some day rise up in judgment against those who passed and approved them.

Corporations are sometimes necessary to combine capital for the development of our country's resources, when without them these sources of wealth might lie dormant for ages. Yet we are all but too well aware that, in every such case, the people give up what ever exclusive privileges these corporations acquire. It is a lamentable fact that the West is fast becoming the theatre for corporations and exclusive grants and privileges to the capitalists of the East and North, under and by which they are to branch out in their various fields of speculation.

I would not feel that I had fully discharged my duty in giving information of the condition of the Territory, were I to fail to call your attention to the vast amount of paper currency which has been sent into the West, and particularly to Minnesota, for circulation during the past year. Situated as we are, beyond the reach of a telegraphic communication with the States in which all this paper currency is issued, with irregular mails, our people are in imminent danger of being imposed upon by such funds.

It is by no means an easy task to devise a remedy, nor can one that will prove effectual probably be found until we become a State. But in my judgment, the first step to be taken by the Legislature is, to pass an act prohibiting the circulation of any paper currency of a less denomination than five dollars. It is believed that this will tend to increase the circulation of gold and silver, and keep out bills of the denomination of one, two, three and four dollars. This subject need not be elaborated to show its importance or the salutary effects which must soon follow the enactment of such a law. It is only necessary to say that small notes generally find their way into the hands of the poor, or those least able to bear the loss which might be caused by the failure of a Bank, or the partial depreciation of the currency. This portion of our people are less able to judge of its character, and have fewer facilities for detecting imposition. They are, therefore, much more liable to be imposed upon, are the very last to learn when a Bank fails, and consequently, should be the first to be protected by the laws of the country. We have no telegraph to announce to us this evening what took place this morning in New York or Boston, and this is another reason why the law should try at least to protect the people of the country against the worthless and depreciated currency that is constantly finding its way to this section of the Union.

It is the opinion of the observing and better informed portion of

our people, that the main cause of our unexampled growth has been the facilities for actual settlement on the public lands, and their purchase through the right of pre-emption. This has been, and is understood to be, the policy of the present accomplished Commissioner of the General Land Office. Should you, therefore, desire to give cheap homes to the homeless, and fill the Territory and future State, with an honest, industrious population of farmers, this policy should be steadily maintained. Let us adopt this noble policy, and insist upon the Government's giving cheap land to the landless, and cheap homes to the homeless, at least, in Minnesota, and we will build up a populous and powerful State, that will bring us permanent wealth, permanent prosperity, permanent honors and permanent influence at home and abroad, with permanent power as a State. Let us have no more public land sales, except to actual settlers, until the land shall have been in the market without a settler for a few years, and then we will be able to notify the world that homes are to be had in Minnesota at one dollar and twenty-five cents per acre. This will build up all branches of trade and commerce; the merchant will have more customers; the mechanic, more employment; the laborer, more permanent and steady work; the farmer, more produce to sell, and more to buy that of others; and this policy will keep a steady home market for every product of industry for many years to come.

It is, therefore, especially recommended that a joint resolution be passed, enunciating this policy, and urging its adoption by our Government so far as Minnesota is concerned, and that it be forwarded to the Heads of the proper Departments, who will, most probably adopt and follow your recommendation. Then, in ten years or less, we shall have a million souls in Minnesota rejoicing in happy homes and permanent comfort.

In taking a retrospect of the past history, growth, and improvement of Minnesota, we cherish the hope that a great future is before us. Although we are yet too young to have Railroads completed, yet, a few years must bring with them a Railroad connection with Chicago, by various routes; soon such roads are to reach the Mississippi River at Prairie du Chien, La Crosse, Winona, Point Prescott, and the St. Croix at Hudson, Stillwater, and the Falls; soon a connection will be made with Lake Superior, Crow Wing, and all the intermediate points to St. Anthony, Minneapolis, and St. Paul; soon Telegraphic wires will be erected to various parts of Minnesota, putting us in daily communication with the National Capitol, the great marts of trade, and even with England and the Continent of Europe; soon we shall see slack water navigation from St. Anthony to Pokegoma Falls and one hundred miles on the Crow Wing, each furnishing unsurpassed water power for propelling any amount of machinery, and opening up a commerce unsurpassed in the North-West; soon Railroads will connect Lake Superior and the Red River of the North; soon slack water navigation will be made on the Minnesota River for three hundred and fifty miles; soon Railroads will connect the Missouri and Minnesota Rivers with the Mississippi at three or four points, each and all of these commercial chains bringing to light new sources of wealth, and bearing off the products of the soil to the various parts of the world.

Our country is peculiarly adapted to the construction of all

these improvements, and they will be demanded by the wants of the people, and finished, long before the skeptical conservatism of the citizens of the Eastern, Northern and Southern States shall have done wondering at the unparalleled progress of the West.

Our relations to the National Government are yet such as to prevent us from taking part in the questions of public policy which have so deeply agitated the public mind. But we have cause to congratulate ourselves upon the conservative judgment of the American people, on the only question that has ever seriously threatened the integrity of the Union. The experienced and distinguished Statesman who has been called to preside over the Nation for the next four years, has inspired new hope and confidence in the perpetuity of our institutions.

It will be my pleasure to co-operate with you in all measures necessary to promote the happiness and prosperity of our Territory.

In all my official conduct and relations to the Territory, it has been my aim and object, honestly, faithfully, and impartially, to promote the welfare of the whole people, nor shall I tire in thus discharging my duty, until my connection with them shall end, and in whatever circumstances I may be placed, I shall ever desire and hope for the general good and permanent prosperity of Minnesota. And when my present official relations to her shall cease, I expect to retire to private life, and in an humble way help to bear her on to greatness, wealth, and distinction—her certain and inevitable destiny.

Mr. Gere moved that the Convention now proceed to an election of Territorial Printer.

Mr. Setzer moved a call of the Convention.

The Clerk reported all the members present.

The question then recurring upon the motion of **Mr. Gere**, which was adopted.

Mr. Gere nominated E. S. Goodrich.

Mr. Baasen nominated Jas. C. Dow.

Mr. Branch nominated Owens & Moore.

Mr. Rolette nominated T. M. Newson.

Mr. Whitlock nominated George H. Phillips.

Mr. Murray nominated R. W. Hamilton.

Mr. Troll nominated John W. Tenvord.

The Convention then proceeded to ballot for Territorial Printer with the following result:

Whole number of votes cast	- - - - -	53
Necessary to a choice	- - - - -	27
Owens & Moore received	- - - - -	26
E. S. Goodrich received	- - - - -	27

Messrs. Adams, Branch, Berry, Case, Chase, Foster, Howell, Hetchman, Hayden, King, Keith, Noble, Plumer, Ramsey, Stannard, Smith, Thompson, Thomas, Mr. Speaker, Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson and Wales, voted for Owens & Moore.

Messrs. Abbe, L. M. Brown, Barrows, Baasen, Black, Costello, Chamblin, Grant, Greeley, Gere, Kingsbury, McVay, Murray, Payne, Sweney, Troll, Whitlock, Wilson, Bailly, Freeborn, Lowry, Rolette, Setzer, Stone, Tillotson and Mr. President, voted for E. S. Goodrich.

Mr. E. S. Goodrich having received a majority of all the votes cast was declared duly elected Territorial Printer.

Mr. Murray moved that the Convention now proceed to an election of Territorial Binder.

Which was agreed to.

Mr. King nominated W. A. Hotchkiss.

Mr. Black nominated W. H. Abbott.

The Convention then proceeded to ballot for Territorial Binder, with the following result:

Whole number of votes cast	-	-	-	-	-	53
Necessary to a choice	-	-	-	-	-	27
Mr. Hotchkiss received	-	-	-	-	-	26
Mr. Abbott received	-	-	-	-	-	27

Messrs. Adams, Branch, Berry, Case, Chase, Foster, Howell, Hetchman, Hayden, King, Keith, Noble, Plumer, Ramsey, Stannard, Smith, Thompson, Thomas, Mr. Speaker, Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson, and Wales, voted for Mr. Hotchkiss.

Messrs. Abbe, L. M. Brown, Barrows, Baasen, Black, Costello, Chamblin, Grant, Greeley, Gere, Kingsbury, McVay, Murray, Payne, Swency, Troll, Wilkie, Whitlock, Wilson, Bailly, Freeborn, Lowry, Rolette, Setzer, Stone, Tillotson, and Mr. President, voted for Mr. Abbott.

Mr. Abbott having received a majority of all the votes cast, was declared duly elected Territorial Binder.

Mr. Chamblin moved that the Convention now proceed to an election of Surveyor General for the First District.

The motion was carried in the affirmative.

Mr. Whitlock nominated Mr. A. Stinson.

The Convention then proceeded to ballot for Surveyor General, for the First District, with the following result:

Whole number of votes cast,	-	-	-	-	-	48
Necessary for a choice,	-	-	-	-	-	25
Mr. Stinson received	-	-	-	-	-	45
Mr. Wheeling received	-	-	-	-	-	1
Mr. Pierce received	-	-	-	-	-	1

Mr. Adams voted for Mr. Wheeling.

Messrs. Abbe, Branch, L. M. Brown, Berry, Barrows, Baasen, Black, Costello, Chase, Chamblin, Foster, Grant, Greeley, Gere, Howell, Hetchman, Keith, McVay, Murray, Noble, Plumer, Payne, Ramsey, Stannard, Smith, Swency, Thompson, Thomas, Wilkie, Whitlock, Wilson, Mr. Speaker, Bailly, Balcombe, Bassett, Dooley, Freeborn, Lowry, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President, voted for Mr. Stinson.

Mr. Case voted for Mr. Pierce.

Mr. Stinson having received a majority of all the votes cast, was declared duly elected Surveyor of Logs and Lumber for the First District.

On motion, the Convention then proceeded to ballot for Surveyor General of the Second District.

Mr. Abbe nominated Mr. A. T. Chamblin.

Mr. Plumer nominated G. A. Camp.

Mr. Bailly nominated John Whaley.

Mr. Whitlock nominated R. Chute.

Mr. Rolette nominated W. P. Murray.

_____ nominated F. E. Collins.

The Convention then proceeded to ballot for Surveyor General for Second District, with the following result:

Whole number of votes cast,	-	-	-	-	-	49
Necessary for a choice,	-	-	-	-	-	25
Mr. Camp received,	-	-	-	-	-	32
Mr. Chamblin received,	-	-	-	-	-	1
Mr. Whaley received,	-	-	-	-	-	2
Mr. Collins received,	-	-	-	-	-	14

Messrs. Adams, Abbe, L. M. Brown, Berry, Black, Case, Chase, Foster, Greeley, Howell, Hetchman, Hayden, King, Keith, Plumer, Payne, Stannard, Smith, Thompson, Thomas, Whitlock, Wilson, Mr. Speaker, Balcombe, Bassett, Freeborn, Humphrey, Lowry, Ludden, Stone, Thompson, and Wales, voted for Mr. Camp.

Messrs. Branch, Barrows, Baasen, Costello, Chamblin, Grant, Murray, Ramsey, Sweney, Wilkie, Dooley, Rolette, Tillotson and Mr. President, voted for Mr. Collins.

Mr. Gere voted for Mr. Chamblin.

Messrs. McVay and Bailly, voted for Mr. Whaley.

Mr. G. A. Camp received a majority of all the votes cast, and was declared duly elected Surveyor of Logs and Lumber for the Second District.

Mr. Murray moved, that the Convention adjourn until Friday next, at 2 o'clock, p. m.

Which was lost.

Mr. Smith moved, that the Convention now proceed to the election of Surveyor General for the Third District.

Which was agreed to.

Mr. Freeborn Nominated Mr. Wm. Lauer.

Mr. Balcombe nominated Henry D. Huff.

The Convention then proceeded to ballot for Surveyor General 3d District, with the following result.

Whole number of votes cast,	-	-	-	-	-	38
Necessary for a choice,	-	-	-	-	-	20
Mr. Huff received -	-	-	-	-	-	8
Mr. Lauer received -	-	-	-	-	-	30

Messrs. Adams, Case, Foster, King, Keith, Thompson, Balcombe, and Dooley, voted for Mr. Huff.

Messrs. Abbe, L. M. Brown, Bassen, Black, Costello, Chase, Greeley, Howell, Hetchman, McVay, Murray, Plumer, Payne, Stannard, Smith, Sweney, Thomas, Whitlock, Wilson, Mr. Speaker, Bailly, Bassett, Freeborn, Humphrey, Ludden, Setzer, Stone, Tillotson, Wales, and Mr. President, voted for Mr. Lauer.

Mr. Wm. Lauer having received a majority of all the votes cast was declared duly elected Surveyor General for the 3d District.

Mr. Wilson moved, that the Convention declare Mr. Thomas Cathcart, duly elected Surveyor General for the 4th District.

Which motion was carried in the affirmative.

And Mr. Cathcart declared duly elected.

Mr. Murray moved the Convention adjourn to meet on Monday next at 2 o'clock, p. m.

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

Those who voted in the affirmative were,

Messrs. Abbe, L. M. Brown, Baasen, Black, Case, Costello, Chase, Foster, Greeley, Hetchman, Hayden, McVay, Murray, Payne, Stannard, Sweney,

Thompson, Thomas, Whitlock, Wilson, Mr. Speaker, Dooley Freeborn, Setzer, Stone, Tillotson, and Mr. President.

Those who voted in the negative were,
Messrs. Adams, Howell, King, Keith, Plumer, Smith, Balcombe, Bassett and Wales.

So the motion was decided in the affirmative and the Joint Convention then adjourned until Monday next at 2 o'clock, P. M.

The members of the Council then withdrew.

IN COUNCIL.

On motion of Mr. Setzer, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

THURSDAY MORNING JANUARY 15.

The Council met pursuant to adjournment, and was called to order by the President.

The president called upon Mr. Setzer to take the Chair.

Mr. Setzer in the Chair.

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

Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Ludden, Setzer, Tillotson, Wales and Mr. President.

The reading of the Journal of yesterday's proceedings was commenced, and on motion of Mr. Balcombe, the further reading of the Journal was dispensed with.

Mr. Freeborn gave notice, that he would, on to-morrow or some subsequent day, move for leave to introduce a bill to incorporate the town of Red Wing.

Also a bill to incorporate the town of Cannon Falls.

Mr. Tillotson gave notice, that he would on to-morrow or some future day, move for leave to introduce a bill to locate a Territorial Road from Winona, in Winona county, to Elliota, in Fillmore county.

Also a memorial to Congress, to establish a Mail Route from Winona, Winona county, to Elliota, in Fillmore county.

The President announced the following standing Committees of the Council:

Internal Improvements.—Messrs. Freeborn, Tillotson and Stone.

Territorial Affairs.—Messrs. Lowry, Bassett and Humphrey.

Judiciary.—Messrs. Setzer, Ludden and Freeborn.

Agricultural and Manufactures.—Messrs. Stone, Dooley and Bailly.

Territorial Expenditures.—Messrs. Balcombe, Humphrey and Tillotson.

Legislative Expenditures.—Messrs. Tillotson, Lowry and Stone.

Militia.—Messrs. Dooley, Tillotson and Ludden.

Schools.—Messrs. Wales, Freeborn and Thompson.

Incorporations.—Messrs. Ludden, Setzer and Balcombe.

Territorial Roads.—Messrs. Humphrey, Bassett and Lowry.

Public Buildings.—Messrs. Bailly, Rolette and Tillotson.

Printing.—Messrs. Bassett, Stone and Dooley.

Engrossed Bills.—Messrs. Thompson, Setzer and Tillotson.

Enrolled Bills.—Messrs. Rolette, Wales and Freeborn.

On motion of Mr. Balcombe, the Council resolved itself into a Committee of the Whole, to take into consideration the Governor's Message, Mr. Balcombe in the Chair.

After some time being spent therein, the Committee rose and reported the Message back to the Council with the following recommendations:

1st. That so much of the Governor's Message as refers to the formation of a State Government, be referred to a select Committee.

2d. That so much as treats of the Revenue, be referred to the Committee on Territorial Affairs.

3d. That so much as relates to Railroads, be referred to the Committee on Incorporations.

4th. That so much as relates to the Public Lands, be referred to the Committee on Territorial Affairs.

5th. That so much as relates to circulating currency in the Territory, be referred to the Committee on Judiciary.

6. That so much as relates to the official conduct and relations of the Governor to the Territory, be referred to the Committee on Judiciary.

On motion of Mr. Bassett, the several recommendations reported from the Committee of the Whole were adopted, and the several portions of the Governor's Message were so referred.

The Chair appointed Messrs. Freeborn, Ludden and Wales, a select Committee on so much of the Governor's Message as relates to the formation of a State Government.

On motion of Mr. Balcombe, the Council took from the table, and resumed the consideration of the following resolution:

Resolved, That no bills of a private nature shall be introduced into the Council after the 10th day of February next, unless by unanimous consent.

The question being put upon the passage of the resolution, it was decided in the affirmative.

And the resolution was adopted.

Agreeably to previous notice, and by leave, Mr. Bassett introduced a bill entitled An Act to Incorporate the St. Anthony and North Minneapolis Bridge Company.

On motion of Mr. Ludden, the rules were suspended and the bill read a first and second time by its title.

Agreeably to previous notice, and by leave, Mr. Wales introduced a bill entitled an Act to Legalize the Organization of the St. Anthony Falls Water Power Company.

On motion of Mr. Freeborn, the rules were suspended, and said bill was read a first and second time by its title.

Agreeably to previous notice, and by leave, Mr. Setzer introduced a joint resolution, appropriating out of the Territorial Treasury a sufficient sum to furnish newspapers to the members of the Legislative Assembly, which was read a first and second time.

Mr. Thompson offered the following resolution:

Resolved, That 500 copies of the Governor's Message, be printed in the

English, 300 in the German, and 200 in the Swedish languages, for the use of the Council.

Debate arising thereon, the Chair decided the resolution to lay over under the rules.

Mr. Thompson moved, that the Rules be suspended, and the resolution be considered.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Ludden and Wales—6.

Those who voted in the negative were,

Messrs. Bailly, Freeborn, Setzer, Stone and Tillotson—5.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused to suspend the Rules.

So the resolution laid over.

On motion of Mr. Freeborn, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

FRIDAY MORNING, JANUARY 16TH, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

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

Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Setzer, Stone, Tillotson, and Mr. President.

The Journal of yesterday's proceedings was read and approved.

According to previous notice, Mr. Setzer introduced a Bill, entitled "An Act to Incorporate the Stillwater Bridge Company."

On motion of Mr. Setzer, the Rules were suspended, and the Bill read a first and second time by its title.

Mr. Balcombe gave notice, that on to-morrow or some future day, he would move for leave to introduce a Bill to amend the City Charter of St. Paul.

On motion of Mr. Setzer, the Council resumed No. 1 C. F., a Bill, entitled "An Act to incorporate the St. Anthony and North Minneapolis Bridge Company."

On motion of Mr. Setzer, said Bill was referred to the Committee on Incorporations.

On motion of Mr. Setzer, the Council resumed No. 2 C. F., a Bill, entitled "An Act to legalize the organization of the St. Anthony Falls Water Power Company."

On motion of Mr. Setzer, said Bill was referred to the Committee on the Judiciary.

On motion of Mr. Setzer, Council resumed the consideration of the Joint Resolution, appropriating funds out of the Territorial Treasury, to defray

the expense of furnishing Newspapers to the members of the Legislative Assembly.

On motion of Mr. Setzer, said Resolution was referred to the Committee of the Whole.

The Council resolved itself into a Committee of the Whole for the purpose of considering the said Resolution. Mr. Balcombe in the Chair.

After some time spent therein, the Committee rose, and the Chairman reported the said Resolution back to the Council without amendment.

On motion of Mr. Setzer, the report was accepted, and the Joint Resolution was ordered to be Engrossed, and read a third time.

Mr. Freeborn, by leave, presented the following Report:

To the Honorable the Legislative Assembly of Minnesota Territory:

The undersigned, the Surveyor General of Logs and Lumber for the Third District of said Territory, begs leave to report, that he has scaled Logs as follows:

In the Lake Pepin Boom,	-	-	-	20,646,293 feet.
In Lake Pepin, and at other points,	-	-	-	8,107,503 "
Total,				28,753,796 "

That he has measured no Sawed Lumber.

All of which is respectfully submitted.

WM. LAUVER,

Surveyor General, Third District, M. T.

Dated Red Wing, January 12th, 1857.

On motion of Mr. Freeborn, the Council resumed the consideration of the Resolution providing for the printing of the Governor's Message for the use of the Council.

Mr. Setzer moved a call of the Council.

The roll being called, Messrs. Bailly, Lowry, Ludden, Rolette and Thompson were absent.

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

Upon this question, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Tillotson, Wales and Mr. President—8.

Those who voted in the negative were,

Messrs. Setzer and Stone—2.

So the affirmative of the question prevailed, and further proceedings under the call of the Council were dispensed with.

The question recurring on agreeing to said resolution, and being put, it was decided in the affirmative, and the resolution adopted.

On motion of Mr. Freeborn,

Resolved, That a Committee of two be appointed by the Council, to join a similar Committee on the part of the House, with instructions to ascertain whether or not, the printing of the Governor's Message in the several languages indicated in the Resolution, can be obtained, and if so, to agree upon an Translator or Translators to translate the same.

The Chair appointed Messrs. Freeborn and Setzer as such Committee on the part of the Council.

Ordered, that the Secretary inform the House thereof.

On motion of Mr. Setzer, the vote adopting the resolution in relation to rinting the Governor's Message was reconsidered.

The question recurring upon agreeing to the resolution.

On motion of Mr. Wales, the resolution was amended so as to provide for printing two hundred copies in the French language.

On motion of Mr. Setzer, the resolution was further amended, by striking out the words "five hundred," and inserting instead thereof the words "one thousand."

The resolution as amended was then adopted.

And is as follows:

Resolved, That one thousand copies of the Governor's Message be printed in the English, three hundred in the German, two hundred in the French, and two hundred in the Swedish languages, for the use of the Council.

On motion of Mr. Wales, the Council adjourned until Monday next, at 2 o'clock, P. M.

J. B. BRISBIN, President.

L. SMITH, Secretary-

MONDAY AFTERNOON, JANUARY 19, 1857.

The Council met-pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

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

Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Thompson, Tillotson, Wales and Mr. President.

The Journal of Friday's proceedings was read, amended and approved.

Mr. Setzer, by leave, presented the following communication, in writing, from the Incidental Printer of the Council:

SAINT PAUL, January 19, 1857.

To the Honorable the Council of the Territory of Minnesota:

The undersigned, Incidental Printer of your body, begs leave to suggest that according to the instructions issued from the Treasury Department of the United States, the Journal of your proceedings is required to be printed in book form, and compensation given therefor only, and that, by reason thereof, the Incidental Printer is unable to obtain pay for the labor bestowed upon the daily slips now furnished.

The undersigned therefore requests that he may be relieved from the printing of the daily slips, or that provision may be made by law for the payment of the composition, press work, paper, &c., used and bestowed upon such daily slips, out of the Territorial Treasury.

Respectfully,

EARLE S. GOODRICH,
Incidental Printer to the Council.

On motion of Mr. Setzer, the communication was referred to the Committee on Printing.

Mr. Tillotson, by leave, introduced No. 4 C. F., a Bill to provide for laying out a Territorial Road from Winona in Winona County, to Elliot, in Fillmore County.

On motion of Mr. Tillotson, the rules were suspended and the Bill read a first and second time by its title.

Mr. Tillotson also introduced No. 1 C. F. a Memorial of the Legislative Assembly of the Territory of Minnesota to the Congress of the United States.

On motion of Mr. Tillotson, the Rules were suspended and the Memorial read a first and second time by its title.

Mr. Setzer gave notice of a motion for leave to introduce a Joint Resolution for the relief of Combs & Brother.

Mr. Bassett gave notice of a motion for leave to introduce a Bill to incorporate the Mississippi and Rum River Boom Company.

Mr. Bailly gave notice that on to-morrow or some future day he would move for leave to introduce a Bill authorising the construction of a Railroad from Hastings via. Faribault to some point on the Minnesota River, at or near St. Pete.

Mr. Wales gave notice, that on to-morrow or some future day, he would move for leave to introduce a Bill entitled "An Act to incorporate the Glencoe Collegiate Institute."

On motion of Mr. Rolette, the Rules were suspended, and he had leave to introduce Bill No. 5 C. F., entitled "An Act to incorporate Karns City."

On motion of Mr. Rolette, the Rules were suspended, and said Bill was read a first and second time.

Mr. Thompson, from the Committee on Engrossed Bills, reported that they had carefully examined, and found correctly engrossed C. F. No. 1 Joint Resolution, appropriating funds out of the Territorial Treasury to defray the expense of Newspapers for the members of the Legislative Assembly.

Said resolution was then read a third time.

Mr. Bassett moved to amend the resolution, by inserting after the word "members," the words "and officers."

Mr. Balcombe objected to the amendment.

The Chair ruled, that as objection was made the amendment was not in order.

The question recurring upon the passage of the resolution;

And the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bassett, Dooley, Freeborn, Humphrey, Rolette, Setzer, Stone, Thompson, Wales, and Mr. President.—10.

Those who voted in the negative were,

Messrs. Balcombe and Tillotson.—2.

So the affirmative of the question prevailed, and the resolution passed.

On motion of Mr. Setzer, the Council resumed the consideration of the Bill No. 3, C. F. entitled "An Act to incorporate the Stillwater Bridge Company."

On motion of Mr. Setzer, said Bill was referred to the Committee on Incorporations.

Mr. Balcombe moved that the Council repair to the Hall of the House of Representatives, for the purpose of meeting the House in Convention, agreeably to adjournment on Wednesday last.

Mr. Setzer raised a point of order, on the ground that the House had given no notice to the Council that they were ready to receive them.

The Chair ruled, that inasmuch as the Joint Convention adjourned to

this hour, no notice from the House was necessary, and the motion was in order.

Mr. Setzer appealed from the decision of the Chair.

On this question, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Dooley, Freeborn, Humphrey, Rolette, Stone, Thompson, Tillotson, and Wales—9.

Those who voted in the negative were,
Messrs. Bailly, Bassett, and Setzer—3.

So the affirmative of the question prevailed and the decision of the Chair was sustained.

The question recurring on the motion of Mr. Balcombe, and being put, it was decided in the affirmative, and the Council repaired to the Hall of the House of Representatives.

JOURNAL OF THE JOINT CONVENTION.

The Joint Convention of the two Houses met pursuant to adjournment, and was called to order by the Speaker.

Mr. Murray moved that the Convention now proceed to the election of four Regents of the University of Minnesota, to be balloted for singly.

The motion was adopted.

Mr. Rolette nominated A. G. Fuller.

Mr. McVay nominated H. H. Sibley.

Mr. Whitlock nominated J. M. Winslow.

Mr. Abbe nominated A. T. C. Pierson.

The Convention then proceeded to ballot for Regent as follows:

Messrs. Bailly, Humphrey, Rolette, Setzer, Stone, Abbe, Barrows, Baasen, Costello, Grant, Gere, Kingsbury, McVay, and Wilkie, voted for Mr. Fuller.

Messrs. Tillotson and L. M. Brown, voted for Mr. Sibley.

Messrs. Balcombe, Bassett, Dooley, Freeborn, Thompson, Wales, Mr. President, Adams, Branch, Black, Chase, Chamblin, Foster, Howell, Hetchman, Hayden, King, Keith, Murray, Noble, Plumer, Payne, Ramsey, Stannard, Smith, Sweney, Thompson, Thomas, Whitlock, Wilson and Mr. Speaker voted for Mr. Winslow.

Whole number of votes	-	-	-	-	-	-	49
Necessary for a choice,	-	-	-	-	-	-	25
Mr. Fuller received	-	-	-	-	-	14 votes,	
Mr. Sibley received	-	-	-	-	-	2 votes,	
Mr. Winslow received	-	-	-	-	-	33 votes.	

Mr. Winslow having received a majority of all the votes cast, was declared duly elected one of the Regents of the University of Minnesota.

Mr. Murray nominated Alexander Ramsey.

Mr. Abbe nominated A. G. Fuller.

Mr. Smith nominated H. H. Sibley.

Mr. Wilson nominated S. B. Lowry.

Mr. Black nominated A. Van Vorhes.

Mr. Costello nominated J. C. Ramsey.

The Convention then proceeded to ballot for Regent as follows :

Messrs. Bailly, Balcombe, Bassett, Dooley, Thompson, Tillotson, Wales, Adams, Branch, Black, Case, Chase, Foster, Howell, Hetchman, King,

Keith, Plumer, Ramsey, Stannard, Smith, Whitlock, Wilson, and Speaker, voted for Mr. Sibley. Thomas,

Messrs. Freeborn, Humphrey, Rolette, Setzer, Stone, President, Abbe, L. M. Brown, Berry, Barrows, Chamblin, Grant, Gere, Kingsbury, McVay, Payne, Swency, and Wilkie, voted for Fuller.

Messrs. Murray and Noble voted for Alexander Ramsey.

Mr. Costello voted for J. C. Ramsey.

Mr. ——— voted for Mr. A. Van Vorhes.

Whole number of votes cast, 49. Necessary for a choice, 25.

Mr. Sibley received 26 votes, Mr. Fuller received 19 votes, Mr. A. Ramsey received 2 votes, Mr. J. C. Ramsey received 1 vote, and Mr. Van Vorhes received 1 vote.

Mr. Sibley having received a majority of all the votes cast was declared duly elected one of the Regents of the Minnesota University.

The Convention then proceeded to ballot for a Regent as follows :

Mr. Abbe nominated S. B. Olmsted.

Mr. Baasen nominated Madison Sweetzer.

Mr. Smith nominated A. Van Vorhes.

Mr. Brown nominated T. J. Galbraith.

Messrs. Bailly, Balcombe, Bassett, Freeborn, Humphrey, Stone, Thompson, Tillotson, Wales, Mr. President, Adams, Branch, Berry, Black, Case, Chase, Chamblin, Foster, Howell, Hetchman, Hayden, King, Keith, McVay, Noble, Plumer Ramsey, Stannard, Smith, Swency, Thompson, Thomas, Whitlock, and Speaker voted for Mr. Van Voorhes.

Messrs. Setzer, Baasen, Grant and Wilkie voted for Mr. Sweetzer.

Messrs. Rolette, Costello and Murray voted for Mr. Fuller.

Messrs. Gere and Kingsbury voted for Mr. Lowry.

Messrs. Dooley and L. M. Brown voted for Mr. Galbraith.

Mr. Abbe voted for S. B. Olmstead.

Mr. Van Voorhes received	- - - - -	35 votes,
Mr. Sweetzer	" - - - - -	4 "
Mr. Fuller	" - - - - -	3 "
Mr. Lowry	" - - - - -	2 "
Mr. Galbraith	" - - - - -	2 "
Mr. Olmstead	" - - - - -	1 vote.

Mr. Van Vorhes having received a majority of all the votes cast was declared duly elected a Regent of the Minnesota University.

The Convention then proceeded to vote for another Regent as follows :

Mr. Thompson nominated St. A. D. Balcombe.

Mr. Rolette nominated A. G. Fuller.

Mr. Whitlock nominated S. B. Olmstead.

Messrs. Bassett, Dooley, Humphrey, Thompson, Tillotson, Wales, Adams, Berry, Black, Case, Chase, Foster, Howell, Hetchman, Hayden, King, Keith, Noble, Plumer, Payne, Stannard, Smith, Thompson, Thomas and Mr. Speaker voted for Mr. Balcombe.

Messrs. Bailly, Freeborn, Rolette, Setzer, Mr. President, Abbe, Branch, L. M. Brown, Barrows, Baasen, Castello, Chamblin, Grant, Gere, Kingsbury, McVay, Murray, Ramsey, Swency, Wilkie and Wilson voted for Mr. Fuller.

Mr. Stone voted for Mr. Lowry.

Mr. Whitlock voted for Mr. Olmstead.

Mr. Balcombe voted for Mr. Chute.

Whole number of votes cast, 49. Necessary for a choice, 25.

Mr. Balcombe received 25 votes ; Mr. Fuller received 21 votes, and Messrs. Howell, Olmstead and Chute each received one vote.

Mr. Balcombe having received a majority of all the votes cast was declared duly elected a Regent of said University.

Mr. Bassett moved that the Convention adjourn, and upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Freeborn, Setzer, Thompson, Tillotson, Wales, Mr. President, Adams, Branch, L. M. Brown, Berry, Barrows, Baasen, Black, Case, Costello, Chase, Chamblin, Grant, Hetchman, Hayden, King, Keith, Kingsbury, Murray, Noble, Payne, Ramsey, Stannard, Smith, Wilkie and Mr. Speaker—35.

Those who voted in the negative were,

Messrs. Bailly, Stone, Abbe, Foster, Gere, Howell, McVay, Plumer, Sweeney, Thompson, Thomas, Whitlock and Wilson—13.

So the Convention adjourned and the Council returned to their Chamber.

IN COUNCIL.

On motion the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

TUESDAY MORNING, JANUARY 20, 1857.

The Council met pursuant to adjournment and was called to order by the President.

Prayer by the Chaplain.

Mr. Balcombe was called to the Chair.

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

Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Rollette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President.

The journal of yesterday's proceedings was read, amended and approved.

Mr. Bassett gave notice that he would on tomorrow or some future day, move for leave to introduce a Bill to incorporate the Falls City Manufacturing Company.

Mr. Setzer gave notice that he would, on tomorrow or some future day, move for leave to introduce a Bill to amend Chapter 40 of the Session Laws of 1856.

Mr. Thompson gave notice that on tomorrow or some future day, he would move for leave to introduce a Bill entitled "An Act to provide for taking the Census of Minnesota Territory, and for other purposes."

Mr. Freeborn gave notice that on tomorrow or some future day, he would move for leave to introduce a Bill to amend Section 9 of Chapter 110 of the laws of 1856.

Also, a Joint Resolution for the relief of Wm. Colville, Jr.

Mr. Rolette gave notice that he would on tomorrow or some future day, move for leave to introduce a Bill to annul the Marriage Contract between James Henry McDougal and Ann McDougal.

Mr. Setzer, agreeably to previous notice and by leave, introduced No. 2 C, F., a Joint Resolution for the relief of Combs & Brother, which was read a first and second time.

Mr. Setzer, from the Committee on Incorporations, reported back to the Council No. 1. C. F., a Bill entitled "An Act to Incorporate the St. Anthony and North Minneapolis Bridge Company," without amendment.

On motion of Mr. Balcombe, the Council resolved itself into a Committee of the Whole for the consideration of No. 1. C. F., a Bill entitled "An Act to Incorporate the Saint Anthony and North Minneapolis Bridge Company."

Mr. Setzer in the Chair.

After some time spent therein the Committee rose. The Chairman reported the Bill back to the Council with amendments, and recommend the bill be passed, provided the amendments were adopted.

On motion of Mr. Setzer, the amendments were adopted.

Mr. Wales by leave, gave notice that he would on tomorrow or some future day, move for leave to introduce a Bill to establish the County of Anoka.

On motion of Mr. Lowry, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

WEDNESDAY MORNING, JANUARY 21, 1857.

The Council met pursuant to adjournment.

The President being absent the Council was called to order by the Secretary.

The roll being called the following members answered to their names : Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Stone, Thompson, and Tillotson.

Mr. Setzer moved the Council adjourn.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows.

Those who voted in the affirmative were,
Messrs. Balcombe, Freeborn, Ludden, Setzer, Stone, and Tillotson—5.

Those who voted in the negative were,
Messrs. Bassett, Dooley, Humphrey, and Thompson—4.

So the affirmative of the question prevailed, and the Council adjourned.

L. SMITH, Secretary.

THURSDAY MORNING JANUARY 22.

The Council met pursuant to adjournment and were called to order by the President.

Prayer by the Chaplain.

The roll being called the following members answered to their names : Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Ludden, Rolette, Setzer, Tillotson, Wales and Mr. President.

Mr. Balcombe in the chair.

Mr. Rolette moved that the Council adjourn.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Ludden, Rolette, Setzer—3.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Stone, Tillotson, Wales, Mr. President—9.

So the negative of the question prevailed and the Council refused to adjourn.

The journal of the proceedings of the Council of yesterday was then read and approved.

Mr. Dooley gave notice that on to-morrow or some subsequent day of the Session, he will ask leave to introduce "A Bill to authorize the running at large of cattle, horses, mules, swine, sheep, and other animals."

Mr. Bassett gave notice that on to-morrow or some subsequent day of the session he will move for leave to introduce a bill to incorporate the Anoka Bridge Company.

Also a bill to incorporate the St. Paul and Falls City Bridge Company.

Also a bill to incorporate the Mississippi River Improvement and Manufacturing Company.

Mr. Freeborn, agreeably to previous notice, and by leave introduced a joint resolution C. F. No. 3, for the relief of W. Colville, jr.

Which was read a first and second time.

Mr. Freeborn, agreeably to previous notice, and by leave introduced Council File No. 6, a bill for An Act to amend an act entitled "An act to grant the right to certain persons to establish and maintain ferries in this Territory," approved March 1st, 1856.

Which bill was read a first and second time.

Mr. Wales, agreeably to previous notice, and by leave introduced C. F. No. 7, a bill entitled "An act to establish the county of Anoka."

On motion of Mr. Wales the rules were suspended and said bill was read a first and second time by its title.

Mr. Stone, agreeably to previous notice, and by leave introduced C. F. No. 8, a bill entitled "An act to incorporate the Winnebago Water Power Company."

On motion of Mr. Stone the rules were suspended and said bill was read a first and second time by its title.

Mr. Bassett, agreeably to previous notice, and by leave introduced C. F. No. 9, a bill entitled "An act to establish a ferry across the Minnesota river at Bloomington."

On motion of Mr. Bassett the rules were suspended and said bill was read a first and second time by its title.

Mr. Bailly, agreeably to previous notice, and by leave introduced C. F.

No. 10, a bill entitled "An act in relation to the County seat of Dakota County.

On motion of Mr. Bailly the rules were suspended and said bill was read a first and second time by its title.

Mr. Rolette, agreeably to previous notice, and by leave introduced C. F. No. 11, a bill entitled "An act to dissolve the marriage contract between James Henry McDougal and Anna McDougal."

On motion of Mr. Rolette,

The rules were suspended and said bill was read a first and second time by its title.

On motion of Mr. Rolette,

The rules were suspended for that purpose and said bill was referred to a select committee.

The Chair appointed Messrs. Rolette, Tillotson and Stone said committee.

Mr. Bassett, from the committee on Printing, to whom was referred the communication of E. S. Goodrich, Incidental Printer of the Council, in relation to the printing of the daily slips of the Council Journal, reported said communication back to the Council without any recommendation.

Mr. Setzer moved that said report be accepted and that hereafter the printing of slips of the journal of the daily proceedings of the Council be dispensed with.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, and Setzer—8.

Those who voted in the negative were,

Messrs. Bailly, Stone, and Wales—3.

So the affirmative of the question prevailed and said motion was adopted by the Council.

Mr. Setzer from the select committee appointed to prepare and report rules for the government of the Council reported the following :

STANDING RULES OF THE COUNCIL.

I. The Council shall choose 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.

II. 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.

III. He shall preserve order and decorum ; may speak to points of order in preference to other members not heard ; and shall decide questions of order, subject to an appeal to the Council by any member.

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

V. 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 doubt, or a division be called, the Council shall decide. Those in the affirmative of the question shall first rise from their seats, and afterward those in the negative.

VI. 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*.

VII. 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.

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

IX. 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.

X. 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.

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

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

2. Resolutions may be offered and considered; notices of leave to introduce bills, memorials, or joint resolutions may be given; and bills, memorials and joint resolutions may be introduced on leave granted.

3. Reports of Committees may be made and considered—

1st, From Standing Committees;

2d, From Select Committees.

4. Messages and other Executive Communications.

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

6. Bills, memorials and joint resolutions from the House of Representatives on their second reading.

7. Bills, memorials and joint resolutions, on their third reading.

8. Bills, memorials and joint resolutions, ready for a third reading.

9. Bills, memorials and joint resolutions, reported by Committee of the Whole.

10. Bills, memorials and joint resolutions, in which a Committee of the Whole has made progress and has leave to sit again.

11. Bills, memorials and joint resolutions not yet considered in Committee of the Whole.

XII. Bills and joint resolutions of a public nature, shall always have the preference of private bills.

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

XIV. 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 is called to order for words spoken in debate, the exceptionable words shall be taken down in writing immediately.

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

XVI. 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.

XVII. Whilst the President is putting any question or addressing the Council, none shall walk out 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 desk, while the ayes and noes are calling, or ballots are counting.

XVIII. 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.

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

XX. 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 he gives his vote upon a call of the ayes and noes. 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.

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

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

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

XXIV. When a question is under debate, no motion shall be received, unless to adjourn, to lie on the table, to commit, for the previous question, to postpone to a day certain, 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.

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

XXVI. The previous question shall be in this form, "Shall the main question be now put ?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the Council to a direct vote upon a motion to commit, if such motion shall have been made, and if this motion does not prevail then upon amendments reported by a committee, if any, then upon pending amendments, and then upon the main question. On a motion for the previous question and prior to the seconding of the same, a call of the Council shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

XXVII. 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 debate or otherwise, without debate.

XXVIII. 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 re-consideration being put and lost, shall not be renewed.

XXIX. 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.

XXX. 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.

XXXI. 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.

XXXII. 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 by a vote of two-thirds of the Council present.

XXXIII. 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 Printing.	On Public Buildings.

XXXIV. 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.

XXXV. 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 is taken.

XXXVI. 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.

XXXVII. Every bill, memorial, 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.

XXXVIII. 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.

XXXIX. All bills, memorials 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.

XL. Fifty copies of every bill, joint resolution or memorial, shall be printed after the second reading by the Secretary, unless otherwise ordered.

XLI. No more than three bills originating in the Council shall be committed to the same Committee of the Whole ; and such bills shall be analogous in their nature, which analogy shall be determined by the President.

XLII. The final question after the consideration in Committee of the Whole of a bill or other paper originating in the Council, and requiring three readings previous to its 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 ?"

XLIII. No amendment 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.

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

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

XLVI. 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 re-consider 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 re-consider 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.

