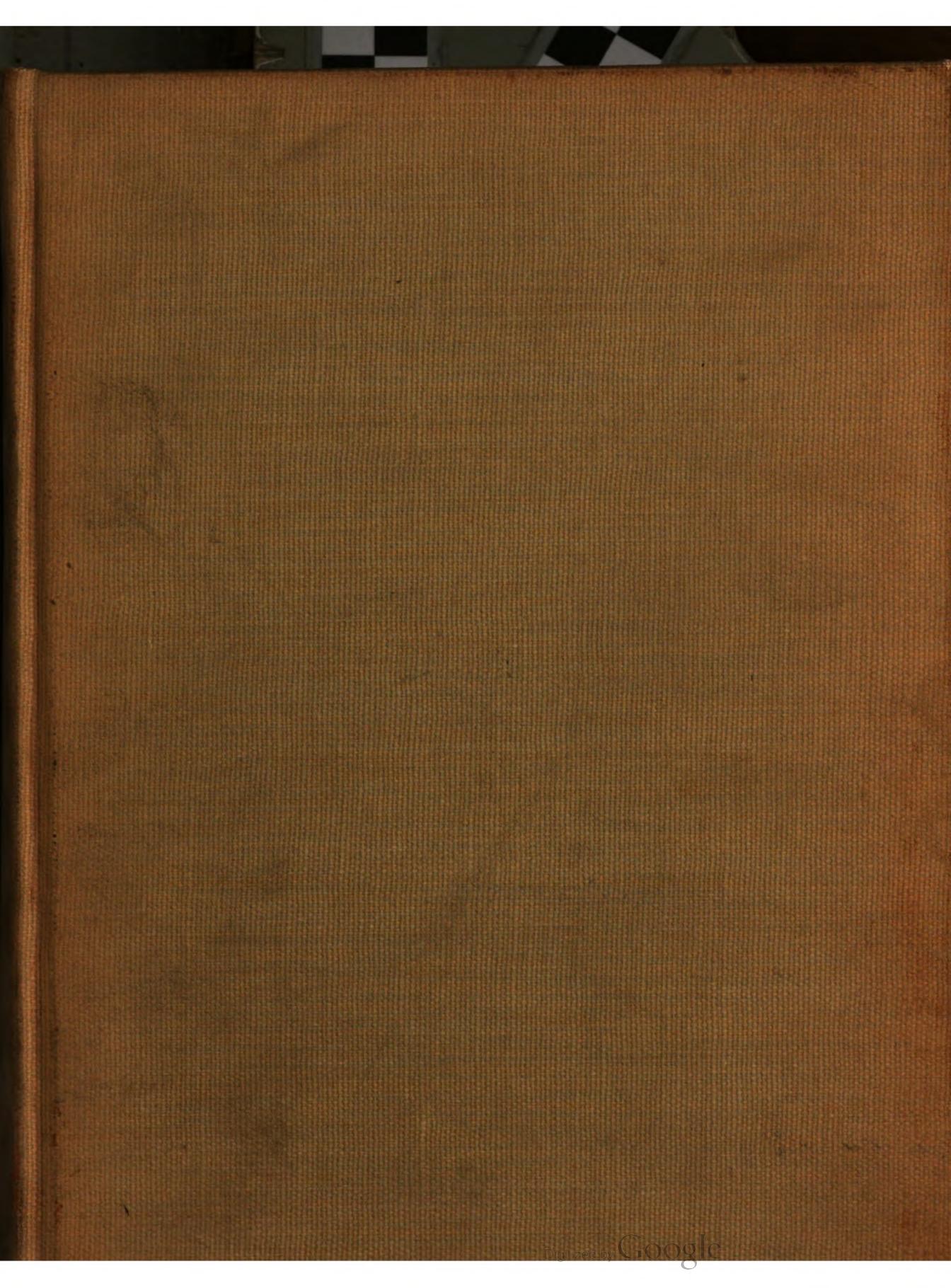

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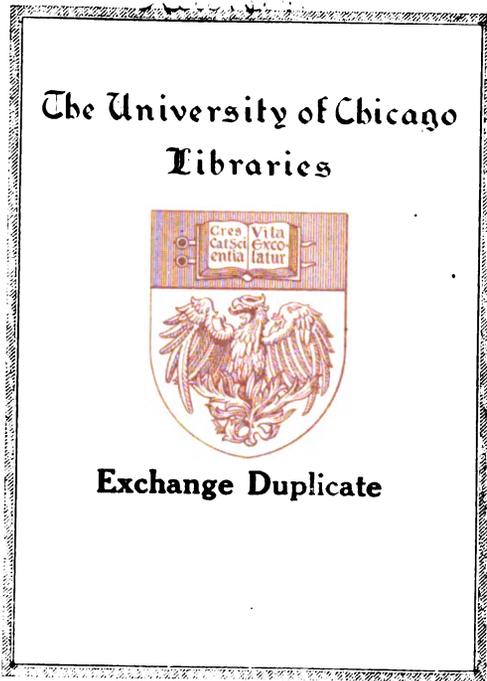
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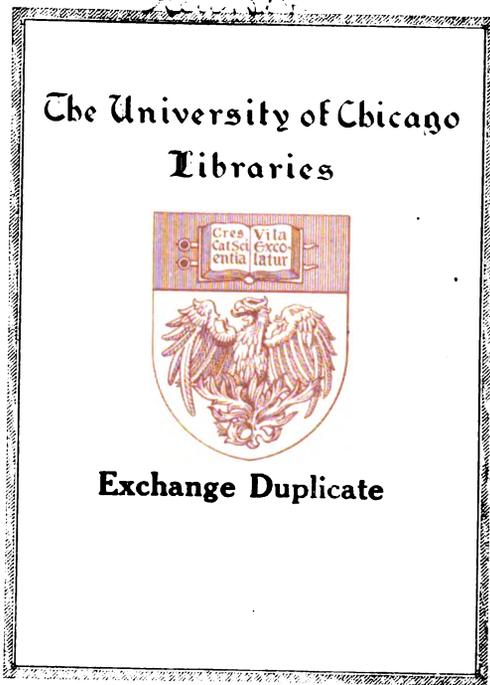




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JOURNAL

OF THE
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COUNCIL OF MINNESOTA, (Ser.)

DURING THE FOURTH SESSION

OF THE

LEGISLATIVE ASSEMBLY,

BEGUN AND HELD AT SAINT PAUL, ON WEDNESDAY, JANUARY FIFTH,
ONE THOUSAND EIGHT HUNDRED AND FIFTY-THREE.

Exchange Duplicate, L. C

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**PUBLISHED BY AUTHORITY.**  
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SAINT PAUL:
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1853.

WILSON
TO
SARABEL COACHES

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JOURNAL OF THE COUNCIL.

WEDNESDAY, JANUARY 5, 1853.