XLVII. 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.

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

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

L. It shall be in order for the Committee on Enrollment to report at any time.

LI. A Secretary, Assistant Secretary, Enrolling Clerk, Sergeant-at-Arms, Messenger and Fireman shall be elected, and hold their offices during the pleasure of the Council. The Secretary shall keep a correct Journal of the proceedings of the Council, and shall perform such other duties as shall be assigned to him as such Secretary. He shall permit no journal, records, accounts, or papers to be taken from the table or out of his custody, other than in the regular mode of business; and if any papers in his charge shall be missing, he shall report the fact to the President, that inquiry may be made. He shall superintend the recording of the journal of proceedings, the engrossing, enrolling, transcribing, and copying of bills and resolutions, and generally perform the duties of Secretary, under the direction of the President. These officers shall severally take an oath truly and faithfully to discharge their respective duties of office.

LII. 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.

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

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

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

LVI. The Governor, Secretary of the Territory, Judges of the Supreme Court, Delegates in Congress, Members of Congress, of State Legislatures and of the House of Representatives and Ex-Members of the Territorial Legislature, may be admitted to seats within the Bar of the Council.

LVII. 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.

LVIII. Every resolution debated, or giving rise thereto, shall lie over for one day without debate or other action.

LIX. 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.

On motion of Mr. Setzer, said report was accepted and the Code of Rules reported were adopted.

On motion of Mr. Setzer, the Council resumed the consideration of C. F. No. 2, a joint resolution for the relief of Combs & Brother.

On motion of Mr. Setzer, said resolution was referred to the committee on Territorial Expenditures.

On motion of Mr. Setzer, the Council resumed the consideration of C. F. No. 1, a Memorial of the Legislative Assembly of the Territory to the Congress of the United States.

On motion of Mr. Setzer, said memorial was referred to the Committee of the Whole Council.

On motion of Mr. Setzer, the Council resumed the consideration of C. F. No. 4, a bill to provide for laying out a Territorial road from Winona, in Winona county, to Eliota, in Fillmore county. •

On motion of Mr. Setzer, said bill was referred to the Committee of the Whole Council.

On motion of Mr. Setzer, the Council resumed the consideration of C. F. No. 5, a bill entitled "An act to incorporate Karns City."

On motion of Mr. Setzer, said bill was referred to the Committee of the Whole Council.

On motion of Mr. Tillotson, the Council resolved themselves into a Committee of the Whole for the purpose of considering said memorial and bills Nos. 4 and 5, so referred as aforesaid.

Mr. Thompson in the chair.

After some time spent in Committee of the Whole, a message was announced from the House of Representatives.

Mr. Balcombe, the acting President, thereupon resumed the chair and received the following Message from the House, by their clerk.

MR. PRESIDENT :—The House of Representatives have appointed Messrs. Murray and Sweeney, a committee on the part of the House, to act with a similar committee on the part of the Council, in relation to the translation of the Governor's Message.

The House have also passed a Memorial, (No. 2, H. of R.) of the Legislative Assembly, to Congress, asking for the passage of a bill authorizing the people of this Territory to form a State Constitution and for other purposes, in which they ask the concurrence of the Council.

The House have concurred with the Council in the passage of Joint Resolution (C. F. No. 1,) in relation to the appropriation of funds out of the Territorial Treasury to pay for newspapers for Members of the Legislative Assembly, with amendments in which they ask the concurrence of the Council.

Mr. Thompson, the Chairman of the Committee of the Whole, then resumed the chair and the Committee proceeded to consider the matters before them.

After some further time spent by said Committee, they arose, and Mr. Balcombe the acting President resumed the Chair.

Mr. Thompson, the Chairman of the Committee of the Whole, then reported said Memorial back to the Council without amendment, with a recommendation that it pass.

Ordered, that it be engrossed and read a third time.

Also C. F. No. 4, a bill to provide for laying out a Territorial road from Winona, in Winona county, to Elliota, in Fillmore county, without amendment.

On motion of Mr. Setzer, said bill was referred to the committee on Territorial Roads.

Also C. F. No. 5, a bill for "An act to incorporate Karns City" without amendment.

On motion of Mr. Setzer, said bill was referred to the committee on Territorial Affairs.

Mr. Thompson, from the Committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, C. F. No. 1, a Bill entitled "An Act to incorporate the St. Anthony and North Minneapolis Bridge Company."

Mr. Rolette moved that the Council adjourn.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson—7.

Those who voted in the negative were,
Messrs Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, and
Wales—7.

So the negative of the question prevailed and the Council refused to adjourn.

Mr. Lowry by leave gave notice that on to-morrow or some subsequent day of the session, he will ask leave to introduce a Bill to establish certain Counties and for other purposes.

Mr. Lowry moved that the Council adjourn.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Ludden, Rolette, Setzer, and Tillotson—4.

Those who voted in the negative were,
Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Stone, Thompson, and Wales—10.

So the negative of the question prevailed and the Council refused to adjourn.

Mr. Thompson by leave offered the following resolution :

Resolved. That the Sergeant-at-Arms of this Council be directed to require the Messenger to furnish water for the use of the Members during the time the Council is in session.

The question being put upon agreeing to said resolution, it was decided in the negative, and said resolution was not adopted.

Mr. Bassett moved that the Council take up and consider the Message and accompanying documents received from the House this day.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Bassett, Dooley, Lowry, Thompson, Tillotson, and
Wales—7.

Those who voted in the negative were,
Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, and Stone—6.

So the affirmative of the question prevailed and said motion was adopted.

Said Message was thereupon read.

The Council then proceeded to the consideration of C. F. No. 1, a joint resolution appropriating funds out of the Territorial Treasury to pay for newspapers for Members of the Legislative Assembly, with the amendments thereto proposed by the House.

The Council then concurred with the House in the adoption of the first and second amendments proposed by the House, providing for paying for newspapers for the Officers of the two Houses the same as for Members, and non-concurred with the House in the adoption of their third amendment, making provision for paying for the printed slips of the daily journals of the two Houses.

The question upon the non-concurrence as aforesaid was taken by yeas and nays, and the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Freeborn, and Rolette—3.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Ludden, Setzer, Stone, Tillotson, and Wales—10.

The Council then proceeded to consider (H. F. No. 2,) a Memorial of the

Legislative Assembly of the Territory of Minnesota to Congress, asking for the passage of a Bill authorizing the people of the Territory to form a State Constitution and for other purposes, received from the House.

A call of the Council was demanded, and the roll being called, each member answered to his name except Mr. Bailly.

The President resumed the chair.

The Sergeant-at-Arms was directed by the Chair to report Mr. Bailly in his seat.

The Sergeant-at-Arms in a short time reported Mr. Bailly in his seat.

Mr. Lowry moved that the rules of the Council be suspended and said Memorial be read a first, second and third time by its title and passed.

Mr. Setzer moved to amend the motion by adding the words "and signed by the Governor."

Mr. Lowry asked to withdraw his motion.

Mr. Setzer objected and contended that the motion was in the possession of the Council and could not be withdrawn without unanimous consent.

The President ruled that Mr. Lowry had the right to withdraw his motion.

From this decision of the Chair, Mr. Setzer appealed to the Council.

The question being put upon said appeal, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those whose voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Rolette, Stone, Thompson, Tillotson, and Wales—12.

Those who voted in the negative were,

Mr. Setzer—1.

So the affirmative of the question prevailed and the decision of the Chair was sustained.

Mr. Lowry thereupon withdrew his motion.

Said Memorial was then read a first time.

Mr. Setzer moved that the Secretary be instructed to inquire of the Clerk of the House if the Memorial sent to the Council was the same in all respects as the one that passed the House.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Ludden, Setzer, and Mr. President—5.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Rolette, Stone, Thompson, Tillotson, and Wales—10.

So the negative of the question prevailed and the motion was not agreed to.

Mr. Basset moved that the rules of the Council be suspended and said Memorial be read a second and third time, at that time by its title, and passed.

Mr. Balcombe in the chair.

After addressing the Council in opposition to said motion,

The President resumed the chair.

After discussion, Mr. Ludden called for a division of the question which was allowed.

The question being put upon the suspension of the rules of the Council so as to allow the Memorial to be read a second and third time, at that time by its title, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Rolette,
Stone, Thompson, Tillotson, and Wales—11.

Those who voted in the negative were,
Messrs. Freeborn, Ludden, Setzer, and Mr. President—4.

So the affirmative of the question prevailed and the rules of the Council were suspended for that purpose.

The question being put upon agreeing to the other division of the motion upon a suspension of the rules of the Council so that said Memorial might be in order for its passage at that time, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Rolette,
Stone, Thompson, Tillotson, and Wales—11.

Those who voted in the negative were,
Messrs. Freeborn, Ludden, Setzer, and Mr. President—4.

So the affirmative of the question prevailed and the rules of the Council were suspended for that purpose.

Said Memorial was then read a second and third time by its title.

The question being put upon the passage of said Memorial, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Rolette,
Stone, Thompson, Tillotson, and Wales—11.

Those who voted in the negative were,
Messrs. Freeborn, Ludden, Setzer, and Mr. President—4.

So the affirmative of the question prevailed and the Memorial passed.
On motion of Mr. Lowry, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

FRIDAY MORNING, JANUARY 23D, 1857.

The Council met pursuant to adjournment and was called to order by the President.

Prayer by the Chaplain.

The roll being called the following members answered to their names :
Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry,
Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President.

The Journal of the proceedings of the Council on Friday last was then read and approved.

On motion of Mr. Setzer the following resolutions were unanimously adopted :

Resolved, That the Committee on Territorial Roads be instructed to retain in their possession the various Bills for Territorial Roads referred to

them, to sift from the number those which have real merit, and to embody the whole in a general Bill.

Resolved, That Bills providing for the laying out of Territorial Roads shall be referred without printing.

On motion of Mr. Balcombe, the rules of the Council were so far suspended that all Bills introduced by leave this day might be read a first and second time by their title.

Mr. Lowry, agreeably to previous notice, and by leave introduced C. F. No. 12, a Bill to amend chapter XL of the Session Laws of 1856.

Said Bill was then read a first and second time by its title.

Also C. F. No. 13, a Bill entitled "An Act to establish and organize the counties of Jackson, Munroe and Madison."

Said Bill was then read a first and second time by its title.

Mr. Dooley, agreeably to previous notice, and by leave introduced C. F. No. 14, a Bill to authorize the running at large of Cattle, Horses, Mules, Swine, Sheep and other animals in the Territory of Minnesota.

Said Bill was read a first and second time by its title.

Mr. Bassett, agreeably to previous notice, and by leave introduced C. F. No. 15, a Bill entitled "An Act to incorporate the Anoka Bridge Company."

Said Bill was read a first and second time by its title.

Also a Bill C. F. No. 16, entitled "An Act to incorporate the St. Paul and Falls City Bridge Company."

Said Bill was read a first and second time by its title.

Mr. Humphrey, agreeably to previous notice, and by leave introduced C. F. No. 17, a Bill entitled "An Act providing for the laying out and establishing a Territorial road from Winnebago City, in Faribault county, to East Avon in Brown county."

The Bill was read a first and second time by its title.

Ordered, That it be referred to the Committee on Territorial Roads.

Also C. F. No. 18, a Bill entitled "An Act to provide for the laying out and establishing of a Territorial road from Winnebago City, in Faribault county, to Albert Lea, in Freeborn county."

The Bill was read a first and second time by its title.

Ordered, That it be referred to the Committee on Territorial Roads.

Also C. F. No. 19, a Bill entitled "An Act providing for the laying out and establishing a Territorial road from Winnebago City, in Faribault county, to Mankato, in Blue Earth county."

The Bill was read a first and second time by its title.

Ordered, That it be referred to the Committee on Territorial Roads.

The following communication in writing, from His Excellency the Governor, was then read :

EXECUTIVE DEPARTMENT, }
SAINT PAUL, Jan'y 20, 1857. }

TO THE PRESIDENT OF THE COUNCIL :—

SIR :—I have the honor to inform you that J. J. McCullough, Robert A. Smith and R. L. Gorman are authorized to bear messages from the Executive to both branches of the Legislature during the present session.

Respectfully, your ob't s'v't,

W. A. GORMAN.

C. F. No. 1, a bill entitled "An Act to incorporate the St. Anthony and North Minneapolis Bridge Company," being in order for a third reading, On motion of Mr. Balcombe, the rules were suspended and said Bill was read a third time by its title.

Said Bill was then passed by the Council and its title was agreed to.

On motion of Mr. Setzer, the Council resumed the consideration of C. F. No. 7, a bill for "An Act to establish the county of Anoka."

On motion of Mr. Setzer, said Bill was referred to a Select Committee. The Chair appointed Messrs. Setzer, Wales and Freeborn said Committee.

On motion of Mr. Freeborn, the Council resumed the consideration of C. F. No. 3, a joint resolution for the relief of W. Colville, jr.

On motion of Mr. Freeborn, said resolution was referred to the Committee on Legislative Expenditures.

On motion of Mr. Setzer, the Council resumed the consideration of C. F. No. 8, a Bill for "An Act to incorporate the Winnebago Water Power Company."

On motion of Mr. Setzer, said Bill was referred to the Committee on Incorporations.

On motion of Mr. Freeborn, the Council resumed the consideration of C. F. No. 6. a Bill for "An Act to amend an act entitled 'An Act to grant the right to certain persons to establish and maintain Ferries in this Territory' approved March 1st, 1856."

On motion of Mr. Freeborn, said Bill was referred to the Committee of the Whole Council.

On motion of Mr. Freeborn, the Council then resolved themselves into a Committee of the Whole for the purpose of considering said Bill.

Mr. Thompson in the chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the chair.

Mr. Thompson, Chairman of the Committee of the Whole, reported said Bill with an amendment, which amendment was to insert the enacting clause.

On motion of Mr. Setzer, the report was accepted and the amendment adopted.

Ordered, That said Bill as amended be engrossed and read a third time.

On motion of Mr. Bailly, the Council resumed the consideration of C. F. No. 10, a Bill for "An Act in relation to the County seat for Dakota County."

On motion of Mr. Bailly, said Bill was referred to the Committee of the Whole Council.

On motion of Mr. Balcombe, the Council resolved themselves into a Committee of the Whole for the purpose of considering said Bill.

Mr. Balcombe in the chair.

After some time spent therein, the Committee rose and the President resumed the chair.

Mr. Balcombe, the Chairman of said Committee, reported said Bill with a recommendation that it be referred to a Select Committee.

On motion said report was accepted and the recommendation of the Committee adopted.

The Chair appointed Messrs. Freeborn, Humphrey and Bailly said Committee.

Mr. Wales moved an amendment to the Rules of the Council.

On motion of Mr. Setzer, the rules of the Council were so far suspended that Mr. Wales had leave to move an amendment to the rules of the Council, and that said amendment be in order for consideration at that time.

On motion of Mr. Wales, the rules of the Council were so far amended

as to provide for the appointment of an additional Standing Committee of the Council, to be called the Committee on County Boundaries.

On motion of Mr. Setzer, the vote of to-day referring C. F. No. 7, a Bill for "An Act to establish the county of Anoka" to a select committee was re-considered.

The question recurring upon agreeing to the original motion,

On motion of Mr. Setzer, the motion was amended by striking out the words "a select committee" and inserting instead thereof the words "the committee on County boundaries."

The motion as amended was then adopted and the Bill referred to said committee.

Mr. Bassett by leave gave notice that he would on to-morrow or some subsequent day of the session ask leave to introduce a Bill to provide for laying out a Territorial road from Washington to Cambridge.

On motion of Mr. Thompson the rules of the Council were so far suspended that he had leave at that time to introduce a bill.

Mr. Thompson thereupon introduced C. F. No. 20, a Bill for "An Act to provide for taking the census and the formation of a State Government in Minnesota."

On motion of Mr. Thompson, the rules of the Council were suspended and said bill was read a first and second time by its title.

Mr. Lowry moved that the Council adjourn to Monday next at 2 o'clock in the afternoon.

Mr. Setzer moved to amend the motion by striking out all after the words "the Council adjourn."

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Freeborn, Humphrey, Lowry, Setzer, Stone, Tillotson, and Wales—6.

Those who voted in the negative were,

Messrs. Bassett, Dooley, Thompson, and Mr. President—4.

So the affirmative of the question prevailed and said amendment was adopted.

The question recurring upon agreeing to the motion as amended and being put, it was decided in the negative, and the Council refused so to adjourn.

On motion of Mr. Freeborn, the Council adjourned to Monday next at ten o'clock in the forenoon.

J. B. BRISBIN, President.

L. SMITH, Secretary.

MONDAY MORNING, JANUARY 26, 1857.

The Council met pursuant to adjournment and were called to order by the President.

Prayer by the Chaplain.

The roll being called the following members answered to their names : Messrs. Bailly, Balcombe, Dooley, Humphrey, Lowry, Setzer, Stone, Thompson, Tillotson and Mr. President.

The Journal of the proceedings of the Council of yesterday was read and approved.

On motion of Mr. Stone, the rules of the Council were so far suspended that he had leave at that time to introduce a Memorial.

Mr. Stone accordingly introduced C. F. No. 2, a Memorial to Congress for certain mail routes in Minnesota Territory.

Which was read a first and second time.

On motion of Mr. Setzer, the rules of the Council were so far suspended that he had leave at that time to introduce a joint resolution.

Mr. Setzer accordingly introduced C. F. No. 4, a joint resolution in relation to the employment of a Secretary by the committee on the Judiciary.

Said resolution was then read a first and second time.

Mr. Humphrey by leave presented the petition of E. H. Burritt and others, praying for the passage of a bill laying out and establishing a Territorial road from Winnebago City, in Faribault county, to East Avon, in Brown county.

Also the petition of H. H. Bigelow and others, praying for the passage of a Bill providing for the laying out and establishing a Territorial road from Winnebago City, in Faribault county, to Albert Lea, in Freeborn county.

Also the petition of Thomas George and others, praying for the passage of a Bill for the laying out and establishing a Territorial road from Winnebago City, in Faribault county, to Mankato, in Blue Earth county.

On motion of Mr. Humphrey, said several petitions were referred to the Committee on Territorial Roads.

Mr. Thompson from the Committee on Engrossed Bills made the following report :

The Committee on Engrossed Bills have carefully examined and found correctly engrossed, C. F. No. 6, a Bill for an act to amend an act entitled "An Act to grant the right to certain persons to establish and maintain Ferries in this Territory," approved March 1st, 1856.

C. W. THOMPSON, for the Committee.

Mr. Tillotson from the same Committee made the following report :

The Committee on Engrossed Bills have carefully examined and found correctly engrossed, C. F. No. 1, a Memorial of the Legislative Assembly of the Territory of Minnesota, to establish a mail route from Winona, in Winona county, by way of Rushford and Richland to Eliota, in Fillmore county.

B. F. TILLOTSON, for the Committee.

Said Bill and Memorial being then in order for a third reading, were severally read a third time and passed.

On motion of Mr. Balcombe, the Council resumed the consideration of C. F. No. 20, a Bill for an Act to provide for taking the census and the formation of a State Government in Minnesota.

On motion of Mr. Balcombe, said Bill was referred to the Committee on Territorial Affairs.

On motion of Mr. Balcombe, the Council resumed the consideration of C. F. No. 13, a Bill for an Act to establish and organize the counties of Jackson, Monroe and Madison.

Which bill was referred to the Committee on County Boundaries.

The Chair announced as the Standing Committee on County Boundaries Messrs. Setzer, Freeborn and Lowry.

On motion of Mr. Lowry, the Council resumed the consideration of C. F. No. 12, a Bill to amend chapter forty of the Session Laws of 1856.

On motion of Mr. Lowry said bill was referred to the Committee of the Whole Council.

On motion of Mr. Lowry, the Council resolved themselves into a Committee of the Whole for the purpose of considering said bill.

Mr. Balcombe in the chair.

After some time spent in Committee of the Whole, the Committee rose, the President resumed the chair and Mr. Balcombe the chairman of the Committee of the Whole reported said bill without amendment and with a recommendation that it pass.

On motion the report was accepted.

On motion of Mr. Ludden, said bill and all other bills now pending before the Council for like purposes, were referred to the Committee on the Judiciary.

On motion of Mr. Bassett, the Council resumed the consideration of C. F. No. 15, a Bill for "An Act to incorporate the Anoka Bridge Company," and also C. F. No. 16, a Bill for "An Act to incorporate the Saint Paul and Falls City Bridge Company."

On motion of Mr. Bassett, said Bills were referred to the Committee of the Whole Council.

On motion of Mr. Bassett, the Council resolved themselves into a Committee of the Whole for the purpose of considering said Bills.

Mr. Balcombe in the chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the chair.

Mr. Balcombe, chairman of the committee reported said Bills without amendment and with a recommendation that they be referred to the committee on Incorporations.

On motion of Mr. Setzer, the report was accepted, the recommendation of the committee adopted, and said Bills were thus referred.

On motion of Mr. Balcombe, the Council resumed the consideration of C. F. No. 14, a Bill to authorize the running at large of cattle, horses, mules, swine, sheep, and other animals in the Territory of Minnesota.

On motion of Mr. Balcombe, said Bill was referred to the committee on Territorial Affairs.

On motion of Mr. Bassett, the rules of the Council were so far suspended as to allow him at that time to introduce a Memorial.

Mr. Bassett accordingly introduced C. F. No. 3, a Memorial for the establishment of a Land Office at Glencoe, in McLeod county, which was read a first and second time.

On motion of Mr. Bassett, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

TUESDAY MORNING, JANUARY 27, 1857.

The Council met pursuant to adjournment and was called to order by the President.

Prayer by the Chaplain.

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

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Rolette, Stone, Thompson, Tillotson, Wales and Mr. President.

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

Mr. Rolette, from the Committee on Enrolled Bills, reported that said Committee had carefully examined and found correctly enrolled, No. 2 of H. of R., a Memorial of the Legislative Assembly of the Territory of Minnesota, in relation to the action of Congress respecting the formation of a State Government for Minnesota.

On motion of Mr. Rolette, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Rolette thereupon introduced C. F. No. 21, a Bill for "An Act to establish the county of Glen Carrie and for other purposes."

On motion of Mr. Rolette, the rules were suspended and said Bill was read a first and second time by its title.

Mr. Bassett agreeably to previous notice and by leave introduced C. F. No. 22, a Bill to provide for laying out a Territorial road from Washington to Cambridge.

On motion of Mr. Bassett, the rules were suspended and said Bill was read a first and second time by its title and referred to the committee on Territorial Roads.

Mr. Bassett also agreeably to previous notice and by leave introduced C. F. No. 23, a Bill for an act to incorporate the Mississippi River Improvement and Manufacturing Company.

On motion of Mr. Bassett, the rules of the Council were suspended and said Bill was read a first and second time by its title.

On motion of Mr. Wales, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Wales accordingly introduced C. F. No. 24, a Bill for an act to incorporate the St. Anthony Falls and St. Peter Railroad Company.

On motion of Mr. Wales, the rules were suspended and said Bill was read a first and second time by its title.

On motion of Mr. Humphrey, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Humphrey accordingly introduced C. F. No. 25, a Bill for an act to incorporate the town of Winnebago City.

On motion of Mr. Humphrey, the rules were suspended and said Bill was read a first and second time by its title.

On motion of Mr. Freeborn the rules of the Council were so far suspended that he had leave at that time to introduce two Bills.

Mr. Freeborn accordingly introduced C. F. No. 26, a Bill for an act to incorporate the town of Cannon Falls, and also C. F. No. 27, a Bill for an act to enable married women to convey their interest in real estate by power of attorney.

On motion of Mr. Freeborn, the rules were suspended and said Bills were severally read a first and second time by their respective titles.

On motion of Mr. Rolette the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Rolette accordingly introduced C. F. No. 28, a Bill for an act to provide for laying out a Territorial road from Henderson in Sibley county to Otter Tail Lake.

On motion of Mr. Rolette, the rules were suspended and said Bill was read a first and second time by its title.

Mr. Setzer, from the committee on the Judiciary, to whom was referred C. F. No. 12, a Bill to amend chapter forty of the Session Laws of 1856, reported said Bill without amendment and recommended that it pass.

On motion said report was accepted.

The Bill was then ordered to be engrossed and read a third time.

On motion of Mr. Setzer, the Council resumed the consideration of C. F. No. 2, a Memorial to Congress for certain mail routes in Minnesota Territory, and C. F. No. 3, a Memorial to the President of the United States asking for the establishment of a Land Office at Glencoe, in McLeod county.

On motion of Mr. Setzer, said Memorials were referred to the Committee of the Whole Council.

On motion of Mr. Setzer, the Council resolved themselves into a Committee of the Whole for the purpose of considering said Memorials.

Mr. Setzer in the chair.

The Committee being in session upon the consideration of said Memorials, a message was announced from the House of Representatives.

Thereupon the President resumed the chair and received the following message from the House by their Chief Clerk.

MR. PRESIDENT :—The House of Representatives insist upon their third amendment to C. F. No. 1, "relative to the payment of the printed slips of the daily Journals of the two Houses."

The House has passed Bill No. 16, H. of R., to incorporate the Mount Zion Hebrew Association. Also No. 2, H. of R., a Memorial of the Legislative Assembly, which are herewith transmitted, in which the House asks the concurrence of the Council.

Mr. Setzer, the chairman of the Committee, resumed the chair, and after further time spent in considering the matters before them the Committee rose and the President resumed the chair.

Mr. Setzer, chairman of the Committee of the Whole, reported C. F. No. 3, a Memorial to the President of the United States for the establishment of a Land Office at Glencoe, in McLeod county, with an amendment and a recommendation that the Memorial be indefinitely postponed.

On motion of Mr. Humphrey, said report was accepted and the recommendation of the committee adopted.

So the further consideration of said Memorial and amendment was indefinitely postponed.

Mr. Setzer also reported from the Committee of the Whole C. F. No. 2, a Memorial to Congress for certain mail routes in Minnesota Territory, without amendment and with a recommendation that it pass.

On motion said report was accepted and the Memorial ordered to be engrossed and read a third time.

On motion of Mr. Setzer, the Council resumed the consideration of C. F. No. 4, a joint resolution in relation to the employment of a Secretary by the Committee on the Judiciary.

On motion of Mr. Setzer, the resolution was referred to the Committee of the Whole, and on his motion the Council resolved themselves into a

Committee of the Whole for the purpose of considering said resolution.

Mr. Balcombe in the chair.

After some time spent therein the Committee rose, and the President resumed the Chair.

Mr. Balcombe, chairman of the Committee of the Whole, reported said resolution without amendment and with a recommendation that it pass.

On motion the report was accepted, and upon the question shall the resolution be engrossed and read a third time, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Ludden, Setzer, Stone, Tillotson, Wales, and Mr. President—8.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Rolette, and Thompson—6.

So the affirmative of the question prevailed and said resolution was ordered to be engrossed and read a third time.

Mr. Lowry from the committee on Territorial Affairs, by leave reported C. F. No. 20, a Bill providing for taking the census and the formation of a State Government in Minnesota without amendment and with a recommendation that it pass.

On motion the report was adopted.

Mr. Balcombe moved that the Bill be referred to the Committee of the Whole, and that Council then resolve themselves into a Committee of the Whole for the purpose of considering the same.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Rolette, Stone, Thompson, Tillotson, and Wales—11.

Those who voted in the negative were,

Messrs. Freeborn, Ludden, Setzer, and Mr. President—4.

So the affirmative of the question prevailed and the Council went into Committee of the Whole for that purpose.

Mr. Humphrey in the chair.

After some time spent therein the Committee rose and the President resumed the chair.

Mr. Humphrey the chairman of the Committee of the Whole reported said Bill without amendment.

On motion of Mr. Balcombe the Bill was then re-committed to the committee on Territorial Affairs.

On motion of Mr. Setzer, the rules were suspended and the Council resumed the consideration of the message received from the House this morning.

On motion of Mr. Setzer the Council voted to appoint a committee of conference to confer with such committee as the House may join upon the third amendment made by the House to C. F. No. 1, a joint resolution in relation to paying for the printed slips of the daily journals of the two Houses.

The Chair appointed Messrs. Setzer and Balcombe said committee.

On motion of Mr. Setzer, the Council proceeded to consider H. of R. No. 16, a Bill to incorporate the Mount Zion Hebrew Association, received from the House.

On motion of Mr. Setzer, the Secretary was instructed to return said

Bill to the Clerk of the House of Representatives and request him to send the Bill to the Council properly engrossed.

On motion of Mr. Setzer, the Secretary was further instructed to inform the Clerk of the House of Representatives that the Council will receive no bill, joint resolution or memorial from that body, unless the same be properly and fairly engrossed without interlineations or erasures.

Mr. Freeborn by leave presented the petition of E. L. Clark and others praying for the passage of an act incorporating the village of Cannon Falls.

On motion of Mr. Setzer said petition was laid upon the table.

Mr. Humphrey by leave introduced the following :

Resolved, That one hundred copies of the rules of the Council, together with the rules of the House, be printed for the use of the Council.

On motion of Mr. Setzer, the resolution was amended so as to include the joint rules of the two Houses and Standing Committees.

The resolution as amended was then passed.

On motion of Mr. Bassett, the rules of the Council were so far suspended that he had leave at that time to introduce a bill.

Mr. Bassett accordingly introduced C. F. No. 29, a Bill to incorporate the Mississippi and Rum Rivers Boom Company.

On motion of Mr. Bassett the rules were suspended and said Bill was read a first and second time by its title.

On motion of Mr. Setzer, the Council passed the following joint resolution.

Resolved, The House of Representatives concurring, That the joint rules of the two Houses of the session of 1856, shall be adopted by the two Houses during the present session.

Mr. Ludden, from the Committee on Incorporations, to whom was referred C. F. No. 8, a Bill for an act to incorporate the Winnebago Water Power Company, by leave reported said bill with amendments, which were adopted by the Council.

Mr. Setzer moved that said Bill be referred to the Committee of the Whole Council.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Ludden, Setzer, Stone, and Wales—8.

Those who voted in the negative were,

Messrs. Freeborn, Humphrey, Rolette, Thompson, Tillotson, and Mr. President—6.

So the affirmative of the question prevailed and the Bill was thus referred.

On motion of Mr. Setzer the Council resolved themselves into a Committee of the Whole for the purpose of considering said Bill.

Mr. Ludden in the chair.

After some time spent therein, the Committee rose, and the President resumed the chair.

Mr. Ludden, the chairman of the Committee of the Whole, reported said Bill with an amendment which was adopted by the Council.

Ordered, That the Bill as amended be engrossed and read a third time.

On motion of Mr. Balcombe the Secretary of the Council was instructed to return forthwith No. 2, H. of R., a Memorial of the Territorial Legislature, to the Congress of the United States in relation to the formation of

a State Government of Minnesota, to the Clerk of the House of Representatives, and request him to send it back with information to the Council as to whether or not the same had been reported as correctly enrolled by the committee on Enrolled Bills, and signed by the Speaker.

The following message was received from the House by their Clerk.

MR. PRESIDENT :—The H. of R. have passed House Bills No. 25, 37, and 28, also Memorial No. 4, H. of R., which are herewith transmitted and in which the concurrence of the Council is solicited.

The Speaker has signed Memorial No. 2, H. of R., which has been correctly enrolled by the joint committee on Enrolled Bills and is herewith transmitted.

The President thereupon signed the Memorial.

Mr. Setzer moved that the Council adjourn.

Mr. Balcombe moved a call of the Council, which was ordered, and the roll being called every member answered to his name.

The question recurring upon agreeing to the motion to adjourn, and being put, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Freeborn, Ludden, Rolette, Setzer, Thompson, and Mr. President—6.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Stone, Tillotson, and Wales—8.

So the negative of the question prevailed and the Council refused to adjourn.

Mr. Setzer moved a call of the Council, which was ordered, and every member answered to his name.

On motion of Mr. Rolette, the Council adjourned until to-morrow at eleven o'clock, A. M.

J. B. BRISBIN, President.

L. SMITH, Secretary.

WEDNESDAY MORNING, JANUARY 28, 1857.

The Council met pursuant to adjournment and were called to order by the President.

Prayer by the Chaplain.

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

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Setzer, Stone, Tillotson, Wales, and Mr. President.

The journal of the proceedings of the Council of yesterday was then read and approved.

Mr. Freeborn, agreeably to previous notice, and by leave introduced C. F. No. 30, a Bill to incorporate the city of Red Wing.

On motion of Mr. Freeborn the rules were suspended and said bill was read a first and second time by its title.

Mr. Stone gave notice that on to-morrow or some future day of the session he should move for leave to introduce a Bill to incorporate the town of Randolph.

Also a Bill to incorporate the town of Bremen.

Mr. Dooley gave notice that on to-morrow or some future day of the session he shall ask leave to introduce a Bill to amend chapter 36 of the session laws of 1854.

Mr. Freeborn gave notice of a motion for leave to introduce a bill to permit the County Commissioners for Goodhue county to borrow money for certain purposes.

Mr. Freeborn, in behalf of the select committee to whom was referred so much of the Message of His Excellency the Governor as relates to the formation of a State Government for Minnesota, submitted the following report :

The Committee to whom was referred so much of the Governor's Message as relates to a State organization, respectfully report :

That your Committee feel the importance of the subject referred to them, and have, therefore, given it due consideration and will present to your honorable body the reasons which have influenced them in the formation of an opinion on the subject of an early State organization for Minnesota. No Territory, with one exception, has ever applied for admission into the Union, within the same period of its Territorial organization, and at no time have such unmistakable indications of a determination to insist upon a State organization been given as is now exhibited by Congress and the people of the States of the Union towards this Territory. But while public opinion abroad urges to a State organization, it is also apparent that the people of the Territory are looking forward with much anxiety to an early application for admission into the Federal Union, with all the rights and privileges of other States.

Minnesota, according to data referred to by his Excellency, the Governor, contains a population of about one hundred and eighty thousand souls, being far greater than that of any other Territory except Wisconsin, at the time of applying for admission into the Union, and she would therefore assume a political position in the Confederacy important to her political prosperity. Under a State organization Minnesota would be represented by two Senators and at least two Representatives, with all the influence and power which Senators and Representatives from other States enjoy by virtue of their position. The people would enjoy the privilege of electing all the officers of the State Government—would regulate the judicial organization of the State, and would be relieved from the many annoyances and political privations to which they are subject under our present organization.

It may be urged that the support of a State organization would entail an additional tax upon the people. This your Committee believe would not be the case. The State would immediately, upon admission into the Union, obtain title and control of two Sections of land in every township in the State for School purposes. The proceeds of these lands would create an educational fund that would preclude the necessity of a School tax within the counties.

The State would also receive from the General Government at least five per cent. of the proceeds of the sale of public lands within her limits, which, taking the past two years as a criterion, would be equal, if not greater, than the amount annually appropriated by Congress for the support of the Territorial government.

Thus we find that for the State organization there can be no increase of taxation, while there is every probability that the tax will be less by the amount now necessary for the support of Schools in the several Counties.

Again it may be argued that a State organization will deprive us of appropriations for roads and other improvements within our limits. Admitting such to be the case, we would instead have all the swamp lands in the State and an additional domain equal to that granted other Western States, all of which would provide a fund for internal improvements far preferable to all the appropriations we could expect from Congress while under a Territorial organization, and that fund could be appropriated to such improvements as would best suit the wants and interests of the State.

Your Committee, therefore, under the conviction that the dignity and independence, as well as interests of the people demand a State organization, and satisfied also, that they almost unanimously desire that our present colonial dependence be exchanged for a State organization, would respectfully recommend the passage of a law, authorizing the enumeration of the population of the Territory, and the appointment and election of members of a Convention, to frame a Constitution to be submitted to the people for their sanction.

In making this recommendation your Committee has purposely refrained from suggesting any limits to the proposed State, that being in their opinion, a matter solely under the control of the people, who feel a deep solicitude on the subject, and who will doubtless fully investigate and make it a prominent question in the canvas for members to the Constitutional Convention.

All of which is respectfully submitted.

WM. FREEBORN, }
J. D. LUDDEN, } Committee.
WM. W. WALES, }

On motion of Mr. Setzer, said report was accepted and the select committee discharged from the further consideration of the subject.

Mr. Lowry, from the Committee on Territorial Affairs, to whom was re-committed C. F. No. 20, a Bill providing for taking the census and the formation of a State Government for Minnesota, reported said Bill with an amendment.

Mr. Balcombe moved a call of the Council, which was ordered, and the roll being called every member answered to his name.

The question recurring upon agreeing to the amendment proposed by the committee to C. F. No. 20, and the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Humphrey, Lowry, Rolette, Stone, and Thompson—8.

Those who voted in the negative were,

Messrs. Dooley, Freeborn, Ludden, Setzer, Tillotson, Wales, and Mr. President—7.

So the affirmative of the question prevailed and the amendment adding a proviso at the end of the Bill in relation to Penabina county was adopted.

On motion of Mr. Balcombe the rules of the Council were suspended and said bill was again read a second and third time by its title.

Mr. Lowry from the same committee to whom was referred C. F. No. 5, a Bill for an act to incorporate Karns City, reported said bill without amendment.

Mr. Tillotson from the committee on Legislative Expenditures to whom was referred C. F. No. 2, a joint resolution for the relief of Combs & Brother, reported the same with an amendment which was adopted by the Council.

Mr. Tillotson from the same committee to whom was referred C. F. No. 3, a joint resolution for the relief of W. Colville, jr., reported the same without amendment and with a recommendation that it pass.

On motion of Mr. Freeborn said report was accepted.

The Council proceeded to the consideration of the message from the House received yesterday, together with the papers therewith transmitted.

House File No. 25, a Bill for an act relating to the County Officers of the county of Mower.

House File No. 37, an act to incorporate the Hobart University, at Spring Valley, Fillmore county.

House File No. 28, a Bill for an act to ratify the official acts of the County Officers of the county of Mower.

And House File No. 4, a Memorial to Congress for an appropriation for a Light House at the mouth of Two Island River, sent in with said message were severally read a first and second time.

The following message was then received from the House of Representatives by their Clerk.

MR. PRESIDENT:—The House of Representatives have passed House Bill No. 45, an act to amend an act to incorporate the St. Paul Gas Light Company. No. 15, a Bill to incorporate the Minnesota River Bridge Co., and No. 56, a Bill to amend the Revised Statutes, all of which are herewith transmitted and in which the House asks the concurrence of the Council.

Said Bills were then severally read a first and second time.

On motion of Mr. Rolette, C. F. No. 21, a bill for an act to establish the county of Glen-Carrie, was referred to the committee on County Boundaries.

On motion of Mr. Setzer, C. F. No. 2, a joint resolution for the relief of Combs & Brother, was referred to the committee of the Whole Council.

On motion of Mr. Setzer, the Council resolved themselves into a Committee of the Whole for the purpose of considering said resolution.

Mr. Thompson in the chair.

After some time spent therein the committee rose and the President resumed the chair.

Mr. Thompson from the Committee of the Whole, Council reported said resolution without amendment and with a recommendation that it pass.

On motion said report was accepted.

Upon the question shall the resolution be engrossed and read a third time, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Bassett, Dooley, Freeborn, Humphrey, Lowry, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President—13.

Mr. Balcombe, voted in the negative.

So the affirmative of the question prevailed and said resolution was ordered to be engrossed and read a third time.

On motion of Mr. Balcombe, C. F. No. 20, a bill for an act to provide for taking the census and the formation of a State Government for Minnesota, was referred again to the Committee of the Whole.

On motion of Mr. Balcombe, the Council resolved themselves into a Committee of the Whole for the purpose of considering said Bill.

Mr. Thompson in the chair.

After some time spent therein, the Committee rose and the President resumed the chair.

Mr. Thompson from the Committee of the Whole reported said Bill without amendment.

A call of the Council was then called for and ordered, and the roll being called, every member answered to his name.

Upon the question shall the bill be engrossed and read a third time, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Rolette, Stone, Thompson, Tillotson, and Wales—11.

Those who voted in the negative were,

Messrs. Freeborn, Ludden, Setzer, and Mr. President—4.

So the affirmative of the question prevailed and the bill was ordered to be engrossed and read a third time.

On motion of Mr. Setzer, C. F. No. 23, a bill for an act to incorporate the Mississippi Improvement and Manufacturing Company.

And C. F. No. 29, a bill to incorporate the Mississippi and Rum Rivers Boom Company, were severally referred to the Committee on Incorporations.

On motion of Mr. Setzer C. F. No. 27, a bill for an act to enable married women to convey their interest in real estate by power of attorney, was referred to the Committee of the Whole Council.

On motion of Mr. Setzer, the Council resolved themselves into a Committee of the Whole for the purpose of considering said bill.

Mr. Setzer in the chair.

After some time spent therein the committee rose and the President resumed the chair.

Mr. Setzer from the Committee of the Whole, reported said bill without amendment, and with a recommendation that the bill pass.

On motion said report was accepted and the bill ordered to be engrossed and read a third time.

On motion of Mr. Freeborn, C. F. No. 3, a joint resolution for the relief of W. Colville, jr., was referred to the Committee of the Whole Council.

On motion of Mr. Freeborn the Council resolved themselves into a Committee of the Whole for the purpose of considering said resolution.

Mr. Humphrey in the chair.

After some time spent therein, the committee rose and the President resumed the chair.

Mr. Humphrey from the Committee of the Whole reported said resolution with an amendment appropriating fifty dollars for the mileage of the Clerk of the House at the opening of the present session, which amendment was adopted.

On the question shall the resolution as amended be engrossed and read a third time, being put, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Bassett, Dooley, Freeborn, Humphrey, Stone, Tillotson, Wales, and Mr. President—9.

Those who voted in the negative were,

Messrs. Balcombe, Lowry, Rolette, and Setzer—4.

So the affirmative of the question prevailed and resolution was ordered to be engrossed and read a third time.

Mr. Rolette moved that the Council adjourn.

The question being put upon agreeing to said motion, it was decided in the negative and the Council refused to adjourn.

On motion of Mr. Humphrey, C. F. No. 25, a bill for an act to incorporate the town of Winnebago City, was referred to the Committee on Territorial Affairs.

On motion of Mr. Rolette, the Council adjourned until to-morrow morning at eleven o'clock.

J. B. BRISBIN, President.

L. SMITH, Secretary.

THURSDAY MORNING JANUARY 29.

The Council met pursuant to adjournment and was called to order by the President.

Prayer by the Chaplain.

The roll being called the following members answered to their names : Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Setzer, Stone, Wales and Mr. President.

Mr. Balcombe in the chair.

The Journal of the Council of yesterday being read in part.

On motion of Mr. Setzer, the reading of the report made by the select committee, to whom was referred so much of the Message of the Governor as related to the formation of a State Government for Minnesota, was dispensed with.

The other portions of the Journal were read and approved.

On motion of Mr. Dooley the rules of the Council were so far suspended that he had leave at that time to introduce a bill.

Mr. Dooley accordingly introduced C. F. No. 31, a Bill for an act granting to Thomas McRoberts the right to establish and maintain a ferry across the Mississippi River at La Crescent.

On motion of Mr. Dooley the rules were suspended and said bill was read a first and second time by its title.

On motion of Mr. Wales the rules of the Council were so far suspended that he had leave at that time to introduce a bill.

Mr. Wales accordingly introduced C. F. No. 32, a Bill for an act to incorporate the town of Glencoe.

On motion of Mr. Wales the rules were suspended and said bill was read a first and second time by its title.

Mr. Humphrey gave notice that he would on to-morrow or some future day of the session, move for leave to introduce a bill to provide for the erection of a dam or dams in Township 107, Range 20, in this Territory.

Also a Bill to provide for the laying out of a Territorial road from Austin via Shelbyville on Blue Earth River and Judson to Eureka, and for other purposes.

Mr. Lowry gave notice that he would on to-morrow or some future day of the session ask leave to introduce a bill for an act to incorporate the Winnebago and St. Peters Western Railroad Company.

On motion of Mr. Bassett, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Bassett accordingly introduced C. F. No. 33, a Bill for an act granting to Amos Clarke the right to establish and maintain a ferry across the Mississippi river.

On motion of Mr. Bassett the rules were suspended and said Bill was read a first and second time by its title.

Mr. Lowry from the committee on Territorial Affairs, to whom was referred C. F. No. 25, a bill for an act to incorporate the town of Winnebago City reported the same without amendment.

Mr. Lowry from the same committee to whom was referred C. F. No. 14, a bill in relation to the running at large of cattle, sheep, swine, and other animals, reported the same without amendment.

Mr. Thompson, from the Committee on Engrossed Bills, reported that the committee had carefully examined and found correctly engrossed, the following joint resolutions, memorials and bill :

A joint resolution, C. F. No. 2, for the relief of Combs & Brother.

C. F. No. 2, a Memorial to Congress for certain mail routes in Minnesota Territory.

C. F. No. 12, a Bill to amend chapter 40 of the session laws of 1856.

C. F. No. 4, a Joint Resolution providing for a Secretary for the Committee on the Judiciary.

Mr. Freeborn from the Select Committee to whom was referred C. F. No. 10, a Bill in relation to the County seat of Dakota County, reported the same with amendments.

Mr. Bailly moved that the report be accepted and the amendments adopted.

Upon this motion the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Humphrey, Lowry, Rolette, Setzer, Stone, Tillotson, and Wales—9.

Those who voted in the negative were,

Messrs. Balcombe, and Dooley—2.

So the affirmative of the question prevailed and the amendments were adopted.

Mr. Lowry, from the Committee on Territorial Affairs, made the following report :

The Committee on Territorial Affairs, to whom was referred so much of the Governor's Message as relates to the public lands, have had the subject under consideration, and feel the duty incumbent on them to lay before the Council, and, through that body, before their constituents and fellow citizens generally, some facts and reasons why the policy recom-

mended by the Governor should be steadily maintained and carried out.

It is the duty of those who are here through the confidence of the people, to look after the common welfare of the whole State or Territory, and particularly of their immediate constituents. As his Excellency has urged upon us the propriety and sound policy of using our influence with the President of the United States, to induce him to refrain from offering any of the public lands lying within the limits of Minnesota, for sale at public auction to the highest bidder, until they have been for several years subject to entry by actual bona fide settlers by pre-emption. We are pleased to respond with our cordial approval of this policy.

Population is the basis, the true foundation of a State's power, influence and wealth; and from which flow the elements of moral, social, and commercial prosperity. It is estimated that the population who come to this Territory seeking homes, from the several States in the Union, bring with them on an average five thousand dollars each in money—and that those who come from Europe bring on an average one thousand dollars each in money and property. Thus it must be seen that with the rapid growth of Minnesota, her internal wealth is greatly increased, while the products of so much fresh labor will add thousands and even millions to the aggregate wealth of the country yearly.

Wealth is the result of labor, and that policy is best which secures the greatest good to the greatest number. We cannot shut our eyes to the lessons which dear-bought experience has taught and is still teaching our people. We need only look to the east and west side of the Mississippi river to see a striking contrast. On the west side, where the lands have been open to pre-emptors only, nearly every quarter section of land has been taken up, improved, and in most cases paid for by enterprising and good citizens—while on the east side, and in our neighboring States of Wisconsin and Iowa, millions of acres have gone into the hands of monied men, and now lie wild like waste fields. While the people of the States can be assured of the possession of homes at \$1.25 per acre, they will come to Minnesota, and will even pass better soil and better timber in our own Territory, which is known to be in the hands of speculators, to get where they can purchase a home at such prices as are within their scanty means. And the day that it is announced that all the lands are sold, that are regarded as valuable in Minnesota, the rush for cheap homes in our favored State will cease. Which result will not only be fatal to our growth and power as a State, but fatal to the capital which the pioneer settler has invested in town sites, lands, farms, water power, manufactories and other internal improvements. Who of the enterprising farmers of the East, West or South, will then venture to sell his home to come where the lands are mostly held by speculators, and where he must farm out all his energies, his physical strength, upon land either rented or purchased at high speculative rates.

No philanthropist can hesitate as to the true policy for Minnesota to pursue. The thousands of acres yet to be surveyed on the west side of the great Father of waters will ensure a population of three millions to Minnesota in the next third of a century, if the policy we propose is carried out. This policy will not confine its benefits to the farmer and landholder alone, but will diffuse its beneficial effects into all departments of society. As Governor Gorman says in his message, it will give more employment to the mechanic, more customers to the merchant, yield more produce to sell, afford more means to buy of others, and supply more steady work to the laborer.

The history of emigration has long since demonstrated that in the United States the tide of population and political power is moving at a rapid pace westward. European and American capital is following in its train, seeking investment in railroad and public improvements. It is no less true that the heavy body of the emigration is following the Western Prairies south of 46 degrees north latitude, thus indicating where our lands should be held for actual settlers.

No rational mind can fail to see that the sooner we get a heavy population west of the Mississippi on the highway to the Pacific, the sooner railroads will follow up the trail of this inviting source of wealth, and the earlier the emigrant moves on toward the Missouri, the sooner will railroads follow. But should we close the land west, and give up these fertile prairies, and check the tide of emigration westward, we may soon despair of the future. If, on the contrary, Minnesota can keep a wide field open for emigrants west of the Mississippi for a few years, the railroads already projected, will soon reach the Missouri freighted with millions of wealth, the product of this population, invited by the policy of cheap homes on a fertile soil. But once let the men of large means, the speculator if you please, get hold of these lands and close up the hope to the poor or the farmers of small means, (who constitute the real pillars of our Republic, and the real source of greatness and wealth,) and then enterprise and population must look elsewhere for homes and happiness. No sooner was it known that the land offices of Iowa and Wisconsin were for a short time closed, than all eyes were turned to Minnesota.— Not less than one hundred thousand people have come to this Territory and selected permanent homes within the last year! When we reflect that population creates enterprise, trade, commerce and wealth, we must be blind to our future prosperity if we do not urgently insist upon keeping Minnesota the "land of promise" to the honest and industrious emigrant. Therefore we offer the following memorial to the President of the United States, asking him to defer any further land sales in Minnesota until the lands have been subject to pre-emption entry for three years or more.

MEMORIAL.

TO THE PRESIDENT OF THE UNITED STATES :

We your petitioners would most respectfully represent that we have attentively observed and considered the growth and prosperity of Western States, produced by putting into market large bodies of public lands at one time. Our experience has demonstrated to us that such policy has heretofore and will again throw large quantities of the best soil and territorial lands into the hands of capitalists by whom they remain uncultivated, and driving the actual settler elsewhere, or obliging him to take inferior or refused lands. The proof of these facts and the results are so familiar to our whole community, that conviction deep and strong has been fixed upon the public mind that no more land sales except to actual settlers by pre-emption should take place in Minnesota during the present year, nor until the actual settlers who come here from the States have an opportunity of making their claims and improvements under the pre-emption laws of the United States. We therefore most earnestly and respectfully ask your Excellency to regard the prayer of this memorial, and permit our future State to be filled by an upright and industrious class of actual settlers.

The Memorial of the Legislative Assembly, of the Territory of Minnesota, reported by said Committee, is numbered C. F. No. 4.

On motion of Mr. Lowry the rules were suspended, and the Memorial was read a first and second time by its title.

Mr. Setzer moved that the Secretary be instructed not to enter said report upon the journal of the Council.

Which motion was seconded and the question being put the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Freeborn, Ludden, and Setzer,—3.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Rolette, Stone, Tillotson, and Wales—10.

So the negative of the question prevailed and the Council refused to instruct the Secretary.

Mr. Thompson from the Committee on Engrossed Bills reported that said Committee had carefully examined and found correctly engrossed, C. F. No. 27, an Act to enable married women to convey their interest in real estate by power of Attorney.

C. F. No. 3, a Joint Resolution for the relief of W. Colville, jr.

The Joint Resolution C. F. No. 2, was then read a third time, and upon the question shall the Resolution pass :

The yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, and Wales—13.

Those who voted in the negative were,
Mr. Balcombe—1.

So the affirmative of the question prevailed, and the Resolution passed. No. 2, C. F., a Memorial to Congress for certain mail routes in Minnesota Territory, was then read a third time and passed.

C. F. No. 12, a Bill to amend chapter 40 of the Session Laws of 1856, was then read a third time and passed.

C. F. No. 4, a Joint Resolution providing for the employment of a Secretary by the Committee on the Judiciary was read a third time.

The question being upon agreeing to the passage of said Resolution, and being put, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Freeborn, Lowry, Ludden, Setzer, Stone, Tillotson, and Wales—8.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, and, Rolette—5.

So the affirmative of the question prevailed and the Resolution passed.

C. F., No. 3, a Joint Resolution for the relief of W. Colville, jr., was then read a third time.

Upon the question of agreeing to the passage of said Resolution, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Dooley, Freeborn, Humphrey, Stone, Tillotson, and Wales—7.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Ludden, Rolette, and Setzer—5

So the affirmative of the question prevailed and said Joint Resolution passed.

Ordered, that the Secretary inform the House of Representatives thereof and request their concurrence therein.

C. F. No. 27, a Bill to enable married women to convey their interest in real estate by power of Attorney, was then read a third time.

Upon the question, shall the bill pass, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs Bassett, Dooley, Freeborn, Lowry, Ludden, Setzer, Stone, Tiltonson and Wales—9

Mr. Balcombe voted in the negative.

So the affirmative of the question prevailed and the bill passed.

On motion of Mr. Setzer, C. F. No. 5, a Bill for an act to incorporate Karns City, was referred to the Committee of the Whole Council.

On motion of Setzer, C. F. No: 24, a Bill for an act to incorporate the St. Anthony Falls and St. Peters Railroad Company, was referred to the Committee on Incorporations, and C. F. No. 26, a Bill for an act to incorporate the town of Cannon Falls, was referred to a Select Committee.

The Chair appointed Messrs. Setzer, Freeborn, and Dooley said Committee.

On motion of Mr. Setzer, No. 45, H. of Rs., a Bill for an act to amend an act entitled "an act to incorporate the St. Paul Gas Light Company," was referred to the Committee on Incorporations.

No. 15 H. of R., a Bill to incorporate the Minnesota River Bridge Company was referred to the Committee on Territorial Roads.

No. 57, H. of R., a Bill to amend the Revised Statutes, was referred to the Committee on the Judiciary.

No. 37 H. of R., a Bill to incorporate the Hobart University, at Spring Valley, Fillmore county, was referred to the Committee on Schools.

No. 28, a Bill for an act to ratify the official acts of the county officers of the county of Mower, and No. 25, H. of R., a Bill for an act relating to the county officers of the county of Mower, were referred to the Committee on Internal Improvements.

On motion of Mr. Setzer, No. 4, H. of R., a Memorial to Congress for an appropriation for a Light House at the mouth of Two Island River, and C. F. No. 14, a Bill for an act in relation to the running at large of cattle, horses, mules, sheep, swine, &c., were referred to the Committee of the Whole.

On motion of Mr. Setzer, the Council then resolved themselves into a Committee of the Whole, for the purpose of considering said Bill and Memorial.

Mr. Setzer in the Chair.

After some time spent in Committee of the Whole Council, the Committee rose and the President resumed the chair.

Mr. Setzer, as Chairman of the Committee, reported No. 4, H. of R., a Memorial for a Light House at the mouth of Two Island River, without amendment and with a recommendation that it pass.

Said Memorial was then read a third time and passed.

Mr. Setzer, as Chairman of said Committee, also reported C. F. No. 14, a Bill in relation to the running at large of cattle, horses, mules, &c., without amendment and with a recommendation that it pass.

January 29, 1857.]

COUNCIL.

On motion of Mr. Setzer, the Bill was amended by striking out the Proviso in the first section, and said Bill was then ordered to be engrossed and read a third time.

Mr. Rolette moved that the Council adjourn till to-morrow at 11 o'clock, A. M., and the question being put it was decided in the negative, and the Council refused to adjourn.

Mr. Dooley, agreeably to previous notice and by leave, introduced C. F. No. 34, a Bill for an act to amend the Session Laws of 1854.

On motion of Mr. Dooley, the rules were suspended, and said Bill was read a first and second time by its title.

Mr. Setzer in the Chair.

On motion of Mr. Brisbin, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Brisbin accordingly introduced C. F. No. 35, a Bill for an act to organize the county of Freeborn.

On motion of Mr. Brisbin, the rules were suspended and said Bill was read a first and second time by its title.

The President resumed the chair.

On motion of Mr. Lowry, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

FRIDAY MORNING JANUARY 30.

The Council met pursuant to adjournment and were called to order by the President.

Prayer by the Chaplain.

The roll being called the following members answered to their names: Messrs. Bailly, Balcombe, Bassett, Humphrey, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President.

Mr. Rolette moved that the rules be suspended and the reading of the journal of yesterday's proceedings be dispensed with, and the question being put it was decided in the negative, and said motion was not agreed to.

The Journal was then read and approved.

On motion of Mr. Lowry, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Lowry accordingly introduced C. F. No. 36, a Bill for an act to incorporate the Nininger and St. Peter Western Railroad Company.

On motion of Mr. Bassett, the rules of the Council were so far suspended that this and all other Bills introduced this day be read a first and second time by their title.

The bill was read a first and second time by its title.

On motion of Mr. Stone, the rules of the Council were so far suspended

that he had leave at that time to introduce three bills.

Mr. Stone accordingly introduced C. F. No. 37, a Bill for an act to define the boundaries of the county of Wilson, and for other purposes.

Also, C. F. No. 38, a Bill for an act to authorise Ard Godfrey to establish and maintain a ferry.

And also, C. F. No. 39, a Bill to authorise James B. Gilbert to establish a ferry.

Said Bills were severally read a second and third time by their respective titles.

Mr. Humphrey, agreeably to previous notice and by leave introduced C. F. No. 40, a Bill for an act to provide for laying out a Territorial Road from Eureka to Austin.

Which was read a first and second third time by its title, and referred to the Committee on Territorial Roads.

Also, C. F. No. 41, a Bill to authorise the construction of dams in Town 107, Range 20, in Minnesota, which was read a first and second time.

Mr. Ludden from the Committee on Incorporations to whom were referred C. F. No. 3, a Bill for an act to incorporate the Stillwater Bridge Co., C. F. No. 15, a Bill for an act to incorporate the Anoka Bridge Company, and C. F. No. 16, a Bill for an act to incorporate the St. Paul and Falls City Bridge Company, reported said several Bills with amendments to each with a recommendation that the amendments be accepted and the Bills pass.

The amendments were severally read and adopted, and said Bills were referred to the Committee of the Whole Council.

Mr. Tillotson from the Committee on Internal Improvements, to whom was referred House Bills, No. 25, a Bill for an act relating to the county officers of the county of Mower, and No. 28, a Bill for an act to ratify the official acts of the county officers of the county of Mower, reported the same without recommendation.

Said Bills were then referred to the Committee of the Whole Council.

The Committee on Incorporations made the following report :

The Committee on Incorporations to whom was referred C. F. No. 24, report the same back to the Council; and respectfully ask to be excused from examining, or reporting upon the merits of this, or any other Bill so irregularly prepared as is this Bill.

All of which is respectfully submitted.

H. M. SETZER,	} Committee.
J. D. LUDDEN,	
St. A. D. BALCOMBE,	

On motion of Mr. Bassett the same was laid upon the table.

On motion of Mr. Ludden, the rules of the Council were suspended, and on his motion the Council,

Resolved, that no Bills shall hereafter be received by the Council that are not legibly written and properly prepared and endorsed in accordance with the rules adopted by this Council.

The following Message was received from the House of Representatives, by their Clerk :

"MR. PRESIDENT :—

The H. of R. have concurred in the Resolution of the Council adopting the Joint Rules of the two Houses of 1856, for the government of the Two Houses during the present session.

Also, have appointed Messrs. Murray and Stannard, a Committee of Conference relative to the disagreement of the two Houses in an amend-

ment to Joint Resolution, No. 1, C. F., providing for the payment of the printing of the daily slips of the journals.

Also, the House has passed House Bills Nos. 42, 69, 81, and Mem. No. 3 H. of R., which are herewith transmitted and in which the concurrence of the Council is solicited.

Bill No. 16 H. of R., is also herewith transmitted which has also been passed by the House, and reported by the committee on Engrossed Bills H. of R. as correctly engrossed.

The House has also passed the following Resolution :

Resolved, that the Council be requested to furnish the House with copies of printed C. F. Bills."

On motion of Mr. Setzer the rules of the Council were so far suspended that he had leave to move an amendment to the Rules, and the amendment be in order for consideration at that time.

On motion of Mr. Setzer, the 40th Rule of the Council, was amended by striking out "fifty" the first word in the Rule, and inserting instead thereof the words "one hundred."

House Bills, No. 42, a Bill to organize the county of Freeborn; No. 59, a Bill to organize and define the boundaries of certain counties on the north shore of Lake Superior; No. 81, an Act to amend an act entitled "an act to incorporate the Little Falls Manufacturing Company," passed by the Legislative Assembly of Minnesota Territory, and approved the 1st day of March, A. D. 1856, and No. 16, a Bill to incorporate the Mount Zion Hebrew Association, and House Memorial No. 3 asking Congress to establish a mail route from West Union in the State of Iowa, to Cannon Falls in Minnesota, which were received from the House, were severally read a first time.

On motion of Mr. Bailly, the Council resolved themselves into a Committee of the Whole for the purpose of considering C. F. No. 10, a Bill for an act in relation to the location of the county seat for Dacotah county, and House Bills, No. 25, a Bill for an act relating to the county officers of the county of Mower, and No. 28, a Bill to ratify the official acts of the county officers of the county of Mower.

Mr. Thompson in the chair.

After some time spent in the Committee of the Whole the Committee rose, and the President resumed the chair.

Mr. Thompson, from the Committee of the Whole, reported said C. F. No. 10, with an amendment adding a proviso to the first section and with a recommendation that the Bill pass. The amendment was adopted.

Ordered that said Bill be engrossed, and read a third time.

Mr. Thompson, also reported from the same Committee said House Bills Nos. 25 and 28 without amendments and with recommendations that the Bills pass.

On the question shall said House Bill, No. 28, be read a third time, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Balcomb, Bassett, Humphrey, Rolette, Thompson, Wales, and Mr. President—7

Those who voted in the negative were,

Messrs. Bailly, Lowry, Setzer, Stone, and Tillotson—5

So the affirmative of the question prevailed and the bill was ordered to be read a third time.

Said House Bill No. 25, was then ordered to be read a third time.

On motion of Mr. Humphrey, the Council resolved themselves into a Committee of the Whole for the purpose of considering C. F. No. 25, a Bill for an act to incorporate the town of Winnebago City.

Mr. Balcombe in the chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the chair.

Mr. Balcombe reported, from the Committee, said C. F. No. 25, without amendment and with a recommendation that the Bill pass.

Mr. Setzer moved that the Bill be laid on the table till Monday next, and the question being put upon agreeing to said motion, it was decided in the negative and the Council refused to lay the bill upon the table till Monday next.

Mr. Setzer called for the reading of the Bill for information.

The Chair ruled that a full reading of the Bill could not be had at that time without suspension of the rules.

Mr. Setzer appealed from the decision of the Chair.

Upon the question shall the decision of the Chair be sustained, being put, Mr. Setzer moved a call of the Council, which was ordered.

The roll being called the following members answered to their names : Messrs. Bailly, Balcombe, Bassett, Humphrey, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President.

Absent, Messrs. Dooley, Freeborn, and Lowry.

On motion of Mr. Setzer, Messrs. Dooley, and Freeborn, were excused from attendance for the remainder of the week.

The Chair ordered the Sergeant at Arms to report Mr. Lowry in his seat, which order was complied with, and Mr. Lowry was reported in his seat by the Sergeant at Arms.

The question recurring upon said appeal from the decision of the Chair being put, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Humphrey, Rolette, Thompson, Tillotson, and Wales—8

Those who voted in the negative were,

Messrs. Lowry, Setzer, and Stone—3

So the affirmative of the question prevailed and the decision of the Chair was sustained.

Mr. Setzer asked for a call of the Council, which was ordered and the roll being called all the members answered to their names, except those who had been excused by a vote of the Council from further attendance this week, and Mr. Ludden.

Mr. Rolette moved that Mr. Ludden be excused from further attendance for the remainder of this week, and upon the question of agreeing to said motion the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Humphrey, Lowry, Rolette, Stone, Thompson, and Tillotson—8.

Those who voted in the negative were,

Messrs. Bailly, Setzer, Wales, and Mr. President—4.

So the affirmative of the question prevailed and Mr. Ludden was excused from further attendance for the remainder of this week.

Mr. Setzer moved that the Bill be recommitted to the Committee on Territorial Affairs, and upon the question of agreeing to said motion the

yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Setzer, Stone, and Tillotson—3

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Bassett, Humphrey, Lowry, Rolette, Thompson, Wales and Mr. President—9.

So the negative of the question prevailed and the Council refused to recommit said Bill.

A call of the Council was then asked for and ordered, and the roll being called each member answered to his name except those who had been excused from further attendance this week.

Mr. Rolette moved that the Council adjourn till Monday next at two o'clock in the afternoon, and upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Rolette, Setzer, and Tillotson—4.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Humphrey, Lowry, Stone, Thompson, Wales and Mr. President—8.

So the Council refused thus to adjourn.

Mr. Setzer moved that the further consideration of said Bill be postponed till the 10th day of February next, and upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Setzer, and Stone—2.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Bassett, Humphrey, Lowry, Rolette, Thompson, Tillotson, Wales, and Mr. President—10.

So the negative of the question prevailed and the Council refused to postpone the further consideration of said Bill,

A call of the Council was then asked for and ordered, and upon the roll being called, each member except those excused answered to his name.

Mr. Bassett moved the previous question upon ordering the said Bills to be engrossed and read a third time, and upon the question, shall the main question be now put : the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Humphrey, Lowry, Rolette, Thompson, Tillotson, Wales, and Mr. President—10.

Those who voted in the negative were,

Messrs. Setzer, and Stone—2.

So the affirmative of the question prevailed and the previous question was ordered and upon being put, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Humphrey, Lowry, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President—12.

So the affirmative of the question prevailed and said Bill C. F. No. 25, was ordered to be engrossed and read a third time.

Mr. Setzer moved a reconsideration of the vote just passed ordering

the Bill C. F. No. 25 to be engrossed and read a third time.

Mr. Lowry moved to amend the motion by substituting instead thereof "that the Council adjourn till Monday next at two o'clock in the afternoon."

Mr. Setzer moved to amend the amendment by striking out the words "two o'clock in the afternoon," and inserting instead thereof the words "ten o'clock in the forenoon," and the question being put upon agreeing to said amendment to the amendment, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Setzer, Stone, and Tillotson—4.

Those who voted in the negative were,

Messrs. Balcombe, Humphrey, Lowry, Rolette, Thompson, Wales, and Mr. President—8.

So the negative of the question prevailed and said amendment to the amendment was rejected.

It was then moved to amend the amendment by striking out "two o'clock in the afternoon," and inserting "eleven o'clock in the forenoon."

And the question being put, upon agreeing to said amendment, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bassett, Lowry, Rolette, Tillotson, Wales, and Mr. President—6.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Humphrey, Setzer, Stone, and Thompson—6.

So the negative of the question prevailed and said amendment to the amendment was rejected.

The question recurring upon agreeing to the original amendment, and being put, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bassett, Rolette, Wales, and Mr. President—4.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Humphrey, Lowry, Setzer, Stone, Thompson, and Tillotson—8.

So the negative of the question prevailed and said amendment was rejected.

The question recurring upon the original motion to reconsider said vote, and being put it was decided in the negative, and the Council refused to reconsider said vote.

Mr. Balcombe moved that the Council adjourn.

Mr. Lowry moved to amend the motion by adding the words "till two o'clock in the afternoon of Monday next." The question being put upon agreeing to said motion, and the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Bassett, Humphrey, Lowry, Rolette, Setzer, Stone, and Tillotson—8.

Those who voted in the negative were,

Messrs. Balcombe, Thompson, Wales, and Mr. President—4.

So the affirmative of the question prevailed, and said amendment was adopted.

The question recurring upon agreeing to the motion as amended and being put the yeas and nays were called for and ordered, and the result

of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Bassett, Humphrey, Lowry, Rolette, Setzer, Stone, and Tillotson—8.

Those who voted in the negative were,
Messrs. Balcombe, Thompson, Wales, and Mr. President—4.

So the affirmative of the question prevailed and the Council adjourned till Monday next at two o'clock in the afternoon.

J. B. BRISBIN, President.

L. SMITH, Secretary.

MONDAY AFTERNOON, FEBRUARY 2, 1857.

The Council met pursuant to adjournment and was called to order by the President.

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

Messrs. Balcombe, Bassett, Humphrey, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President.

The reading of the Journal of the proceedings of the Council of Friday last was commenced and proceeded in, when on motion of Mr. Setzer the further reading of the Journal was dispensed with, and the same was approved.

Mr. Stone offered the following resolution, which was adopted.

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of so amending the Revised Statutes as to allow a change of venue in suits pending before Justices of the Peace, similar to that allowed in the District Courts, and report by bill or otherwise.

On motion of Mr. Humphrey, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Humphrey accordingly introduced C. F. No. 42, a Bill for "An act to incorporate the Traverse Des Sioux Hotel Company."

On motion of Mr. Humphrey the rules were suspended and said Bill was read a first and second time by its title.

On motion of Mr. Stone, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Stone accordingly introduced C. F. No. 43, a Bill to divide a portion of Minnesota Territory into counties and define their boundaries.

On motion of Mr. Stone, the rules were suspended and said Bill was read a first and second time by its title.

On motion of Mr. Rolette, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Rolette accordingly introduced C. F. No. 44, a Bill for an act to provide for laying out a Territorial road from Carver to Excelsior

On motion of Mr. Rolette, the rules were suspended and said Bill was

read a first and second time by its title, and referred to the Committee on Territorial Roads.

On motion of Mr. Ludden, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Ludden, accordingly introduced C. F. No. 45, a Bill for an act to incorporate the St. Paul and Taylors Falls Railroad Company.

On motion of Mr. Ludden, the rules of the Council were suspended and said Bill was read a first and second time by its title.

Mr. Ludden from the Committee on Incorporations made the following report :

The Committee on Incorporations to whom was referred H. of R. No. 45, have, after an examination of said Bill, instructed me to report the same back to the Council, without amendment, and with a recommendation that the Bill shall be passed ; as the amendments prepared appear to be only an act of justice to the St. Paul Gas Light Company.

J. D. LUDDEN, Chairman of the Committee.

Mr. Thompson from the Committee on Engrossed Bills made the following report :

The Committee on Engrossed Bills have carefully examined, and find correctly engrossed C. F. No. 14, a Bill to authorise the running at large of cattle, horses, mules, swine, sheep and other animals.

C. W. THOMPSON, } Committee.
B. F. TILLOTSON, }

The Committee on Engrossed Bills have carefully examined and found correctly engrossed C. F. No. 10, an Act in relation to the location of the county seat for Dakota County.

C. W. THOMPSON, } Committee.
B. F. TILLOTSON, }

The Committee on Engrossed Bills have carefully examined and found correctly engrossed C. F. No. 8, an Act entitled an act to incorporate the Winnebago Water Power Company.

C. W. THOMPSON, } Committee.
B. F. TILLOTSON, }

House Bills Nos. 16, 42, 69 and 81, and House Memorial No. 3, were then severally read a second time.

On motion of Mr. Setzer House Bills Nos. 42 and 69 were referred to the Committee on County Boundaries, and House Bill No. 81, was referred to the Committee on Incorporations.

On motion of Mr. Setzer, C. F. No. 35, a Bill to organize the county of Freeborn, was referred to the Committee on County Boundaries.

House Bills Nos. 25 and 28 relating to the county and officers of Mower county, were severally read a third time.

On motion of Mr. Balcombe, said House Bills Nos. 25 and 28, were referred to a Select Committee.

The Chair appointed Messrs. Balcombe, Setzer and Tillotson said Committee.

C. F. No. 8, came up for a third reading when it appeared that the Bill did not contain the enacting clause.

Mr. Balcombe moved that said Bill be recommended to the Committee on Engrossed Bills.

Mr. Setzer moved to amend the motion by adding "with instructions to insert the enacting clause," which amendment was adopted by the Council.

The motion as amended was then adopted and said Bill was thus re-committed.

C. F. No. 10, a Bill for an act in relation to the location of the county seat in Dakota county, and C. F. No. 14, in relation to the running at large of cattle and other animals, were then severally read a third time and passed.

Mr. Thompson from the Committee on Engrossed Bills to whom was re-committed C. F. No. 8, with instructions to insert the enacting clause therein, reported the same with the enacting clause inserted according to instructions.

Said C. F. No. 8, a Bill to incorporate the Winnebago Water Power Company, was then read a third time and passed.

On motion of Mr. Setzer the Council resolved themselves into a Committee of the Whole for the purpose of considering C. F. No. 31 a Bill granting to Thomas Roberts the right to establish and maintain a ferry across the Mississippi river at La Crescent; and C. F. No. 41, a Bill for an act to authorize the construction of dams in Township 107, North of Range 20 West.

Mr. Setzer in the chair.

After some time spent in Committee of the Whole the Committee rose and the President resumed the chair.

Mr. Setzer from the Committee of the Whole, reported said C. F. No. 31, with sundry amendments; which were adopted by the Council.

Ordered, that said bill be engrossed and read a third time.

Mr. Setzer, from the same Committee, also reported C. F. No. 41, a Bill for an act to authorize the construction of dams in Township 107, north of range 20 west, with an amendment to strike out the 10th section, which was adopted.

On motion of Mr. Thompson, said Bill was referred to the Committee on Incorporations.

On motion the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

TUESDAY MORNING, FEBRUARY 3, 1857.

The Council met pursuant to adjournment and were called to order by the President.

Prayer by the Chaplain.

The roll being called the following members answered to their names: Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Ludden, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President.

The Journal of the proceedings of the Council of yesterday was read and approved.

On motion of Mr. Freeborn the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Freeborn accordingly introduced C. F. No. 46, a Bill for an act to incorporate the Red Wing Literary and Scientific Association.

On motion of Mr. Freeborn the rules were suspended and said Bill was read a first and second time by its title.

On motion of Mr. Bassett the rules of the Council were so far suspended that he had leave at that time to introduce a Bill.

Mr. Bassett accordingly introduced C. F. No. 47, a Bill for an act to incorporate the Minnehaha Bridge Company.

Mr. Bassett moved a suspension of the rules, and that said Bill be read a first and second time by its title.

Upon this question Mr. Setzer called for the yeas and nays which were ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bassett, Dooley, Freeborn, Humphrey, Ludden, Thompson, Tillotson, Wales, and Mr. President—9.

Those who voted in the negative were,

Messrs. Setzer, and Stone—2.

So the affirmative of the question prevailed and the rules were suspended and said Bill was then read a first and second time by its title.

On motion of Mr. Thompson, the rules of the Council were so far suspended that he had leave at that time to introduce a bill.

Mr. Thompson accordingly introduced C. F. No. 48, a Bill for an act to incorporate the town of La Crescent, and for other purposes.

Mr. Thompson moved that the rules be suspended and the bill be read a first and second time by its title.

Upon this question Mr. Setzer called for the yeas and nays which were ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bassett, Dooley, Freeborn, Humphrey, Ludden, Stone, Thompson, Tillotson, Wales and Mr. President—10.

Mr. Setzer voted in the negative.

So the affirmative of the question prevailed, and the rules were suspended, and said Bill thus read a first and second time.

Mr. Humphrey gave notice that he would on to morrow or some future day of the session, ask leave to introduce a bill for an act to incorporate the Red Wing and Owatona Railroad Company.

Mr. Humphrey from the Committee on Territorial Roads, to whom was referred House Bill No. 15, a Bill to incorporate the Minnesota River Bridge Company, reported the same without amendment, and with a recommendation that the Bill pass.

Mr. Thompson from the Committee on Engrossed Bills, read the following report :

The Committee on Engrossed Bills have carefully examined and found correctly engrossed, C. F. No. 20, a Bill for an act to provide for taking the Census and the formation of a State Government in Minnesota.

C. W. THOMPSON, }
B. F. TILLOTSON, } Committee,

Said Bill was then read a third time and passed.

On motion of Mr. Bassett, the Council resolved themselves into a Committee of the Whole for the purpose of considering C. F. No. 3, a bill for an act to incorporate the Stillwater Bridge Company ; C. F. No. 15, a bill for an act to incorporate the Anoka Bridge Company; and C. F. No. 16, a bill for an act to incorporate the St. Paul and Falls City Bridge Company.

Mr. Balcombe in the chair.

After some time spent in Committee of the Whole, the Committee rose, and the President resumed the chair.

Mr. Balcombe from the Committee of the Whole reported each of said bills with amendments, all of which were adopted by the Council.

Ordered, that C. F. Nos. 3, 15 and 16 be engrossed and read a third time.

On motion of Mr. Setzer, the Council resolved themselves into a Committee of the Whole for the purpose of considering House Bill No. 15, a Bill to incorporate the Minnesota Bridge Company; House Bill No. 16, a Bill to incorporate the Mount Zion Hebrew Association; and C. F. No. 30, a Bill for an act to incorporate the city of Red Wing.

Mr. Setzer in the chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the chair.

Mr. Setzer, chairman of the Committee of the Whole Council reported C. F. No. 30, without amendment and with a recommendation that the bill be referred to the Committee on Incorporations.

Upon the question of agreeing to the recommendation of the Committee of the Whole the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Humphry, Thompson, Tillotson, and Wales—7.

Those who voted in the negative were,

Messrs. Freeborn, Ludc'en, Setzer, Stone, and Mr. President—5.

So the affirmative of the question prevailed, and the recommendation of the committee was agreed to, and said bill was thus referred.

Mr. Setzer, as Chairman of the same Committee, reported House Bill No. 15, a Bill for an act to incorporate the Minnesota River Bridge Company, with the following amendments : In the 5th section strike out the words "thirty-five" before the word "years" and insert instead thereof the word "twenty," also strike out all of section seven, which amendments were agreed to by the Council.

On motion of Mr Ludden the Council further amended said bill by striking out the 8th section.

The Bill as amended was then ordered to be read a third time.

Mr. Setzer from the same Committee reported House Bill No. 16, a bill to incorporate the Mount Zion Hebrew Association, without amendment, and the question shall said bill be read a third time, being put, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Balcombe, Dooley, and Mr. President—3.

Those who voted in the negative were,

Messrs. Freeborn, Humphrey, Setzer, Stone, and Wales—5.

So the negative of the question prevailed, and the Council refused said bill a third reading.

On motion of Mr. Stone, C. F. No. 43, a bill for an act to divide a portion of Minnesota Territory into counties, and define the boundaries, was referred to a select Committee.

The Chair appointed Messrs. Stone, Freeborn and Setzer, said Committee.

Mr. Thompson gave notice that he would on to-morrow or some future day of the session ask leave to introduce a bill for an act to incorporate

the Rector, Wardens, and Vestrymen of the church of Gethsemane in Minneapolis.

Mr. Thompson, from the Committee on Engrossed Bills, reported that the committee had carefully examined and found correctly engrossed, C. F. No. 31, a bill granting to Thomas McRoberts the right to establish and maintain a ferry across the Mississippi river at La Crescent.

Also C. F. No. 25, a bill to incorporate Winnebago City.

A message was received from the House of Representatives by their Clerk.

On motion of Mr. Balcombe, the Council resolved themselves into a Committee of the Whole for the purpose of considering C. F. No. 42, a Bill for an act to incorporate the Traverse des Sioux Hotel Company; House Bill No. 45, a Bill for an act to amend an act entitled "an act to incorporate the St. Paul Gas Light Company;" and House Memorial No. 3, to Congress for a mail route from West Union in the State of Iowa to Cannon Falls in Minnesota.

Mr. Thompson in the chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the chair.

Mr. Thompson as Chairman of the Committee of the Whole, reported said C. F. No. 43, without amendment and with a recommendation that it be engrossed and read a third time, which recommendation was agreed to by the Council, and said bill was ordered to be engrossed and read a third time.

Mr. Thompson also reported from the same committee House Bill No. 45, without amendment and with a recommendation that the bill pass.

Ordered, that said Bill be read a third time.

Mr. Thompson, from the same committee, also reported House Memorial No. 3 without amendment, and with a recommendation that it pass, and said Memorial was ordered to be read a third time.

On motion of Mr. Bassett C. F. No. 33, a bill for an act granting to Amos Clarke the right to establish and maintain a ferry across the Mississippi river, was referred to the Committee on Territorial Roads.

On motion of Mr. Stone the rules of the Council were so far suspended that he had leave at that time to introduce a bill.

Mr. Stone accordingly introduced C. F. No. 49, a Bill for an act to establish the county of Manomen, and define the boundaries.

On motion of Mr. Stone the rules were suspended and said bill was read a first and second time by its title.

On motion of Mr. Balcombe the rules of the Council were so far suspended that C. F. No. 31 was at that time in order for a third reading and passage.

Said C. F. No. 31, a Bill granting to Thomas McRoberts the right to establish and maintain a ferry across the Mississippi river at La Crescent was then read a third time.

The question being upon the passage of said bill, a call of the Council was asked for and ordered, and upon a call of the roll Messrs. Bailly, Humphrey, Lowry, and Rolette were absent.

On motion of Mr. Freeborn all further proceedings under the call of the Council were dispensed with.

The question recurring upon the passage of said bill, and the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Freeborn, Ludden, Setzer, Tillotson,

Stone, Wales and Mr. President—10.

Mr. Thompson voted in the negative.

So the affirmative of the question prevailed, and the Bill passed.

On motion of Mr. Balcombe the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

WEDNESDAY MORNING, FEBRUARY 4, 1857.

The Council met pursuant to adjournment and was called to order by the President.

The roll being called the following members answered to their names: Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Setzer, Stone, Thompson, Wales, and Mr. President.

The journal of the proceedings of the Council of yesterday was then read and approved.

Mr. Humphrey, agreeably to previous notice, and by leave introduced C. F. No. 50, a Bill for an act to incorporate the Red Wing and Owatona Railroad Company.

On motion of Mr. Bassett the rules were suspended and said Bill was read a first and second time by its title.

Mr. Thompson agreeably to previous notice and by leave introduced C. F. No. 51, a Bill for an act to incorporate the Rector, Wardens, and Vestrymen of the church of Gethsemane, in Minneapolis.

On motion of Mr. Bassett the rules were suspended and said Bill was read a first and second time by its title.

Mr. Dooley, gave notice that on to-morrow or some subsequent day of the session he would ask leave to introduce a bill to provide for laying out and establishing a Territorial road from the Dodd road to Jordan City.

Mr. Wales from the Committee on Schools made the following report.

The Committee on Schools, to whom was referred No. 37 H. of R., an Act to incorporate the Hobart University of Spring Valley, Fillmore county, beg leave to report the same back to the Council, with a recommendation that it pass.

WM. W. WALES,
WM. FREEBORN, } Committee.
C. W. THOMPSON, }

Mr. Freeborn gave notice of intention to ask leave to introduce a Bill to provide for laying a territorial road from Red Wing to Shakopee, and from St. Paul to Cannon Falls.

Mr. Thompson from the Committee on Engrossed Bills, reported as correctly engrossed C. F. No. 3, a Bill to organize the Stillwater Bridge Company.

On motion of Mr. Freeborn the Council reconsidered the vote of yesterday, refusing a third reading to House Bill No. 16, providing for an act

to incorporate the Mount Zion Hebrew Association.

On motion of Mr. Freeborn, said House Bill No. 16 was referred to the Committee on Incorporations.

Mr. Setzer from the Committee on County Boundaries reported C. F. No. 35, a Bill to organize the county of Freeborn, without amendment and with a recommendation that the further consideration of said Bill be indefinitely postponed.

The question being upon agreeing to the recommendation of said Committee, and the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bassett, Freeborn, Ludden, Setzer, Stone, Tillotson, and Wales—7.

Those who voted in the negative were,

Messrs. Balcombe, Dooley, Humphrey, Lowry, Thompson, and Mr. President—6.

So the affirmative of the question prevailed, and said bill was indefinitely postponed.

Mr. Setzer from the same Committee, reported C. F. No. 13, a Bill for an act to establish the counties of Jackson, Monroe, and Madison.

Mr. Setzer from the same Committee also reported House Bill No. 42, an act to organize the county of Freeborn, without amendment and with a recommendation that the bill pass.

The Council then proceeded to consider the following Message and accompanying papers, sent from the House yesterday.

MR. PRESIDENT :—The House of Representatives have passed House Bills Nos. 50, 58, and 49.