The first Wednesday in January being the day designated by law for the annual meeting of the Legislative Assembly of the Territory of Minnesota, that being the fifth day of the month at 12 o'clock, M., the Council was called to order by Sylvanus Trask, Esq., who being the Secretary of the last Council, was the person designated by law to perform that duty.

The roll of the Council was called, and the following members appeared in their seats and answered to their names, viz:

From the First Council District—Elam Greely and David B. Loomis.

From the Second Council District—George W. Farrington and Wm. Henry Forbes.

From the Third Council District—William L. Larned,

From the Fourth Council District—L. A. Babcock.

From the Fifth Council District—Absent.

From the Sixth Council District—Martin McLeod.

From the Seventh Council District—Absent.

A quorum being present,

On motion of Mr. Loomis,

Mr. Babcock was appointed President *pro tem.* of the Council,

On motion of Mr. Loomis,

Mr. Trask was appointed Secretary *pro tem.* of the Council.

On motion of Mr. Forbes,

Mr. S. P. Folsom was appointed Assistant Secretary *pro tem.* of the Council.

The Secretary and Assistant Secretary elect were thereupon sworn into office by the Attorney General of the Territory.

On motion of Mr. Farrington,

Mr. Alden Bryant was appointed Enrolling Clerk *pro tem.* of the Council.

On motion of Mr. Larned,

Mr. Norris Hobart was appointed Sergeant-at-Arms, *pro tem.* of the Council.

On motion of Mr. McLeod,

Mr. Cathcart was appointed Messenger *pro tem.* of the Council.

On motion of Mr. Farrington,

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Mr. John McShane was appointed Fireman *pro tem.* of the Council.

The Enrolling Clerk, Sergeant-at-Arms and Messenger were thereupon sworn into office by the Attorney General of the Territory.

Mr. McShane not being present,

Mr. Loomis moved that the office of Fireman be declared vacant.

On motion of Mr. McLeod,

The Council adjourned until 2 o'clock P. M., to-morrow.

THURSDAY, JANUARY 6, 1853.

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

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and corrected.

The question then recurring on the motion of Mr. Loomis to declare the office of Fireman vacant,

Mr. Loomis on leave withdrew his motion.

A Committee from the House being announced,

Messrs. Lott and Day appeared, and informed the Council that the House was organized *pro tempore*, and ready to proceed to business.

And then they withdrew.

On motion of Mr. Loomis,

A Committee consisting of Messrs. Loomis and Larned were appointed to wait on the House and inform the House that the Council was now organized *pro tem.* and ready to proceed to business.

Mr. Loomis, from the Committee appointed to wait on the House, reported they had performed that duty.

Mr. Farrington presented a communication, and resolution.

On motion of Mr. Forbes,

The rules of the Council for the last session were adopted temporarily for the government of the Council.

The communication and resolution presented by Mr. Farrington, were then read, to wit:

To the Honorable, the Members of both branches of the Territorial Legislature:

GENTLEMEN:—I offered my new building on Bench Street, containing two rooms on the first floor 18 by 30 feet, with 7 foot hall between, and six good sized rooms on the second and third floors, to the Hon. Secretary of the Territory, in October last; and also more recently by letter, for the accommodation of the Legislature, provided the State House should not be finished; and provided also, that it should be thought expedient to hold the session in the lower town. The amount of rent to be determined by the Secretary and Legislature themselves. The house is still vacant and will probably remain so till spring. As I think some unfairness has been used in the situation of the building, I respectfully offer my house to the Legislature during their session free from rent.

Very respectfully,

NATHANIEL McLEAN.

Resolved, That a committee of two be appointed to act in conjunction with a similar committee to be appointed by the House for the purpose of procuring and preparing larger and suitable chambers for the meeting of this Legislative Assembly, and the said committee be instructed to report to-morrow where suitable halls can be had, and when the same will be ready for occupancy.

625955

The resolution eliciting debate the Chair decided that the resolution must be laid on the table one day under the rules.

Mr. Farrington moved that rule 58 be suspended, in order to consider the resolution now.

The question being put and the Chair being unable to decide, a division was called for and ordered;

There were ayes, 4.

So the rule was suspended.

The question then recurring on the adoption of the resolution.

The ayes and noes were called for and ordered,

And there were ayes, 5, noes, 2.

Those who voted in the affirmative were, Messrs. Farrington, Greely, Larned, Loomis and Babcock, President *pro tem.*—5.

Those who voted in the negative were, Messrs. Forbes, and McLeod.

So the resolution was adopted.

The President *pro tem.* appointed Messrs. Farrington and Greely said Committee.

Mr. Forbes moved that the Council adjourn until 2 o'clock to-morrow.

The question being put;

The Chair being unable to decide,

A division was ordered, and

There were ayes, 3; noes, 3.

So the motion was lost.

Mr. Forbes moved the Council adjourn;

Which motion did not prevail.

On motion of Mr. Farrington,

The Council adjourned until 10 o'clock A. M. to-morrow.

FRIDAY, JANUARY 7, 1853.

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

Prayer by the Rev. Mr. Fullerton.

The Journal of yesterday was then read and corrected.

A message from the House being announced,

Joseph R. Brown, Esq., Chief Clerk *pro tem.*, appeared and delivered the following message, viz:

Mr. President:—The House of Representatives has adopted the following resolution:

Resolved, By this House, (the Council concurring herein,) that a Joint Committee of two from each House be appointed to report Joint Rules for the government of the two Houses the present session.

In which the concurrence of the Council is respectfully requested.

And then he withdrew.

Mr. Larned reported the Hon. Mr. Lowry in his seat.

Mr. McLeod on leave presented the following resolution, to wit:

Resolved, That when the Council adjourn it will adjourn until Monday next at 2 o'clock, P. M.

Which was adopted by the Council.

The message from the House was taken up in the order of business.

The question then recurring on the adoption of the resolution of the House, It was adopted.

Mr. Forbes moved a call of the Council;

Which was ordered.

The roll was called, and

Messrs. Loomis and Lowry were reported absent.

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

The Sergeant-at-Arms reported the absent members in their seats.

Messrs. McLeod and Larned were appointed a committee to act in conjunction with the House committee to report Joint Rules for the government of the two Houses.

A message from the House being announced,

Joseph R. Brown, Esq., Chief Clerk, *pro tem.*, appeared and delivered the following message:

MR. PRESIDENT:—The House of Representatives has negatived the resolution adopted by the Council relative to procuring, and preparing “large, dry and suitable chambers for the meeting of the Legislative Assembly,” and herewith return the communication from Mr. Nathaniel McLean.

Messrs. Lott and Murray have been appointed a committee on the part of the House under the resolution for reporting Joint Rules for the government of the two Houses.

And then he withdrew.

Mr. Forbes, on leave, introduced the following resolution:

Resolved, That the Messenger be instructed to procure for the Council the Journals of the Council and House of Representatives of the last session for the use of the members;

Which was adopted.