Also, C. F. No. 1, without amendment ; and No. 2 C. F. Memorial to Congress for certain mail routes, with the following amendment, "also from Fort Ridgely to Sacramento, Cal.;" Also, No. 1 C. F. Memorial of the Legislative Assembly, with the following amendment, "also from Winona by way of Beaver Dam, Greenville, and Mazeppa to Faribault" ; also Joint Resolution No. 4 C. F., with the following amendments, insert the words "of both Houses Jointly," also insert the words "to be paid out of any moneys in the Treasury not otherwise appropriated," all of which are herewith transmitted, and the concurrence of the Council solicited.

House Bills No. 50, a Bill to organize the county of Waseca ; House Bill No. 58 for an act to incorporate the town of Clear Water ; and House Bill No. 49, an act relative to assessors and the assessment of property, were then severally read a first time.

The Council then proceeded to the consideration of the amendment proposed by the House to C. F. No. 2, a Memorial to Congress for certain mail routes in Minnesota Territory.

The House proposed to amend said Memorial by adding, "and also from Fort Ridgely to Sacramento City in California," and the question being put upon agreeing to said amendment, it was decided in the negative.

So the Council ~~non~~-concurred with the House in the adoption of said amendment.

The Council proceeded to consider the amendment proposed by the House to C. F. No. 1, a Memorial of the Legislative Assembly of Minnesota in relation to mail routes.

The House proposed to amend by adding "also from Winona by way of Beaver Dam, Greenville, and Mazeppa to Faribault."

The question being upon agreeing to said amendment it was decided in

the affirmative, and the Council concurred with the House in the adoption of said amendment.

The Council proceeded to consider the amendments proposed by the House to C. F. No. 4, a Joint Resolution providing for a Secretary for the Committee on the Judiciary, which amendments were adopted by the Council.

The following Message was received from the House by their Clerk.

MR. PRESIDENT:—The House has passed Bill No. 31 C. F. authorizing Thos. McRoberts to establish a Ferry across the Mississippi River at La Crescent without amendment, and is herewith transmitted.

House Bills Nos. 50, 58 and 49 were severally read a second time.

On motion of Mr. Balcombe, House Bill No. 49 was referred to the Committee on the Judiciary.

House Memorial No. 3, for a Mail Route from West Union in the State of Iowa, to Cannon Falls in Minnesota, and House Bill No. 45 amending the Charter of the St. Paul Gas Light Company, were severally read a third time and passed.

House Bill No. 15 to incorporate the Minnesota River Bridge Company was read a third time and passed as amended.

A Message was received from the House by their Clerk.

The third reading of C. F. No. 25, a Bill to Incorporate the Town of Winnebago City, was commenced and proceeded in.

On motion of Mr. Humphrey, the rules were suspended and the further reading of said Bill was dispensed with, and the Bill then passed.

The third reading of C. F. No. 3, a Bill to organize the Stillwater Bridge Company was commenced and proceeded in.

On motion of Mr. Setzer, the rules were suspended and the further reading of the Bill was dispensed with, and said Bill was then passed.

On motion of Mr. Balcombe, the rules were suspended and the Council resolved themselves into a Committee of the Whole for the purpose of considering House Bill No. 42, to organize the County of Freeborn; C. F. No. 37 "An Act to define the boundaries of the County of Wilson, and for other purposes;" C. F. No. 49, a Bill to establish the County of Manomen; C. F. No. 36, a Bill to incorporate the Nininger and St. Peter Western Railroad Company; C. F. No. 32, a Bill to incorporate the Town of Glencoe; C. F. No. 38, a Bill to authorize And. Godfrey to build and maintain a Bridge across Elk River, at the Village of Orono; C. F. No. 39, a Bill authorizing James B. Gilbert to establish a Ferry; C. F. No. 34, a Bill to amend Chapter 36 of the Session Laws of 1854; C. F. No. 46, to incorporate the Red Wing Literary and Scientific Association; C. F. No. 45, a Bill for an Act to Incorporate the St. Paul and Taylor's Falls Bridge Company; C. F. No. 47, a Bill for An Act to Incorporate the Minne-ha-ha Bridge Company, and C. F. No. 4, a Memorial of the Legislative Assembly of the Territory of Minnesota to Congress in relation to the public lands in said Territory.

Mr. Setzer in the Chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Setzer as Chairman of said Committee reported said House Bill No. 42 without amendment, and with a recommendation that it pass.

Said Bill was then ordered to be read a third time.

Mr. Setzer, as Chairman of said Committee, also reported C. F. No. 32, C. F. No. 34, C. F. No. 46, C. F. No. 47 with amendments, and C. F. No. 4,

Memorial, without amendment, with recommendations that said Bills, when amended, and said Memorial be engrossed and read a third time.

Said amendments were then adopted by the Council, and said several Bills and Memorial were ordered to be engrossed and read a third time.

Mr. Setzer, ar Chairman of the same Committee, also reported C. F. No. 37 and C. F. No. 49, without amendment, with a recommendation that the same be referred to the Committee on County Boundaries, which recommendation was agreed to by the Council, and said Bills were so referred.

Mr. Setzer, from the same Committee, reported C. F. No. 36 and C. F. No. 38, without amendment, and with recommendations that said Bills be referred to the Committee on Territorial Affairs, which recommendations were agreed to by the Council, and the said Bills were thus referred.

Mr. Setzer, from the same Committee, also reported C. F. No. 39, without amendment, and with a recommendation that the same be referred to the Committee on Territorial Roads, which recommendation was agreed to by the Council, and said Bill was so referred.

Mr. Setzer, from the same Committee, reported C. F. No. 45, without amendment, and with a recommendation that it be referred to the Committee on Incorporations, which recommendation was agreed to by the Council, and said Bill was so referred.

On motion of Mr. Humphrey, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

THURSDAY MORNING, FEBRUARY 5, 1857.

The Council met pursuant to adjournment and was called to order by the President.

Prayer by the Chaplain.

The roll being called the following members answered to their names: Messrs. Balcombe, Bassett, Dooley, Humphrey, Ludden, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President.

The Journal of the proceedings of yesterday was read, amended and then approved.

On motion of Mr. Wales, the rules of the Council were so far suspended that he had leave at that time to introduce a bill.

Mr. Wales accordingly introduced C. F. No. 52, a Bill for "An act to incorporate the town of Hanover."

On motion of Mr. Wales, the rules were suspended and said bill was read a first and second time by its title.

On motion of Mr. Wales, the rules were suspended and he had leave, and introduced C. F. No. 53, a Bill for an act relative to free schools in the City of St. Anthony.

On motion of Mr. Wales, the rules were suspended and the Bill read a first and second time by its title.

Mr. Dooley, agreeably to previous notice and by leave introduced C. F. No. 54, providing for a Territorial Road from the Dodd Road to Jordan City.

On motion of Mr. Dooley, the rules were suspended and the Bill was read a first and second time by its title and then referred to the Committee on Territorial Roads.

On motion of Mr. Lowry, the rules were suspended and he, having leave, introduced C. F. No. 55, a Bill allowing David C. Murray and Albert Webster to establish and maintain a Ferry across the Mississippi River at Pine Bend.

On motion of Mr. Lowry, the rules were suspended and the Bill was read a first and second time by its title.

Mr. Freeborn, agreeably to previous notice and by leave, introduced C. F. No. 56, a Bill providing for a Territorial Road from Red Wing to Shackapee, and also one from St. Paul to Cannon Falls.

On motion of Mr. Humphrey, the rules were suspended and said bill was read a first and second time by its title and referred to the Committee on Territorial Roads.

Mr. Balcombe gave notice that on to-morrow or some future day of the session he would ask leave to introduce a Bill to incorporate the St. Paul Mercantile Library Association.

On motion of Lowry, the rules were suspended and he had leave at that time to introduce a Bill.

Mr. Lowry, accordingly introduced C. F. No. 57, a Bill to incorporate the Shaska Company.

On motion of Mr. Lowry, the rules were suspended and said bill was read a first and second time by its title.

Mr. Setzer offered the following resolution :

Resolved, That the Committee on Printing be instructed to enquire whether the Governor's Message will be ready for the use of the Council within the next six months and report."

The question being upon agreeing to the passage of said resolution, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bassett, Humphrey, Ludden, Setzer, Tillotson, and Mr. President—6.

Those who voted in the negative were,

Messrs. Dooley, Lowry, Stone and Wales—4.

So the affirmative of the question prevailed and the resolution passed.

On motion of Mr. Bassett the rules of the Council were suspended and he had leave at that time to introduce a Bill.

Mr. Bassett accordingly introduced C. F. No. 58, a Bill for an act granting to J. H. Haganin and others, the right to establish and maintain a Ferry across the Mississippi River.

On motion of Mr. Bassett, the rules were suspended and said bill was read a first and second time by its title.

Mr. Freeborn from the Committee on Enrolled Bills made the following report:

The Committee on Enrolled Bills have examined and found correctly enrolled C. F. No. 31, a Bill granting to Thomas McRoberts the right to establish and maintain a Ferry across the Mississippi River at LaCrescent.

Wm. FREEBORN,
Wm. W. WALES.

Mr. Setzer from the Committee on Judiciary, to whom was referred C. F. No. 2, a Bill for an act to legalize the organization of the St. Anthony Falls Water Power Company, report the same back with amendments, and if so amended recommend its passage.

Said amendments were severally adopted by the Council.

Mr. Humphrey from the Committee on Territorial Roads, to whom were referred C. F. No. 9, an act to establish a Ferry across the Minnesota River at Bloomington, and C. F. No. 33, an act granting to Amos Clark, the right to establish and maintain a Ferry across the Mississippi River, reported each of said Bills without amendment, and with recommendation that they pass.

Mr. Setzer made the following report:

The Select Committee to whom was referred C. F. No. 26, a Bill for an act to incorporate the town of Cannon Falls, report the same back without amendment, and a recommendation that it pass.

H. N. SETZER, Chairman.

Mr. Lowry from the Committee on Territorial Affairs to whom was referred C. F. No. 36, a Bill to incorporate the Ninninger and St. Peter Western Railroad Company, reported the same without amendment and with a recommendation that it pass.

The Council then proceeded to consider the following message and accompanying papers received from the House on yesterday:—

“MR. PRESIDENT:—The House has passed C. F. Bills Nos. 10 and 12.

Also, No. 19, House of Rep., a Bill to incorporate the St. Peter, Minneapolis, St. Anthony, St. Paul and Stillwater Railroad Company, which are herewith transmitted, and in which the concurrence of the Council is solicited.”

The first reading of said House Bill No. 19, was commenced and proceeded in, when

Mr. Bassett moved that the rules be suspended and said Bill be read a first and second time by its title.

And upon this question the ayes and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bassett, Dooley, Lowry, Ludden, Thompson, Wales and Mr. President—7.

Those who voted in the negative were,

Messrs. Humphrey, Setzer and Tillotson—3.

So the affirmative of the question prevailed, the rules were then suspended and said Bill was read a first and second time by its title.

Ordered that said Bill be referred to the Committee on Incorporations.

The Committee on Engrossed Bills made the following report:

“The Committee on Engrossed Bills have examined and found correctly engrossed C. F. No. 42, an act to incorporate the Traverse de Sioux Hotel Company.

H. N. SETZER,
B. F. TILLOTSON, } Committee.”

On motion of Mr. Stone, House Bill No. 50, was referred to the Committee on County Boundaries.

House Bill No. 42, a Bill to organize the county of Freeborn, was read a third time.

On motion of Mr. Ludden, made with the unanimous consent of the Council, the Bill was amended by striking out the sixth section which provided that said act should take effect and be in force from and after its passage.

The bill as amended was then passed.

The Council then considered C. F. No. 36, a Bill to incorporate the Ninninger and St. Peter Western Railroad Company.

Mr. Balcombe moved an amendment which was adopted, and Mr. Ludden moved further to amend by striking out the 11th or last section, providing that said act should take effect from and after its passage, which amendment was also adopted.

The Bill as amended was then ordered to be engrossed and read a third time.

On motion of Mr. Thompson the Council resolved themselves into a Committee of the Whole to take under consideration C. F. Nos. 15, 48 and 26.

Mr. Tillotson in the chair.

After some time spent in Committee of the whole Council, the Committee rose and the President resumed the chair.

Mr. Tillotson as Chairman of said Committee reported C. F. No. 26, a Bill to incorporate the Town of Cannon Falls, with sundry amendments thereto, proposed by the Committee.

On motion of Mr. Ludden, the amendments were amended by adding and strike out the last section, providing that said act shall take effect and be in force from and after its passage.

Said amendments were then adopted, and the Bill ordered to be engrossed and read a third time.

Mr. Tillotson from the same Committee reported C. F. No. 48, a Bill for an act to incorporate the Town of La Crescent and for other purposes, with sundry amendments, which were adopted by the Council.

On motion of Mr. Ludden the Bill was further amended by striking out the last and 17th section, providing that said act should take effect and be in force from and after its passage.

Said Bill was then ordered to be engrossed and read a third time.

Mr. Tillotson from the same Committee,

Also, reported C. F. No. 51, a Bill for "An act to incorporate the Rector, Wardens and Vestrymen of the Church of Gethsemane in Minneapolis, with an amendment which was adopted by the Council.

On motion of Mr. Ludden the second and last section providing that said act should take effect from and after its passage was stricken out.

Ordered that the Bill as amended be engrossed and read a third time.

Mr. Ludden moved that the Council adjourn, and upon the question of agreeing to said motion the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Dooley, Freeborn, Humphrey, Ludden, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President—10.

Those who voted in the negative were,

Messrs. Balcombe, Bassett and Lowry—3.

So the affirmative of the question prevailed and the Council adjourned.

JOHN B. BRISBIN, President.

L. SMITH, Secretary.

FRIDAY MORNING, FEBRUARY 6, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

The roll being called, the following members answered to their names: Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Ludden, Setzer, Stone, Thompson, Wales and Mr. President.

The Journal of the proceedings of the Council of yesterday was read and approved.

A message was received from the House by their Clerk.

Mr. Dooley presented the petition of C. Harkins and 43 others, for a Territorial Road from the Dodd Road to Jordan City, which was read and on motion of Mr. Setzer, referred to the Committee on Territorial Roads.

Mr. Setzer presented the petition of John W. Folwell and 83 others, citizens of township 31, range 22 west, asking to remain as they now are without a change of County Boundaries, so far as they are concerned, which was read.

On motion of Mr. Wales, said petition was referred to the Committee on County Boundaries.

On motion of Mr. Bassett, the rules were suspended, and he had leave at that time to introduce a Bill.

Mr. Bassett accordingly introduced C. F. No. 59, a Bill for "an act to incorporate the town of Weston, and for other purposes," and upon his motion the rules were further suspended, and said Bill was read a first and second time by its title.

On motion of Mr. Stone, the rules of the Council were so far suspended that he had leave at that time to introduce a Bill, and he accordingly introduced C. F. No. 60, a Bill for "an act to incorporate the town of Wassertown."

On motion of Mr. Bassett the rules were suspended, and said Bill was read a first and second time by its title.

A message was received from the House by their Clerk.

Mr. Thompson from the Committee on Engrossed Bills reported that said Committee had carefully examined and found correctly engrossed, C. F. No. 36, a Bill for "An act to incorporate the Ninninger and St. Peter Western Railroad Company," C. F. No. 47, a Bill for "An act to incorporate the Minnehaha Bridge Company," C. F. No. 4, a memorial of the Leg-

relative Assembly of the Territory of Minnesota, and also, a Bill for "An act to incorporate the St. Paul and Falls City Bridge Company."

The following message received from the House yesterday was read.

"MR. PRESIDENT:—The House has concurred in the passage of Council Files Bill No. 8, an act to incorporate the Winnebago Water Power Co. Joint Resolution No. 2, for the relief of Combs & Bro., Joint Resolution No. 3, for the relief of W. Colville, Jr., which are herewith returned.

The following message from the House of Representatives, received this morning by their Clerk, was read and the bills and memorials accompanying the same considered.

"MR. PRESIDENT:—The House of Representatives has receded from House amendment to Bill No. 2, C. F., also, concur in Council amendment to Bill No. 15, H. of R. to incorporate the Minnesota Bridge Company.

The House has also passed the following House Bills and Memorials No. 4 memorial to Congress for a Military Road; No. 8, memorial to Congress for a Mail Route; No. 7, memorial for a Military Post; No. 83, a Bill to organize the Co. of Pine; No. 18, a Bill to establish the Co. of Isantie; No. 78, a Bill to incorporate the Brunson Seminary; No. 61, a Bill to authorize Trustees of School Districts to collect school taxes; No. 14, a Bill to repeal an act for a certain Ferry charter; No. 60, a Bill to legalize the election and acts of the County Commissioners of Morrison County; No. 31, a Bill to incorporate the St. Paul Saving Institution; No. 84, a Bill to amend an act for the survey of logs and lumber; No. 80, a Bill to incorporate the Young Men's Association of Taylor's Falls; also, memorial No. 9, H. of R. to Congress for certain Mail Routes, all of which are transmitted and in which the concurrence of the Council is solicited."

The following House Bills and Memorials, to-wit: Memorial No. 4, a Memorial to Congress for a Military Road from Pigeon River to Fond du Lac and Fort Ripley; No. 8, a Memorial to Congress for a Mail Route from Elliota to Austin, via Leroy; No. 7, a Memorial to Congress for the establishment of a Military Post on the Red River of the North; No. 83, a Bill to organize the county of Pine; No. 18, a Bill to establish the county of Isanti; No. 78, a Bill for "An act to incorporate the Brunson Seminary;" and No. 61, a Bill to authorize the Trustees of School Districts in the Territory of Minnesota to collect school taxes by civil action, received from the House of Representatives with said message, were severally read a first time.

On motion of Mr. Ludden, the rules of the Council were so far suspended that the residue of the Bills and the Memorials received from the House with said message be read a first time by their titles.

House Bill No. 14, a Bill to repeal an act granting to James M. Goodhue and Isaac N. Goodhue, the right to establish and maintain a Ferry across the Mississippi River, and an act to amend an act granting to James M. Goodhue and Isaac N. Goodhue, the right to establish and maintain a Ferry across the Mississippi River; No. 60, a Bill for an act to legalize and confirm the election and acts of the County Commissioners of the County of Morrison; No. 31, a Bill to incorporate the St. Paul Saving's Institution; No. 84, a Bill for an act to amend an act entitled an act to provide for the survey of logs and lumber in Minnesota Territory; No. 80, a Bill to incorporate the Young Men's Literary Association of Taylor's Falls, and No. 9, a Memorial to the Congress of the United States in relation to the establishment of certain Mail Routes therein named, were severally read a first time by their respective titles.

On motion of Mr. Ludden, the rules were suspended and Nos. 18, 83 and 84, were read a second time, and Nos. 83 and 18 were referred to the Committee on County Boundaries, and No. 84, was on motion of Mr. Ludden, referred to the Committee on Incorporations.

The following Message was received from the House of Representatives by their Clerk.

"MR. PRESIDENT:—The Speaker has signed the following Bills, Memorials and Joint Resolutions, which have been reported correctly enrolled and are herewith transmitted:

A Memorial to Congress for a Light House at the mouth of Two Island River; also, a Memorial to Congress for a Mail Route; also, Joint Resolution for the relief of Combs & Bro.; also, Joint Resolution for the relief of Wm. Colville, Jr., and H. L. Edwards; also, a Bill granting to Thomas McRoberts, the right to establish and maintain a Ferry across the Mississippi River.

The House has passed the following Joint Resolutions:

"Resolved, The Council concurring, That the Sergeants-at-Arms of the two Houses shall jointly contract for the cleaning the Out House belonging to the Capitol and that the expense thereof be paid out of any money not otherwise appropriated, that may be in the Territorial Treasury.

Also, Resolved, (The Council concurring,) That His Excellency the Governor, is hereby requested to forward certified copies of every Memorial passed by the two Houses immediately after its passage and approval to the Delegate in Congress to be by him laid before the House of Representatives of the United States."

Mr. Freeborn from the Committee on Enrolled Bill reported that said Committee had examined and found correctly engrossed C. F. No. 2, a Joint Resolution for the relief of Combs & Bro. and C. F. No. 3, a Joint Resolution for the relief of W. Colville, Jr., and others.

The President then signed said Joint Resolutions and the Bill authorizing Thomas McRoberts to establish and maintain a Ferry across the Mississippi River.

The Council proceeded to the consideration of the two Resolutions reported from the House, which were read, and Mr. Ludden moved that the same be indefinitely postponed, and upon this motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Lowry, Ludden, Setzer, Stone, Thompson, Tillotson and Mr. President—7.

Those who voted in the negative were,

Messrs. Bassett, Dooley, Freeborn, Humphrey and Wales—5.

So the affirmative of the question prevailed, and the further consideration of said resolutions was indefinitely postponed.

Mr. Stone by leave, presented the petition of L. Palmer and 187 others, asking for the incorporation of the county of Anoka.

On motion of Mr. Wales said petition was referred to the Committee on County Boundaries.

House Memorials Nos. 4, 7, 8 and 9, and House Bills Nos. 14, 31, 60, 61, 78 and 80, were severally read a second time.

On motion of Mr. Bassett, House Bills Nos. 31, 78 and 80 were referred to the Committee on Incorporations.

C. F. No. 42, a Bill for "An act to incorporate the Traverse des Sioux Hotel Company" was read a third time.

On motion of Mr. Ludden, with the unanimous consent of the Council, the Bill was amended by striking out the 9th section, providing that the Bill should take effect upon its passage, and the Bill as amended then passed.

Mr. Stone by leave, as Chairman of the Select Committee to whom was referred the C. F. No. 43, a Bill to divide a portion of Minnesota Territory into counties and define the boundaries, reported said bill with sundry amendments which were read.

On motion of Mr. Ludden, said Bill and report were referred to the Committee on County Boundaries.

C. F. No. 47, a Bill for "An act to incorporate the Minne-ha-ha Bridge Company" was read a third time and passed.

A Message was received from the House by their Clerk.

C. Fs. No. 16, a Bill to incorporate the St. Paul and Falls City Bridge Company; 36, a Bill for "An act to incorporate the Ninninger and St. Peter Western Railroad Company, and 4, a Memorial of the Legislature Assembly of Minnesota, were, under a suspension of the rules, severally read a third time by their respective titles and passed.

On motion of Mr. Bassett the Council resolved themselves into a Committee of the Whole Council, for the purpose of considering C. F. Nos. 9, 13 and 33.

Mr. Ludden in the Chair.

After some time spent in Committee of the Whole, the Committee rose, and the President resumed the Chair.

Mr. Ludden from the Committee of the Whole, reported each of said Bills without amendment, and with recommendations that they be engrossed and read a third time, and said Bills No. 9 and 33, were then ordered to be Engrossed and read a third time.

Mr. Ludden moved that No. 13 C. F. be laid on the table.

The question being put upon said motion, it was decided in the negative.

Upon the question of agreeing to the recommendation of the Committee, the yeas and nays being called for an ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Freeborn, Lowry, Stone, Thompson, Tillotson and Wales—9.

Those who voted in the negative were,

Messrs. Ludden, Setzer, and Mr. President—3.

So the affirmative of the question prevailed, and C. F. No. 13, was ordered to be Engrossed and read a third time.

On motion of Mr. Balcombe, the Council resolved themselves into a Committee of the Whole for the purpose of considering C. F. No. 55, and House Bill No. 14.

Mr. Balcombe, in the Chair.

After some time spent in Committee of the Whole the Committee rose and the President resumed the Chair.

Mr. Balcombe as Chairman of the Committee of the Whole, reported said C. F. No. 55 without amendment, and with a recommendation that it be Engrossed and read a third time.

And the recommendation of the Committee was agreed to by the Council, and said Bill was ordered to be engrossed and read a third time.

Mr. Balcombe also from the same Committee, reported House Bill No. 14, without amendment, and with a recommendation that it be read a third time, and said Bill was then ordered to be read a third time.

Mr. Ludden by leave, offered the following resolution, which was adopted by the Council:

Resolved, That the Messenger be required to distribute equally among the members and officers of the Council the Governor's Message, printed for the use of the Council and delivered to-day.

On motion of Mr. Freeborn, the rules of the Council were so far suspended that he had leave to introduce a Bill, and he accordingly introduced C. F. No. 66, a Bill for an act to incorporate the Town of East Red Wing.

On motion of Mr. Freeborn, the rules were suspended and said Bill was read a first and second time by its title.

Mr. Ludden, by leave, reported from the Committee on Incorporations, C. F. No. 30, a Bill to incorporate the City of Red Wing, with an amendment, which was adopted by the Council.

On motion of Mr. Setzer, the Council resolved themselves into a Committee of the Whole, for the purpose of considering C. F. No. 30, and House Bills Nos. 58 and 37.

Mr. Setzer in the Chair.

After some time spent therein, the Committee rose and the President resumed the Chair.

Mr. Setzer Chairman of said Committee reported C. F. No. 30, a Bill for an act to incorporate the City of Red Wing, without amendment, and with a recommendation that it be engrossed and read a third time, which was agreed to by the Council, and said Bill was thus ordered.

Mr. Setzer from the same Committee, reported House Bill No. 58, a Bill for an act to incorporate the Town of Clear Water, without amendment, and with a recommendation that it be read a third time.

Which recommendation was agreed to by the Council, and said Bill thus ordered.

Mr. Setzer also reported from the same Committee, House Bill No. 37, a Bill for an act to incorporate the Hobert University, with a recommendation that it be referred to the Committee on Incorporations, which was agreed to by the Council.

Several Bills were then introduced on suspension of the rules, and Mr. Lowry moved that the rules of the Council be again suspended, so far as to allow all Bills introduced to-day to be read a first and second time by their title.

And the question being put it was decided in the negative.

On motion of Mr. Bassett, the rules were suspended so far as to allow all Bills then on the Secretary's table to be read a first and second time by their titles.

C. F. No. 61, a Bill for a Territorial Road from Saint Peter to Eureka, introduced by Mr. Lowry, was then read a first and second time by its title, and referred to the Committee on Territorial Roads.

C. F. No. 62 "a Bill for the removal of the seat of government of the Territory of Minnesota," introduced by Mr. Lowry.

C. F. No. 63, a Bill granting to J. M. Thompson and another the right to establish and maintain a Ferry across the Mississippi River, introduced by Mr. Thompson, and C. F. No. 64, a Bill to incorporate the La Crescent

Gravel and Plank Road Company, introduced by the same gentleman, and C. F. No. 65, a Bill to incorporate the Emigrant Aid Association, introduced by Mr. Freeborn, were then severally read a first and second time by their titles.

Mr. Setzer gave the following notice:

I give notice of a motion for leave to introduce a Bill to repeal so much of the Organic Act of this Territory, as will enable His Excellency, Gov. Gorman, to locate the seat of Government at St. Peters.

On motion of Mr. Ludden, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

SATURDAY MORNING, FEBRUARY 7, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

The roll being called, the following members answered to their names: Messrs. Balcombe, Dooley, Freeborn, Humphrey, Lowry, Ludden, Setzer, Tillotson, Wales, and Mr. President.

The reading of the Journal of yesterday's proceedings was commenced and proceeded in, and on motion of Mr. Freeborn, the further reading thereof, was dispensed with, and the same was approved.

Mr. Stone, by leave, introduced C. F. No. 67, a Bill to incorporate Union City.

On motion of Mr. Freeborn, the rules were suspended, and said Bill was read a first and second time by its title.

Mr. Freeborn, by leave, introduced C. F. No. 68, a Bill to incorporate the Cannon Falls Lyceum, and on his motion the rules were suspended, and the Bill read a first and second time by its title.

Mr. Setzer from the Committee on County Boundaries, to whom were referred House Bill No. 18, to establish the County of Isanti, and House Bill No. 83, to organize the County of Pine, reported said Bills without amendment, and with recommendations that said Bills be read a third time.

The following message received from the House yesterday was read:

"MR. PRESIDENT:—The House of Representatives has passed Joint Resolution No. 5, H. of R., relative to the employment of additional Clerk service, which is herewith transmitted, and in which the concurrence of the Council is solicited."

Said Joint Resolution from the House of Representatives No. 5, relative to the employment of additional Clerk service, was read a first time and second time.

House Bill No. 14, a Bill repealing the Ferry Charter of J. M. Goodhue and another, coming up for a third reading.

On motion of Mr. Setzer, the rules were suspended and said Bill was read a third time by its title and passed.

On motion of Mr. Setzer, the rules of the Council were suspended, and the Council resolved themselves into a Committee of the Whole for the purpose of considering House Bills Nos. 60 and 61—House Memorials Nos. 4, 7, 8 and 9, and House Joint Resolution No. 5.

Mr. Setzer in the Chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Setzer from that Committee reported House File No. 5, a Joint Resolution in relation to additional Clerk service, without amendment and with the recommendation that it be read a third time.

Upon the question of ordering said Resolution to a third reading, Mr. Setzer called for the yeas and nays, which were ordered and the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Freeborn, Lowry, Stone, Thompson, Tillotson, Wales, Mr. President—7.

Those who voted in the negative were,
Messrs. Balcombe, Dooley, Humphrey, Ludden, Setzer—5.

So the affirmative of the question prevailed, and said Resolution was ordered to be read a third time.

Mr. Setzer from the same Committee, reported House Memorials No. 4, for a Military Road from Pigeon River to Fon Du Lac and Fort Ripley, No. 7, for a Military Post on the Red River of the North, No. 8, for a Mail Route from Elliota to Eureka, via Leroy, and No. 9, for certain Mail Routes therein named, without amendment or recommendation.

Said Memorials were then severally ordered to be read a third time.

Mr. Setzer from the same Committee, reported House Bill No. 61, in relation to the collection of School Taxes, without recommendation or amendment, and upon the question, shall said Bill be read a third time? Mr. Setzer called for the yeas and nays, which were ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Balcombe, Dooley, Humphrey, Ludden, Thompson, Tillotson, Wales—7.

Those who voted in the negative were,
Messrs. Freeborn, Setzer, Mr. President—3.

So the affirmative of the question prevailed, and the Bill was ordered to be read a third time.

Mr. Setzer from the same Committee, also reported House Bill No. 60, "An act to legalize and confirm the election and acts of the County Commissioners of the County of Morrison," without recommendation or amendment; and the question being put upon ordering said Bill to be read a third time, it was decided in the negative, and the Bill was denied a third reading by the Council.

On motion of Mr. Thompson, the Council resolved themselves into a Committee of the Whole, for the purpose of considering House Bills Nos. 18 and 83, and C. F. No. 63.

Mr. Thompson in the Chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Thompson from the said Committee, reported C. F. No. 63, a Bill for "An act granting to J. M. Thompson and C. G. Wykoff, the right to establish and maintain a Ferry across the Mississippi river," without

amendment and with a recommendation that it be engrossed and read a third time, which recommendation was adopted by the Council, and the Bill was thus ordered.

Mr. Thompson, from the same Committee, reported House Bills No. 18, "A Bill to establish the County of Isanti," and No. 83, "A Bill to organize the County of Pine," without amendment, and with recommendations that said Bills be read a third time, which recommendations were agreed to by the Council, and said Bills were thus ordered.

On motion of Mr. Setzer, the rules of the Council were suspended for the purpose, and the Council resolved themselves into a Committee of the Whole, to consider C. Fs. Nos. 2, 5, 50, 52, 53, 57, 58, 59, 60 and 65.

Mr. Balcombe in the Chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Balcombe from said Committee, reported C. F. No. 2, a Bill to legalize the organization of the St. Anthony Falls Water Power Company, without amendment, and with a recommendation that it be Engrossed and read a third time, which recommendation was agreed to by the Council, and the Bill was thus ordered.

Mr. Balcombe from the same Committee, reported C. F. No. 5, a Bill for "An act to incorporate Karns City," with the following amendment: In the first section strike out the words, "and County Seat of said county."

On motion of Mr. Setzer, the Bill was laid upon the table.

Mr. Balcombe, from the same Committee, reported C. F. No. 50, a Bill for an act to incorporate the Red Wing and Owatonna Railroad Company, C. F. No. 52, a Bill for an act to incorporate the town of Hanover, C. F. No. 57, a Bill for an act to incorporate the Shaska Company, and C. F. No. 60, a Bill to incorporate the town of Watertown, each without amendment, and with recommendations that the same be referred to the Committee on Incorporations, which recommendations were severally adopted by the Council, and said Bills were thus referred.

Mr. Balcombe from the same Committee, reported C. F. No. 52, a Bill for "An act relative to Free Schools in the city of St. Anthony," without amendment, and with a recommendation that it be referred to the Committee on Schools, which recommendation was agreed to by the Council, and said Bill was thus referred.

Mr. Balcombe from the same Committee, reported C. F. No. 58, a Bill for an act granting to James Huganin and others, the right to establish and maintain a Ferry across the Mississippi River, without amendment, and with a recommendation that it be referred to a Select Committee, which recommendation was agreed to by the Council, and the Bill was thus referred.

The Chair announced Messrs. Setzer, Freeborn and Balcombe, as said Select Committee.

Mr. Balcombe from the Committee of the Whole, reported C. F. No. 59, a Bill for an act to incorporate the town of Weston, and for other purposes, with an amendment, striking out the last section in relation to the time when the act shall take effect, which amendment was adopted by the Council, and the Bill as amended was ordered to be Engrossed and read a third time.

Mr. Balcombe from the same Committee, also reported C. F. No. 65, a Bill to incorporate the Emigrant Aid Association, without amendment or recommendation.

Mr. Ludden moved that the further consideration of said Bill be indefinitely postponed.

Mr. Freeborn moved to amend the motion by substituting instead thereof, the words, "that the Bill be referred to the Committee on Internal Improvements."

Upon the question of agreeing to said amendment, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Balcombe, Dooley, Freeborn, Humphrey, Stone, Thompson, Tillotson, Mr. President—8.

Those who voted in the negative were,
Messrs. Ludden, Setzer, Wales—3.

So the affirmative of the question prevailed, and said amendment was adopted.

The question recurring upon agreeing to said motion as amended, and being put, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Balcombe, Dooley, Freeborn, Humphrey, Stone, Thompson, Tillotson, Mr. President—8.

Those who voted in the negative were,
Messrs. Setzer, Wales—2.

So the affirmative of the question prevailed, and said Bill was referred to the Committee on Internal Improvements.

Mr. Balcombe by leave, and on suspension of the rules, introduced C. F. No. 69, a Bill to incorporate the Minnesota and Wisconsin Telegraph Company.

On motion of Mr. Balcombe, the rules were suspended, and said Bill was read a first and second time by its title.

Mr. Freeborn from the Committee on Enrolled Bills, reported that he had this day presented to his Excellency, the Governor, for his approval and signature, the following Joint Resolutions and Bill, viz: A Joint Resolution for the relief of Combs & Bro. A Joint Resolution for the relief of Wm. Colvill and H. L. Edwards; also a Bill granting to Thos. McRoberts the right to establish and maintain a Ferry.

On motion of Mr. Freeborn, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

MONDAY MORNING, FEBRUARY 9, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

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

Messrs. Dooley, Freeborn, Humphrey, Lowry, Setzer, Stone, Tillotson and Mr. President.

Mr. Setzer moved a call of the Council, which was ordered, and upon a call of the roll, Messrs. Bailly, Balcombe, Bassett, Ludden, Rolette, Thompson and Wales were absent.

On motion of Mr. Setzer, Mr. Rolette was excused from attendance this day, and the Sergeant-at-Arms was ordered by the Chair to report Messrs. Bailly, Balcombe, Bassett, Ludden, Thompson and Wales in their seats.

On motion of Mr. Setzer, further proceedings under the call were suspended.

The Journal of the proceedings of Saturday last was read and approved.

Mr. Tillotson presented the petition of C. B. Kingsbury and others, which was read and referred to the Committee on Schools.

Mr. Stone, by leave, and on suspension of the rules, introduced C. F. No. 70, a Bill for an act to incorporate the town of Glencarrie, and on motion of Mr. Stone, the rules were suspended and said Bill was read a first and second time by its title.

Mr. Thompson by leave and on suspension of the rules, introduced C. F. No. 71, a Bill for an act to amend an act entitled an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

On motion of Mr. Thompson, the rules were suspended, and said Bill was read a first and second time by its title.

Mr. Setzer by leave and on suspension of the rules, introduced C. F. No. 72, a Bill for an act to incorporate the German Land Association of Minnesota; and upon his motion, the rules were suspended, and the Bill was read a first and second time by its title.

Mr. Balcombe, agreeably to previous notice, and by leave, introduced C. F. No. 73, a Bill for an act to incorporate the St. Paul Mercantile Library Association, and upon motion of Mr. Lowry, the rules were suspended, and said Bill was read a first and second time by its title.

Mr. Thompson from the Committee on Engrossed Bills, reported that said Committee had examined and found correctly Engrossed C. F. No. 51, a Bill for an act to incorporate the Rector Wardens and Vestrymen of the Church of Gethsemane, of Minneapolis.

Mr. Setzer from the Committee on County Boundaries, to whom was referred House Bill No. 50, a Bill for an act to organize the County of Waseca, reported said Bill with a recommendation that it be indefinitely postponed, and upon the question of agreeing to the recommendation of said Committee, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Freeborn, Lowry, Setzer—3.

Those who voted in the negative were,

Messrs. Balcombe, Dooley, Humphrey, Stone, Thompson, Tillotson, Mr. President—7.

So the negative of the question prevailed, and the Council refused so to postpone said Bill.

Mr. Ludden from the Committee on Incorporations, to whom was referred C. F. No. 45, a Bill to incorporate the St. Paul and Taylor's Falls Railroad Company, reported the same without amendment, and with a recommendation that it be Engrossed and read a third time.

House Bills No. 58, an act to incorporate the town of Clear Water, and

No. 18, a Bill to establish the County of Isanti, were severally read a third time and passed.

House File No. 5, a Joint Resolution in relation to additional Clerk service during the present session, was read a third time, and upon the question of agreeing to its passage, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Dooley, Freeborn, Humphrey, Lowry, Stone, Thompson, Tillotson, Wales, Mr. President—9.

Those who voted in the negative were,

Messrs. Balcombe, Ludden, Setzer—3.

So the affirmative of the question prevailed, and said Joint Resolution passed.

House File No. 83, a Bill to organize the County of Pine, was read a third time and passed.

House File No. 61, a Bill in relation to the collection of School Taxes, was then read a third time, and upon the question, shall the Bill pass? the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Thompson, Tillotson, Wales—9.

Those who voted in the negative were,

Messrs. Ludden, Setzer, Mr. President—3.

So the affirmative of the question prevailed, and the Bill passed.

House File No. 4, a Memorial for a Military Road from Pigeon River to Fon Du Lac and Fort Ripley. House File No. 7, a Memorial for a Military Post on the Red River of the North. House File No. 8, a Memorial for a Mail route from Elliota to Austin, via. Leroy. House File No. 9, a Memorial for certain Mail Routes therein named, and C. F. No. 51, a Bill for an act to incorporate the Rector, Wardens and Vestrymen of the Church of Gethsemane, in Minneapolis, were then severally read a third time and passed.

C. F. No. 45, a Bill for an act to incorporate the St. Paul and Taylor's Falls Railroad Company, was ordered to be Engrossed and read a third time.

Mr. Balcombe moved that the Council resolve themselves into a Committee of the Whole, for the purpose of considering C. F. No. 62, a Bill for the removal of the seat of Government of the Territory of Minnesota.

Mr. Setzer moved that said Bill be indefinitely postponed, and upon the question of agreeing to the indefinite postponement of said Bill, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Freeborn, Ludden, Setzer, Mr. President—4.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Tillotson, Wales—8.

So the negative of the question prevailed, and the Council refused so to postpone said Bill.

The question recurring upon the original motion to go into Committee of the Whole upon said C. F. No. 62, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Ludden, Thompson, Tillotson, Wales—9.

Those who voted in the negative were,
Messrs. Freeborn, Setzer, Mr. President—3.

So the affirmative of the question prevailed, and the Council resolved themselves into a Committee of the Whole, for the purpose of considering said Bill.

Mr. Humphrey in the Chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Humphrey from the Committee of the Whole, reported said C. F. No. 62, with sundry amendments, which were severally adopted by the Council.

Mr. Setzer moved further to amend said Bill by inserting an additional section, as follows:—

SEC. — If any further powers or privileges are required for the benefit of the St. Peter's Company, such powers and privileges are hereby vested in the hands of His Excellency, Willis A. Gorman.

Upon the question of agreeing to said amendment, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Ludden, Setzer, Mr. President—3.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Dowry, Thompson, Tillotson, Wales—9.

So the negative of the question prevailed, and said amendment was rejected.

Mr. Setzer moved to amend the Bill by inserting in the 17th Section between the words "acts" and "inconsistent," the words "of the Congress of the United States of America," and upon the question of agreeing to said amendment, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Freeborn, Ludden, Setzer, Mr. President—4.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Tillotson, Wales—8.

So the negative of the question prevailed, and said amendment was rejected.

A call of the Council was demanded and ordered, when upon a call of the roll every member except Mr. Rolette, who had before been excused for the day, and Mr. Bailly, answered to their names.

It was moved to dispose with the further proceedings under the call of the Council; and upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Balcombe, Humphrey, Lowry, Setzer, Stone, Thompson, Tillotson—7.

Those who voted in the negative were,
Messrs. Bassett, Dooley, Freeborn, Ludden, Wales, Mr. President—6.

Two-thirds not voting in the affirmative, the motion was lost, and the Council refused to suspend further proceedings under the call.

Mr. Setzer moved that Mr. Bailly be excused from attendance this day.

The Chair ruled the motion not in order.

Mr. Setzer appealed from the decision of the Chair, and the question, shall the decision of the Chair be sustained? being put, the yeas and nays were ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bassett, Dooley, Freeborn, Ludden, Stone, Thompson, Wales—7.

Those who voted in the negative were,

Messrs. Balcombe, Humphrey, Lowry, Setzer, Tillotson—5.

So the affirmative of the question prevailed, and the decision of the Chair was sustained.

Mr. Freeborn moved that the Council adjourn; and upon that question, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Dooley, Freeborn, Ludden, Stone, Mr. President—5.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Humphrey, Lowry, Setzer, Thompson, Tillotson, Wales—8.

So the negative of the question prevailed, and the Council refused to adjourn.

The Chair ordered the Sergeant-at-Arms to report Mr. Bailly in his seat.