On motion of Mr. Loomis,

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

MONDAY, JANUARY 10, 1853.

The Council met pursuant to adjournment,

The President, *pro tem.* in the Chair.

Prayer by the Rev. Mr. Fullerton.

On motion of Mr. Forbes,

The reading of the Journal of Friday last was dispensed with.

Mr. Loomis, on leave, introduced the following resolution, viz:

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

Which was unanimously adopted.

On motion of Mr. Forbes,

The vote was re-considered by which the Council dispensed with the reading of the Journal.

The Journal of Friday last was then read and corrected.

Mr. Larned, on leave, introduced the following resolution, viz:

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

Which was adopted.

Mr. Farrington moved that the Council adjourn until to-morrow, at 2 o'clock, P. M.

The Chair being unable to decide, a division was called for and ordered.

There were ayes 2; noes 3.

So the motion was lost.

On motion of Mr. Lowry,

The Council adjourned.

TUESDAY, JANUARY 11, 1853.

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

Prayer by the Rev. Mr. Bradley.

The Journal of yesterday was read and corrected.

Mr. Forbes reported the Hon. Norman W. Kittson in his seat.

Mr. John McShane, the Fireman, *pro tem.*, being present, was sworn into office by L. A. Babcock, Attorney General of the Territory.

The President, *pro tem.*, presented the following communications from the Secretary *pro tem.* of the Council, and from J. W. Bass, Post Master at St. Paul, M. T., which were read, as follows, and placed on file, viz:

To the Honorable Members of the Minnesota Legislative Council:

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

S. TRASK, *Secretary pro tem.*

ST. PAUL, MINNESOTA TERRITORY, }
January 11, 1853. }

To the Honorable Members of the Minnesota Legislative Council:

DEAR SIRS:—Your Secretary has transmitted me a copy of your resolution, together with a request to extend you credit for your postage, during your present session, with which request I most cheerfully comply.

Yours most Respectfully, to Command,

J. W. BASS, P. M.

Mr. Farrington introduced the following resolution, viz:

Resolved, That the Secretary of the Council be, and he is hereby authorized to procure such stationery as may be necessary for his use, not exceeding twenty dollars worth, and that each member of the Council is authorized to purchase such stationery as he may require, not exceeding in amount twenty dollars, and the officers of the Council are authorized to procure five dollars worth of stationery, each; and that all bills so made for stationery shall be handed to the Secretary of the Council, to be by him placed in the hands of the Chairman of the Joint Committee on Legislative Expenses, in order that they may be included in the Appropriation Bill.

Which was laid on the table until to-morrow, under the rules.

Mr. McLeod moved that the Council do now adjourn.

The Chair being unable to decide, a division was called for and ordered.

There were ayes 5.

So the Council adjourned until 10 o'clock A. M., to-morrow.

WEDNESDAY, JANUARY 12, 1853.

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

Prayer by the Rev. Mr. Bradley.

The Journal of yesterday was read and corrected.

The question then recurring on the adoption of the resolution offered by Mr. Farrington, on yesterday.

Mr. McLeod moved to amend the resolution by striking out the word "twenty;" where it occurs, and inserting in lieu thereof the word "sixteen;"

Which amendment was accepted by Mr. Farrington.

Mr. Loomis moved to amend the resolution by striking out the word "sixteen;" where it occurs, and inserting in lieu thereof the word "twenty;"

The Chair being unable to decide, the ayes and noes were called for and ordered, There were ayes, 9.

Those who voted in the affirmative, were,

Messrs. Farrington, Forbes, Greely, Kittson, Larned, Loomis, Lowry, McLeod, and Babcock, President *pro tem*.—9.

So the amendment was adopted.

The question then recurring on the adoption of the resolution, as amended; It was adopted.

Mr. Loomis moved that the Council proceed to vote for President of the Council;

The Chair being unable to decide, a division was called for and ordered,

There were ayes, 5; noes 3.

So the motion prevailed. The roll was then called.

Mr. Farrington	voted for	Mr. Babcock,
" Forbes	" "	" Greely,
" Greely	" "	" Kittson,
" Kittson	" "	" Farrington,
" Larned	" "	" Lowry,
" Loomis	" "	" Farrington,
" Lowry	" "	" Greely,
" McLeod	" "	" Loomis,
" Babcock	pres. <i>pro tem</i> .	" Forbes.

Five votes being necessary to a choice, and no person having received that number, the Council again proceeded to vote.

The roll was called,

Mr. Farrington	voted for	Mr. Loomis,
" Forbes	" "	" McLeod,
" Greely	" "	" Kittson,
" Kittson	" "	" Farrington,
" Larned	" "	" Greely,
" Loomis	" "	" Farrington,
" Lowry	" "	" Greely,
" McLeod	" "	" Babcock,
" Babcock	" "	" Loomis.

Five votes being necessary to a choice, and no person having received that number, the Council proceeded to vote again.

The roll was called, and

Mr. Farrington	voted for	Mr. Greely,
" Forbes	" "	" Farrington,
" Greely	" "	" Larned,
" Kittson	" "	" Babcock,
" Larned	" "	" McLeod,
" Loomis	" "	" Babcock,
" Lowry	" "	" McLeod,
" McLeod	" "	" Lowry,
" Babcock,	pres. <i>pro tem</i> .	" Farrington.

No person having received a majority of all the votes cast,

Mr. Lowry moved that the Council adjourn.

A division was called for and ordered,

There were ayes—4; noes—4.

So the motion was lost.

Mr. Loomis moved that the Council adjourn until two o'clock P. M., to-morrow;

The ayes and noes were called for and ordered,

There were ayes—5; noes—4.

Those who voted in the affirmative, were

Messrs. Farrington, Loomis, Lowry, McLeod, and Babcock, *Pres. pro tem.*—5.

Those who voted in the negative, were

Messrs. Forbes, Greely, Kittson and Larned—4.

So the Council adjourned until 2 o'clock, P. M., to-morrow.

THURSDAY, JANUARY, 13, 1853.

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

Prayer by the Rev. Mr. Bradley.

The Journal of yesterday was read and corrected.

Mr. Farrington moved that the Council adjourn until to-morrow at two o'clock P. M.

The Chair being unable to decide,

A division was called for and ordered, and

There were ayes 2, noes 3.

So the Council refused to adjourn.

Mr. Loomis moved that the Council adjourn until 3 o'clock, P. M., to-morrow,

And the ayes and noes being called for and ordered,

There were ayes 2, noes 6.

Those who voted in the affirmative were Messrs. Loomis, and Babcock, *President, pro tem.*—2.

Those who voted in the negative were Messrs. Farrington, Forbes, Greely, Kittson, Larned, and Lowry—6.

So the Council refused to adjourn.

Mr. Loomis moved that the Council proceed to vote for President of the Council;

Mr. Lowry moved a call of the Council;

Which was ordered.

The roll was called and Mr. McLeod was reported absent.

Pending the call of the Council,

On motion of Mr. Forbes,

The Council adjourned until 10 o'clock to-morrow.

FRIDAY, JANUARY 14, 1853.

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

Prayer by the Rev. Mr. Bradley.

The Journal of yesterday was read and corrected.

Mr. Farrington moved that the Council proceed to vote for President of the Council;

Which motion prevailed.

The roll was called, and

Mr. Farrington	voted for	Mr. Forbes,
" Forbes	"	" Farrington,
" Greely	"	" Lowry,
" Kittson	"	" Loomis,
" Larned	"	" Greely,
" Loomis	"	" Farrington,
" Lowry	"	" Greely,
" McLeod	"	" Kittson,
" Babcock	"	" McLeod.

The first vote was then declared to have resulted as follows, viz:

Mr. Forbes	received	1	vote.
" Farrington	"	2	"
" Lowry	"	1	"
" Loomis	"	1	"
" Greely	"	2	"
" Kittson	"	1	"
" McLeod	"	1	"

—
9

No person having received a majority of all the votes cast,

The Council proceeded to vote a second time for President;

The roll was then called, and

Mr. Farrington	voted for	Mr. Kittson,
" Forbes	"	" Kittson,
" Greely	"	" Larned,
" Kittson	"	" Farrington,
" Larned	"	" Greely,
" Loomis	"	" Babcock,
" Lowry	"	" Greely,
" McLeod	"	" Kittson,
" Babcock	"	" Forbes.

The vote was declared to have resulted as follows:

Mr. Kittson	received	3	votes.
" Larned	"	1	"
" Farrington	"	1	"
" Greely	"	2	"
" Babcock	"	1	"
" Forbes	"	1	"

—
9

No person having received a majority of all the votes cast;

Mr. Forbes moved that the Council adjourn until 2 o'clock P. M. on Monday next;

And the ayes and noes being called for and ordered,

There were ayes—6, noes—3.

Those who voted in the affirmative were Messrs. Forbes, Greely, Kittson, Larned, Lowry, and McLeod—6.

Those who voted in the negative were Messrs. Farrington, Loomis, and Babcock—3.

So the Council adjourned until Monday next at 2 o'clock, P. M.

MONDAY, JANUARY 17, 1853.

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

Prayer by the Rev. Mr. Bradley.

The Journal of Friday last was read and corrected.

On motion of Mr. Farrington,

Council proceeded to vote for permanent President of the Council.

The roll was called by the Secretary, and

Mr. Farrington	voted for	Mr. Babcock,
" Forbes	"	" McLeod,
" Greely	"	" Lowry,
" Kittson	"	" McLeod,
" Larned	"	" Greely,
" Loomis	"	" Farrington,
" Lowry	"	" Greely,
" McLeod	"	" Loomis,
" Babcock	"	" Loomis,

Whereupon, the vote was declared to have resulted as follows, viz:

Mr. Babcock received 1 vote.

" McLeod	"	2	"
" Lowry	"	1	"
" Greely	"	2	"
" Farrington	"	1	"
" Loomis	"	2	"

9

No person having received a majority of all the votes cast,

The council proceeded to vote a second time for President,

The roll was called, and

Mr. Farrington	voted for	Mr. Loomis,
" Forbes	"	" McLeod,
" Greely	"	" Larned,
" Kittson	"	" McLeod,
" Larned	"	" Greely,
" Loomis	"	" McLeod,
" Lowry	"	" Greely,
" McLeod	"	" Babcock,
" Babcock	"	" Loomis,

Whereupon, the vote was then declared to have resulted as follows, viz:

Mr. Loomis received 2 votes.

" McLeod	"	3	"
" Larned	"	1	"
" Greely	"	2	"
" Babcock	"	1	"

9

No person having received a majority of all the votes cast,
The Council proceeded to vote a third time,
The roll was called, and

Mr. Farrington	voted for	Mr. Babcock,
" Forbes	"	" McLeod,
" Greely	"	" Larned,
" Kittson	"	" McLeod,
" Larned	"	" Greely,
" Loomis	"	" McLeod,
" Lowry	"	" Greely,
" McLeod	"	" Lowry,
" Babcock	"	" Greely,

The vote was then declared to have resulted as follows:

Mr. Babcock	received	1	vote,
" McLeod	"	3	"
" Larned	"	1	"
" Greely	"	3	"
" Lowry	"	1	"

9

No person having received a majority of the votes cast,
Mr. Greely moved that the Council adjourn; which was negatived;
The roll was again called, and

Mr. Farrington	voted for	Mr. McLeod,
" Forbes	"	" McLeod,
" Greely	"	" Lowry,
" Kittson	"	" McLeod,
" Larned	"	" Greely,
" Loomis	"	" McLeod,
" Lowry	"	" Greely,
" McLeod	"	" Greely,
" Babcock	"	" Greely,

The vote was then declared to have resulted as follows:

Mr. McLeod	received	4	votes.
" Lowry	"	1	"
" Greely	"	4	"

9

No person having received a majority of all the votes,
The Council proceeded to vote a fifth time as follows:
The roll was called, and

Mr. Farrington	voted for	Mr. McLeod,
" Forbes	"	" McLeod,
" Greely	"	" Lowry,
" Kittson	"	" McLeod,
" Larned	"	" Greely,
" Loomis	"	" McLeod,
" Lowry	"	" Greely,
" McLeod	"	" Loomis,
" Babcock	"	" McLeod,

The vote was then declared to have resulted as follows:

Mr. McLeod	received	5	votes.
" Lowry	"	1	"
" Greely	"	2	"
" Loomis	"	1	"

9

Mr. McLeod having received a majority of all the votes cast, was declared duly elected President of the Council for the ensuing session.

The Chair appointed Messrs. Forbes and Larned a committee to conduct Mr. McLeod, the President elect, to the chair.

The President, upon taking the chair, remarked as follows:

Gentlemen of the Council:

It is not my purpose to multiply words on this occasion, nor is there any necessity. Actions are preferable to professions, and by these it will be my earnest solicitude to merit your approbation. The vote by which you have elected me your presiding officer is gratifying to my feelings; and this flattering evidence of your confidence leads me to the belief that I will obtain your aid and counsel when difficult questions arise; for, although I have had the experience of three sessions, I do not profess to be deeply versed in the mere rules of legislation.

Much as I know these rules to be essential and indispensable, my attention has hitherto been more devoted to the principles of legislation than to the formalities which hedge them in; and it is with a confiding hope in the continuance of your partiality, united with your experience, that I am induced—not without diffidence—to accept the honorable duties which you have imposed upon me.

It is proper that a candid understanding should exist between us, in order to the harmonious accomplishment of objects worthy of ourselves, and beneficial to the *whole* people of the Territory. Confident as I am, that however we may differ on minor matters, we will continue to be unanimous in all that relates to the enduring prosperity of Minnesota.