Mr. Setzer moved that the Messenger lock and take charge of the door during the absence of the Sergeant-at-Arms, and the question being put upon agreeing to said motion, and the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Humphrey, Lowry, Setzer—4.

Those who voted in the negative were,

Messrs. Bassett, Dooley, Freeborn, Ludden, Stone, Thompson, Tillotson, Wales, Mr. President—9.

So the negative of the question prevailed, and said motion was lost.

Mr. Bassett moved a reconsideration of the vote just passed, refusing to dispense with further proceedings under the call of the Council, and upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Humphrey, Lowry, Setzer, Thompson, Tillotson, Wales—9.

Those who voted in the negative were,

Messrs. Freeborn, Ludden, Stone, Mr. President—4.

So the affirmative of the question prevailed, and said vote was reconsidered.

The question recurring upon agreeing to the motion to dispense with further proceedings under the call of the Council, and the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Setzer, Thompson, Tillotson, Wales—9.

Those who voted in the negative were,

Messrs. Freeborn, Ludden, Stone, Mr. President—4.

So the affirmative of the question prevailed, and all further proceedings under the call of the Council were dispensed with.

And upon the question, shall the Bill be Engrossed and read a third

time? the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Balcombe, Bassett, Humphrey, Lowry, Thompson, Tillotson, Wales—7.

Those who voted in the negative were,
Messrs. Dooley, Freeborn, Ludden, Setzer, Stone, Mr. President—6.
So the affirmative of the question prevailed, and said Bill was ordered to be Engrossed and read a third time.

On motion of Mr. Balcombe, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

TUESDAY MORNING, FEBRUARY 10, 1857

The Council met pursuant to adjournment and was called to order by the President.

Prayer by the Chaplain.

The roll being called, Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President, severally answered to their names.

The Journal of the proceedings of the Council on yesterday was read and approved.

Mr. Bassett presented the remonstrance of Benjamin F. Buck and others, against the passage of the Bill making Kanec City the County Seat of McLeod County, which was read, and

On motion of Mr. Bassett, said remonstrance was laid upon the table.

A message was received from his Excellency, the Governor, by R. A. Smith one of his Messengers.

A message was also received from the House of Representatives by their Clerk.

Mr. Ludden, on suspension of the rules, introduced O. F. No. 74, a Bill for an act to amend chapter 39 of the Session Laws of 1856.

Said Bill was read a first time, and on motion of Mr. Ludden, the rules were suspended, and the Bill was then read a second time by its title.

Mr. Dooley, by leave and on suspension of the rules, introduced C. F. No. 75, a Bill for an act to regulate the compensation of County Surveyors in Minnesota Territory.

On motion of Mr. Dooley, the rules were suspended, and said Bill was read a first and second time by its title.

Mr. Freeborn from the Committee on Enrolled Bills, reported House File, No. 5, a Joint Resolution in relation to additional Clerk service, and C. F. No. 4, a Joint Resolution in relation to a Secretary for the Committee on the Judiciary, as correctly enrolled, and said enrolled Resolutions were signed by the President.

Mr. Bassett, on suspension of the rules introduced C. F. No. 76, a Bill for an act to amend an act to incorporate the Town of Minneapolis.

On motion of Mr. Bassett, the rules were suspended, and said Bill was read a first and second time by its title.

Mr. Balcombe, by leave and on suspension of the rules, introduced C. F. No. 77, a Bill for an act to confirm conveyances heretofore made by married women, which was read a first time, and on motion, the rules were suspended and said Bill was read a second time at that time by its title.

Messrs. Thompson and Tillotson from the Committee on Engrossed Bills, reported the following described Bills as correctly engrossed; C. F. No. 13, an act to establish the counties of Jackson, Monroe and Madison; C. F. No. 48, a Bill for an act to incorporate the Town of LaCrescent, and for other purposes; C. F. No. 2, an act to legalize the organization of the St. Anthony Falls Water Power Company; C. F. No. 34, a Bill to amend chapter 36 of the Session Laws of 1854, and C. F. No. 55, a Bill granting to David Murray and Albert Webster the right to establish and maintain a Ferry across the Mississippi River at a point called Pine Bend.

Mr. Ludden from the Committee on Incorporations made the following report:

The Committee on Incorporations to whom was referred No. 80, H. of R. "A Bill to incorporate the Young Men's Literary Society of Taylor's Falls."

Report the same back with the recommendation that the last section be stricken out and the Bill passed.

Also, No. 78, H. of R. a Bill to incorporate the Bronson Seminary, and recommend to add as section 15 the following:

Sec. 15. The Legislative Assembly may alter, amend or repeal this act at any time.

Also, No. 16, H. of R., and recommend the following amendment:

Strike out in Section 4 these words:

"Shall take effect upon its passage but"

Amend Section 2 by adding as follows:

"And such property shall be free from taxation to the amount of thirty thousand dollars."

Also, No. 37, H. of R., and recommend the following amendment:

Strike out section 16 and insert as follows:

The Legislative Assembly of Minnesota may alter, amend or repeal this act at any time.

And recommend the passage of the Bill if so amended,

All of which is respectfully submitted.

J. D. LUDDEN, Chairman.

On motion the said amendments proposed by said Committee to the several Bills above named were adopted by the Council.

Mr. Balcombe as Chairman of the Select Committee to whom were referred House Bills Nos. 25 and 28 in relation to Mower County affairs, as a minority of said Committee reported said Bills without amendment, and recommended their passage.

Messrs. Setzer and Tillotson, a majority of said Committee, reported sundry amendments to said Bills.

Mr. Freeborn moved that the amendments to said Bills, reported by the majority of said Select Committee be adopted.

A call of the Council was then demanded and ordered, and upon a call of the roll each member of the Council answered to his name except Mr. Rolette, and on motion of Mr. Setzer, Mr. Rolette was excused from attendance this day.

Mr. Thompson moved that the further consideration of said Bills and amendments be referred to the Committee of Territorial Affairs.

And upon the question of agreeing to said motion, the yeas and nays Those who voted in the affirmative were, being called for and ordered, the result of the vote was as follows:

Messrs. Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson, Wales and Mr. President—8.

Those who voted in the negative were,

Messrs. Bailly, Freeborn, Lowry, Setzer, Stone and Tillotson—6.

So the affirmative of the question prevailed and said Bills and amendments were thus referred.

Mr. Lowry from the Committee on Territorial Affairs, to whom was referred C. F. No. 38, a Bill in relation to Ard. Godfrey's Ferry charter, reported the same without amendment; and with a recommendation that it pass.

The following Executive Message received this morning by R. A. Smith, one of the Governor's Messengers, was then read:

EXECUTIVE DEPARTMENT,
SAINT PAUL, Feby. 7, 1857. }

To the President of the Council.

SIR:—I am directed by His Excellency to inform the Council that he has this day approved and signed a Bill granting to Thomas McRoberts the right to establish and maintain a Ferry across the Mississippi at La Crescent which originated in the Council.

Also, a Joint Resolution for the relief of Messrs. Combs & Bro., and a Joint Resolution for the relief of Wm. Colville, Jr., and H. L. Edwards.

The following message received from the House of Representatives this forenoon, by their Clerk, was then read and considered.

“MR. PRESIDENT:—The House of Representatives has passed the following Bills and Memorials, viz:

Memorial No. 9, H. of R.; to Congress for certain Mail Routes; also, Memorials Nos. 10 and 6, H. of R.; also, Bills Nos. 93 & 233, H. of R., which are herewith transmitted, and in which the concurrence of the Council is solicited.”

Said Memorials No. 9, to Congress to establish certain Mail Routes; No. 6, to Congress for an appropriation to aid in the Construction of the St. Paul and Kettle River Road; No. 10, a Memorial to the Congress of the United States, and said House Bill No. 93, to incorporate the Northwestern Pioneer Insurance Company, at St. Paul, Minnesota, and House Bill No. 233, an act to extend the time for the collection of taxes in Winona County, were severally read a first time.

On motion of Mr. Balcombe, the rules of the Council were so far suspended that said House Bill No. 233, was in order for its second and third reading at that time by title, and for passage.

Said House Bill No. 233, was then accordingly read a second and third time by its title and passed.

The other Bill No. 93, and Memorials Nos. 9, 10 and 6, were then severally read a second time.

C. F. No. 13, an act to establish the counties of Jackson, Monroe and Madison, coming up for a third reading, on motion of Mr. Lowry, the rules were suspended and the Bill was read a third time by its title and passed.

C. F. No. 48, a Bill for an act to incorporate the Town of La Crescent, and for other purposes, was read a third time.

A call of the Council was then called for and ordered, and upon calling the roll, Messrs. Bailly, Rolette and Thompson were absent.

On motion of Tillotson, Mr. Rolette was excused from attendance this day.

On motion of Mr. Setzer, further proceedings under the call of the Council were suspended.

The question recurring upon the passage of said Bill C. F. No. 48, it was decided in the affirmative and the Bill passed.

Mr. Freeborn in the Chair.

C. F. No. 2, an act to legalize the organization of the St. Anthony Falls Water Power Company; C. F. No. 34, a Bill to amend Chapter 36 of the Session Laws of 1854, and C. F. No. 55, a Bill granting to Albert Webster and Daniel E. Murray the right to establish and maintain a Ferry across the Mississippi River at Pine Bend, were severally read a third time and passed.

The President in the Chair.

C. F. No. 38, a Bill for an act granting to Ard. Godfrey the right to establish and maintain a Bridge across Elk River at the village of Orona, was ordered to be Engrossed and read a third time.

Mr. Setzer moved a call of the Council, which was ordered, and the roll being called Messrs. Bailley, Lowrey and Ludden were absent.

On motion of Mr. Balcombe, all further proceedings under the call was dispensed with.

On motion of Mr. Setzer, the Council resolved themselves into a Committee of the Whole for the purpose of considering House Bill No. 50, a Bill to organize the county of Waseca, and C. F. No. 71, a Bill for an act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

Mr. Bassett in the Chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Bassett from said Committee, reported each of said Bills without amendment.

Mr. Setzer moved to amend said House Bill No. 50, by striking out the 2d, 3d and 4th sections and inserting a substitute.

And upon the question of agreeing to said amendments, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Setzer, Stone, Tillotson and Wales—10.

Those who voted in the negative were,

Messrs. Balcombe, Thompson and Mr. President—3.

So the affirmative of the question prevailed, and said amendment was adopted.

The Bill was then ordered to be read a third.

The question being put upon ordering said C. F. No. 71, to be Engrossed

and read a third time, Mr. Balcombe called for the yeas and nays, which were ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Bassett, Dooley, Freeborn, Humphrey, Ludden, Setzer, Stone, Thompson, Tillotson and Mr. President—10.

Those who voted in the negative were,
Messrs. Balcombe, Lowry and Wales—3.

So the affirmative of the question prevailed, and said Bill was ordered to be Engrossed and read a third time.

On motion of Mr. Freeborn, the Council adjourned.

JOHN B. BRISBIN, President.

L. SMITH, Secretary.

WEDNESDAY MORNING, FEBRUARY 11, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

The roll being called, Messrs. Balcombe, Bassett, Dooley, Freeborn, Lowry, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President, answered to their names.

The Journal of the proceedings of the Council on yesterday was read and approved.

Mr. Wales introduced the following resolution:

Resolved, That the Committee on County Boundaries be instructed to report C. F. No. 7, Bill to establish the county of Anoka, forthwith.

Upon the question of agreeing to said Resolution, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Balcombe, Bassett, Dooley, Thompson and Wales—5.

Those who voted in the negative were,
Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson and Mr. President—8.

So the negative of the question prevailed and the Council refused so to instruct said Committee.

Mr. Bassett, on suspension of the rules, introduced C. F. No. 78, a Bill for an act to incorporate the Town of Waukensa.

Mr. Bassett, moved that the rules be suspended, and said Bill be read a first and second time by its title.

And upon this question, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Ludden, Rolette, Setzer, Stone, Wales and Mr. President—11.

So the affirmative of the question prevailed, the rules were thus suspended, and said Bill was read a first and second time by its title.

Mr. Freeborn introduced a resolution as follows:

Resolved by the Council, That the Engrossing Clerk be allowed and is hereby authorized to employ an Assistant Engrossing Clerk, or two if necessary, and that for the payment of such Assistant, Clerk or Clerks, the Secretary shall issue a certificate to the Engrossing Clerk, to be signed by the President and attested by the Secretary, for the sum of one hundred and fifty dollars, to be paid out of the appropriations made in Joint Resolution, H. of R. No. 5, providing for the payment of additional Clerk service in the House and Council.

On motion of Mr. Freeborn, said resolution was laid upon the table.

Mr. Wales, on suspension of the rules introduced C. F. No. 79, a Bill for an act to incorporate the Glencoe Collegiate Institute, and upon his motion, the rules were suspended, and said Bill was read a first and second time by its title.

Mr. Freeborn, on suspension of the rules, introduced C. F. No. 80, a "Bill for an act to amend section 9, in section 7 of chapter 5 on page 10 of Session Laws, commencing January 2, 1856.

On motion of Mr. Freeborn the rules were suspended, and said Bill was read a first and second time by its title.

Mr. Thompson from the Committee on Engrossed Bills, reported C. F. No. 9, a Bill for an act, entitled an act, to establish a Ferry across the Minnesota River at Bloomington; C. F. No. 33, an act granting to Amos Clark the right to establish and maintain a Ferry; C. F. No. 46, a Bill for an act to incorporate the Red Wing Literary and Scientific Association; C. F. No. 63, a Bill for an act granting to J. M. Thompson, and C. G. Wykoff the right to establish and maintain a Ferry across the Mississippi River, and C. F. No. 71, a Bill for an act to amend an act to incorporate the Root River Valley and Southern Minnesota Rail Road Company, as correctly Engrossed.

Mr. Rolette from the Committee on Enrolled Bills, reported as being of R., 45, H. of R., Bill No. 1, C. F.; Memorial No. 7, H. of R. and No. 1, C. F. correctly Enrolled Bill No. 14, H. of R., 18, H. of R., 83, H. of R., 15, H.

Mr. Freeborn from the Committee on Internal Improvements, to whom was referred C. F. No. 65, a Bill to incorporate the Emigrant Aid Association, reported said Bill without amendment, and with a recommendation that it be Engrossed and read a third time.

Mr. Setzer from the Committee on the Judiciary, made the following report:

The Committee on the Judiciary to whom was referred No. 49, H. F. "An act relative to Assessors and assessment of property," deeming the present time inexpedient to introduce an entire new system of assessing property, and moreover believing the plan proposed to be injurious to the interests of the people, report the said Bill back to the Council with a recommendation that it be indefinitely postponed.

H. N. SETZER, Chairman.

Upon the question of agreeing to said recommendation, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Bailly, Bassett, Freeborn, Humphrey, Lowry, Ludden, Setzer,
Stone, Wales and Mr. President—10.

Those who voted in the negative were,
Messrs. Balcombe, Dooly, Thompson and Tillotson—4.

So the affirmative of the question prevailed, and said Bill was indefinitely postponed.

Mr. Ludden from the Committee on Incorporations, made the following report:

"The Committee on Incorporations, to whom was referred C. F. No. 23, a Bill for an act to incorporate the Mississippi River Improvement and Manufacturing Company," have instructed me to report a substitute for said Bill, which your Committee believe is in accordance with the wishes of the parties who are directly interested in the Improvements proposed by the Bill, and also is free from a serious legal objection contained in the Bill first introduced.

All of which is respectfully submitted.

J. D. LUDDEN, Chairman.

On motion of Mr. Setzer, said report was laid on the table.

C. F. No. 33, an act granting to Amos Clark the right to establish and maintain a Ferry across the Mississippi River, was read a third time and passed.

C. F. No. 71, a Bill for an act to incorporate the Root River Valley and Southern Minnesota Railroad Company, was read a third time.

Upon the question of agreeing to the passage of said Bill, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were;

Messrs. Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Rolette, Setzer, Thompson, Tillotson and Mr. President—11.

Those who voted in the negative were,

Messrs. Balcombe and Wales—2.

So the affirmative of the question prevailed, and the Bill passed.

C. F. No. 63, a Bill for an act granting to J. M. Thompson and C. G. Wykoff, the right to establish and maintain a Ferry across the Mississippi River.

G. F. No. 46, a Bill for an act to incorporate the Red Wing Literary and Scientific Association, and C. F. No. 9, an act entitled an act to establish a Ferry across the Mississippi River at Blomington, were severally read a third time and passed.

A message was received from the House by their Clerk.

On motion of Mr. Balcombe, the Council resolved themselves into a Committee of the Whole, for the purpose of considering C. F. Nos. 23 and 72.

Mr. Balcombe in the Chair.

After some time spent in Committee of the Whole, a message was announced from the House of Representatives.

The Speaker thereupon took the Chair, and received said message; the Committee then resumed their deliberations; and after some time spent in Committee of the Whole, the Committee rose, and the President resumed the Chair.

Mr. Balcombe as Chairman of the Committee of the Whole, reported C. F. No. 23, a Bill for an act to incorporate the Mississippi River Im-

Improvement and Manufacturing Company, with a recommendation that the Bill reported from the Committee on Incorporations, be adopted as a substitute for the original Bill, and also reported sundry amendments thereto, which recommendation and amendments were agreed to and adopted by the Council, and said Bill was ordered to be Engrossed and read a third time.

Mr. Balcombe from the same Committee reported C. F. No. 72, a Bill for an act to incorporate the German Land Association of Minnesota, with amendments, which were adopted by the Council, and said Bill was ordered to be Engrossed and read a third time.

On motion of Mr. Setzer, the rules were suspended, and the Council resolved themselves into a Committee of the Whole, for the purpose of considering House Bills Nos. 16, 78, 93, 80 and 37.

Mr. Setzer in the Chair.

After some time spent in Committee of the Whole, the Committee rose, and the President resumed the Chair.

Mr. Setzer, as Chairman of the Committee of the Whole, reported said House Bill No. 93, an act to incorporate the North Western Pioneer Insurance Company, at St. Paul, Minnesota; with a recommendation that the same be referred to the Committee on Incorporations; which recommendation was adopted by the Council and the Bill thus referred.

Mr. Setzer from the same Committee, reported said House Bills Nos. 16, a Bill to incorporate the Mount Zion Hebrew Association; 78, a Bill for an act to incorporate the Bronson Seminary; 80, a Bill to incorporate the Young Men's Association of Taylor's Falls, and No. 37, an act to incorporate the Hobert University at Spring Valley, Fillmore County, with recommendations that they be read a third time.

Said Bills were then ordered to be read a third time.

Mr. Rolette moved that the Council adjourn.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson and Mr. President—7.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson and Wales—8.

So the negative of the question prevailed, and the Council refused to adjourn.

Mr. Freeborn moved that the Council adjourn till to-morrow at ten and a half o'clock, A. M.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Freeborn, Rolette, Setzer, Stone, Tillotson and Mr. President—6.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson and Wales—8.

So the negative of the question prevailed, and the Council refused so to adjourn.

Mr. Lowry asked leave to make a report from the Committee on Territorial Affairs, and objection being made, Mr. Balcombe moved that the rules be suspended, and Mr. Lowry have leave to make the report.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Balcomb, Bassett, Dooley, Humphrey, Lowry, Thompson, Tillotson and Wales—9.

Those who voted in the negative were,

Messrs. Freeborn, Rolette, Setzer, Stone and Mr. President—5.

Two thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused so to suspend the rules.

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

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

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Ludden, Rolette, Thompson, Tillotson and Wales—10.

Those who voted in the negative were,

Messrs. Bailly, Freeborn, Stone and Mr. President—4.

So the affirmative of the question prevailed, and further proceedings under the call was dispensed with.

Mr. Rolette moved that the Council adjourn till to-morrow at 11 o'clock, A. M.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson and Mr. President—7.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson and Wales—8.

So the negative of the question prevailed, and the Council refused to adjourn.

Mr. Setzer moved that the Council resolve themselves into Committee of the Whole, for the purpose of considering C. F. No. 64, a Bill for an act to incorporate the LaCrescent Gravel and Plank Road Company.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Lowry, Setzer, Stone, Wales and Mr. President—9.

Those who voted in the negative were,

Messrs. Freeborn, Humphrey, Ludden, Rolette, Thompson, and Tillotson—6.

So the affirmative of the question prevailed, and the Council resolved themselves into a Committee of the Whole, for the purpose aforesaid.

Before the President had left the Chair, Mr. Rolette, from the Committee on Enrolled bills presented a report.

Mr. Setzer rose to a point of order.

The Chair ruled that the Council were not yet in Committee of the Whole, and the report was in order.

Upon the question "Shall the decision of the Chair be sustained?" the

yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Bailly, Balcombe, Dooley, Freeborn, Lowry, Rolette, Setzer,
Stone, Thompson, Tillotson and Wales—11.

Those who voted in the negative were,

Messrs. Bassett and Humphrey—2.

So the affirmative of the question prevailed, and the decision of the Chair was sustained.

Mr. Rolette then reported that the Committee on Enrolled Bills, had examined and found correctly Enrolled, C. F. No. 12, a Bill to amend chapter 40 of the Session Laws of 1856; C. F. No. 8, an act to incorporate the Winnebago Water Power Company.

Mr. Rolette also made the following report:

"The Committee on Enrolled Bills have this day presented to his Excellency the Governor for his signature; C. F. No. 4, a Joint Resolution of the Council and House of Representatives, providing a Secretary for the Committee on Judiciary; also, No. 5, H. of B. a Joint Resolution to provide for the payment of extra services required to facilitate the business of the House and Council for the present session.

JOSEPH ROLETTE, Chairman.
W. G. THOMPSON.

Feb'y 11, 1857.

A call of the Council was demanded and ordered, and the roll being called every member answered to his name.

The Council then resolved themselves into a Committee of the Whole, on C. Fs. Nos. 64 and 73.

Mr. Balcombe, in the Chair.

After a short time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Bolcombe as Chairman of said Committee, reported that the Committee of the Whole Council had had under consideration C. Fs. Nos. 64 and 73, and not having completed the consideration of the same, asked leave to sit again.

On motion leave was granted.

Mr. Rolette moved that the Council adjourn till to-morrow at 11 o'clock, A. M.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson and Mr. President—8.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson and Wales—7.

So the affirmative of the question prevailed, and the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

THURSDAY MORNING, FEBRUARY 12, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

The roll being called, Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Lowry, Rolette, Setzer, Stone, Thompson, Wales, and Mr. President, answered to their names.

The Journal of the Proceedings of the Council on yesterday was read and approved.

On motion of Mr. Setzer, the Council took from the table and resumed the consideration of the resolution introduced by Mr. Freeborn on yesterday, in relation to additional compensation to the Engrossing Clerk.

On motion of Mr. Setzer the resolution was amended so as to read as follows :

Resolved, That part of the appropriation for additional Clerk hire, not to exceed the sum of one hundred and fifty dollars, be expended under direction of the Committee on Engrossing Bills, for the purpose of assisting the Engrossing Clerk of the Council.

The resolution as amended was then passed by the Council.

Mr. Bassett, on suspension of the rules, introduced C. F. No. 81, a Bill for an Act to incorporate the town of Hutchinson.

Mr. Bassett moved that the rules be suspended, and said bill be read a first and second time by its title.

Upon the question of agreeing to said motion the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Rolette, Stone, Thompson, Wales—11.

Mr. President voted in the negative—1.

So the affirmative of the question prevailed, the rules of the house were suspended, and said Bill was read a first and second time by its title.

Mr. Freeborn, on a suspension of the rules, introduced C. F. No. 82, a Bill to amend Section 4 of Article II, of Chapter 8, of the Revised Statutes; and No. 83, a Bill to prevent the circulation of certain Bank Issues.

On motion of Mr. Freeborn the rules were suspended and said Bills were read a first and second time by their titles.

A message was received from the House by their Clerk.

The Committee on Engrossed Bills made the following report :

"The Committee on Engrossed Bills report as correctly engrossed C. F. No. 62, a bill for the removal of the seat of Government of the Territory of Minnesota.

C. W. THOMPSON, } Committee.
B. F. TILLOTSON, }

Mr. Lowry from the Committee on Territorial Affairs, to whom were referred House Bills Nos. 25 and 28; reported said Bills, with amendments, which were adopted by the Council.

Mr. Ludden, from the Committee on Incorporations, to whom were referred the House Bill No. 31, a Bill to incorporate the St. Paul Savings Institution, and C. F. No. 50, a Bill to incorporate the Red Wing and

Owatonna Railroad Company, reported said Bills with sundry amendments.

On motion of Mr. Ludden said report and Bills were laid aside to be considered in Committee of the Whole.

The following message, received from the House on yesterday, was read :

“Mr. President : The House of Representatives concurred in the passage of Council Bills Nos. 4, 6, 16, 42, 49, 27, and 51, without amendment, and No. 25 with amendment, all of which are herewith transmitted.”

The House proposed to amend said bill, C. F. No. 25, a Bill for an act to incorporate the town of Winnebago City, by inserting the name of O. H. Parker as one of the Trustees of said town, which amendment was concurred in by the Council.

The following message, received from the House yesterday, was read :

“Mr. President : The House of Representatives has passed the following House Bills : No. 24, An act granting to A. R. Russell and others the right of establishing a Ferry ; No. 30, For the relief of George W. Campbell ; No. 73, To amend an act relative to Free Schools in St. Paul ; No. 68, To incorporate the Board of Trustees of the Hastings University ; No. 101, To incorporate the Lake University ; No. 11, A memorial to Congress—all of which are transmitted, and in which the concurrence of the Council is solicited.

“The Speaker has signed a Joint Resolution for the payment of additional Clerk service ; also, Providing for a Secretary of the Joint Committee of Judiciary ; also, A memorial to Congress for a Military Post on the Red River ; also, A bill to amend an act to incorporate the St. Paul Gas Light Company ; A bill to establish the Company of Isanti ; A bill to incorporate the Minnesota Bridge Company ; also, to repeal an act granting to James M. Goodhue, and Isaac W. Goodhue, the right to establish a Ferry ; also a Bill to organize the County of Pine ; also, an Act to incorporate the St. Anthony North Minneapolis Bridge Company—all of which have been reported correctly enrolled, and which are transmitted.

Said Enrolled Bills were severally signed by the President.

House Memorial No. 11 to Congress for an appropriation for the erection of a Custom-House at St. Joseph, in Pembina County, was read a first time.

Mr. Rolette, from the Committee on Enrolled Bills, reported the following Bills and Memorials as correctly enrolled, viz :

No. 223, H. of R. An Act to extend the time for the collection of Taxes in Winona County.

No. 61, H. of R. To authorize the Trustees of School Districts in the Territory of Minnesota to collect school taxes by civil action.

No. 4, H. of R. Memorial to Congress for a Military Road from Pigeon River to Fon du Lac and Fort Ripley.

No. 8, H. of R. Memorial to Congress for a Mail Route from Eliota to Austin via Leroy.

No. 42, H. of R. A Bill to organize the County of Freeborn.

JOSEPH ROLETTE, Chairman.

M. G. THOMPSON, Chairman Committee.

House Bill No. 24, a Bill for an Act granting to A. R. Russell and others the right to establish and maintain a Ferry across the Minnesota River at the Town of Beaver, and for other purposes, was read a first time.

A message was received from His Excellency the Governor, by R. A. Smith, one of his messengers.

House Bills Nos. 30, 73, 68, and 101, were then severally read a first time.

The following message was received from the House by their Clerk:

Mr. President: The House of Representatives has passed House Bills No. 63, H. of R., for the construction of certain mill dams; also, Bill No. 86, To incorporate the Anoka Academy; also, Memorial No. 12, To the Postmaster-General—in which the concurrence of the Council is solicited.

The Speaker has also signed a Bill to amend Chapter 40 of the Session Laws of 1856; also An act to incorporate the Winnebago Water Power Company; also, Memorial No. 1, C. F., To Congress—all of which are herewith transmitted.

Said Enrolled Bills were then severally signed by the President.

House Bill No. 63, a Bill for an Act to authorize the construction of a mill dam or dams in townships 102 and 103, North of Ranges 21 and 22 west, coming up for a first reading.

On motion of Mr. Freeborn the rules were suspended, and said Bill was read a first time by its title.

House Bill No. 86, a Bill for an act to incorporate the Anoka Academy, being in order for a first reading.

On motion of Mr. Bassett, the rules were suspended, and said Bill was read a first time by its title.

House Memorial No. 12, To the Postmaster-General, for the extension of a mail route, was read a first time.

House Memorials Nos. 11 and 12, and House Bills Nos. 24, 101, 68, 73, 30, 63, and 86, were severally read a second time.

House Bill No. 16, a Bill to incorporate the Mount Zion Hebrew Association, being in order for a third reading.

On motion of Mr. Bassett, the rules were suspended, and said Bill was read a third time by its title, and passed.

House Bill No. 37, a Bill for an Act to incorporate the Hobart University at Spring Valley, Fillmore County, being in order for a third reading.

On motion of Mr. Freeborn, the rules were suspended, and said Bill was read a third time by its title, and passed.

House Bill No. 78, a Bill for an Act to incorporate the Bronson Seminary, being in order for a third reading,

On motion of Mr. Thompson, the rules were suspended, and said Bill was read a third time by its title, and passed.

House Bill No. 80, a Bill to incorporate the Young Men's Association of Taylor's Falls, was read a third time, and passed.

C. F. No. 62, a bill for the removal of the seat of Government of the Territory of Minnesota, was read a third time.

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

The Sergeant-at-Arms was ordered to report Mr. Tillotson in his seat.

Mr. Freeborn moved that the Council adjourn.

Mr. Lowry moved to amend the motion by substituting the words, "That Mr. Tillotson be excused from further attendance on the Council this day."

The President ruled that no motion could then be entertained by the Chair, except a motion to dispense with further proceedings under the call of the Council, or a general motion to adjourn, and the motion to amend was not in order.

Mr. Lowry appealed from the decision of the Chair, and upon the question, "Shall the decision of the Chair be sustained?" the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Wales—7.

Those who voted in the negative were :

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson—6.

So the affirmative of the question prevailed, and the decision of the Chair was sustained.

The question recurring upon said motion to adjourn, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Freeborn, Ludden, Rolette, Stone, Mr. President—5.

Those who voted in the negative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Setzer, Thompson, Wales—9.

So the negative of the question prevailed, and the Council refused to adjourn.

The Sergeant-at-Arms reported Mr. Tillotson sick in bed and not able to attend.

Mr. Balcombe moved to accept the report of the Sergeant-at-Arms.

The Chair ruled the motion not in order.

Mr. Balcombe appealed from the decision of the Chair.

Upon the question, "Shall the decision of the Chair be sustained?" the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone—5.

Those who voted in the negative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—8.

So the negative of the question prevailed, and the decision of the Chair was overruled by the Council.

The question recurring upon agreeing to the motion to accept the report of the Sergeant-at-Arms, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Ludden, Thompson, Wales—9.

Those who voted in the negative were :

Messrs. Freeborn, Rolette, Setzer, Stone, Mr. President—5.

So the affirmative of the question prevailed, and said report was accepted.

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

The Sergeant-at-Arms was ordered to report Mr. Tillotson in his seat.

After being absent some time, the Sergeant-at-Arms appeared and reported Mr. Tillotson in his seat.

A call of the Council was then moved and ordered, and the roll being called, every member answered to his name.

Mr. Setzer moved that said Bill be referred to a Select Committee, with instructions to report an amendment providing for submitting the question of the removal of the seat of Government to the legal voters of the Territory.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone, Mr. President—6.

Those who voted in the negative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Tillotson, Wales—9.

So the negative of the question prevailed, and the Council refused so to refer the Bill.

The question recurring upon the passage of said Bill, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—8.

Those who voted in the negative were :

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—7.

So the affirmative of the question prevailed, and the Bill passed.

Mr. Rolette moved that the Council adjourn.

Upon that question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Freeborn, Rolette, Setzer, Stone, Tillotson, Mr. President—6.

Those who voted in the negative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—8.

So the negative of the question prevailed, and the Council refused to adjourn.

Mr. Balcombe moved a reconsideration of the vote of the Council passing C. F. No. 62.

Mr. Freeborn moved a call of the Council, which was ordered, and the roll being called, every member answered to his name.

Upon the question, "Shall the said vote be reconsidered?" the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Freeborn, Rolette, Setzer, Stone, Mr. President—5.

Those who voted in the negative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Ludden, Thompson, Tillotson, Wales—10.

So the negative of the question prevailed, and the Council refused to reconsider said vote.

Mr. Lowry moved that the Council adjourn.

Mr. Rolette moved to amend the motion by substituting "till to-morrow at 11 o'clock A. M.," and the question being put upon agreeing to said amendment, it was decided in the negative, and the amendment rejected.

The question recurring upon the original motion, it was decided in the affirmative, and the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

FRIDAY MORNING, FEBRUARY 13, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

The roll being called the following members answered to their names: Messrs. Balcombe, Dooley, Freeborn, Humphrey, Lowry, Setzer, Stone, Thompson, Wales and Mr. President.

The Journal of the proceedings of the Council on yesterday was read, and approved.

Mr. Setzer gave notice for leave to introduce a Joint Resolution prohibiting the further expenditure of money in the erection of University Buildings.

Mr. Stone, by unanimous consent of the Council, introduced C. F. No. 84, a Bill to incorporate the Root River and Superior Railroad Company.

On motion of Mr. Setzer, the rules were suspended, and said Bill was read a first and second time by its title.

The following Message received from his Excellency the Governor, on yesterday, by R. H. Smith, one of his Messengers, was read:

EXECUTIVE DEPARTMENT, }
FEB'Y. 11th, 1857. }

To the President of the Council:

SIR:—I am directed by his Excellency to inform this Council that he has this day approved and signed C. F. No. 4, "a Joint Resolution of the Council and House of Representatives providing for a Secretary for the Committee on Judiciary," which originated in the Council."

House Bill No. 50, a Bill to organize the County of Waseca, was read a third time and passed as amended.

C. F. No. 65, a Bill to incorporate the Emigrant Aid Association, was ordered to be Engrossed and read a third time.

The vote being taken by yeas and nays the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Dooley, Freeborn, Humphrey Lowry, Ludden, Wales and Mr. President—8.

Those who voted in the negative were,

Messrs. Bassett, Setzer and Stone—3.

Mr. Setzer moved a call of the Council, which was ordered, and the roll being called, Messrs. Balcombe, Rolette, Thompson, Tillotson were absent.

The Chair ordered the Sergeant-at-Arms to report Messrs. Balcombe, Rolette, Thomson and Tillotson in their seats.

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

Upon the question of agreeing to said motion, Mr. Lowry demanded the yeas and nays, which were ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Ludden, Rolette, Setzer, Stone, Wales and Mr. President—12.

Mr. Lowry voted in the negative.

So the affirmative of the question prevailed, and all further proceedings under the call were dispensed.

On motion of Mr. Setzer, the Council resolved themselves in a Committee of the Whole, for the purpose of resuming the consideration of C. F. No. 64, a Bill for an act to incorporate the LaCrescent Gravel and Plank Road Company, and C. F. No. 73, a Bill for an act to incorporate the St. Paul Mercantile Library Association—agreeable to leave previously given by the Council.

Mr. Balcombe in the chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the chair.

Mr. Balcombe as Chairman of the Committee of the Whole reported said C. F. No. 64, without amendment, and with a recommendation that the Bill be Engrossed and read a third time.

The recommendation of the Committee was adopted by the Council and the Bill thus ordered.

Mr. Balcombe also reported said C. F. No. 73, with sundry amendments, which were adopted by the Council, and said Bill was then ordered to be Engrossed and read a third time.

On motion of Mr. Setzer C. F. No. 83, a Bill to prevent the circulation of certain Bank issues, was referred to the Committee on the Judiciary.

Mr. Rolette from the Committee on Enrolled Bills, reported as being correctly Enrolled, C. F. No. 10, a Bill for an act in relation to the location of the County seat of Dacotah County, and Memorial No. 2 C. F. to Congress for certain mail routes in Minnesota Territory.

JOS. ROLETTE,
M. G. THOMPSON.

Mr. Rolette, from the same Committee, made the following report:

The Committee on Enrolled Bills have presented to His Excellency, the Governor, for his signature, the following Bills and Memorials: No. 3 H. of R. Memorial; No. 14 H. of R. Bill; No. 7 H. of R. Memorial; No. 18 H. of R.; No. 45 H. of R.; No. 83 H. of R.; No. 15 H. of R. Bills; also a Memorial for a Light House.

JOS. ROLETTE,
M. G. THOMPSON.

On motion of Mr. Setzer, the rules were suspended, and the Council resolved themselves into a Committee of the Whole, for the purpose of considering C. F.'s Nos. 67, 68, 70, 75, 74, 77, 66, 78, 69, 76, 79, 80, 81 and 82.

Mr. Setzer in the Chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Setzer, as Chairman of the Committee of the Whole, reported C. F. No. 67, a Bill to incorporate Union City, C. F. No. 68, a Bill for an Act to incorporate the Cannon Falls Lyceum, C. F. No. 70, an Act to incorporate the town of Glencarrie, and C. F. No. 75 a Bill to regulate the compensation of County Surveyors, each without amendment and with recommendations that they be engrossed and read a third time, which recommendations were severally adopted by the Council, and the bills thus ordered.

Mr. Setzer, from the same Committee, reported C. F. No. 74, an act to amend Chapter 39 of Session Laws of 1856, without amendment, and with recommendation that it be referred to the Committee on Incorporations, which recommendation was adopted by the Council, and the Bill thus referred.

Mr. Setzer, from the same Committee, reported C. F. No. 77, a Bill for an Act to confirm conveyances heretofore made by married women, with an amendment, and a recommendation that the amendment be adopted, the bill to be engrossed and read a third time.

On motion of Mr. Setzer, the further consideration of the Bill was indefinitely postponed.

Mr. Setzer, from the same Committee, reported C. F. No. 66, a Bill to incorporate the town of East Red Wing, with amendments, which were adopted by the Council, and the Bill was then ordered to be engrossed and read a third time.

Mr. Setzer from the same Committee, reported C. F. No. 78, a Bill for an act to incorporate the town of Waukonsa without amendment or recommendation.

On motion of Mr. Setzer, the bill was amended by striking out the 10th section, providing that the act should take effect upon its passage. The Bill as amended was then ordered to be engrossed and read a third time.

Mr. Setzer, from the same Committee, reported C. F. No. 69, an act to incorporate the Minnesota and Wisconsin Telegraph Company, with a recommendation that the Bill be referred to the Committee on Incorporations, which recommendation was adopted by the Council and the Bill thus referred.

Mr. Setzer, from the same Committee, reported C. F. No. 76, an Act to amend an act to incorporate the town of Minneapolis, without amendment or recommendation.

Ordered, that said Bill be engrossed and read a third time.

Mr. Setzer, from the same Committee, reported C. F. No. 79, a Bill to incorporate the Glencoe Collegiate Institute, with a recommendation that it be engrossed and read a third time.

On motion of Mr. Setzer, the further consideration of said Bill was referred to the Committee on Schools.

Mr. Setzer, from the same Committee, reported C. F. No. 80, an Act to amend section 9 in section 7 of Chapter 5, on page 10 of the Session Laws, commencing January 2, 1856, with an amendment, which was adopted.

Mr. Setzer moved a further amendment, which was also adopted by the Council.

Said Bill as amended was then ordered to be engrossed and read a third time.

Mr. Setzer, from the same Committee, reported C. F. No. 81, an Act to incorporate the town of Hutchinson, with an amendment, which was adopted by the Council, and the Bill ordered to be engrossed and read a third time.

Mr. Setzer, from the same Committee, reported C. F. No. 82, a Bill for an Act to amend Section 4 of Article II of Chapter 8 of the Revised Statutes, with an amendment, which was adopted by the Council, and the Bill as amended was ordered to be engrossed and read a third time.

A message was received from the House by their Clerk.

Mr. Rolette made the following report:

"The Committee on Enrolled Bills beg leave to report that they have this day presented to His Excellency, the Governor, the following Bills and Memorial for his signature:

C. F. No. 12, C. F. No. 8, and C. F. No. 1 Bills, and C. F. No. 1 a Memorial.

JOS. ROLETTE,
M. G. THOMPSON."

On motion of Mr. Thompson, the rules were suspended and the Council resolved themselves into a Committee of the Whole, for the purpose of considering House Memorials Nos. 6, 9, 10, 11 and 12, and House Bills Nos. 24, 30, 63, 68, 73, 86, 101, 25 and 28.

Mr. Thompson in the Chair.

After some time spent in the Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Thompson, as Chairman of said Committee, reported House Memorials Nos. 6 and 9, with recommendations that they be read a third time; House Memorials No. 10 and 11, with an amendment to each, and with recommendations that if the amendments were adopted, said Memorials be read a third time; House Memorial No. 12, without amendment, and with a recommendation that it be read a third time; House Bill No. 24, without amendment, and with a recommendation that it be read a third time; House Bill No. 30, without amendment, and with a recommendation that it be indefinitely postponed, and House Bill No. 63, without amendment, and with a recommendation that it be read a third time.

Mr. Thompson, as Chairman of said Committee, further reported that the Committee had not completed the consideration of the other Bills before them, and that the Committee asked leave to sit again, which was granted by the Council.

Mr. Rolette moved that the Council adjourn till Monday next at 2 o'clock P. M.

Upon this question, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Basset, Dooley, Humphrey, Lowry, Ludden, Rolette, Stone, Wales, Mr. President—9.

Those who voted in the negative were Messrs. Bailly, Setzer, Thompson—3.

So the affirmative of the question prevailed, and the Council thus adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

MONDAY AFTERNOON, FEBRUARY 16, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

The roll being called, the following members answered to their names: Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President.

The Journal of the Proceedings of the Council on Friday was read and approved.

Mr. Humphrey presented the petition of A. I. Brown, and others, and

on his motion the same was referred to the Committee on Territorial Roads.

Mr. Humphrey also presented the petition of Charles S. Morse and others, in relation to a certain Ferry and Territorial Road, and on his motion the same was referred to a Select Committee.

The Chair appointed Messrs. Humphrey, Dooley, and Stone, said Committee.

Mr. Setzer, agreeably to previous notice, and by leave, introduced C. F. No. 5, a Joint Resolution to prevent the further expenditure of money in the erection of University Buildings, which was read a first and second time.

Mr. Bassett in the chair.

Mr. Brisbin, by leave, introduced C. F. No. 85, a Bill for an Act for the protection of Hotel keepers, which was read a first and second time.

The President resumed the chair.

Mr. Stone asked the unanimous consent of the Council to introduce a private Bill.

Mr. Setzer objected.

Mr. Bassett asked the unanimous consent of the Council to allow him to introduce a private Bill.

Mr. Setzer objected.

The following Message, received from his Excellency the Governor, by R. A. Smith, one of his messengers, was read:

"EXECUTIVE DEPARTMENT, }
Feb. 13, 1857. }

To the President of the Council:

SIR: I am instructed by His Excellency to inform the Council that he has this day approved and signed C. F. No. 1, a Memorial to Congress from the Legislative Assembly of the Territory of Minnesota; C. F. No. 12, a Bill to amend Chapter 40 of the Session Laws of 1856; C. F. No. 1, an Act to incorporate the Saint Anthony and North Minneapolis Bridge Company."

Mr. Thompson, from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills report, as being correctly engrossed, Bill No. 59, C. F., an Act to incorporate the town of Weston, and for other purposes; Bill No. 45 C. F., a Bill for an Act to incorporate the St. Paul and Taylor's Falls Railroad Company; Bill No. 38, C. F., an Act granting to Ard Godfrey the right to build and maintain a Bridge across the Elk River, at the Village of Orono, in the County of Sherburn, and Territory of Minnesota.

C. W. THOMPSON, } Committee.
H. N. SETZER, }

Mr. Thompson, from the same Committee, made a further report, as follows:

The Committee on Engrossed Bills report, as being correctly engrossed, C. F. Bill No. 30, a bill to incorporate the City of Red Wing; C. F. Bill No. 23, a Bill for an Act to incorporate the Mississippi River Improvement and Manufacturing Company; C. F. No. 32, an act to incorporate the town of Glencoe; C. F. No. 80, an Act to amend Sec. 9, in Sec. 7, of Chapter 5, on page 10 of the Session Laws, Jan. 2, 1856; C. F. No. 65, a

Bill to incorporate the Emigrant Aid Association ; C. F. No. 82, an Act to amend Section 4 of Article 2 of Chapter 8 of the Revised Statutes.

C. W. THOMPSON, } Committee.
B. F. TILLOTSON, }

Mr. Thompson, from the same Committee, made the following further report :

The Committee on Engrossed Bills report, as being correctly engrossed, C. F. No. 73, a Bill for an act to provide for the incorporation of the St. Paul Mercantile Library Association, C. F. No. 75, a Bill to regulate the compensation of County Surveyors in the Territory of Minnesota ; C. F. No. 78, an Act to incorporate the town of Waukonsa.

C. W. THOMPSON, } Committee.
B. F. TILLOTSON, }

Mr. Setzer in the chair.

The following Messages received from the House on Friday last, by their Clerk, was read.

Mr. PRESIDENT : The Speaker has signed a Bill to organize the County of Freeborn ; a Memorial to Congress for Mail Routes ; a Memorial to Congress for a Military Road ; a Bill authorizing Trustees of School Districts to collect Taxes ; an Act to extend the time for collection of Taxes in Winona County—which are herewith transmitted.

Mr. PRESIDENT : The House of Representatives has passed the following Bills, viz :

Bill No. 85, H. of R., a Bill to incorporate the Hastings, Minnesota River, and Red River, of the North Railroad Company ; Bill No. 8, H. of R., a Bill to incorporate the Winona Ferry Company ; Bill No. 129, H. of R., a Bill to incorporate the Minnesota and Dakota Railroad Company ; No. 113 H. of R., a Bill to incorporate the Minnesota, Nebraska and Pacific Mail Transportation Company ; and Bill No. 70 H. of R., a Bill to incorporate the St. John Seminary.

All of which are herewith transmitted, and in which the concurrence of the Council is solicited.

The Speaker has signed the Memorial to Congress for certain Mail Routes ; a Bill in relation to the location of the County Seat of Dakota County—which are herewith transmitted.

The President resumed the chair.

Said Enrolled Bills were then severally signed by the President.

On motion of Mr. Setzer, the rules were suspended, and House Bill No. 85, a Bill for an Act to incorporate the Hastings, Minnesota and Red River of the North Railroad Company, was read a first and second time by its title.

House Bill No. 8, a bill for an Act to incorporate the Winona Ferry Company, was read a first and second time.

On motion of Mr. Bassett, the rules were suspended, and House Bill No. 129, a Bill to incorporate the Minnesota and Dakota Railroad Company, was read a first and second time by its title.

House Bill No. 113, a Bill to incorporate the Minnesota, Nebraska and Pacific Mail Transportation Company, being in order for a first reading.

Mr. Thompson moved that the rules be suspended, and said Bill be read a first and second time by its title and referred to the Committee on Territorial Affairs.

A call of the Council was asked for and ordered, and the roll being called, every member answered to his name.

Mr. Balcombe called for a division of the question, which was allowed.

Upon the first division of the question, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Tillotson, Wales, Mr. President—10.

Those who voted in the negative were :

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone—5.

So the affirmative of the question prevailed, the rules were suspended, and said bill was read a first and second time by its title.

Upon the second division of the question, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—8.

Those who voted in the negative were :

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—7.

So the affirmative of the question prevailed, and the Bill was referred to the Committee on Territorial Roads.

House Bill No. 70, a bill for an Act to incorporate the St. John Seminary, was read a first and second time.

C. F. No. 59, an Act to incorporate the town of Weston, and for other purposes, being in order for a third reading, Mr. Setzer moved that the rules be suspended, and the Bill read a third time by its title ; and the question being put upon agreeing to said motion, it was decided in the negative, and the Council refused so to suspend the rules.

Said Bill was then read a third time and passed.

Mr. Rolette made the following report :

“The Committee on Enrolled Bills report that they have this day presented to his Excellency the Governor the following bills and Memorials for his signature, viz :

No. 8, H. of R., Memorial to Congress ; No. 2, C. F., Memorial to Congress ; No. 4, H. of R., Memorial to Congress ; No. 61, H. of R., a Bill ; No. 42, H. of R., a Bill ; No. 10, C. F., a Bill ; No. 233, H. of R.

All of which is respectfully submitted.

JOSEPH ROLETTE, Chairman.

M. G. THOMPSON, Chairman.

C. F. No. 38, a Bill for an Act granting to Ard Godfrey the right to build and maintain a Bridge across the Elk River, at the Village of Orono, in the County of Sherburne, was read a third time and passed.

C. F. No. 45, a Bill for an Act to incorporate the St. Paul and Taylor's Falls Railroad Company, being in order for a third reading, its reading was commenced and proceeded in, when Mr. Freeborn moved the rules be suspended, and the Bill be read a third time by its title.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bassett, Dooley, Freeborn, Humphrey, Ludden, Tillotson, Mr. President—7.

Those who voted in the negative were :

Messrs. Bailly, Balcombe, Lowry, Setzer, Wales—5.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused so to suspend the rules.

Mr. Setzer in the chair.

The reading of said Bill was resumed, and proceeded in, when Mr. Freeborn again moved that the further reading of the Bill be dispensed with, the rules suspended, and the bill read a third time by its title.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Rolette, Tillotson—8.

Those who voted in the negative were :

Messrs. Bailly, Balcombe, Setzer, Wales—4.

So the affirmative of the question prevailed, the further reading of the bill was dispensed with, the rules suspended, and the Bill was read a third time by its title, and passed.

C. F. No. 30, a Bill for an Act to incorporate the City of Red Wing, being in order for a third reading,

Mr. Bassett moved that the rules be suspended and the Bill be read a third time by its title.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Thompson, Tillotson, Wales—9.

Those who voted in the negative were :

Messrs. Balcombe, Setzer—2.

So the affirmative of the question prevailed, the rules were suspended, and said bill was read a third time by its title and passed.

The President in the chair.

On motion of Mr. Bassett, the rules were suspended, and C. F. No. 23, a bill for an Act to incorporate the Mississippi River Improvement and Manufacturing Company, was read a third time by its title and passed.

C. F. No. 32, an Act to incorporate the town of Glencoe, being in order for a third reading, Mr. Bassett moved that the rules be suspended and the Bill be read a third time by its title.

The question being put upon agreeing to said motion, it was decided in the negative, and the Council refused to suspend the rules.

Said Bill was then read a third time and passed.

Mr. Balcombe in the chair.

C. F. No. 80, an Act to amend Section 9 in Section 7 of Chapter 6 on page 10 of the Session Laws, January 2, 1856, was read a third time and passed.

On motion of Mr. Setzer, C. F. No. 65, a Bill to incorporate the Emigrant Aid Association was read a third time by its title, and the question upon the passage of said Bill being put, Mr. Setzer called for the yeas and nays, which were ordered, and the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Rolette, Tillotson—9.

Those who voted in the negative were :

Messrs. Setzer, Stone, Wales—3.

So the affirmative of the question prevailed, and the Bill passed.

On motion of Mr. Setzer, C. F. No. 82, a Bill for an Act to amend Section 4 of Article II of Chapter 8 of the Revised Statutes, was read a third time and passed.

On motion of Mr. Rolette, C. F. No. 73, a Bill for an Act to incorporate the Saint Paul Mercantile Library Association, was read a third time and passed.

On motion of Mr. Setzer, the title of the Bill was amended by striking out the word "Mercantile."

C. F. No. 75, a Bill to regulate the compensation of County Surveyors, was read a third time and passed.

On motion of Mr. Bassett, C. F. No. 78, a Bill to incorporate the town of Waukonsa, was read a third time by its title, under a suspension of the rules, and passed.

The President in the chair.

The Council then proceeded to the consideration of the report, made by Mr. Thompson, as Chairman of the Committee of the Whole, on Friday last, and House Memorials Nos. 6 and 9 were ordered to be read a third time.

Upon the question of agreeing to the amendment proposed by said Committee to House Memorial No. 10, by inserting the word "not" after the word "is," the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Bassett, Lowry, Ludden, Setzer, Tillotson, Mr. President—7.

Those who voted in the negative were :

Messrs. Dooley, Freeborn, Humphrey, Rolette, Stone, Wales—6.

So the affirmative of the question prevailed, and the amendment was adopted by the Council.

Mr. Rolette moved that the further consideration of said Memorial be indefinitely postponed, and the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Freeborn, Lowry, Rolette, Mr. President—4.

Those who voted in the negative were :

Messrs. Bailly, Bassett, Dooley, Humphrey, Ludden, Setzer, Stone, Tillotson, Wales—9.

So the negative of the question prevailed, and the Council refused so to postpone the further consideration of said Memorial.

On motion of Mr. Rolette said Memorial was referred to the Committee on Internal Improvement.

Upon the question of agreeing to the amendment reported by the Committee to House Memorial No. 11, which was to strike out the word "goods" and insert "moccasins, pemonican, and kinnekenick,"

Mr. Rolette called for the yeas and nays, which were ordered, and the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Ludden, Setzer, Tillotson—3.

Those who voted in the negative were :

Messrs. Bailly, Bassett, Dooley, Freeborn, Humphrey, Rolette, Stone, Wales, Mr. President—9.

So the negative of the question prevailed, and the amendment was rejected.

Said Memorial was then ordered to be read a third time.

House Memorial No. 12, and House Bills Nos. 24 and 63, were severally ordered to be read a third time.

House Bill No. 30 was indefinitely postponed.

On motion of Mr. Rolette, the Council took from the table and resumed the consideration of C. F. No. 5, an Act to incorporate Karns City, the question being upon agreeing to the amendment reported from the Committee of the Whole, which was to strike out the words, "and County Seat of said County."

Mr. Basset moved a call of the Council, which was ordered, and upon the roll being called, Messrs. Balcombe, Lowry, and Thompson, were absent.

The Chair ordered the Sergeant-at-Arms to report Messrs. Balcombe, Lowry, and Thompson, in their seats.

The Sergeant-at-Arms soon after reported Messrs. Balcombe, Lowry, and Thompson, in their seats.

Mr. Balcombe in the chair.

Upon the question of agreeing to said amendment, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Ludden, Setzer, Thompson, Wales—10.

Those who voted in the negative were :

Messrs. Lowry, Rolette, Stone, Tillotson, Mr. President—5.

So the affirmative of the question prevailed, and said amendment was adopted.

Mr. Rolette moved further to amend by adding an additional Section.

Mr. Bassett called for the reading of a remonstrance of A. I. Brown and others, against the removal of the County Seat of McLeod, which had been introduced and laid on the table, and the same was read.

Upon the question of agreeing to said amendment, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

Those who voted in the negative were :

Messrs. Balcombe, Bassett, Dooley, Humphrey, Thompson, Wales—6.

So the affirmative of the question prevailed, and the amendment was adopted.

Mr. Balcombe, moved that said Bill be laid upon the table.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe, Bassett, Dooley, Humphrey, Ludden, Thompson, Wales—7.

Those who voted in the negative were :

Messrs. Bailly, Freeborn, Rolette, Setzer, Stone, Tillotson, Mr. President—7.

So the negative of the question prevailed, and the Council refused to lay said Bill upon the table.

Mr. Balcombe moved a call of the Council, which was ordered, and the roll being called, every member answered to his name.

Mr. Balcombe moved that said Bill be referred to the Committee on Territorial Affairs.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—7.

Those who voted in the negative were :

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

So the negative of the question prevailed, and the Council refused so to refer said Bill.

Mr. Balcombe moved that the Council adjourn.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—7.

Those who voted in the negative were :

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

So the negative of the question prevailed, and the Council refused to adjourn.

Mr. Balcombe moved a call of the Council, which was ordered, and upon the roll being called, every member answered to his name.

Mr. Balcombe moved that the Council adjourn.

Upon this question, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—7.

Those who voted in the negative were :

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

So the negative of the question prevailed, and the Council refused to adjourn.

Mr. Setzer moved the previous question upon ordering said Bill to a third reading, which motion was seconded.

Mr. Balcombe moved that the motion for the previous question be laid upon the table.

Mr. Setzer objected, and contended that the motion was not in order.

The Chair ruled the motion in order.

Mr. Setzer appealed from the decision of the Chair.

Upon the question, "Shall the decision of the Chair be sustained?" the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—7.

Those who voted in the negative were :

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson—7. So the negative of the question prevailed, and the decision of the Chair was not sustained.

Mr. Balcombe moved a call of the Council, and the roll being called, every member answered to his name.

Mr. Balcombe moved that the Council adjourn.

Upon this question, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—7.

Those who voted in the negative were :

Messrs. Bailly, Freeborn, Ludden, Rolette, Sitzer, Stone, Tillotson, Mr. President—8.

So the negative of the question prevailed, and the Council refused to adjourn.

Mr. Basset moved a call of the Council, which was ordered, and the roll being called, every member answered to his name.

Upon the question of ordering the main question to be then put, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

Those who voted in the negative were :

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—7.

So the affirmative of the question prevailed, and the main question was ordered to be then put.

The question being put upon ordering said Bill to be engrossed and read a third time, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

Those who voted in the negative were :

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—7.

So the affirmative of the question prevailed, and said bill was ordered to be engrossed and read a third time.

On motion of Mr. Balcombe the House adjourned

J. B. BRISBIN, President.

L. SMITH, Secretary.

TUESDAY MORNING, FEBRUARY 17TH, 1857.

The Council met pursuant to adjournment and was called to order by the President.

Prayer by the Chaplain.

The roll being called, all the members were present.

The reading of the Journal of yesterday's proceedings was commenced and proceeded in, when Mr. Freeborn moved that the further reading of the Journal be dispensed with. Upon this question, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bassett, Dooley, Freeborn, Humphrey, Thompson—5.

Those who voted in the negative were Messrs. Ludden, Rolette, Setzer, Stone, Tillotson, Wales, Mr. President—7.

So the negative of the question prevailed, the remainder of the journal was read, and the journal approved.

Mr. Setzer presented the following report of the Surveyor General of Logs, which was read:

SURVEYOR GENERAL'S OFFICE, }
STILLWATER, Feb. 10th, 1857. }

To the Hon. the Council and House of Representatives of the Legislative Assembly of the Territory of Minnesota:

The following report of Logs scaled by myself and Deputies, and duly recorded, is respectfully submitted:

That there was scaled in April, 1856,	4,464,604 feet.
“ “ “ “ “ May, “	12,287,818 “
“ “ “ “ “ June, “	21,867,018 “
“ “ “ “ “ July, “	22,623,690 “
“ “ “ “ “ Aug., “	16,104,770 “
“ “ “ “ “ Sept., “	2,226,168 “
“ “ “ “ “ Oct., “	2,054,784 “
“ “ “ “ “ Nov'b'r, “	961,909 “

Total, 82,590,761 feet.

ROBT. HASTY, Sur. Gen'l for Dist. No. 1.

Mr. Ludden asked leave to introduce a Bill to incorporate the Saint Paul Fuller House Company.

Mr. Bassett objected.

Mr. Rolette, from the Committee on Enrolled Bills, reported, as being correctly enrolled, Bill No. 16 C. F.; Bill No. 25 C. F.; Bill No. 6 C. F.; Bill No. 51 C. F.; Bill No. 42 C. F.; Bill No. 47 C. F.

JOSEPH ROLETTE, Chairman.
M. G. THOMPSON.

Mr. Ludden, from the Committee on Incorporations, to whom was referred C. F. No. 57, a Bill for an Act to incorporate the Shaska Company, reported said Bill with sundry amendments, which were severally adopted by the Council.

Mr. Ludden, from the same Committee, to whom was referred C. F. No. 74, an Act to amend Chapter 39 of Session Laws of 1856, reported said Bill without amendment, and with a recommendation that it be engrossed and read a third time.

Mr. Thompson, from the Committee on Engrossed Bills, reported, as being correctly Engrossed, C. F. No. 64, a Bill for an act to incorporate the La Crescent Gravel and Plank Road Company; C. F. No. 67, a Bill to incorporate Union City; C. F. No. 5, a Bill for an act to incorporate Karns City.

C. W. THOMPSON, }
B. F. TILLOTSON, } Committee.

House Memorial No. 6 to Congress for an appropriation to aid in the construction of the Saint Paul and Kettle River Road.

House Memorial No 9 to Congress for the establishment of certain Mail Routes, and

House Memorial No. 11 to Congress for an appropriation for a Custom House at St. Joseph, Pembina County, were severally read a third time and passed.

Mr. Setzer in the Chair.

A message was received from the Governor by R. A. Smith, one of his messengers.

House Memorial No. 12 to the Post Master General, for the extension of a Mail route, was read a third time and passed.

House Bill No. 24, a bill for an Act granting to A. R. Russell and others the right to establish and maintain a ferry across the Minnesota River at the town of Beaver, and for other purposes, being in order for a third reading, Mr. Bassett moved that the rules be suspended and the Bill read a third time by its title, and upon the question being put upon agreeing to said motion, it was decided in the negative, and the Council refused to suspend the rules.

Said Bill was then read a third time, and the question being put upon the passage of said Bill, it was decided in the negative, and the Council refused to pass the Bill.

House Bill No. 63, in relation to the construction of Mill Dams in certain Townships, was read a third time, and upon the question of the passage of the Bill, the yeas and nays were called for.

A call of the Council was demanded, and the roll being called, Messrs. Bailey, Lowry, Stone, Thompson, and Brisbin were absent.

The Chair ordered the Sergeant-at-Arms to report Messrs. Bailey, Lowry, Stone, Thompson and Brisbin in their seats.

On motion of Mr. Freeborn, all further proceedings under the call of the Council were dispensed with.

The President resumed the Chair.

Upon the question of the passage of said Bill, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bailly, Dooley, Freeborn, Humphrey, Lowry, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, Mr. President—13.

Those who voted in the negative were Messrs. Balcombe, Bassett—2.

So the affirmative of the question prevailed, and the Bill passed.

C. F. No. 5, a Bill for an Act to incorporate Karns City, was read a third time.

Mr. Bassett moved that the further consideration of the Bill be referred to the Committee on Territorial Affairs.

A call of the Council was demanded, and the roll being called, Mr. Thompson was absent.

The Chair ordered the Sergeant-at-Arms to report Mr. Thompson in his seat.

The Sergeant-at-Arms soon after reported Mr. Thompson in his seat.

Upon the question of referring said Bill to the Committee on Territorial Affairs, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—7.

Those who voted in the negative were Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

So the negative of the question prevailed, and the Council refused to refer the Bill.

Upon the question of the passage of said Bill, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bailly, Freeborn, Lowry, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—9.

Those who voted in the negative were Messrs. Balcombe, Bassett, Dooley, Humphrey, Thompson, Wales—6.

So the affirmative of the question prevailed and the Bill passed.

C. F. No. 64, a Bill for an Act to incorporate the La Crescent Gravel and Plank Road Company, and C. F. No. 67, a Bill to incorporate Union City, were severally read a third time and passed.

A call of the Council was demanded and ordered, and the roll being called, Messrs. Bailly, Balcombe, Freeborn, Humphrey, Lowry, Rolette, and Tillotson were absent.

The Chair ordered the Sergeant-at-Arms to report Messrs. Bailly, Balcombe, Humphrey, Lowry, Rolette and Tillotson in their seats.

Mr. Bassett moved that all further proceedings under the call of the Council be dispensed with.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bassett, Dooley, Lowry, Ludden, Rolette, Thompson, Wales, Mr. President—8.

Those who voted in the negative were Messrs. Balcombe, Setzer, Stone—3.

So the affirmative of the question prevailed, and all further proceedings under the call of the Council were dispensed with.

C. F. No. 74, an Act to amend Chapter 39 of Session Laws of 1856, being under consideration, and the question being upon ordering said Bill to be engrossed and read a third time, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bailly, Freeborn, Humphrey, Ludden, Setzer, Stone, Thompson, Tillotson, Wales, Mr. President—10.

Those who voted in the negative were Messrs. Balcombe, Bassett, Dooley—3.

So the affirmative of the question prevailed, and said Bill was ordered to be engrossed and read a third time.

On motion of Mr. Setzer, the Council resolved themselves into a Committee of the Whole for the purpose of resuming the consideration of the unfinished business before said Committee at the Session on Friday last.

Mr. Thompson in the Chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Thompson, as Chairman of the Committee of the Whole, reported House Bills No. 68, a Bill to incorporate the Board of Trustees of Hastings University, No. 101, an Act to incorporate Lake University in the County of Freeborn, and No. 28, a Bill to ratify the official acts of the County officers of the County of Mower, without amendment.

Mr. Balcombe in the Chair.

Said Bills were then severally ordered to be read a third time.

Mr. Thompson, from the same Committee, also reported House Bills No. 25, a Bill for an Act relating to the County officers of the County of Mower, No. 73, a Bill to amend an Act relative to Free Schools in the City of St. Paul, and No. 86, an Act to incorporate the Anoka Academy, each with an amendment, which amendments were severally adopted by the Council, and the Bills ordered to be read a third time.

Mr. Thompson, from the Committee on Engrossed Bills, by leave made the following report:

"The Committee on Engrossed Bills report, as being correctly Engrossed, C. F. No. 66, a Bill to incorporate the town of East Red Wing.

C. W. THOMPSON, }
B. F. TILLOTSON, } Committee."

On motion of Mr. Bassett, the rules were so far suspended that said C. F. No. 66 was in order for a third reading at that time.

On motion of Mr. Bassett, the rules were again suspended and the Bill was read a third time by its title and passed.

On motion of Mr. Rolette, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

WEDNESDAY MORNING, FEBRUARY 18, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

The roll being called, the following persons answered to their names: Messrs. Baily, Dooley, Freeborn, Humphrey, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President.

The Journal of the proceedings of the Council on yesterday was read and approved.

Mr. Balcombe presented the petition of G. Rice and others, for the incorporation of a new County, to be called St. Charles, which was read, and on motion of Mr. Balcombe, referred to the Committee on County Boundaries.

Mr. Lowry presented the petition of H. A. Putnam and others, asking that the name of the village of Stockton be changed to that of Spring Vale, which petition, on motion of Mr. Lowry, was referred to the Committee on Territorial Affairs.

Mr. Humphrey, by leave, introduced two Memorials, C. F. Nos. 5 and 6, to the Post Master General for certain Mail service.

Mr. Rolette, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills report, as being correctly Enrolled, C. F. No. 27, an act authorizing married women to convey real estate by

power of attorney; Memorial No. 4 C. F. of the Legislative Assembly of the Territory of Minnesota.

JOS. ROLETTE, Chairman.
M. G. THOMPSON."

Mr. Thompson made the following report:

"The Committee on Engrossed Bills report, as being correctly Engrossed, C. F. No. 26, a Bill to incorporate the Town of Cannon Falls.

C. W. THOMPSON, } Committee."
B. F. TILLOTSON, }

The following message, received yesterday from His Excellency, the Governor, by R. A. Smith, one of his messengers, was then read:

"EXECUTIVE DEPARTMENT, }
Feb'y 14, 1857. }

To the President of the Council:

Sir—I am directed by His Excellency to inform the Council that he has this day approved and signed

C. F. No. 10, "A Bill for an Act in relation to the location of the County Seat of Dakota County."

C. F. No. 2, 'A Memorial to Congress for certain Mail Routes in Minnesota Territory.'

House Bill No. 25, for an Act relating to the County officers of the County of Mower, House Bill No. 28, to ratify the official acts of the County officers of the County of Mower, House Bill No. 73, to amend an Act relative to Free Schools in the City of St. Paul, and House Bill No. 86, an Act to incorporate the Anoka Academy, were severally read a third time and passed as amended.

House Bills No. 68, to incorporate the Board of Trustees of Hasting's University, No. 101, an Act to incorporate Lake University, and C. F. No. 26, a Bill to incorporate the town of Cannon Falls, were severally read a third time and passed.

On motion of Mr. Freeborn, the Council resolved themselves into a Committee of the Whole for the purpose of considering C. F.'s Nos. 57 and 85.

Mr. Humphrey in the Chair.

After some time spent therein, a message was announced from the House of Representatives by their Clerk.

The President resumed the Chair and received the message.

Mr. Humphrey returned to the Chair, and the Committee resumed their deliberations upon the Bills before them.

After some further time spent in the Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Humphrey, as Chairman of said Committee, reported C. F. No. 85, a Bill for an Act for the protection of Hotel Keepers, and C. F. No. 57, a Bill for an Act to incorporate the Shaska Company, each without amendment, and with recommendations that said Bills be engrossed and read a third time.

C. F. No. 57 was then ordered to be engrossed and read a third time.

Mr. Setzer moved to amend C. F. No. 85 in that part relating to guests at Hotels, by inserting the words "except the Members of the Legislative Assembly," and the question being put upon agreeing to said amendment, it was decided in the negative, and the amendment was rejected.

The Bill was then ordered to be engrossed and read a third time.

Mr. Setzer moved that the Bill be committed to the Committee on the Judiciary for amendment.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Setzer, Stone, Thompson, Wales—4.

Those who voted in the negative were Messrs. Bassett, Dooley, Rolette, Mr. President—4.

So the negative of the question prevailed, and the Council so refused to commit the bill.

On motion of Mr. Rolette, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

THURSDAY MORNING, FEBRUARY 19, 1857.

The Council met pursuant to adjournment and was called to order by the President.

Prayer by the Chaplain.

The roll being called, the following members answered to their names: Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President.

The Journal of the Proceedings of the Council on yesterday was read and approved.

Mr. Bailly, by leave, presented C. F. No. 86, a Bill for an Act to incorporate the City of Hastings.

On Motion of Mr. Bailly, the rules were suspended, and the Bill was read a first and second time by its title.

Mr. Bailly, by leave, also introduced C. F. No. 7, a Memorial to the President of the United States in relation to the Treaty of Mendota, which was read a first and second time.

Mr. Setzer in the chair.

Mr. Brisbin, by leave, introduced C. F. No. 87, a Bill for an Act to lay out a Territorial Road from Fort Snelling to Chaska and Carver City, which was read a first and second time, and referred to the Committee on Territorial Roads.

Mr. Brisbin asked leave to introduce a Bill to incorporate the Fremont University, and a Bill to incorporate the town of Fremont.

Mr. Setzer objected on the ground that they were private bills, and the same were not received.

The President in the Chair.

Mr. Humphrey, by leave, introduced C. F. No. 88, a Bill for an Act relating to Public Roads.

On motion of Mr. Humphrey the rules were suspended, and the Bill was read a first and second time by its title, and referred to the Committee on Territorial Roads.

The following Message, received from the House by their Clerk, on yesterday, was read.

"Mr. PRESIDENT: The Speaker has signed the following Bills: Council File Nos. 16, 25, 6, 47, 42, and 51."

"The House have also concurred in the amendments to House Bills Nos. 78, 16, 37, and 80.

"The House have also passed House Bills Nos. 108, 118, 119, 242, 131, 141, 82, 90, 135, 121, 106, 128, 117, 123, 138, 59, 120, 134, 294, 143, 119, 89, 110, 132, 105, and 98.

"Also, Joint Resolution for the relief of Frederick Frenzenrich—all of which are herewith transmitted, in which the concurrence of the Council is solicited."

Said Enrolled Bills were then signed by the President.

Mr. Bassett in the chair.

No. 108, H. of R., a Bill to incorporate the North Shore Mining Company, was read a first and second time.

No. 118, H. of R., a Bill for an Act to incorporate the Fremont City University of Minnesota, being in order for a first reading,

On motion of Mr. Setzer, the rules of the Council were suspended, and said bill was read a first and second time by its title.

Mr. Setzer moved that the further consideration of the Bill be indefinitely postponed.

Mr. Setzer moved a call of the Council, which was ordered, and the roll being called, Messrs. Bailly, Brisbin, Freeborn, Lowry, Ludden, and Tillotson, were absent.

The Chair ordered the Sergeant-at-Arms to report the absent members in their seats.

On motion of Mr. Setzer, all further proceedings under the call of the Council were dispensed with.

Mr. Setzer then withdrew his motion for an indefinite postponement of said Bill.

No. 242, H. of R., a bill to extend the time for the collection of Taxes in Olmstead County, was read a first and second time.

Mr. Rolette made the following Report:

"The Committee on Enrolled Bills report that they have presented to His Excellency the Governor for his approval and signature the following: Council File No. 6, Council File No. 16, Council File No. 23, Council File No. 42, Council File No. 47, Council File No. 51.

JOSEPH ROLETTE, Chairman.

M. G. THOMPSON, Chairman."

Mr. Thompson moved that the rules be suspended, and he be allowed to make a report from the Committee on Engrossed Bills.

Mr. Balcombe moved a call of the Council, which was ordered, and the roll being called, Messrs. Bailly, Freeborn, Humphrey, Lowry, and Ludden, were absent.

The Chair ordered the Sergeant-at-arms to report the absent members in their seats.

Mr. Tillotson moved that all further proceedings under the call of the Council be dispensed with.

Upon that question the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bailly, Bassett, Dooley, Humphrey, Rolette, Setzer, Stone, Thompson, Tillotson, and

Wales. Mr. Balcombe voted in the negative. Yeas 10, nays 1. So the affirmative of the question prevailed, and all further proceedings under the call of the Council were dispensed with.

The question recurring upon the motion of Mr. Thompson to suspend rules, the yeas and nays being called for and ordered, the result of the vote was as follows: Those who voted in the affirmative were Messrs. Balcombe, Bassett, Dooley, Thompson, Tillotson, and Wales.

Those who voted in the negative were Messrs. Bailly, Rolette, Setzer, Stone, and Mr. President.

Yeas 6, Nays 5. Two-thirds of the Council not voting in the affirmative, the negative of the question prevailed, and the Council refused so to suspend the rules.

The President in the chair.

On Motion of Mr. Setzer, the rules of the Council were so far suspended that the remaining Bills and Joint Resolution, received from the House with the aforesaid Message, were in order for a first and second reading by their respective titles.

No. 90, H. of R., a Bill for the incorporation of the town of New Ulm, in the County of Brown.

No. 105, H. of R., a Bill to incorporate the town of Chatfield.

No. 107, H. of R., an Act to incorporate the Northfield Institute, at Northfield, in the County of Rice.

No. 135 H. of R., a Bill to incorporate the Austin Young Men's Association.

And No. 294, H. of R., a Bill to extend the time for the collection of Taxes in Dakota County, were severally read a first and second time by their titles.

No. 4, H. of R., a Joint Resolution for the relief of Frederic Frendenrich, was read a first and second time, and referred to the Committee on Territorial Expenditures.

No. 59, H. of R., a Bill for the Relief of James Leach, was read a first and second time by its title, and on motion of Mr. Setzer, referred to a Select Committee.

The Chair appointed Messrs. Setzer, Balcombe, and Rolette, said Committee.

No. 141, H. of H., a Bill to authorize the legal voters of Wright County to designate the County Seat of said County, was read a first and second time, and referred to the Committee on Territorial Affairs.

No. 143, H. of R., a Bill to provide for the protection of Game, was read a first and second time, and on motion of Mr. Bassett, referred to the Committee on the Militia.

No. 117, H. of R., a Bill to incorporate the Aid Society of the Minnesota Annual Conference of the M. E. Church, and

No. 119, H. of R., a Bill for an Act to incorporate the Cedar Valley University, were severally read a first and second time, and referred to the Committee on Schools.

No. 121, H. of R., an Act to organize the County of Itasca, and for other purposes.

No. 131, H. of R., a Bill for an Act to define the boundaries between Stearns, Wright, and Meeker Counties, and

No. 138, H. of R., a Bill to establish certain Counties, and for other purposes, were severally read a first and second time, and referred to the Committee on County Boundaries.

No. 82, H. of R., a Bill for the relief of Joseph Le May, and Rev. Denis Ledon.

No. 98, H. of R., a Bill to extend and limit the powers of County Commissioners, in relation to the granting of Ferry Licenses and Charters, and

No. 128, H. of R., a Bill to change the name of Baltiss Simmons, were severally read a first and second time, and referred to the Committee on the Judiciary.

No. 89, H. of R., an Act to incorporate the Minnesota Valley Railroad Company.

No. 106, H. of R., a Bill to incorporate the Mississippi Valley Fire and Marine Insurance Company.

No. 110 H. of R., a Bill for an Act to incorporate the Lake Superior and Red River Railroad Company.

No. 123, H. of R., a Bill for an Act to incorporate St. Albans and Minnesota River Ship Canal Company.

No. 132, H. of R., a Bill for an Act to incorporate the Lake Superior, Monticello, and Missouri River Railroad Company, and

No. 134 H. of R., a Bill for an Act to incorporate the town of Independence, were severally read a first and second time, and referred to the Committee on Incorporations.

On motion of Mr. Setzer, the rules were suspended, and the Council resolved themselves into a Committee of the Whole, for the purpose of considering C. F. No. 50, and H. of R. No. 31, together with the report of the Committee on Incorporations upon said Bills, H. of R. Nos. 85, 8, 70, and 129, C. F. No. 84, Bill, and C. F. Nos. 5 and 6, Memorials.

Mr. Balcombe in the chair.

After some time spent in Committee of the Whole, the Committee rose, and the President resumed the chair.

Mr. Balcombe, as Chairman of the Committee of the Whole, reported C. F. No. 50, a Bill for an Act to incorporate the Red Wing and Owatonna Railroad Company, and

H. of R. No. 31, a Bill to incorporate the St. Paul Savings Institution, with recommendations that the amendments proposed to said Bills, by the Committee on Incorporations, be adopted by the Council.

H. of R. No. 85, a Bill for an Act to incorporate the Hastings, Minnesota Biver and Red River, of the North Railroad Company, without amendment, and with a recommendation that it be read a third time and passed.

H. of R. No. 70, a Bill for an Act to incorporate the St. John Seminary.

No. 129, H. of R., a Bill to incorporate the Minnesota and Dakota Railroad Company, with an amendment.

C. F. No. 84, a Bill for an Act to incorporate the Rum River and Superior Railroad Company, with an amendment.

H. of R. No. 8, a Bill to incorporate the Winona Ferry Company, and

C. F. Nos. 5 and 6, Memorials to the President of the United States, without amendment.

Mr. Balcombe moved that the amendments reported by the Committee to the several Bills mentioned in said report be adopted, and upon that question the yeas and nays were ordered, and the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe, Setzer—2.

Those who voted in the negative were:

Messrs. Bailly, Bassett, Dooley, Humphrey, Rolette, Stone, Thompson, Tillotson, Wales, Mr. President—10.

So the negative of the question prevailed, and the Council refused to adopt the amendments collectively.

The Council then proceeded to the consideration of C. F. No. 50, with the amendments recommended by the Committee of the Whole, which amendments were adopted by the Council, and the Bill ordered to be engrossed and read a third time.

The Council proceeded to the consideration of H. of R. No. 31, together with the amendments recommended by the Committee of the Whole.

Mr. Setzer moved that the further consideration of said Bill be indefinitely postponed.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Balcombe, Humphrey, Setzer, and Mr. President.

Those who voted in the negative were Messrs. Bailly, Bassett, Dooley, Rolette, Stone, Thompson, Tillotson, and Wales.

Yeas 4, nays 8. So the negative of the question prevailed, and the Council refused to postpone the further consideration of the Bill.

On motion of Mr. Setzer, the Bill was laid upon the table.

On motion of Mr. Rolette, the amendments recommended by the Committee of the Whole to the other Bills reported by the Committee, were adopted.

No. 85, H. of R., No. 8, H. of R., and No. 129, H. of R., were severally ordered to be read a third time.

Mr. Setzer moved that No. 70, H. of R., be laid upon the table.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Balcombe, Dooley, Humphrey, and Setzer.

Those who voted in the negative were Messrs. Bailly, Bassett, Rolette, Stone, Tillotson, Wales, and Mr. President.

Yeas 4, nays 7. So the negative of the question prevailed, and the Council refused to lay said Bill upon the table.

The Bill, as amended, was then ordered to be read a third time.

C. F. No. 84, a bill, and C. F. Nos. 5 and 6, Memorials, were severally ordered to be engrossed and read a third time.

Mr. Balcombe moved that the Council adjourn.

Mr. Basset moved a call of the Council, which was ordered, and the roll being called, Messrs. Freeborn, Lowry, and Ludden, were absent.

Mr. Setzer moved that the Council adjourn.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were:

Messrs. Bailly, Rolette, Setzer, Stone, Tillotson, Mr. President—6.

Those who voted in the negative were:

Messrs. Balcombe, Bassett, Dooley, Humphrey, Thompson, Wales—6.

So the negative of the question prevailed, and the Council refused to adjourn.

On motion of Mr. Basset, all further proceedings under the call of the Council were dispensed with.

On motion of Mr. Bassett, the Council adjourned.

JOHN B. BRISBIN, President.

L. SMITH, Secretary.

FRIDAY MORNING, FEBRUARY 20, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

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

Messrs. Balcombe, Bassett, Dooley, Freeborn, Lowry, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President.

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

Mr. Balcombe moved, that the following words near the close of the message be stricken out: "On motion of Mr. Bassett all further proceedings under the call of the Council were dispensed with."

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Balcombe, Bassett, Dooley, Lowry, Wales, and Mr. President.

Those who voted in the negative were Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, and Tillotson. Yeas 6, Nays 7.

So the negative of the question prevailed, and the Council refused to strike those words from the Journal. The Journal was then approved.

Mr. Stone presented the petition of Silas C. Robbins and others, praying for the relief of said Robbins, which was read, and on motion of Mr. Setzer referred to the Committee on Legislative Expenditures.

A message was received from the House by their Clerk.

Mr. Bassett introduced the following resolution:

Resolved, That the Committee on Incorporations be requested to report back to this House, Council File No. 29, also House Bill No. 19, also H. of R. No. 84," which was read.

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

A call of the Council was moved and ordered, and the roll being called, Messrs. Bailly, Humphrey, and Stone were absent.

The Chair ordered the Sergeant-at-Arms to report the absent members in their seats.

Mr. Balcombe moved that all further proceedings under the call of the Council be dispensed with.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Balcombe, Bassett,

Dooley, Lowry, Rolette, Setzer, Thompson, Tillotson, Wales, and Mr. President.

Those who voted in the negative were Messrs. Bailly, Freeborn, and Stone. Yeas 10, Nays 3.

So the affirmative of the question prevailed, and all further proceedings under the call of the Council were dispensed with.

The Chair ruled that said resolution, having given rise to debate, laid over under the 58th rule of the Council.

Mr. Lowry, from the Committee on Territorial Affairs, to whom was referred 141 H. of R., a Bill authorizing the legal voters of Wright County to select the County seat of said County, reported said Bill without amendment.

Mr. Lowry, from the same Committee, to whom was referred the petition of H. A. Putnam and others, praying for the passage of an Act to change the name of a place called Stockton to that of Spring Vale, reported a Bill in accordance with the prayer of the petition, which Bill is numbered C. F. No. 39, a "Bill to change the name of the town of Stockton."

Mr. Setzer objected to the reception of the Bill upon the ground that it was a private Bill.

The Chair ruled that it was not a private Bill.

Mr. Setzer appealed from the decision of the Chair.

Upon the question, "shall the decision of the Chair be sustained?" the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Lowry, Stone, Thompson, Tillotson, Wales—10.

Those who voted in the negative were Messrs. Ludden, Rolette, Setzer—3.

So the affirmative of the question prevailed, and the decision of the Chair was sustained by the Council.

The Bill was then read a first and second time.

Mr. Thompson made the following report:

"The Committee on Engrossed Bills report, as correctly engrossed,

C. F. No. 85, a Bill for an Act for the protection of Hotel Keepers.

C. F. No. 74, an Act to amend Chapter 39 of the Session Laws of 1856.

C. W. THOMPSON, } Committee.
H. N. SETZER, }

Mr. Thompson, from the same Committee, made the following further report:

"The Committee on Engrossed Bills report, as being correctly engrossed,

C. F. No. 72, a Bill to incorporate the German Land Association of Minnesota.

C. F. No. 76, an Act to amend an Act to incorporate the town of Minneapolis.

C. F. No. 70, an Act to incorporate the town of Glencarrie.

C. F. No. 68, a Bill for an Act to incorporate the Cannon Falls Lyceum, and C. F. No. 5, a Memorial to the Post Master General for certain Mail services.

C. W. THOMPSON, } Committee.
H. N. SETZER, }

Mr. Lowry, from the Committee on Territorial Affairs, to whom was referred No. 113 H. of R., an Act to incorporate the Minnesota, Nebraska and Pacific Mail Transportation Company, reported said Bill without

amendment, with a recommendation that it be read a third time and passed.