On my part I can unhesitatingly say that I take the chair with an unwavering determination to perform its duties faithfully—to the full extent of my humble abilities—and under all circumstances, with scrupulous impartiality.

With these brief remarks, I offer you my thanks for your manifestation of regard and for the distinction which it has conferred.

On motion of Mr. Farrington;

The Council proceeded to vote for permanent Secretary;

The roll was called, and

Mr. Babcock	voted for Mr. Trask,
“ Farrington,	“ “ Pierson,
“ Forbes,	“ “ Pierson,
“ Greely,	“ “ Trask,
“ Kittson	“ “ Pierson,
“ Larned	“ “ Bristol,
“ Loomis	“ “ Pierson,
“ Lowry	“ “ Bristol,
“ President	“ “ Pierson,

The vote was declared to have resulted as follows:

Mr. Trask	received 2 votes,
“ A. T. C. Pierson,	“ 5 “
“ Bristol	“ 2 “

9

A. T. C. Pierson having received a majority of all the votes was declared duly elected permanent Secretary of the Council.

The President and Secretary were then sworn into office by L. A. Babcock, Attorney General of the Territory.

On motion of Mr. Farrington;

The Council proceeded to vote for Assistant Secretary;

The roll was called; and

Mr. Babcock	voted for Mr. Folsom,
“ Farrington	“ “ Folsom,
“ Forbes	“ “ Folsom,

Mr. Greely	voted for	Mr. John Van Buren,
" Kittson	" "	Folsom,
" Larned	" "	Combs,
" Lowry	" "	Combs,
" Loomis	" "	John Van Buren,
" President	" "	Folsom,

The vote was then declared to have resulted as follows:

Mr. Folsom	received	5	votes.
John Van Buren	"	2	"
Mr. Combs	"	2	"

9

S. P. Folsom having received a majority of all the votes cast was then declared duly elected Assistant Secretary.

The oath of office was then administered by the Attorney General of the Territory.

On motion of Mr. Forbes,

The Council proceeded to vote for an Enrolling Clerk to the Council;

The roll was called, and

Mr. Babcock	voted for	Mr. Collins,
" Farrington	" "	Collins,
" Forbes	" "	Collins,
" Greely	" "	Combs,
" Kittson	" "	Collins,
" Larned	" "	Combs,
" Loomis	" "	Collins,
" Lowry	" "	Combs,
" President	" "	Collins,

The vote was then declared to have resulted as follows:

Mr. Collins	received	6	votes,
" Combs	"	3	"

9

F. E. Collins was then declared to be duly elected Enrolling Clerk to the Council, and the oath of office was administered by Attorney General Babcock.

On motion of Mr. Babcock, the Council proceeded to vote for Sergeant-at-Arms.

The roll was called, and

Mr. Babcock	voted for	Mr. Cormack,
" Farrington	" "	Combs,
" Forbes	" "	Cormack,
" Greely	" "	Brown,
" Kittson	" "	Cormack,
" Larned	" "	Brown,
" Loomis	" "	Cormack,
" Lowry	" "	Brown,
" President	" "	Cormack.

The vote was declared to have resulted as follows:

Mr. Cormack	received	5	votes,
" Brown,	"	3	"
" Combs	"	1	"

9

J. W. Cormack was then declared to be duly elected Sergeant-at-Arms, and the oath of office was administered by Attorney General Babcock.

On motion of Mr. Babcock, the Council proceeded to vote for Messenger to the Council;

The roll was called, and

Mr. Babcock	voted for	Mr. Cathcart,
" Farrington	"	Charles Colter,
" Forbes	"	Mr. Cathcart,
" Greely	"	Elias McKane,
" Kittson	"	Mr. Cathcart,
" Larned	"	Chapman,
" Loomis	"	Cathcart,
" Lowry	"	Chapman,
" President	"	Cathcart.

The vote was declared to have resulted as follows:

Mr. Cathcart	received	5	votes,
" Chapman	"	2	"
" Colter	"	1	"
" McKane	"	1	"

9

A. H. Cathcart having received a majority of all the votes was declared to be elected Messenger, and the oath of office was administered by Attorney General Babcock.

On motion of Mr. Farrington,
The Council proceeded to vote for Fireman.
The roll was called, and

Mr. Babcock	voted for	McShane,
" Farrington	"	McShane,
" Forbes	"	Perkins,
" Greely	"	McLane,
" Kittson	"	Perkins,
" Larned	"	McShane,
" Loomis	"	Perkins,
" Lowry	"	McShane,
" President	"	Perkins.

The vote was then declared to have resulted as follows:

Mr. McShane	received	4	votes,
" Perkins	"	4	"
" McLane	"	1	"

9

No person having received a majority of the votes cast,
The Council proceeded to a second vote for Fireman.
The roll was called, and

Mr. Babcock	voted for	Perkins,
" Farrington	"	McShane,
" Forbes	"	Perkins,
" Greely	"	McShane,
" Kittson	"	Tom Paine,
" Larned	"	McShane,
" Loomis	"	Perkins,
" Lowry	"	McShane,
" President,	"	Perkins,

The vote was declared to have resulted as follows:

Mr. Perkins	received	4	votes,
" McShane	"	4	"
" Tom Paine	"	1	"

9

No person having received a majority of all the votes cast,
The Council proceeded to vote a third time for Fireman;
The roll was called, and

Mr. Babcock	voted for	Perkins,
" Farrington	"	Perkins,
" Forbes	"	Perkins,
" Greely	"	McShane,
" Kittson	"	Joe Smith,
" Larned	"	McShane,
" Loomis	"	Perkins,
" Lowry	"	McShane,
" President	"	Perkins.

The vote was declared to have resulted as follows:

Mr. Perkins	received	5	votes,
" McShane	"	3	"
" Joe Smith	"	1	"

9

E. Perkins having received a majority of all the votes cast, was declared duly elected Fireman to the Council, and the oath of office was administered by Attorney General Babcock.

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

Resolved, That the Rev. Mr. Reiheldaffer be, and he is hereby appointed to act as Chaplain to this Council.

On motion of Mr. Forbes,
The Council adjourned.

TUESDAY, JANUARY 18, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday was read and approved.

A Message from the House being announced,
Joseph R. Brown, Esq., Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House of Representatives has adopted the rules for the government of the two Houses, as reported by the joint committee of the two Houses.

And the Chief Clerk of the House withdrew.

Mr. Forbes moved, that a committee of two be appointed to inform the House of Representatives that the Council is organized by the election of the following officers:

Martin McLeod, President;
A. T. C. Pierson, Secretary;
S. P. Folsom, Assistant Secretary;
F. E. Collins, Enrolling Clerk;
J. W. Cormack, Sergeant-at-Arms;
A. H. Cathcart, Messenger;
E. Perkins, Fireman;
J. G. Reiheldaffer, Chaplain;

Which motion was adopted.

The Chair appointed Messrs. Forbes and Larned such committee.