A message was received from the Governor by R. A. Smith, one of his messengers.

Mr. Freeborn, from the Committee on Internal Improvements, to whom was referred Memorial No. 19 H. of R. to the Congress of the United States, reported the same with a recommendation that the amendment to the original Memorial be stricken out.

Upon the question of adopting the recommendation of the Committee, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Tillotson, Wales, Mr. I resident—8.

Those who voted in the negative were Messrs. Setzer, Stone—2.

So the affirmative of the question prevailed, and the amendment adopted on the report of the Committee of the Whole was stricken out.

Mr. Setzer, from the Committee on the Judiciary, to whom was referred C. F. No. 83, a Bill to prevent the circulation of certain Bank issues, reported said Bill without amendment, and with a recommendation that it be read and engrossed a third time.

Mr. Setzer, from the same Committee, reported C. F. No. 90, a Bill for an Act supplementary to Chapter IV of the Session Laws of 1856, entitled "an Act to prevent the issue and circulation of unauthorized Bills as currency," which was read a first and second time.

The following message, received from the Governor this morning by R. A. Smith, one of his messengers, was read:

" EXECUTIVE DEPARTMENT, }
February 19, 1857. }

To the President of the Council:

Sir—I am directed by His Excellency to inform the Council that he has this day approved and signed C. F. No. 16, an Act to incorporate the St. Paul and Falls City Bridge Company; C. F. No. 25, a Bill to incorporate the Town of Winnebago City; C. F. No. 42, an Act to incorporate the Traverse des Sioux Hotel Company; C. F. No. 47, an Act to incorporate the Minnehaha Bridge Company.

All of which originated in the Council."

The following message, received from the House of Representatives this morning by their Clerk, was read:

"Mr. President—The House of Representatives has concurred in the amendment made by the Council to House Bills No. 25, 28, 73 and 86.

The House has also concurred in the passage of Council Bills No. 14, 2, 46, 55 and 48, without amendments, and also Council files No. 3 and 33, with amendments; also passed a joint resolution relative to the collating the School Laws. The House has also passed House Bills No. 79, 92 and 325, and joint resolution No. 8, H. of R, in which the concurrence of the Council is solicited."

A message was received from the House of Representatives by their Assistant Clerk.

Mr. Rolette moved that the Council adjourn.

Mr. Balcombe moved a call of the Council, which was ordered.

The roll being called, Messrs. Freeborn, Humphrey and Thompson were absent.

The question recurring upon the motion to adjourn, and the yeas and

nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bailly, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—7.

Those who voted in the negative were Messrs. Balcombe, Bassett, Dooley, Lowry—4.

So the affirmative of the question prevailed, and the Council adjourned.
J. B. BRISBIN, President.

L. SMITH, President.

SATURDAY MORNING, FEBRUARY 21, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

The roll being called, the following members answered to their names: Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President.

The Journal of the proceedings of the Council on yesterday was read and approved.

On motion of Mr. Freeborn all further proceedings under the call of the Council commenced on yesterday, were dispensed with.

On motion of Mr. Setzer, Mr. Humphrey was excused from attendance in the Council to-day.

Mr. Dooley asked leave to introduce a bill to incorporate a Railroad.

Mr. Setzer objected on the ground that it was a private bill, and the bill was not received.

Mr. Dooley, from the Committee on the Militia, to whom was referred No. 143 H. of R., a bill to provide for the protection of game, reported the same with two amendments, which were severally adopted by the Council.

Mr. Setzer, from the Committee on the Judiciary, to whom was referred No. 59 H. of R., a bill for the relief of John Leach, reported the same without amendment, and with a recommendation that it be read a third time.

Mr. Setzer, from the Committee on the Judiciary, to whom was referred No. 128 H. of R., a bill to change the name of Baltiss Simmons, reported the same with an amendment, which was adopted by the Council.

Mr. Setzer, from the Select Committee to whom was referred C. F. No. 58, an act granting James Haganin and others the right to establish and maintain a Ferry across the Mississippi River, reported the same with an amendment, and a recommendation that if the amendment be adopted, the Bill be engrossed and read a third time.

The following Message, received from the House on yesterday, was read :

“**Mr. President:** The Speaker has signed a Memorial, C. F., of the Legislative Assembly; also Bill No. 27, C. F., an Act authorizing Married Women to convey Real Estate by power attorney. Which are herewith transmitted.”

Said Bills were then severally signed by the President.

The Council proceeded to the consideration of the Bills and Papers accompanying the Message from the House which was read on yesterday.

On motion of Mr. Setzer, the Secretary was directed to return C. F. No. 14, a Bill to authorize the running at large of cattle, horses, mules, swine, sheep, and other animals, to the House of Representatives, with the request that when the same shall be again returned to the Council, it be without mutilations of the Bill, and if amended by the House, the amendments be written upon other paper, and so certified that the Council may know what the amendments are.

On motion of Mr. Setzer, the Secretary was also directed to return to the Clerk of the House C. F. No. 3, a Bill to organize the Stillwater Bridge Company, and C. F. No. 33, an act granting to Amos Clark the right to establish and maintain a Ferry across the Mississippi River, and enquire of the Clerk what amendments the House have made to said Bills.

On motion of Mr. Balcombe, the Secretary was further directed to return to the Clerk of the House a paper received with said Message purporting to be a Joint Resolution, but without any certificate, and ask the Clerk to inform the Council what Resolution the House have passed upon the subject of collating the School Laws.

No. 325 H. of R., a Bill to annex a portion of the County of Mower to the County of Olmstead, was read a first and second time, and on motion of Mr. Freeborn, referred to the Committee on County Boundaries.

No. 8 H. of R., a Joint Resolution providing for the purchase of the Annals of the Historical Society for the year 1856, was read a first and second time, and on motion of Mr. Balcombe, referred to the Committee on Territorial Expenditures.

On motion of Mr. Setzer, the rules of the Council were suspended, and No. 79 H. of R., a Bill for an Act to incorporate the St. Anthony, Anoka, Monticello, Little Falls, and Crow Wing Railroad Company, was read a first and second time by its title.

Mr. Setzer moved that the further consideration of the Bill be indefinitely postponed.

Mr. Balcombe moved a call of the Council, which was ordered, and the roll being called, Messrs. Dooley and Lowry were absent.

The Chair ordered the Sergeant-at-Arms to report Messrs. Dooley and Lowry in their seats.

Mr. Setzer moved that all further proceedings under the call of the Council be dispensed with.

Upon this question the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—7.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Bassett, Thompson, Wales—5.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused to dispense with further proceedings under the call.

Mr. Bailly moved a reconsideration of the vote just taken by which the Council refused to dispense with all further proceedings under the call, and upon that question the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr President—8.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Thompson, Wales—4.

So the affirmative of the question prevailed, and the vote was reconsidered.

The question recurring upon the original motion of Mr. Setzer to dispense with further proceedings under the call of the Council, and being put, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Mr. President—7.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Thompson, Tillotson, Wales—5.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council again refused to dispense with further proceedings under the call.

After waiting sometime for the report of the Sergeant-at-Arms, on motion of Mr. Balcombe, the vote last before taken was reconsidered.

The question again recurring upon the original motion of Mr. Setzer, to dispense with all further proceedings under the call of the Council, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, Mr. President—13.

So the affirmative of the question prevailed, and all further proceedings under the call were dispensed with.

Mr. Balcombe moved that said House Bill No. 79 be committed to the Committee on Incorporations.

Upon the question being put upon agreeing to said motion for reference, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Dooley, Freeborn, Thompson, Tillotson, Wales—7.

Those who voted in the negative were,

Messrs. Bassett, Ludden, Rolette, Setzer, Stone, Mr. President—6.

So the affirmative of the question prevailed, and the Bill was thus referred.

Mr. Ludden, from the Committee on Incorporations, to whom was referred House Bill No. 79, a Bill for an Act to incorporate St. Anthony, Anoka, Monticello, Little Falls and Crow Wing Railroad Company, reported the same with a recommendation that the further consideration of the Bill be indefinitely postponed.

Mr. Bassett moved that the Bill and the Report of the Committee thereon be laid upon the table, and upon the question of agreeing to said

motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Bassett, Dooley, Freeborn, Thompson, Wales—6.

Those who voted in the negative were,
Messrs. Bailly, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—7.

So the affirmative of the question prevailed, and the Council refused to lay said Bill and Report upon the table.

The recommendation of the Committee was thee adopted, and the further consideration of the Bill was indefinitely postponed.

House Bill No. 92, a Bill to incorporate the City of Winona, was, on suspension of the rules, read a first and second sime by its title.

Mr. Thompson in the Chair.

No. 70, H. of R., a Bill for an Act to incorporate the St. John Seminary, was read a third time and passed.

No. 8, H. of R., a Bill to incorporate the Winona Ferry Company, being in order for a third reading, Mr. Rolette moved that the rules be suspended, and said Bill be read a third time by its title.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were Messrs. Bailly, Dooley, Tillotson and Wales.

Those who voted in the negative were Messrs. Balcombe, Freeborn, Ludden, Rolette, Setzer, Stone, Thompson and Mr. President.

Yeas 4, nays 8. So the negative of the question prevailed, and the Council refused so to suspend the rules.

The Bill was then read a third time at length and passed.

On motion of Mr. Rolette, No. 85 H. of R., a Bill for an Act to incorporate the Hastings, Minnesota River, and Red River of the North, Railroad Company, was read a third time by its title, under a suspension of the rules.

Upon the question of the passage of the Bill, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Rolette, Setzer, Thompson, Tillotson, Wales—10.

Those who voted in the negative were,
Messrs. Ludden, Stone—2.

So the affirmative of the question prevailed, and the Bill passed.

No. 139, H. of R., a Bill to incorporate the Minnesota and Dakota Railroad Company, was read a third time, under a suspension of the rules, and passed.

C. F. No. 74, an Act to amend Chapter 39 of the Session Laws of 1856, was read a third time and passed.

C. F. No. 85, a Bill for an Act for the protection of Hotel Keepers, was read a third time, and upon the question of the passage of the Bill, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Dooley, Rolette, Stone, Thompson, Mr. President—6.

Those who voted in the negative were,
Messrs. Bailly, Bassett, Freeborn, Ludden, Setzer, Tillotson, Wales—7.

So the negative of the question prevailed, and the Council refused to pass the Bill.

Mr. Ludden moved that the Council adjourn.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Dooley, Freeborn, Ludden, Rolette, Setzer, Stone, Mr. President—8.

Those who voted in the negative were,

Messrs. Bassett, Thompson, Wales—3.

So the affirmative of the question prevailed, and the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

MONDAY MORNING, FEBRUARY 23, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

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

Messrs. Bailly, Dooley, Freeborn, Lowry, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President.

The reading of the Journal of the Proceedings of the Council on Saturday last was commenced and proceeded in.

On motion of Mr. Rolette, the further reading of the Journal was dispensed with.

Mr. Setzer introduced the following Preamble and Resolution :

Whereas, There exist reports at the present time injurious to the fair fame and reputation of members of this Council, charging them with bribery and corruption in voting for a Bill to remove the Capital to St. Peters, therefore, be it

Resolved, That a Committee of three be appointed to investigate the truth of these charges, with power to send for persons and papers and administer oaths, to take testimony in the matter, and report at as early a day as possible.

Mr. Rolette moved that the same be adopted by the Council.

Mr. Lowry moved a call of the Council, which was ordered, and the roll being called, Messrs. Balcombe, Bassett and Humphrey were absent.

The Chair ordered the Sergeant-at-Arms to report the absent members in their seats.

Mr. Rolette moved that all further proceedings under the call of the Council be dispensed with.

Upon this question the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—7.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Dooley, Lowry, Thompson, Wales—6.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused to dispense with further proceedings under the call.

On motion of Mr. Balcombe, the vote last taken was reconsidered.

The question recurring upon the motion to dispense with further proceedings under the call, and being put, was decided in the affirmative, and all further proceedings under the call of the Council, were dispensed with.

Debate arising upon the Preamble and Resolution offered by Mr. Setzer, the Chair decided that the same must lay over under the 58th rule of the Council.

Mr. Setzer moved that Mr. Humphrey be excused from attendance for the day.

Upon that question, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Lowry, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—9.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Wales—4.

So the affirmative of the question prevailed, and Mr. Humphrey was excused from attendance for the day.

Mr. Setzer moved that Mr. Stone be excused from further attendance on the Council for the day.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Lowry, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—9.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Wales—4.

So the affirmative of the question prevailed, and Mr. Stone was excused from further attendance on the Council for the day.

Mr. Setzer, from the Committee on County Boundaries, to whom was referred C. F. No. 21, a Bill for an act to establish the County of Glencarrie, and for other purposes, and No. 121, H. of R., an act to organize the County of Itasca, and for other purposes, reported each of said Bills, without amendment or recommendation.

C. F. No. 5, a Memorial to the Postmaster-General for certain mail service.

C. F. No. 76, an Act to amend an Act to incorporate the town of Minneapolis.

C. F. No. 72, a Bill to incorporate the German Land Association of Minnesota, and

C. F. No. 68, a Bill for an Act to incorporate the Cannon Falls Lyceum, were severally read a third time and passed.

C. F. No. 70, an Act to incorporate the town of Glencarrie, being in order for a third reading,

On motion of Mr. Rolette, the Bill was read a third time by its title, under a suspension of the rules, and passed.

Mr. Freeborn moved that the rules be suspended, and the Council resolve itself into a Committee of the Whole for the purpose of considering C. F. Nos. 86, 83, 90, 58 and 21 Bills, and C. F. No. 7 Memorial.

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

The Chair ordered the Sergeant-at-Arms to report Mr. Wales in his seat.

Soon after, the Sergeant-at-Arms reported Mr. Wales in his seat.

Upon the question of agreeing to the motion of Mr. Freeborn, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Freeborn, Lowry, Rolette, Setzer, Tillotson, Mr. President—7.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Thompson, Wales—5.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused so to suspend the rules.

Mr. Rolette moved that the Council resolve themselves into a Committee of the Whole for the purpose of considering C. F. No. 21.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Freeborn, Lowry, Ludden, Rolette, Setzer, Tillotson, Mr. President—8.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Thompson, Wales—5.

So the affirmative of the question prevailed, and the Council resolved themselves into a Committee of the Whole for the purpose of considering said Bill.

Mr. Balcombe in the chair.

After some time spent in Committee of the Whole, the Committee rose, and the President resumed the chair.

Mr. Balcombe, as Chairman of the Committee of the Whole, reported C. F. No. 21, a Bill for an act to establish the County of Glencarrie, and for other purposes, without amendment, and with a recommendation that it be engrossed and read a third time.

Mr. Rolette moved the previous question, upon ordering said Bill to be engrossed for a third reading.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Freeborn, Lowry, Ludden, Rolette, Setzer, Tillotson, Mr. President—8.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Thompson, Wales—5.

So the affirmative of the question prevailed, and the Council decided.

that the main question should then be put, and being put, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Lowry, Ludden, Rolette, Setzer, Tillotson, Mr. President—8.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Thompson, Wales—5.

So the affirmative of the question prevailed, and the Bill was ordered to be engrossed and read a third time.

The following communication, which had been laid upon the President's table, was read :

“ST. PAUL, M. T., Feb. 23, 1857.

To the President of the Council :

The funeral of the Rt. Rev. Bishop Cretin will take place at St. Paul's Church, in St. Paul, at 1½ o'clock, P. M., on the 24th day of Feb., 1857.

The members of the Council are requested to attend the same.

JOSEPH ROLETTE.”

On motion of Mr. Setzer, the Council resolved themselves into a Committee of the whole, for the purpose of considering Council Bills Nos. 86, 83, 90 and 58, and Council Memorial No. 7.

Mr. Bassett in the chair.

After some time spent in Committee of the Whole, the Committee rose, and the President resumed the chair.

Mr. Bassett, as Chairman of the Committee of the Whole, reported C. F. No. 86, a Bill to incorporate the City of Hastings.

C. F. No. 90, a Bill for an Act supplementary to Chapter IV. of the Session Laws of 1856, entitled an Act to prevent the issue and circulation of unauthorized Bills as currency, and

C. F. No. 7, a Memorial to the President of the United States, in relation to the Treaty of Mendota, without amendment or recommendation.

Said Bills and Memorial were then severally engrossed and read a third time.

Mr. Bassett, from the same Committee, reported C. F. No. 83, a Bill to prevent the circulation of certain Bank issues, and C. F. No. 58, a Bill for an act granting to J. H. Haganin and others the right to establish and maintain a Ferry across the Mississippi River, each with an amendment, which amendments were severally adopted by the Council, and said Bills were ordered to be engrossed and read a third time.

On motion of Mr. Bailly, the rules of the Council were suspended, and C. F. No. 86, a Bill to incorporate the City of Hastings, was read a third time by its title and passed.

Mr. Freeborn moved that the rules be suspended, and the Council resolve themselves into a Committee of the Whole, for the purpose of considering House Bills Nos. 242, 118, 108, 294, 120, 92, 113, 128, 59, 121, 135, 107, 105, 90, 141 and 143, and House Memorial No. 10.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Balcombe Bassett, Dooley, Freeborn, Lowry, Thompson, Wales, Mr. President—8.

Those who voted in the negative were,

Messrs. Bailly, Rolette, Setzer, Tillotson—4.

So the affirmative of the question prevailed, and the Council resolved themselves into a Committee of the Whole, for the purpose of considering the before-named House Bills and Memorial.

Mr. Setzer in the Chair.

After some time spent in Committee of the Whole, the Committee rose and the President resumed the Chair.

Mr. Setzer, from the Committee of the Whole, reported that said Committee had had under consideration House Bills numbered as follows, and House Memorial No. 10, and that said Committee had instructed him to report the same to the Council as follows :

No. 242, without amendment or recommendation.

No. 118, without amendment or recommendation.

No. 108, without amendment or recommendation.

No. 294, without amendment or recommendation.

No. 120, without amendment or recommendation.

No. 92, with amendments.

No. 113, without amendment or recommendation.

No. 128, without amendment or recommendation.

No. 59, with a recommendation that the further consideration of the Bill be indefinitely postponed.

No. 121, without recommendation or amendment.

No. 135, with a recommendation that it be referred to the Committee on Incorporations.

No. 107, with a recommendation that it be read a third time.

No. 105, with a recommendation that it be read a third time.

No. 90, without recommendation or amendment.

No. 141, without recommendation or amendment.

No. 143, with a recommendation that it be indefinitely postponed.

No. 10, Memorial, without recommendation or amendment.

House Bill No. 242, a Bill to extend the time for the Collection of Taxes in Olmstead County.

No. 118, H. of R., a Bill for an Act to incorporate the Fremont City University of Minnesota.

No. 108, H. of R., a Bill to incorporate the North Shore Mining Company.

No. 294, H. of R., a Bill to extend the time for the Collection of Taxes in Dakota County, and

No. 120, H. of R., a Bill to incorporate the Stillwater Cemetery Association, were severally ordered to be read a third time.

The amendments proposed by the Committee of the Whole to No. 92, H. of R., a Bill to incorporate the City of Winona, were adopted by the Council, and the Bill ordered to be read a third time.

On motion of Mr. Balcombe, the rules were suspended, and said Bill was read a third time by its title and passed.

No. 113, H. of R., a Bill to incorporate the Minnesota, Nebraska and Pacific Mail Transportation Company, and

No. 128, H. of R., a Bill to change the name of Baltiss Simmons, were severally ordered to be read a third time.

Upon the question of agreeing to the recommendation of the Committee of the Whole upon No. 59, H. of R., a Bill for the relief of John Leach, which was the further consideration of said Bill be indefinitely postponed, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Freeborn, Lowry, Wales—4.

Those who voted in the affirmative were,
Messrs. Bailly, Bassett, Dooley, Ludden, Setzer, Thompson, Tillotson,
Mr. President—8.

So the negative of the question prevailed, and the Council refused so to postpone the further consideration of the Bill.

Upon the question of ordering the Bill to a third reading, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were Messrs. Bailly, Bassett, Dooley, Freeborn, Lowry, Ludden, Setzer, Thompson, Tillotson and Mr. President.

Those who voted in the negative were Messrs. Balcombe and Wales.

Yeas 10, nays 2. So the affirmative of the question prevailed, and said Bill was ordered to be read a third time.

No. 121, H. of R., an Act to organize the County of Itasca, and for other purposes, was ordered to be read a third time.

No. 135, H. of R., a Bill to incorporate the Austin Young Men's Association was, in accordance with the recommendation of the Committee of the Whole, referred to the Committee on Incorporations.

No. 107, H. of R., an Act to incorporate the Northfield Institute, at Northfield, in the County of Rice.

No. 105, H. of R., a Bill to incorporate the town of Chatfield.

No. 90, H. of R., a Bill for the incorporation of the town of New Ulm, in the County of Brown, and

No. 141, H. of R., a Bill authorizing the legal voters of Wright County to designate the County seat of said County, were severally ordered to be read a third time.

Upon the question of agreeing to the report of the Committee of the Whole upon No. 143, H. of R., a Bill to provide for the protection of Game, which was that the further consideration of said Bill be indefinitely postponed, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Freeborn, Setzer, Tillotson—4.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Lowry, Thompson, Wales, Mr. President—7.

So the negative of the question prevailed, and the Council refused so to postpone the Bill.

Mr. Setzer moved to amend the Bill by striking out the 8th Section, which reads as follows :

“Sec. 8. The provisions of this Act shall not be deemed applicable to Indians or persons of Indian descent who have not adopted the customs of the whites residing in this Territory by reason of some Treaty or with consent of Congress.”

Upon the question of agreeing to said amendment, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Freeborn, Ludden, Setzer, Thompson, Tillotson—5.

Those who voted in the negative were,
Messrs. Bailly, Balcombe, Bassett, Dooley, Lowry, Wales Mr. President—7.

So the negative of the question prevailed, and the amendment was rejected.

Upon the question of ordering said Bill to be read a third time, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Bassett, Dooley, Lowry, Setzer, Thompson, Wales,
Mr. President—8.

Those who voted in the negative were,
Messrs. Bailly, Freeborn, Tillotson—3.

So the affirmative of the question prevailed, and the Bill was ordered to a third reading :

No. 10, H. of R., a Memorial to the Congress of the United States, was ordered to a third reading.

On motion of Mr. Setzer, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

TUESDAY MORNING, FEBRUARY 24TH, 1857.

The Council met pursuant to adjournment and was called to order by the President.

Prayer by the Chaplain.

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

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Lowry, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, and Mr. President.

The Journal of the proceedings of the Council on yesterday was read and approved.

Mr. Rolette introduced the following resolution :

Resolved, That forty dollars out of the Territorial Treasury, not otherwise appropriated, be paid to John M. Lamb, Sergeant-at-Arms of the Council, for extra services.

Which was read.

Debate arising thereon, Mr. Balcombe contended that the Resolution must lie over under the 58th rule of the Council.

Mr. Setzer moved that said rule be suspended, and the Resolution considered at that time.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,
Messrs. Bailly, Dooley, Freeborn Lowry, Ludden, Rolette, Setzer,
Stone, Tillotson, Wales, Mr. President—12.

Those who voted in the negative were,

Messrs. Balcombe, Bassett—2.

So the affirmative of the question prevailed, the rule was suspended, and the resolution was in order for consideration at that time.

Mr. Ludden moved that the further consideration of the resolution be referred to the Committee on Legislative Expenditures.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Dooley, Freeborn, Lowry, Ludden, Rolette, Setzer, Stone, Tillotson, Wales, Mr. President—11.

Those who voted in the negative were,

Messrs. Balcombe, Bassett—2.

So the affirmative of the question prevailed, and the Resolution was thus referred.

Mr. Rolette, from the Committee on Enrolled Bills, made the following Report :

"The Committee on Enrolled Bills report that they have presented to His Excellency the Governor, for his approval and signature, the following :

C. F. No. 4, Memorial ; C. F. No. 27, an Act.

JOSEPH ROLETTE, Chairman.

M. G. THOMPSON."

Mr. Rolette, from the same Committee, made the following Report :

"The Committee on Enrolled Bills report, as being correctly enrolled, No. 46, C. F.; C. F. No. 55 ; C. F. No. 2 ; C. F. 48."

Mr. Rolette, from the same Committee, made the following further Report :

"The Committee on Enrolled Bills report the following Bills and Memorials as correctly enrolled, viz :

Nos. 16, H. of R., Bill ; 80, H. of R., Bill ; 78, H. of R., Bill ; 37, H. of R., Bill ; 6, H. of R., Memorial ; 73, H. of R., Bill ; 11, H. of R., Memorial ; 12, H. of R., Memorial ; 9, H. of R., Memorial ; 58, H. of R., Bill ; 9, H. of R., Memorial ; 25, H. of R., Bill ; 86, H. of R., Bill ; 63, H. of R., Bill ; 68, H. of R., Bill ; 28, H. of R., Bill ; 101, H. of R., Bill."

JOSEPH ROLETTE, Chairman.

M. G. THOMPSON."

Mr. Balcombe, from the Committee on Territorial Expenditures, to whom was referred No. 4, H. of R., a Joint Resolution for the relief of Frederick Frendenrich, and No. 8, H. of R., a Joint Resolution providing for purchase of the Annals of the Historical Society for the year 1856, reported said Resolutions, without amendment or recommendation.

After some remarks made by Mr. Setzer, under the 4th order of business, in relation to Executive appointments,

Mr. Rolette moved that Mr. Setzer be appointed a Committee of one to confer with His Excellency, Governor Gorman, and inquire whether or not he had made any Executive appointments since the last Session of the Council, and if so, whether he intended to submit those appointments to the consideration of the Council.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Bassett, Ludden, Rolette, Stone, Thompson, Wales Mr. President—8.

Those who voted in the negative were,
Messrs. Balcombe, Dooley, Freeborn, Lowry, Setzer, Tillotson—6.
So the affirmative of the question prevailed, and Mr. Setzer was so appointed.

The following Message, received from the House of Representatives, this morning, by their Clerk, was read :

“Mr. PRESIDENT : The House has passed the following Joint Resolution:

Resolved, (The Council concurring,) that the Superintendent of Common Schools of the Territory shall compile all School Laws in force in this Territory, and procure the publication of five hundred copies of the same in pamphlet form, and forward the same to the different School Districts in this Territory, and also forward twenty-five copies to the Board of County Commissioners of each County, for the use of the County.

The House has also concurred in the passage of the following Council Bills, with amendments : No. 3, a Bill to organize the Stillwater Bridge Company ; No. 33, an Act granting to Amos Clark the right to establish and maintain a Ferry across the Mississippi River ; also, No. 50, H. of R., a Bill to organize the County of Wasica, with an amendment to the amendment made by the Council to the said Bill ; the amendments to the Bill are herewith returned, appended to the Bills, and certified to by the Clerk. The House has also passed Council Bill No. 62, a Bill for the removal of the seat of Government of the Territory of Minnesota, without amendment, which is herewith returned to the Council.

H. L. EDWARDS, Chief Clerk H. of R.”

The Council proceeded to the consideration of the amendment proposed by the House of Representatives to C. F. No. 33, which was to add an additional Section, to be numbered 9.

Upon the question of concurring with the House in the adoption of said amendment, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Bassett, Dooley, Freeborn, Lowry, Tilotson, Wales
—7.

Those who voted in the negative were,
Messrs. Bailly, Ludden, Rolette, Setzer, Stone, Mr. President—6.
So the affirmative of the question prevailed, and the Council concurred with the House in the adoption of said amendment.

The Council proceeded to the consideration of C. F. No. 3, with the amendment proposed thereto by the House, and the amendment was concurred in by the Council.

The Council proceeded to the consideration of No. 50, H. of R., with the amendment made by the House to the amendment made by the Council to said Bill.

Mr. Balcombe moved that the said Bill and amendment be laid upon the table.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :
Messrs. Bailly, Balcombe, Bassett, Dooley, Lowry, Rolette, Thompson
—7.

Those who voted in the negative were :

Messrs. Freeborn, Ludden, Setzer, Stone, Tillotson, Wales, Mr. President—7.

So the negative of the question prevailed, and the Council refused to lay said Bill and amendments upon the table.

Upon the question of concurring with the House in their amendment to the amendment proposed by the Council to said Bill, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Bassett, Dooley, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—10.

Those who voted in the negative were :

Messrs. Balcombe, Lowry, Wales—3.

So the affirmative of the question prevailed, and the amendment of the House was concurred in by the Council.

The Joint Resolution received from the House with said Message, in relation to collating, publishing and distributing the School Laws of the Territory, was read a first and second time.

A Message was received from the Governor, by R. A. Smith, one of his messengers.

Mr. Setzer moved that the further consideration of said Joint Resolution received from the House be indefinitely postponed.

Upon the question of agreeing to said motion the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe, Freeborn, Ludden, Setzer, Stone, Wales, Mr. President—7.

Those who voted in the negative were :

Messrs. Bailly, Bassett, Dooley, Lowry, Thompson, Tillotson—6.

So the affirmative of the question prevailed, and said Resolution was indefinitely postponed.

No. 242, H. of R., a Bill to extend the time for the collection of Taxes in Olmstead County, was read a third time and passed.

A Message was received from the House by their Clerk.

No. 118, H. of R., a Bill to incorporate the Fremont City University of Minnesota, being in order for a third reading, on motion of Mr. Freeborn the rules were suspended, and said Bill was read a third time by its title and passed.

Mr. Setzer moved to amend the title of the Bill by striking out the name "Fremont" and inserting instead thereof "Buchanan."

Upon the question of agreeing to said amendment to the title of the Bill, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Lowry, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

Those who voted in the negative were :

Messrs. Balcombe, Bassett, Dooley, Freeborn, Thompson, Wales—6.

So the affirmative of the question prevailed, and the title of the Bill was so amended.

No. 120, H. of R., a Bill to incorporate the Stillwater Cemetery Association, and No. 108, H. of R., a Bill to incorporate the North Shore Mining Company, were severally read a third time and passed.

Mr. Rolette moved that the Council adjourn.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Dooley, Freeborn, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Mr. President—10.

Those who voted in the negative were :

Messrs. Balcombe, Bassett, Wales—3.

So the affirmative of the question prevailed, and the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

WEDNESDAY MORNING, FEBRUARY 25, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

The roll being called, every member answered to his name.

The Journal of the Proceedings of the Council on yesterday was read and approved.

Mr. Freeborn asked leave to introduce "A Bill to incorporate the St. Anthony Falls Canal and Mississippi River Navigation Company," which was objected to as a private Bill, and not received.

Mr. Thompson, from Committee on Engrossed Bills, made the following Report :

The Committee on Engrossed Bills have carefully examined and found correctly engrossed :

C. F. No. 57, a Bill for an Act to incorporate the Shaska Company.

C. F. No. 21, an Act to establish the County of "Glen Carrie," and for other purposes.

C. F. No. 6, a Memorial to the Postmaster General for certain Mail Service.

C. W. THOMPSON, }
B. F. TILLOTSON, } Committee.

Mr. Thompson, from the same Committee, made the following further Report :

The Committee on Engrossed Bills report as being correctly engrossed:

C. F. No. 83, a Bill to prevent the circulation of certain Bank issues.

C. F. No. 90, a Bill for an Act supplementary to Chapter 11 of the Session Laws of 1856, an Act entitled an Act to prevent the issue and circulation of unauthorized Bills as currency.

C. F. No. 7, a Memorial to the Legislative Assembly to the President of the United States in relation to the treaty of Mendota.

C. F. No. 58, an Act granting to James H. Haganin, William Fowler, and Giles H. Fowler, the right to establish and maintain a Ferry across the Mississippi River.

C. W. THOMPSON, }
B. F. TILLOTSON, } Committee.

Mr. Thompson, from the Committee on Territorial Roads, to whom was referred C. F. No. 39, a Bill authorizing James B. Gilbert to establish a Ferry, and

C. F. No. 88, a Bill for an Act relating to Public Lands, reported said Bills without amendment, with a recommendation that they be engrossed and read a third time.

A Message was received from the House by their Clerk.

The following Message, received from the Governor on yesterday, by R. A. Smith, one of his messengers, was read :

EXECUTIVE DEPARTMENT, }
St. PAUL, Feb. 20, 1857. }

To the President of the Council :

SIR:—I am directed by his Excellency to inform the Council that he has this day approved and signed C. F. No. 6, a Bill for an Act to amend an Act entitled an Act to grant the right to certain persons to establish and maintain Ferries in this Territory, approved March 1, 1856. C. F. No. 51, a Bill for an Act to incorporate the Rector, Wardens and Vestrymen of the Church of Gethsemane, in Minneapolis.

The following Message received from the House, on yesterday, by their Clerk, was read :

“Mr. PRESIDENT: The House has passed the following House Bills : Nos. 146, 137, 150, 160, 159, 157½, 165, 157, 158, 257, 366, 139, 364, 365, and Memorials Nos. 14, 13 and 15, all of which are transmitted, and in which the concurrence of the Council is solicited.”

The Council proceeded to the consideration of the Bills received from the House with said Message.

No. 146, H. of R., a Bill to incorporate the Old Settler's Association.

No. 137, H. of R., a Bill for an Act to incorporate the Southern Minnesota and St. Paul Railroad Company, and

No. 150, a Bill to detach the County of Farribault from Blue Earth County, and for other purposes, which were severally read a first and second time.

On motion of Mr. Freeborn, the rules were suspended, and No. 160, H. of R., a Bill for an Act to incorporate the Farribault and Cannon City Plank Road Company, and

No. 159, H. of R., an Act to incorporate the town of Farribault, were severally read a first and second time by their titles.

No. 157½, H. of R., a Bill legalizing the Survey of the town of Minniska, was read a first and second time.

On motion of Mr. Bassett, the rules were suspended, and No. 165, H. of R., a Bill to incorporate the New Ulm Academy, was read a first and second time by its title.

No. 157, H. of R., was read a first and second time.

On motion of Mr. Freeborn, No. 158, H. of R., a Bill to incorporate the Janesville and Swan River Bridge Company, was read a first and second time by title, under a suspension of the rules, and referred to the Committee on incorporations.

No. 257, H. of R., an Act to amend an Act entitled an Act for the Gov-

ernment of the Territorial Prison of Minnesota, was read a first and second time.

On motion of Mr. Freeborn, said Bill was referred to the Committee on Incorporations.

On motion of Mr. Setzer, No. 139, H. of R., a Bill to incorporate the Minnesota Central Railroad Company, was read a first and second time by its title, under a suspension of the rules.

On motion of Mr. Setzer, the rules of the Council were suspended, and No. 364, H. of R., a Bill to incorporate the town of Traverse.

No. 365, H. of R., a Bill to incorporate the town of Traverse des Sioux, and,

No. 366, H. of R., a Bill to incorporate the town of Traverse des Sioux City, were severally read a first and second time by title and referred to the Committee on Territorial Affairs.

On motion of Mr. Setzer, the rules were suspended, and No. 4, H. of R., a memorial to Congress for an appropriation of five thousand dollars for the construction of a Military Road, was read a first and second time by its title.

Mr. Balcombe in the Chair.

On motion of Mr. Setzer, the rules were suspended, and No. 13, H. of R., a Memorial to Congress for the establishment of an Industrial University for the encouragement of practical and General Education, was read a first and second time by its title, and referred to the Committee on Public Buildings.

A Message was received from the House by their Clerk.

No. 15, H. of R., a Memorial to Congress for the establishment of a Mail Route from Chatfield via Fillmore and Spring Valley to Austin, was read a first and second time.

The following Message, received from the House of the Representatives, this morning, was read:

“Mr. PRESIDENT: The House has concurred in the passage of the following Council Files, with amendments, which are attached to the several Bills, and certified by the Clerk, viz: No. 71, a Bill for an Act to amend an Act to incorporate the Root River Valley and Southern Minnesota Railroad Company; No. 15, a Bill to regulate the compensation of County Surveyors; No. 67, a Bill to incorporate Union City; No. 14, a Bill to authorize the running at large of cattle, horses, mules, and other animals, in which amendments the concurrence of the Council is solicited.

The House has also passed the following House Bills: No. 1, H. of R., to incorporate the Mississippi Valley Railroad Company; No. 306, to incorporate the Brownsdale Seminary; No. 305, to incorporate the Leroy Academy; No. 302, a Bill to incorporate the St. Paul Fuller House Company—which are transmitted, and in which the concurrence of the Council is solicited.

Bill No. 70, H. of R., to incorporate the St. Johns Seminary, is herewith returned, as the House has refused to concur in the second amendment made by the Council to said Bill.

The House has concurred in the amendments made by the Council to Bills No. 129 and 92, H. of R.

The Council proceeded to the consideration of the Bills received from the House with said Message.

The amendment made by the House to C. F. No. 71, a Bill for an Act to amend an Act entitled an Act to incorporate the Root River Valley

and Southern Minnesota Railroad Company, was concurred in by the Council.

The amendment made by the House to C. F. No. 75, a Bill to regulate the compensation of County Surveyors, changing the per diem pay from three to five dollars, was non-concurred in by the Council.

Mr. Lowry moved that C. F. No. 67, a Bill to incorporate Union City, with the amendment made by the House, be referred to the Committee on Territorial Affairs.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe, Lowry, Wales—3.

Those who voted in the negative were :

Messrs. Bailly, Dooley, Freeborn, Humphrey, Rolette, Setzer, Stone, Tillotson, Mr. President—9.

So the negative of the question prevailed, and the Council refused so to refer the Bill and amendment.

Mr. Setzer moved the previous question, upon ordering the main question to be then put, upon concurring with the House in the amendment adopted by the House to said Bill, and upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Balcombe, Dooley, Freeborn, Humphrey, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Mr. President—12.

Those who voted in the negative were :

Messrs. Lowry, Wales—2.

So the affirmative of the question prevailed, and the main question was ordered to be put, and being put, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Balcombe, Dooley, Freeborn, Humphrey, Lowry, Rolette, Setzer, Stone, Thompson, Tillotson, Wales, Mr. President—13.

Yeas 13, nays 0. So the affirmative of the question prevailed, and the Council concurred with the House in the adoption of their amendment to said Bill.

On motion of Mr. Setzer, C. F. No. 14, a Bill to authorize the running at large of cattle, horses, sheep, and other animals, with the amendments thereto made by the House, was referred to the Committee on the Militia.

No. 1, H. of R., a Bill to incorporate the Mississippi Valley Railroad Company, being in order for a first reading, on motion of Mr. Freeborn, the rules were suspended, and the Bill was read a first and second time by its title.

On motion of Mr. Balcombe, said Bill was referred to the Committee on Incorporations.

On motion of Mr. Bassett, the rules were suspended, and No. 307, H. of R., a Bill to incorporate the Brownsdale Seminary, was read a first and second time by its title.

On motion of Mr. Setzer, said Bill was referred to the Committee on Schools.

On motion of Mr. Bassett, the rules were suspended, and No. 305, H. of R., a Bill to incorporate the Leroy Academy, was read a first and second time by its title, and referred to the Committee on Schools.

No. 302, H. of R., a Bill to incorporate the St. Paul Fuller House Company, was read a first and second time.

No. 70, H. of R., a Bill for an Act to incorporate St. John Seminary, being in order for consideration, upon the non-currence of the House in the adoption of one of the amendments, made by the Council to said Bill, the following Message received from the House this forenoon, was read.

"Mr. PRESIDENT: The House of Representatives have passed the following Resolution:

Resolved, That the Council is requested to return Bill No. 70, H. of R., for the further consideration of the House.

H. L. EDWARDS, Chief Clerk."

On motion of Mr. Ludden, the Secretary was instructed to return said Bill in accordance with the request of the House.

The following Message, received from the House, this forenoon, by their Clerk, was read:

"Mr. PRESIDENT: The Speaker has signed the following House Bills, viz: No. 80, to incorporate the Young Men's Association of Taylor's Falls.

No. 68, an Act to incorporate the Board of Trustees of Hastings University.

No. 63, a Bill for an Act to authorize the construction of Mill Dams.

No. 58, for an Act to incorporate the town of Clear Water.

No. 86, for an Act to incorporate the Anoka Academy.

No. 73, to amend an Act relative to Free Schools in St. Paul.

No. 101, an Act to incorporate Lake University, County of Freeborn, M. T.

No. 28, an Act to ratify the official Acts of the County officers of the County of Mower.

No. 78, a Bill for an Act to incorporate the Bronson Seminary.

No. 16, to incorporate the Mount Zion Hebrew's Association, and Memorials Nos. 12, 11, 9, 19 and 6, H. of R.

Also, Council File No. 2, an Act to legalize the organization of the St. Anthony Falls Water Power Company. All of which are transmitted."

Said Memorials and Bills were severally signed by the President.

No. 294, H. of R., a Bill to extend the time for the collection of Taxes in Dakota County, was read a third time and passed.

No. 113, H. of R., a Bill to incorporate the Minnesota, Nebraska and Pacific Mail Transportation Company, was read a third time, and upon the question of agreeing to the passage of the Bill, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were:

Messrs. Bailly, Dooley, Freeborn, Rolette, Setzer, Stone, Thompson, Tillotson—8.

Those who voted in the negative were:

Messrs. Balcombe, Wales, Mr. President—3.

So the affirmative of the question prevailed, and the Bill passed.

The President in the chair.

No. 128, H. of R., a Bill to change the name of Baltiss Simmons, was read a third time and passed as amended.

No. 59, H. of R., a Bill for the relief of John Leach, was read a third time.

Upon the question of agreeing to the passage of the Bill, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Dooley, Freeborn, Ludden, Rolette, Setzer, Stone, Thompson, Tillotson, Mr. President—10.

Those who voted in the negative were :

Messrs. Balcombe, Wales—2.

So the affirmative of the question prevailed, and the Bill passed.

No. 121, H. of R., an Act to organize the County of Itasca, and for other purposes, was read a third time.

Upon the question of agreeing to the passage of the Bill, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Freeborn, Setzer, Stone, Tillotson, Mr. President—6.

Those who voted in the negative were :

Messrs. Balcombe, Dooley, Ludden, Wales—4.

So the affirmative of the question prevailed, and the Bill passed.

No. 107, H. of R., an Act to incorporate the Northfield Institute, at Northfield, in the County of Rice, was read a third time and passed.

No. 141, H. of R., a Bill authorizing the legal voters of Wright County to designate the County seat of said County, was read a third time.

On motion of Mr. Stone, with the unanimous consent of the Council, the Bill was amended by striking out in the first line of the first Section, the words, "on the first Monday in May," and inserting instead thereof the words, "at the annual election in October."

The Bill as amended was then passed.

On motion of Mr. Freeborn, No. 143, H. of R., a Bill to provide for the protection of Game, was then read a third time by its title, under a suspension of the rules.

Upon the question of agreeing to the passage of the Bill, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Balcombe, Bassett, Dooley, Lowry, Thompson, Wales—6.

Those who voted in the negative were,

Messrs. Bailly, Freeborn, Rolette, Setzer, Stone, Tillotson, Mr. President—7.

So the negative of the question prevailed, and the Council refused to pass the Bill.

Mr. Balcombe in the chair.

On motion of Mr. Setzer, No. 90, H. of R., a Bill for the incorporation of the town of New Ulm, in the County of Brown, was read a third time by its title, under a suspension of the rules, and passed.

On motion of Mr. Tillotson, No. 105, H. of R., a Bill to incorporate the town of Chatfield, was read a third time, under a suspension of the rules, and passed.

The President in the chair.

On motion of Mr. Freeborn, No. 10, H. of R., a Memorial to the Congress of the United States, was read a third time by its title, under a suspension of the rules.

Upon the question of agreeing to the passage of said Memorial, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Bassett, Dooley, Freeborn, Rolette, Tillotson, Wales—6.

Those who voted in the negative were,

Messrs. Balcombe, Lowry, Setzer, Stone, Thompson, Mr. President—6.

So the negative of the question prevailed, and the Council refused to pass the Memorial.

On motion of Mr. Balcombe, said vote was reconsidered.

Mr. Lowry called for the reading of the Memorial for information.

Mr. Setzer contended that the reading of the Memorial was not in order, according to the previous ruling of the Chair, which was sustained by the Council, on an appeal taken therefrom.

The Chair ruled that the call for the reading of the Memorial for information was in order.

Mr. Setzer appealed from the decision of the Chair.

Upon the question, "Shall the decision of the Chair be sustained?" the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Stone, Tillotson, Wales—10.

Those who voted in the negative were,

Messrs. Rolette, Setzer—2.

So the affirmative of the question prevailed, and the decision of the Chair was sustained.

The Memorial was then read.

Mr. Lowry moved a call of the Council, which was ordered.

The roll being called, Messrs. Ludden and Thompson were absent.

The Chair ordered the Sergeant-at-Arms to report the absent members in their seats.

The Sergeant-at-Arms soon after reported Messrs. Ludden and Thompson within the bar of the Council.

The question recurring upon the passage of the Memorial, Mr. Lowry called for the yeas and nays, which were ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Rolette, Setzer, Stone, Tillotson, Wales, Mr. President—12.

Mr. Lowry voted in the negative.

So the affirmative of the question prevailed, and the Memorial passed.

C. F. No. 21, an Act to establish the County of Glencarrie, and for other purposes, was read a third time.

Mr. Rolette moved the previous question, upon agreeing to the passage of the Bill.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Lowry, Thompson, Wales—6.

So the affirmative of the question prevailed, and the main question was ordered to be then put, and being put, the yeas and nays being called for and ordered, the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—8.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Wales—7.

So the affirmative of the question prevailed, and the Bill passed.

Mr. Lowry moved to amend the title of the Bill by striking out the words, "and for other purposes."

Upon the question of agreeing to said amendment, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Bassett, Dooley, Lowry, Thompson, Wales—6.

Those who voted in the negative were,
Messrs. Bailly, Freeborn, Humphrey, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—9.

So the negative of the question prevailed, and the Council refused so to amend the title of the Bill.

C. F. No. 6, a Memorial to the Postmaster-General for certain Mail Service, was read a third time and passed.

A Message was received from the House by their Clerk.

C. F. No. 57, a Bill for an Act to incorporate the Shaska Company, was read a third time and passed.

Mr. Freeborn moved that the Council adjourn.

Upon the question of agreeing to the motion, the yeas and nays were called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Freeborn, Humphrey, Rolette, Tillotson, and Mr. President.

Those who voted in the negative were,
Messrs. Bailly, Balcombe, Bassett, Lowry, Setzer, Stone, and Wales.

Yeas 5, nays 7.

So the negative of the question prevailed, and the Council refused to adjourn.

Mr. Rolette moved a call of the Council, which was ordered.

The roll being called, Messrs. Thompson and Wales were absent.

The Chair ordered the Sergeant-at-Arms to report the absent members in their seats.

Soon after, the Sergeant-at-Arms reported Messrs. Thompson and Wales in their seats.

Mr. Rolette moved that the rules of the Council be suspended, and No. 31, H. of R., a Bill to incorporate the St. Paul Savings Institution, be taken from the table and considered.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Rolette, Setzer, Stone—4.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Thompson, Tillotson, Mr. President—9.

So the negative of the question prevailed, and the Council refused so to suspend the rules and take from the table said Bill for consideration.

Mr. Rolette moved that the Council adjourn.

Upon the question of agreeing to said motion the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Bailly, Freeborn, Humphrey, Rolette, Setzer, Stone, Thompson,
Tillotson, and Mr. President.

Those who voted in the negative were,
Messrs. Balcombe, Dooley, Bassett, Lowry, and Wales.

Yeas 9, nays 5.

So the affirmative of the question prevailed, and the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

THURSDAY MORNING, FEBRUARY 26, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

The roll being called, the following members answered to their names:
Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Ludden, Setzer, Stone, Wales and Mr. President.

The Journal of the proceedings of the Council on yesterday was read and approved.

On motion of Mr. Rolette, Messrs. Bailey and Tillotson were excused from attendance in the Council for to-day and to-morrow.

Mr. Dooley, with the unanimous consent of the Council, introduced C. F. No. 91, an Act to incorporate the Shakopee, Lake Minnetonka and Mississippi River Railroad Company, and C. F. No. 92, a Bill to provide for laying out a Territorial Road from Shakopee, by way of Forest City, to Salt Lake, which were severally read a first and second time by title under a suspension of the rules.

Said Bill No. 92 was referred to the Committee on Territorial Roads.

Mr. Setzer introduced the following preamble and resolution:

"Whereas, Suspicions of fraud exist in regard to the passage of No. 62 C. F., a Bill for the removal of the Seat of Government of the Territory of Minnesota; therefore, be it

"Resolved, That the Committee on Enrolled Bills be, and they are hereby instructed, to retain in their possession No. 62 C. F., a Bill for the removal of the Seat of Government of the Territory of Minnesota, until otherwise ordered by the Council."

Which were read.

Mr. Setzer moved that the preamble and resolution be adopted by the Council.

Mr. Setzer moved the previous question, upon agreeing to the passage of said preamble and resolution.

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

Messrs. Lowry and Thompson were absent.

The Chair ordered the Sergeant-at-Arms to report the absent members in their seats.

Mr. Rolette moved that all further proceedings under the call of the Council be dispensed with.

Upon the question of agreeing to said motion, the yeas and nays were ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone and Mr. President.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson and Wales.

Yeas, 6 ; Nays, 7.

So the negative of the question prevailed, and the Council refused to dispense with further proceedings under the call.

The Sergeant-at-Arms reported Mr. Thompson inside the bar, and Mr. Lowry in the Council Chamber, but that he refused to come within the bar of the Council.

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

Mr. Balcombe objected that the motion was not in order during the pendency of a call of the Council.

The President remarked, that he had, during the present session, ruled, that the same motion, under similar circumstances, was not in order, but that his decision was overruled by the Council ; he, therefore, in accordance with a former decision of the Council, ruled the motion in order.

Mr. Balcombe appealed from the ruling of the Chair, and, upon the question " Shall the decision of the Chair be sustained ? " the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Freeborn, Ludden, Rolette, Setzer and Stone.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Thompson and Wales.

Yeas, 5 ; Nays, 6.

So the negative of the question prevailed ; the decision of the Chair was overruled by the Council, and the motion decided not in order.

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

Mr. Balcombe moved to lay the motion for the previous question upon the table.

The Chair ruled the motion not in order.

Mr. Balcombe appealed from the decision of the Chair, and upon the question, " Shall the decision of the Chair be the decision of the Council ? " the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Freeborn, Ludden, Rolette, Setzer and Stone.

Those who voted in the negative were,

Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson and Wales.

Yeas, 6 ; Nays, 7.

So the negative of the question prevailed, and the decision of the Chair was overruled by the Council.

The question recurring upon the motion of Mr. Balcombe to lay the

motion of Mr. Setzer for the previous question upon the table, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Bassett, Humphrey, Lowry, Thompson and Wales.

Those who voted in the negative were,
Messrs. Dooley, Freeborn, Ludden, Rolette, Setzer, Stone and Mr. President.

Yeas, 6 ; nays, 7.

So the negative of the question prevailed, and the Council refused to lay said motion upon the table.

Mr. Balcombe moved, that the Council adjourn.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Balcombe, Bassett, Humphrey, Lowry, Thompson and Wales.

Those who voted in the negative were,
Messrs. Dooley, Freeborn, Ludden, Rolette, Setzer, Stone and Mr. President.

Yeas, 6 ; nays, 7.

So the negative of the question prevailed, and the Council refused to adjourn.

The question recurring upon agreeing to the motion for the previous question, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,
Messrs. Freeborn, Ludden, Rolette, Setzer, Stone and Mr. President.

Those who voted in the negative were,
Messrs. Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson and Wales.

Yeas, 6 ; nays, 7.

So the negative of the question prevailed, and the Council refused to order the question upon the passage of said preamble and resolution to be then put.

On motion of Mr. Lowry, the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

FRIDAY MORNING, FEBRUARY 27, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

Prayer by the Chaplain.

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

Messrs. Balcombe, Dooley, Freeborn, Humphrey, Ludden, Rolette, Setzer, Stone, Thompson, Wales and Mr. President.

The Journal of the proceedings of the Council on yesterday was read and approved.

Mr. Humphrey presented the petition of Frank Y. Hoffstoll and others, praying for the establishment of a Territorial Road from Ottawa to Farrisbault; also, the petition of William A. Clark and others, for the establishment of a Territorial Road from Shelbyville to Farrisbault.

On motion of Mr. Humphrey, said petitions were referred to the Committee on Territorial Roads.

Mr. Rolette, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills report as correctly enrolled, No. 50 H. of R., a Bill to organize the County of Waseca.

JOS. ROLETTE,
M. G. THOMPSON."

Mr. Rolette, from the same Committee, made the following report:

"The Committee on Enrolled Bills report as correctly enrolled, C. F. No. 71, an Act to amend an Act entitled an Act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

JOS. ROLETTE,
M. G. THOMPSON."

Mr. Thompson, from the Committee on Engrossed Bills, reported as correctly engrossed, C. F. No. 84, a Bill for an Act to incorporate the Rum River and Superior Railroad Company; and C. F. No. 50, a Bill for an Act to incorporate the Red Wing and Owatonna Railroad Company.

Mr. Setzer, from the Committee on County Boundaries, to whom were referred No. 325 H. of R., a Bill to annex a portion of the County of Winona to the County of Olmstead; and House Bill No. 50, a Bill to establish certain Counties, and for other purposes; reported said Bills without amendment, and with a recommendation that they be read a third time and passed.

Mr. Dooley, from the Committee on the Militia, to whom was referred C. F. No. 14, a Bill to authorize the running at large of cattle, horses, mules, sheep, swine and other animals, with the amendments proposed thereto by the House; reported said bill, with the recommendation that the House amendments be concurred in by the Council.

Said amendments were then severally concurred in by the Council.

Mr. Humphrey, from the Committee on Territorial Affairs, to whom was referred No. 364 H. of R., a Bill to incorporate the Town of Traverse;

No. 365 H. of R., a Bill to incorporate the Town of Traverse des Sioux;

And No. 366, a Bill to incorporate the Town of Traverse des Sioux City; reported said Bills without amendment, and with a recommendation that they be read a third time and passed.

Mr. Setzer, from the Committee on County Boundaries, to whom was referred C. F. No. 49, a Bill to establish the County of Manomin, and define the boundaries; reported the same without amendment, and with a recommendation that it be engrossed and read a third time.

Mr. Ludden, from the Committee on Incorporations, to whom were referred No. 257 H. of R., a Bill for an Act to amend an Act entitled an Act for the government of the Territorial Prison of Minnesota; and No. 135 H. of R., a Bill to incorporate the Austin Young Men's Association; reported said Bills without amendment.

Mr. Ludden, from the same Committee, to whom were referred No. 106 H. of R., a Bill to incorporate the Mississippi Valley Fire and Marine Insurance Company; and No. 93 H. of R., an Act to incorporate the North Western Insurance Company; reported said Bills, with amendments, which amendments were severally adopted by the Council.

A message was received from the House by their Clerk.

The following message received from the House, by their Clerk, on Wednesday last, was read:

“MR. PRESIDENT:—The House has concurred in the amendments made by the Council to Bill No. 70 H. of R., to incorporate the St. John Seminary; but have refused to concur in the amendment made by the Council to Bill No. 118, to incorporate the Fremont City University of Minnesota.

“The House have concurred in the passage of Council Bills No. 80, No. 45, No. 59 and No. 36, with amendments in which the concurrence of the Council is solicited.

“Also, Council Bills Nos. 26, 66, 64, 65, 73, 23, 32, 38, 63, 30, 78 and 82, without amendment.”

The Council proceeded to the consideration of the amendment made by the Council to the title of House Bill No. 118, in which the House had non-concurred.

Upon the question, “Will the Council insist upon their amendment to the title of said Bill?” the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Lowry Ludden, Rolette, Setzer, Stone and Mr. President.

Those who voted in the negative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Thompson, Tillotson and Wells.

Yeas, 6; nays, 9.

So the negative of the question prevailed, and the Council receded from their amendment to the title of said Bill, and concurred with the House therein.

The amendment proposed by the House to C. F. No. 45, a Bill for an Act to incorporate the St. Paul and Taylor's Falls Railroad Company.

To C. F. No. 59, an Act to incorporate the Town of Weston, and for other purposes; and to C. F. No. 36, an Act entitled an Act to incorporate the Nininger and St. Peter Western Railroad Company; were severally concurred in by the Council.

The Council proceeded to the consideration of C. F. No. 80, an Act to amend Section 9 in Section 7 of Chapter 5, on Page 10 of the Session Laws, January 2, 1856, with the amendment proposed thereto by the House, which was a substitute for the original Bill.

Mr. Setzer moved that the Bill and amendment proposed by the House be referred to the Committee on the Judiciary, with instructions to the Committee to report the same to-morrow.

Mr. Ludden called for a division of the question, which was ordered, and the question of reference was decided in the affirmative, and the Bill was referred to the Committee on the Judiciary.

Upon the question of instructing the Committee to report to-morrow, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Tillotson and Wales.

Those who voted in the negative were :

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone and Mr. President.

Yeas, 8 ; nays, 6.

So the affirmative of the question prevailed, and the Committee were so instructed.

Mr. Rolette, from the Committee on Enrolled Bills, made the following report :

"The Committee on Enrolled Bills report, that they have presented to his Excellency the Governor, for his approval and signature, the following, viz :

"No. 58 H. of R., 63 H. of R., 73 H. of R., 86 H. of R., 101 H. of R., 28 H. of R., 25 H. of R., 78 H. of R., 16 H. of R., 12 H. of R., 11 H. of R., 9 H. of R. Memorial, 19 H. of R. Memorial, 6 H. of R. Memorial, 68 H. of R., 80 H. of R., No. 2 Council file.

JOS. ROLETTE, Chairman.

M. G. THOMPSON."

The following message, received from the House this morning, was read :

"MR. PRESIDENT :—The House of Representatives have passed the following House Bills, which are herewith transmitted, and in which the concurrence of the Council is solicited.

"No. 356, A Bill to authorize the recording of a new plat of the Town of Louisville.

"No. 367, To authorize the proprietors of the Town of Carver to cause the same to be surveyed and a new plat to be recorded.

"Also, tho House have receded from its amendment to C. F. No. 75, to regulate the compensation of County Surveyors.

"The Speaker has signed No. 50 H. of R. and No. 46, 48 and 55 C. F., which are herewith transmitted."

Said Enrolled Bills were then severally signed by the President.

Said House Bills 356 and 357 were severally read a first and second time.

The following message, received from the House this forenoon, was read :

"MR. PRESIDENT :—The House of Representatives have passed the following House Bills, Nos. 34, 181, 173, 221, 217, 216, 219, 215, 214, 213, 212, 210, 206, 198, 197, 183, 188, 161, 222 and 164, all of which are herewith transmitted, and the concurrence of the Council is solicited."

No. 34 H. of R., A Bill to encourage the erection of Mill-Dams and Mills ; and No. 181 H. of R., a Bill for an Act to incorporate the Minnesota Western Express Company ; were severally read a first and second time.

On motion of Mr. Freeborn, No. 173 H. of R., a Bill to incorporate the Town of Brownsville was read a first and second time by its title, under a suspension of the rules.

No. 221 H. of R., a Bill in relation to School District No. 7, in Wright County.

No. 217 H. of R., a Bill to incorporate the Houston County Literary Association ; and

No. 216 H. of R., a Bill to amend an Act to incorporate the Mississippi and Missouri Railroad Company ; were severally read a first and second time.

Mr. Dooley in the Chair.

Mr. Freeborn moved that the rules be suspended and No. 219 H. of R., a Bill to incorporate the Cliff Mining Company, be read a first and second time by its title.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry and Tillotson.

Those who voted in the negative were :

Messrs. Ludden, Setzer, Stone and Wales.

Yeas, 7 ; Nays, 4.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused so to suspend the rules.

Said Bill was then read a first and second time.

A message was received from the House, by their Clerk.

No. 215 H. of R., a Bill to amend an Act allowing a change of Venue in certain cases ; No. 214 H. of R., a Bill to incorporate the Owatonna Literary Association ; No. 213 H. of R., a Bill to incorporate the _____ College, at Excelsior, in the County of Hennepin ; and No. 212 H. of R., a Bill to incorporate the German Agricultural Society of St. Paul ; were then severally read a first and second time.

The President in the Chair.

A message was received from the Governor, by R. A. Smith, one of his messengers.

Mr. Rolette, from the Committee on Enrolled Bills, made the following report :

"The Committee on Enrolled Bills report, that they have presented to his Excellency the Governor, for his approval and signature, the following, viz :

"C. F. No. 46, C. F. No. 55, No. 50 H. of R., C. F. No. 48, C. F. No. 71.
JOS. ROLETTE, Chairman,
M. BLACK."

No. 210 H. of R, a Bill for an Act to incorporate the Town of Albion.

No. 206 H. of R., a Bill for an Act to change the name of Lovica Maupin.

No. 198 H. of R., a Bill for an Act to incorporate the Fair Haven Academy.

No. 197 H. of R., an Act to incorporate the Sauk Valley Seminary.

No. 161 H. of R., a Bill for an Act to incorporate the Minnesota Point and Knife River Plank Road Company, and

No. 188 H. of R, a Bill to incorporate the St. Anthony and Minneapolis Union Medical Society ; were severally read a first and second time.

Mr. Setzer moved that No. 188 H. of R. be referred to the several Corners of the Territory.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were,

Messrs. Dooley, Freeborn, Rolette, Setzer, Stone and Mr. President.

Those who voted in the negative were :

Messrs. Bailly, Balcombe, Bassett, Humphrey, Ludden, Thompson and Wales.

Yeas, 6 ; nays, 7.

So the negative of the question prevailed, and the Council refused to refer the Bill.

Mr. Rolette moved that the Bill be referred to the Committee on Incorporations.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were :

Messrs. Bailly, Dooley, Freeborn Ludden, Rolette, Setzer, Stone and Mr. President.

Those who voted in the negative were :

Messrs. Balcombe, Bassett, Humphrey, Thompson and Wales.

Yeas, 8; nays, 5.

So the affirmative of the question prevailed, and the Bill was thus referred.

No. 222 H. of R., a Bill for an Act to incorporate the Mississippi River and Lake Superior Ship Canal Company, was read a first and second time.

Mr. Rolette moved that the Council adjourn to Monday next, at 10 o'clock A. M.

Upon the question of agreeing to said motion, the yeas and nays being called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Freeborn, Ludden, Rolette, Setzer, Stone, Mr. President—6.

Those who voted in the negative were :

Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Tillotson, Wales—9.

So the negative of the question prevailed, and the Council refused so to adjourn.

Mr. Rolette moved that the Council adjourn.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were :

Messrs. Bailly, Dooley, Freeborn, Ludden, Rolette, Setzer, Stone, Tillotson, Mr. President—9.

Those who voted in the negative were :

Messrs. Balcombe, Bassett, Humphrey, Lowry, Wales—6.

So the affirmative of the question prevailed, and the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

SATURDAY MORNING, FEBRUARY 28, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

The roll being called, the following members answered to their names: Messrs. Bailly, Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President.

The Journal of the proceedings of the Council on yesterday was read and approved.

Mr. Balcombe offered the following resolutions :

Resolved, That the Hon. Joseph Rolette be very respectfully requested to report to the Council Bill No. 62 Council File, entitled, a Bill for the removal of the Seat of Government for the Territory of Minnesota, this day ; and that should said Rolette fail so to do before the adjournment of the Council this day, that the Hon. Mr. Wales, who stands next in the list of said Committee on Enrolled Bills, be respectfully requested to procure another truly enrolled copy of the said Bill, and report the same to the Council on Monday next.

And be it further Resolved, That the Secretary of the Council is very respectfully requested to give said Bill, after it has been signed by the Speaker of the House and President of the Council, to the Hon. Mr. Wales, to deliver to the Governor for his approval."

Which resolutions were read by Mr. Balcombe, and, before they were read by the Secretary, Mr. Balcombe moved their adoption by the Council ; and, also, moved the previous question upon agreeing to said motion.

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

The Chair ordered the Sergeant-at-Arms to report Mr. Rolette in his seat.

Mr. Balcombe moved that all further proceedings under the call of the Council be dispensed with.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Tillotson and Wales.

Those who voted in the negative were, Messrs. Freeborn, Ludden, Setzer, Stone and Mr. President.

Yeas 9, Nays 5.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused to dispense with further proceedings under the call of the Council.

In a short time after the vote was declared, Mr. Balcombe rose in his place and contended that the declaration of the vote was incorrect ; that nine was two-thirds of fourteen, and the vote should have been declared in the affirmative.

The Chair refused to change the declaration of the vote.

Mr. Balcombe claimed an appeal from the decision of the Chair.

The Chair refused to entertain the appeal.

A message was received from the House of Representatives by their Clerk.

A second message from the House was announced, and its reception objected to as not in order during a call of the Council.

The Chair stated that one message from the House had been received during the pendency of the call of the Council, because no objection was made ; but if objected to, it was the opinion of the Chair that it could not be received, and the message was not received by the Council.

Mr. Setzer in the chair.

Mr. Lowry moved to dispense with all further proceedings under the call of the Council.

The Chair ruled the motion not in order, as the same question had been negatived by the Council and no business had since been transacted.

A short time after, Mr. Lowry renewed his motion to dispense with all further proceedings under the call of the Council.

The Chair refused to entertain the motion.

The President in the Chair.

Mr. Lowry renewed his motion several times, to dispense with all further proceedings under the call of the Council, and the Chair refused to entertain the motion, as no business had been transacted in the Council since a similar motion had been voted on by the Council and decided in the negative.

Mr. Lowry moved that the Council adjourn, and the question being put upon agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Wales and Mr. President.

Those who voted in the negative were, Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Setzer, Stone, Thompson and Tillotson.

Yeas 2, nays 12.

So the negative of the question prevailed, and the Council refused to adjourn.

Mr. Balcombe moved a reconsideration of the vote last taken, by which the Council refused to adjourn, and upon the question of agreeing to said motion the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Ludden, Wales and Mr. President.

Those who voted in the negative were, Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Setzer, Stone, Thompson and Tillotson.

Yeas 3, nays 11.

So the negative of the question prevailed, and the Council refused to reconsider said vote.

Mr. Setzer in the chair.

Mr. Balcombe moved that the rules be so far suspended as to allow one of the members who voted in the affirmative when the Council refused to dispense with further proceedings under the call of the Council to move a reconsideration of said vote.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Bailly, Balcombe, Bassett, Dooley, Humphrey, Lowry, Thompson, Tillotson and Wales.

Those who voted in the negative were, Messrs. Freeborn, Ludden, Setzer, Stone and Mr. President.

Yeas 9, nays 5.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused so to suspend the rules.

The President in the Chair.

Mr. Bassett moved that the rules be suspended and the Council adjourn

till to-morrow at two o'clock P. M., and upon the question of agreeing to said motion the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Bassett, Freeborn, and Mr. President.

Those who voted in the negative were, Messrs. Bailly, Balcombe, Dooley, Humphrey, Lowry, Ludden, Setzer, Stone, Thompson, Tillotson and Wales.

Yeas 3, nays 11.

So the negative of the question prevailed, and the Council refused to so suspend the rules and adjourn.

Mr. Setzer in the Chair.

Mr. Bassett made his escape from the Council Chamber.

The Chair directed the messenger who was acting Sergeant-at-Arms to report Mr. Bassett in his seat.

Some time after, the acting Sergeant-at-Arms returned, and reported that he had seen Mr. Bassett on the street, and communicated to him the order of the Chair, but that he refused to return to the Council Chamber before to-morrow morning.

Mr. Balcombe moved that the rules be suspended and the Council adjourn. Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Dooley, Freeborn, Ludden and Mr. President.

Those who voted in the negative were, Messrs. Bailly, Balcombe, Humphrey, Lowry, Setzer, Stone, Thompson, Tillotson and Wales.

Yeas 4, nays 9.

So the negative of the question prevailed, and the Council refused so to suspend the rules and adjourn.

The President in the chair.

Mr. Wales moved a suspension of the rules and the adjournment of the Council, and upon the question of agreeing to said motion the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Dooley, Wales and Mr. President.

Those who voted in the negative were, Messrs. Bailly, Balcombe, Ludden, Setzer, Stone and Mr. President.

Yeas 3, nays 6.

So the negative of the question prevailed, and the Council refused so to suspend the rules and adjourn.

Mr. Setzer in the Chair.

Mr. Dooley moved that the rules be suspended and the Council adjourn. Upon the question of agreeing to said motion the yeas and nays were called for and ordered, and the result of the vote was as follows :

Mr. Dooley voted in the affirmative.

Those who voted in the negative were, Messrs. Bailly, Balcombe, Freeborn, Humphrey, Lowry, Ludden, Setzer, Stone, Thompson, Wales and Mr. President.

Yeas 1, nays 11.

So the negative of the question prevailed, and the Council refused so to suspend the rules and adjourn.

Mr. Lowry moved that the Council adjourn.

The Chair ruled that the motion could not be entertained without the unanimous consent of the Council, as no business had been transacted by the Council since they refused to adjourn by an almost unanimous vote.

Mr. Setzer objected, and the Chair refused to entertain the motion.

Mr. Wales asked leave to make a report from the Committee on Enrolled Bills.

The Chair ruled the report not in order during the pendency of the call of the Council.

Mr. Balcombe claimed an appeal from the ruling of the Chair.

Mr. Setzer offered a protest in writing, signed by himself and Messrs. Ludden, Stone and Freeborn, against the entertaining of the appeal by the Chair.

Mr. Balcombe objected to the reception of said protest, and the same was not received.

The Chair refused to entertain the appeal claimed by Mr. Balcombe.

Mr. Balcombe offered to withdraw his resolutions and his motion for their adoption by the Council, and also his motion for the previous question.

The Chair stated that the resolutions had never been read to the Council by the Secretary, and consequently were not in the possession of the Council, and no motion had been or could be entertained in relation to their adoption or withdrawal.

Mr. Balcombe appealed from the decision of the Chair.

Upon the question, Shall the decision of the Chair be sustained? The yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were, Messrs. Freeborn, Humphrey, Ludden, Setzer and Stone.

Those who voted in the negative were, Messrs. Bailly, Balcombe, Bassett, Dooley, Lowry, Thompson and Tillotson.

Yeas 5, nays 7.

So the negative of the question prevailed, and the ruling of the Chair was overruled by the Council.

Mr. Balcombe moved that the rules be suspended and the Council adjourn.

The Chair ruled that the motion could not be entertained without the unanimous consent of the Council.

Mr. Balcombe appealed from the ruling of the Chair, and upon the question, Shall the decision of the Chair be sustained? the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were, Messrs. Freeborn, Ludden, Setzer and Stone.

Those who voted in the negative were, Messrs. Bailly, Balcombe, Dooley, Humphrey, Lowry and Tillotson.

Yeas 4, nays 6.

So the negative of the question prevailed, and the decision of the Chair was overruled by the Council.

The question recurring upon agreeing to the motion of Mr. Balcombe, to suspend the rules of the Council and adjourn, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were, Messrs. Bailly, Balcombe, Dooley, Humphrey, Lowry, Thompson, Tillotson and Wales.

Those who voted in the negative were, Messrs. Freeborn, Ludden, Setzer, Stone and Mr. President.

Yeas 7, nays 5.

Two-thirds not voting in the affirmative, the negative of the question prevailed, and the Council refused to suspend the rules and adjourn.

Mr. Thompson moved that the Council adjourn.

The Chair refused to entertain the motion, as no business had been done since the Council had refused to adjourn.

Mr. Thompson moved a reconsideration of the vote last taken, by which the Council refused to adjourn.

The Chair ruled the motion not in order, as the member making the motion did not vote with the prevailing party upon that question.

Mr. Thompson claimed an appeal from the decision of the Chair.

The Chair refused to entertain the appeal.

Mr. Setzer, having voted with the prevailing party when the Council refused to dispense with further proceedings under the call of the Council, moved a reconsideration of that vote.

Upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Bailly, Bassett, Freeborn, Ludden, Setzer, Stone, Tillotson and Mr. President.

No one voted in the negative.

Yeas 8, nays 0.

So the affirmative of the question prevailed, and said vote was reconsidered.

The question recurring upon the motion to dispense with all further proceedings under the call of the Council, and being put, the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Bailly, Bassett, Freeborn, Humphrey, Ludden, Setzer, Stone, Tillotson, Wales and Mr. President.

No one voted in the negative.

Yeas 10, nays 0.

So the affirmative of the question prevailed, and all further proceedings under the call of the Council were dispensed with.

Reports from Committees being in order, the Secretary read several reports which had been handed to him by the Committee on Enrolled Bills, accompanying which were the enrolled and engrossed bills referred to in said reports, in which the Committee stated that they had examined and found correctly enrolled, the following Bills :

C. F. No. 23, An Act to incorporate the Mississippi River Improvement and Manufacturing Company.

C. F. No. 30, A Bill to incorporate the City of Red Wing.

C. F. No. 66, A Bill to incorporate the Town of East Red Wing.

C. F. No. 67, An Act to incorporate Union City.

C. F. No. 63, A Bill granting to J. M. Thompson and C. G. Wykoff the right to establish and maintain a Ferry across the Mississippi River.

C. F. No. 57, A Bill for An Act to incorporate the Shaska Company.

C. F. No. 3, A Bill to organize the Stillwater Bridge Company.

C. F. No. 26, A Bill to incorporate the Town of Cannon Falls.

C. F. No. 36, A Bill to incorporate the Nininger and St. Peter Western Railroad Company.

Also, House Bills Nos. 8, 90, 92, 85, 113, 129, 242, 70, 108, 120, 121, 107, 128, 141, 294, 59, and House Memorial No. 10, and House Bills Nos. 105 and 118.

Mr. Balcombe inquired why the report of the Committee on Enrolled Bills upon C. F. No. 62 was not read with the other reports.

Mr. Wales, one of the Committee on Enrolled Bills, stated, that he had furnished to the Secretary a report from said Committee on C. F. No. 62, a Bill for the removal of the Seat of Government of the Territory of Minnesota.

The Secretary stated to the President of the Council, that several reports of that description had been offered to him, some of which had been left upon his table and were then lying there, but he had refused to receive any one of them, because in no instance did either the enrolled or engrossed bill referred to accompany the report.

The President decided that the Secretary had acted correctly in refusing to receive the report under those circumstances.

Further reports from the Committee on Enrolled Bills were read by the Secretary, in which that Committee informed the Council, that they had presented to the Governor for his approval and signature, C. F. Nos. 36, 23, 30, 66, 67, and House Bills Nos. 108, 121, 107, 242, 70, 141, 90, 128, 8, 294, 37, 120, 118, 105, 129, 113, 92, and No. 10 House Memorial.

Two messages were received from the House of Representatives, by their Clerk.

Mr. Balcombe moved that the Hon. Joseph Rolette be excused from further attendance in the Council the present session.

Mr. Setzer moved a call of the Council, which was ordered, and the roll being called, Messrs. Lowry and Rolette were absent.

The Chair ordered the messenger who was the acting Sergeant-at-Arms to report the absent members in their seats.

Mr. Bassett moved that the Council adjourn, and upon the question of agreeing to said motion the yeas and nays were called for and ordered, and the result of the vote was as follows :

Those who voted in the affirmative were, Messrs. Bailly, Bassett, Dooley, Freeborn, Humphrey, Lowry, Thompson, Tillotson and Wales.

Those who voted in the negative were, Messrs. Ludden, Setzer, Stone and Mr. President.

Yeas 9, nays 4.

So the affirmative of the question prevailed, and the Council adjourned at 1 o'clock P.M. on March 5th, A. D. 1857, after having continued in session without adjournment or recess one hundred and twenty-three hours.

J. B. BRISBIN, President.

L. SMITH, Secretary.

FRIDAY MORNING, MARCH 6, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

The roll being called, Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Humphrey, Lowry, Ludden, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President, were present.

The President declared the call of the Council still pending.

Mr. Setzer in the chair.

Mr. Balcombe moved that all further proceedings under the call of the Council be dispensed with; and upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were, Messrs. Bailly, Balcombe, Bassett, Dooley, Lowry, Thompson, Tillotson and Wales.

Those who voted in the negative were Messrs. Freeborn, Ludden, Setzer, Stone and Mr. President.

Yeas 8, Nays 5.

So the negative of the question prevailed, and the Council refused to dispense with further proceedings under the call.

Mr. Freeborn moved that the Council adjourn; and upon the question of agreeing to said motion, the yeas and nays were called for and ordered, and the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bailly, Bassett, Dooley, Freeborn, Humphrey and Thompson.

Those who voted in the negative were Messrs. Ludden, Setzer, Stone, Wales and Mr. President. Yeas 6, nays 5.

So the affirmative of the question prevailed, and the Council adjourned.

J. B. BRISBIN, President.

L. SMITH, Secretary.

SATURDAY, MARCH 7, 1857.

The Council met pursuant to adjournment, and was called to order by the President.

The roll being called, Messrs. Bailly, Balcombe, Bassett, Dooley, Freeborn, Ludden, Setzer, Stone, Thompson, Tillotson, Wales and Mr. President, answered to their names.

The President declared the call of the Council still pending.

On motion of Mr. Freeborn, the Council took a recess until 4 o'clock, P. M., at which time the Council resumed their session.

On motion of Mr. Freeborn, the Council took a recess till 7½ o'clock, P. M., at which time the Council resumed their session.

A Committee from the House of Representatives was announced.

The Chair ruled that no communication from the House could be received while a call of the Council was pending; and the Committee withdrew.

Mr. Setzer in the chair.

Mr. Ludden having voted with the prevailing party when the Council refused to dispense with all further proceedings under the call of the Council, moved a reconsideration of that vote; and the question being put upon agreeing to said motion, it was decided in the affirmative, and said vote was reconsidered.

The question recurring upon the motion to dispense with all further proceedings under the call of the Council, Mr. Lowry called for the yeas and nays, which were ordered, and the result of the vote was as follows:

Those who voted in the affirmative were Messrs. Bailly, Dooley, Freeborn, Humphrey, Ludden, Setzer, Stone, Wales and Mr. President.

Mr. Lowry voted in the negative.

Yeas 9, nays 1.

So the affirmative of the question prevailed, and all further proceedings under the call of the Council were dispensed with.

Mr. Ludden, from the Committee on Incorporations, to whom had been referred sundry Bills, reported the same back to the Council without amendment or recommendation.

Mr. Freeborn, from the Committee on Enrolled Bills, made the following Report:

"The Committee on Enrolled Bills would respectfully report that, owing to the absence of the Chairman of this Committee, Bill No. (62) sixty-two, Council File, being a Bill for the removal of the seat of Government of the Territory of Minnesota, introduced by Mr. Lowry on the 6th of February, 1857, has not been reported by this Committee back to the Council. Your Committee would further state that the above-named Bill might have been reported back to the Council at this time, but that after examining the enrolled copy of said Bill, which was delivered to this Committee with the engrossed Bill, by the Secretary of the Council in presence of the Enrolling Clerk of the Council, and carefully comparing the same, we find numerous errors in the enrolled copy—some portions of the engrossed Bill being left out of the enrolled copy, and matter being inserted in the enrolled copy which is not in the engrossed Bill. Your Committee cannot, therefore, report the said Bill No. 62, C. F., as correctly enrolled, but retain the same in our possession, subject to the order of the Council.

All which is respectfully submitted.

JOSEPH ROLETTE, } Committee on
WILLIAM FREEBORN, } Enrolled Bills."

Mr. Ludden moved that a Committee be appointed to wait on the Governor and inquire if he had any further communication to make to the Council.

Mr. Lowry moved a call of the Council, which was ordered, and the roll being called, Messrs. Rolette, Thompson and Tillotson were absent.

At 12 o'clock at night the President resumed the chair, and announced that the time limited by law for the continuation of the Session of the Territorial Legislature had expired, and he therefore declared the Council adjourned without day.

J. B. BRISBIN, President.

L. SMITH, Secretary.

I hereby certify that during the session of Friday and Saturday, the 6th and 7th of March, 1857, while a call of the Council was pending, the Committee on Enrolled Bills handed to me Reports, with the Bills accompanying the same, in which they certified that said Committee had examined and found correctly enrolled C. F. Nos. 64, 33, 65, 59, 38, 14, 82, 32, 75, 72, 73, 45, 86, and House Bill No. 85.

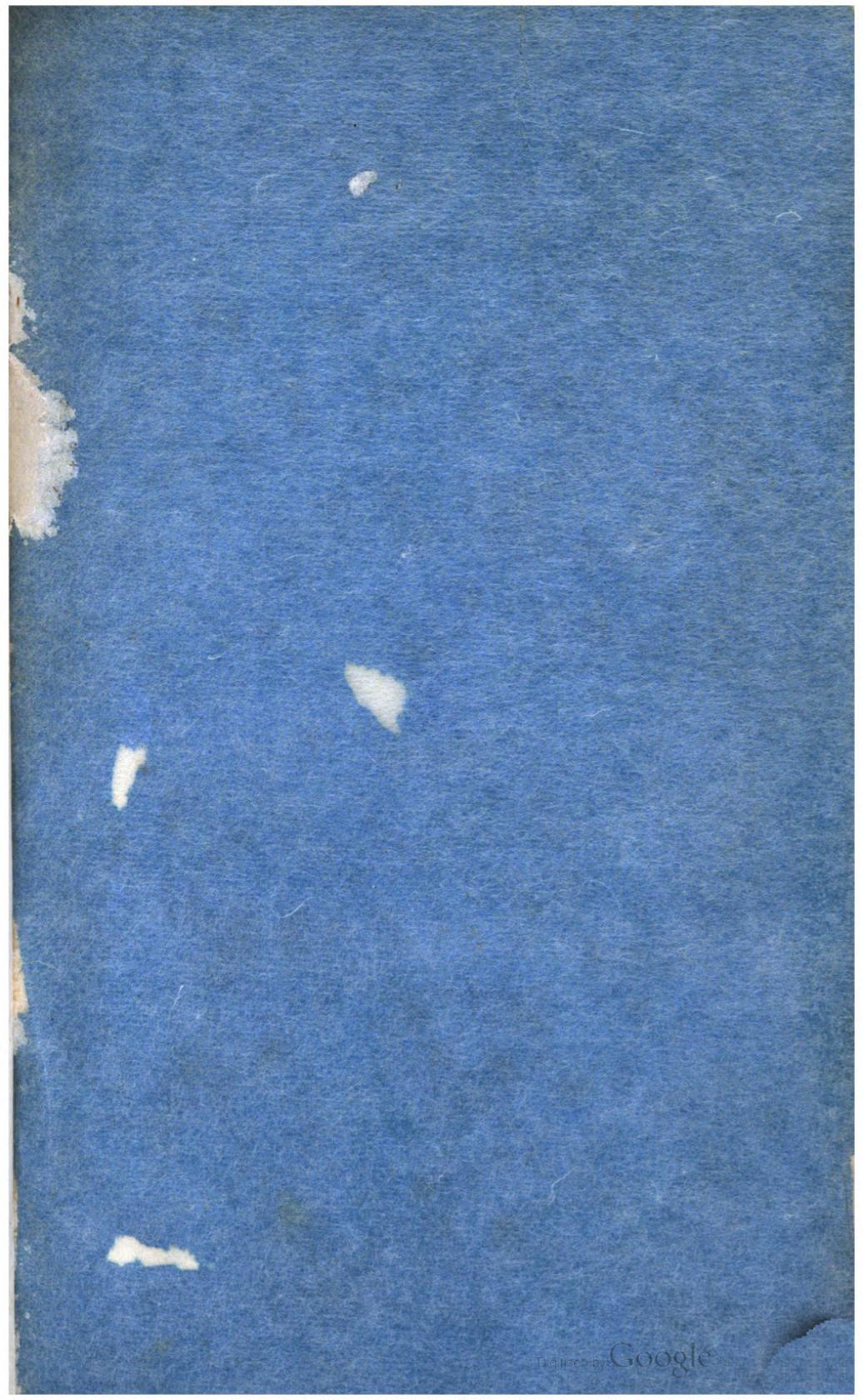
Also reports stating that said Committee had presented to the Governor for his approval and signature C. F. Nos. 26, 3, 72, 73, 45, 64, 86, 57, 63, 59, 33, 33, 14, 65, 75, 82, and 32; also House Bills 59 and 85.

But no opportunity occurred for reading the same to the Council before the Session terminated.

Attest,

L. SMITH, Secretary of the Council.

ST. PAUL, M. T., March 9, 1857.





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