Mr. Lowry introduced the following resolution:

Resolved, That the Secretary of the Council be instructed to procure a clock for the use of the Council;

Which was adopted.

Mr. Babcock moved that a committee of three be appointed to report permanent rules for the government of the Council;

Which motion was adopted.

The President appointed Messrs. Babcock, Forbes and Lowry, such committee.

Mr. Forbes, from the committee to wait on the House of Representatives, reported, that they had performed the duty assigned them.

Mr. Larned, from the committee on joint rules, reported the rules of last session for the government of the present session, as follows:

1. In all cases of disagreement between the two Houses, if either House shall request a conference and to appoint a committee for that purpose, the other House shall appoint a similar committee, and such committee shall, at a convenient hour, to be agreed upon by their chairman, meet in the conference chamber, and state to each other verbally, or in writing, as either shall choose, the reasons of their respective Houses for or against the disagreements, and confer freely thereon.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18. The general appropriation bill shall be introduced into the House at least ten days before the close of the session, and passed by the House, and sent to the Council for their concurrence, at least three days before the close of the session.

Which report was accepted, and the committee discharged.

Mr. Loomis moved that the Council adjourn;

The Chair being unable to decide,

A division was ordered, and,

There were ayes, 5; noes, 4.

So the Council adjourned.

WEDNESDAY, JANUARY 19, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reihldaffer.

Journal of yesterday was read and corrected.

Mr. Forbes introduced the following resolution:

Resolved, That a committee of two be appointed to act in conjunction with a similar committee on the part of the House of Representatives, to wait on 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,

Which was adopted.

The Chair appointed Messrs. Forbes and Lowry such Committee.

Mr. Forbes moved a call of the Council, which was ordered.

The Roll was called, and Mr. Lowry was reported absent.

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

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

Mr. Farrington moved a call of the Council, which was ordered.

The roll was called, and Messrs. Greely and Loomis were reported absent.

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

The Sergeant-at-Arms reported the absentees in their seats.

Mr. Loomis moved that the Council adjourn.

The Chair being unable to decide, a division was ordered, and

There were ayes—2; noes—5.

So the motion was lost.

Mr. Babcock from the Committee appointed to report Rules for the government of the Council the present Session, reported the following Rules, viz:

I. The Council shall choose one of the members to occupy the Chair, who shall be styled "President of the Council," 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 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, rising from his seat for that purpose; 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 doubts, or a division be called for, the Council shall decide; those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

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:

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

2. Resolutions may be offered and considered; notices of leave to introduce bills may be given, and bills 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 and resolutions from the House of Representatives on their second reading.

7. Bills on their third reading.

8. Bills ready for a third reading.

9. Bills reported by a committee of the whole.

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

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

XII. Bills 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 from his seat 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 table 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 the call of the ayes and noes is commenced. And any member wishing to be excused from voting, may make a brief verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

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 chair, and read aloud before debated.

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 the 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, for the previous question, to postpone to a day certain, to commit, to amend, or to postpone indefinitely; and these several motions shall have precedence in the order in which they stand arranged. A motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall not be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and if carried, shall be equivalent to the rejection of the bill.

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 be only admitted when demanded by a majority of the members present; and until it is decided, shall preclude amendment and further debate on the main question. On a motion for the previous question, and prior to the main question being put, a call of the Council shall be in order.

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 appeal 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 re-consideration 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.

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 ayes and noes, 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 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 and joint resolutions requiring the approval of the Governor, shall, on a second reading, be considered in Committee of the Whole before they shall be acted upon by the Council; and those originating in the Council, except resolutions not requiring the approval of the Governor, before being considered in Committee of the Whole, shall be printed, unless otherwise ordered by the council.

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

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 analagous in their nature, which analogy shall be determined by the President.

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

XLIII. No amendments shall be received on third reading, except to fill blanks, without the unanimus 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 the 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, Sergeant-at-Arms, Messenger, and Fireman, shall be elected, to hold their offices during the pleasure of the Council. The Secretary shall keep a correct journal of the daily proceedings of the Council, and shall perform such other duties as shall be assigned to him as such Secretary. He shall permit no journal, records, accounts, or papers to be taken from the table or out of his custody, other than in the regular mode of business; and if any papers in his charge shall be missing, he shall report the fact to the President, that inquiry may be made. He shall superintend the recording of the journal of proceeding, the engrossing, enrolling, transcribing and copying of bills and resolutions, and generally perform the duties of Secretary, under the directions 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 Manuel, shall govern the Council in all cases to which they are applicable, and in which they are not inconsistent with these rules and the orders of 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, Delegate 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. Farrington,

The reading of the rules was dispensed with.

Mr. Loomis moved to lay the report on the table;

Which motion was lost.

Mr. Forbes moved that the report be adopted;

Which motion prevailed.

On motion of Mr. Kittson;

The Council adjourned until 2 o'clock P. M.

TWO O'CLOCK, P. M.

The Council met pursuant to adjournment.

Mr. Farrington moved a call of the Council;

Which was ordered.

The roll was called, and
Messrs. Forbes and Loomis reported absent.
The Sergeant-at-Arms was instructed to notify the absent members to appear in
their seats.

Mr. Greely moved that further proceedings under the call be dispensed with;
Which motion prevailed.

The President announced the following standing committees, viz:

INTERNAL IMPROVEMENTS.

Messrs. Loomis, Lowry and Farrington.

TERRITORIAL AFFAIRS.

Messrs. Kittson, Larned and Forbes.

JUDICIARY.

Messrs. Babcock, Greely and Loomis.

AGRICULTURE AND MANUFACTURES.

Messrs. Greely, Farrington and Larned.

LEGISLATIVE EXPENDITURES.

Messrs. Forbes, Larned and Babcock.

MILITIA.

Messrs. Lowry, Greely and Loomis.

SCHOOLS.

Messrs. Larned, Forbes and Farrington.

INCORPORATIONS.

Messrs. Babcock, Kittson and Greely.

TERRITORIAL ROADS.

Messrs. Forbes, Lowry and Kittson.

PUBLIC BUILDINGS.

Messrs. Farrington, Babcock and Forbes.

PRINTING.

Messrs. Loomis, Forbes and Lowry.

ENGROSSED BILLS.

Messrs. Larned, Babcock and Kittson.

ENROLLED BILLS.

Messrs. Farrington, Forbes and Greely.

Mr. Babcock moved, that the Secretary of the Council be instructed to procure printed, and bound in pamphlet form, for the use of the Council, 75

copies of the Rules of the Council, to contain also the Joint Rules of the Council and House of Representatives, and the Standing Committees;

Which motion prevailed.

On motion of Mr. Greely,
The Council adjourned.

THURSDAY, JANUARY 20, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and corrected.

Mr. Babcock presented the memorial of John Benson, and eleven others, memorializing for the organization of the County of Dakota.

On motion of Mr. Forbes,

The memorial was referred to the Committee on Territorial Affairs.

Mr. Babcock gave notice that he would on to-morrow or some future day introduce a bill to incorporate Hennepin Lodge, No. 4, of I. O. O. F., of the city of St. Paul.

On motion of Mr. Loomis,
The Council adjourned.

FRIDAY, JANUARY 21, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and approved.

Mr. Babcock, on leave, introduced

(C. F. No. 1.) A bill to incorporate Hennepin Lodge, No. 4, I. O. of O. F;

Which was read a first and second time.

Mr. Farrington gave notice that he would on to-morrow, or some future day, introduce a bill to incorporate the Mississippi and Lake Superior Railroad Company.

On motion of Mr. Babcock,

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

MONDAY, JANUARY 24, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

Journal of Friday was read and approved.

Mr. Farrington, on leave, introduced;

(C. F. No. 2.) A Bill to incorporate the Mississippi and Lake Superior Railroad Company;

Which was read a first and second time.

Mr. Babcock moved that rule No. 39, be suspended, in order to consider, (C. F. No. 1.) A Bill to incorporate Hennepin Lodge, No. 4, I. O. of O. F.: Which motion prevailed.

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole for the consideration of C. F. No. 1;

Mr. Babcock in the Chair;

After sometime passed therein the Committee rose and by their Chairman reported the Bill back to the Council without amendment.

The question then recurring on accepting the report of the Committee of the Whole; it was accepted.

The question then recurring on ordering (C. F. No. 1,) to be engrossed for a third reading; it was so ordered.

Mr. Forbes gave notice that he would on to-morrow or some future day introduce a Bill for the relief of Joseph R. Brown.

On motion of Mr. Loomis,

The Council adjourned.

TUESDAY, JANUARY 25, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and approved.

Mr. Lowry presented the petition of George Egbert, praying for a Ferry Charter across the Mississippi river, in Big Lake Precinct, Benton County.

On motion of Mr. Lowry,

The petition was referred to the committee on Incorporations.

Mr. Forbes, on leave, introduced,

(C. F. No. 3.) A bill for the relief of Joseph R. Brown;

Which was read a first and second time.

On motion of Mr. Forbes,

(C. F. No. 3.) A bill for the relief of Joseph R. Brown,

Was referred to the committee on Legislative Expenditures.

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

A memorial to Congress praying for a grant of lands on the west bank of the Mississippi river for the purpose of continuing the Louisiana, Missouri, Iowa and Minnesota Railroad.

Mr. Babcock moved that the Council adjourn until 2 o'clock, P. M.

The Chair being unable to decide,

A division was called for and ordered,

There were ayes, 3; noes, 4.

The motion was lost.

Mr. Farrington moved that the Council adjourn until two and a-half o'clock, P. M.

The Chair being unable to decide,

A division was called for and ordered,

There were ayes, 2, noes, 3.

So the motion was lost.

Mr. Forbes moved, that the Council adjourn until half past 12 o'clock, P. M.

The Chair being unable to decide,
A division was called for and ordered,
There were ayes, 1; noes, 3.
So the motion was lost.

A message from the House being announced,
Joseph R. Brown, Esq., Chief Clerk, thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House of Representatives has adopted the Resolution of the Council relative to the appointment of a Joint Committee to wait on his Excellency, the Governor, and Messrs. Wilcox and Randall have been appointed on said committee on the part of the House.

And then he withdrew.

On motion of Mr. Lowry.

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

TWO O'CLOCK, P. M.

Council met pursuant to adjournment, and was called to order by the President. Mr. Forbes, from the Joint Committee appointed to wait on his Excellency, the Governor, reported that they had performed the duty assigned them, and his Excellency has informed them that he will meet the two Houses on to-morrow morning at 11 o'clock, in person, and deliver his Annual Message.

On motion of Mr. Farrington,
The Council adjourned.

WEDNESDAY, JANUARY 26, 1853.

The Council was called to order by the President;
Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday was read and approved.

Mr. Larned from the committee on Engrossed Bills, reported as follows:

The committee on Engrossed Bills have examined and found correctly engrossed,

“Council File No. 1, a bill to incorporate Hennepin Lodge, No. 4, I. O. of O. F.”

W. L. LARNED,

Chairman.

(C. F. No. 1,) a bill to incorporate Hennepin Lodge No. 4, I. O. of O. F., was taken up in the order of business, and was read a third time.

Mr. Babcock asked and obtained the unanimous consent of the Council to amend the bill, as follows:

Amend section 1, so as to read:

“Wm. L. Ames, Washington M. Stees and Wm. E. Hunt, as Trustees.”

Mr. Lowry asked and obtained the unanimous consent of the Council to amend the bill as follows:

To add to section 3:

“And may at any time be amended or repealed by the Legislative Assembly.”

The question then recurring on the passage of the bill,

It was passed and the title thereof agreed to.

A committee from the House being announced,

Messrs. Ludden and Murray appeared and delivered the following message:

Mr. President:—

The House is now permanently organized by the election of
 David Day, Speaker;
 Joseph R. Brown, Chief Clerk;
 Joseph Ford, Assistant do.;
 Wm. H. Morse Enrolling do.;
 E. F. Parker, Sergeant-at-Arms;
 J. C. Bowers, Messenger;
 J. Vanduseh, Fireman; and
 Rev. Mr. Chamberlain, Chaplain.

And then the committee withdrew.

A message from the House being announced,
 Joseph R. Brown, Chief Clerk thereof appeared and delivered the following message:

Mr. President:

The House has passed the following resolution, in which the concurrence of the Council is respectfully requested, viz:

Resolved, (The Council concurring,) that the Council and House of Representatives, will meet in joint convention to-morrow at 11 o'clock A. M., in the Representative Hall, to receive the Governor's Annual Message.

And the chief clerk withdrew.

On motion of Mr. Forbes,

The message from the House was taken up and read;

The question then recurring on concurring in the resolution of the House, requesting the Council to meet the House in joint convention;

It was concurred in.

Mr. Farrington gave notice,

That on to-morrow or some future day he would introduce,

A bill granting to Wm. L. Ames and his associates, the right to keep a ferry at a point on the Minnesota river not yet designated.

A committee from the House of Representatives being announced,

Messrs. Randall and Lott appeared and delivered the following message:

Mr. President:—

The House of Representatives are now ready to meet the Council in joint convention, in the Hall of the House of Representatives.

And the committee withdrew.

On motion of Mr. Forbes,

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

The Council having again assembled in the Council room,

On motion of Mr. Loomis,

The Council adjourned.

THURSDAY, JANUARY 27, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and approved.

After which, the President reported the following proceedings of the Joint Convention of yesterday:

The roll was called, and all the members of the Joint Convention answered to their names.

Mr. Randall moved that the Convention do now adjourn, to meet at the Court House at half past eleven o'clock;

And the yeas and nays being called for and ordered;

There were, yeas—20; Nays—7.

Those who voted in the affirmative, were,

Messrs. Babcock, Farrington, Forbes, Kittson, Larned, Loomis, McLeod, Ames, Dutton, Gingras, McKee, Noot, Randall, Russell, Ramsey, Rolette, Truax, Wells, Wilcox and Speaker—20.

Those who voted in the negative, were,

Messrs. Greely, Lowry, Ludden, Lott, Murray, Olivier and Stimson—7.

The Convention having been called to order in the Court Room of the Court House,

The roll was called, and all the members answered to their names.

His Excellency, the Governor, was then introduced by Messrs. Forbes and Lowry, of the Council, and Messrs. Wilcox and Randall of the House of Representatives.

His Excellency having taken a place between the President of the Council and the Speaker of the House, addressed the Joint Convention as follows, viz:

Fellow-Citizens of the Council and House of Representatives:

The organic act of Minnesota has wisely provided for the annual meeting of the Legislature. It is your good fortune to assemble at a moment of general prosperity and progress.

The universal hope of our people has been gratified by the ratification by the Senate of the United States, in July last, of the two treaties negotiated in the summer of 1851, with the Sioux Indians in this Territory. The amendments to the treaties made by the Senate have been approved by the Indians, and the title to the fertile lands ceded is now completely in the United States.

During the coming season, the Indians will be removed to the reserve set apart for them above Little Rock, on the Minnesota River. As they are peaceable, well-inclined, and their villages but few, their presence in the mean time upon the ceded tract opposes no obstacle to its immediate settlement. Humanity to the Indians induced the Government to pay them their annuities last fall, in advance of removal. Hereafter, however, they will be paid in their proper country.

In this connection, I would urge upon the Legislative Assembly the propriety of memorializing the President and Congress to secure to the Sioux Indians, for a long period of years, the identical reservation temporarily designated for them. Should their stay be limited to five years, but poor encouragement will be held out to them to engage in agricultural pursuits, and the improvements and expenditures which may in that time be made, will in a great measure be lost. The people of Minnesota, I am convinced, would gladly have the right of occupancy secured to the Indians for fifty years, the term during which, by treaty, they are entitled to receive annuities.

In a former message, I suggested the policy of cultivating friendly relations with the Indian tribes within our borders; and I cannot refrain from again in this place alluding to the subject. Large sums are annually disbursed among the several Indian tribes in Minnesota, and these sums, entering annually into circulation, furnish an important medium for trade. The Indians are well disposed towards the whites, and the few offences committed by them have generally given as much dissatisfaction to their own as to our people. In savage communities, as in civilized, a majority of the wrongs committed may be distinctly traced to the affluence of ardent spirits, which in spite of the denunciations of law and the disapprobation of public opinion, are still stealthily sold to the Indian. I am of opinion, however, that this debasing traffic is at present carried on to a much less extent than formerly.

The very just order of the Bureau of Indian Affairs, transferring from St. Louis

to this point the future letting of contracts for the supply of provisions to the Indian tribes in the Territory, will increase the value of our agricultural surplus, and favorably affect the whole community.

The system by which the public lands shall in future be administered, is a subject which at the present time challenges the fullest attention of American legislators, and affects more intimately than any other the interests and convenience of the West. I congratulate you, gentlemen, upon the improved prospect of such alterations in the land legislation of the country, as will secure liberal grants for Railroads and other improvements, and give to each citizen one hundred and sixty acres of land, upon condition of occupancy and cultivation of the same.

The General Government, from the earliest days of its existence, has made provision for the promotion and protection of the *foreign* commerce of the country by light-house systems, by pilot systems, by consular systems, and by coast-survey systems. It has done this by naval establishments, by the establishment of fortifications, break-waters, sea-walls, beacons and buoys upon the bays and harbors of our sea-coast, and by the systematic encouragement of American tonnage. In view of the infinitely greater value of the internal commerce of the country, it seems strange that the care of Government should so long have been principally confined to external affairs, to the neglect of interior improvements, not within the scope or ability of voluntary association or of any one State, yet calculated to unite different sections of the country, to open a better, shorter, and cheaper way between the producer and consumer, and to be also of the highest advantage to the Government itself.

Channels of transport should possess three qualities—certainty, celerity and cheapness. The whole value of so much human labor as is expended in carrying commodities from one place to another, beyond what is absolutely necessary, is a total loss; and he who devises and supplies cheap routes of transportation is a public benefactor, standing in the same relation to the commercial world, as do those who save property from destruction by fire. It is the duty of a wise Government to give effective aid and encouragement to enterprises which tend, like railways, to approximate distant parts of the country, to bind together our political union, and to promote that more substantial union, whose best cement must be derived from mutual intercourse and reciprocal interchanges.

A railroad of one hundred miles, of easy and cheap construction, would connect the navigable waters of the Mississippi with the navigable waters of the Red River of the North. Another road of one hundred miles would wed the Mississippi to Lake Superior. Already roads are in contemplation which will unite Minnesota to the tide waters of the Atlantic and the Gulf, bringing the best market to the door of the producer, and giving our agriculturists, at all seasons of the year, the choice of an Eastern or Southern market.

A road is also projected from St. Paul to Green Bay. This will bring us within ten hours of Lake Michigan, and as soon as the road from Toronto to Georgian Bay is completed, within fifty-six hours of Toronto. In addition to the arguments usually urged in favor of grants of public lands to railroad and other improvements, two particular reasons apply in this case, which should induce the federal government to aid the enterprise. The road will run through an unsettled and unsurveyed tract of country, and will open it to settlement. Few other roads are so situated. It will terminate in a Territory of the United States, and will so expedite its settlement, as to shorten the period of its Territorial existence, and relieve the federal treasury of the burden of its support. Hitherto railroads have been constructed because the settlement and business of their respective localities were supposed to demand them. The experiment of building a road, in order to settle a country and make a business, is yet to be tried. Mr. Whitney proposed such an experiment in his Pacific scheme; and if we reflect what the Erie canal and the railroad upon its banks have done for the settlement of the Northwest, we have a significant hint of the efficacy of such means.

The construction of the various improvements to which allusion has been made, must to some extent require assistance from the general government, and it might be well for the Legislative Assembly, at its present session, to memorialize Congress for grants of public land in aid of each of these enterprises. Especially would I commend to your consideration the expediency of suitably memorializing Congress for such gift of the public domain as will insure the construction of so much of the projected Louisiana and Minnesota Railroad, as lies within our Territorial limits.

The federal government is the largest landed proprietor in the world. Of the area embraced within the limits of the United States, it has been estimated that only about one-third is in the possession of private individuals. Merely, then, as a revenue measure, the policy is defensible which seeks to grant land to the landless and pass the public domain rapidly into the hands of the cultivators.— For unless direct taxation be resorted to, the chief source of federal revenue must be duties on foreign imports. As importations increase, revenues will increase. Hence a system which multiplies the number of agricultural producers by putting western land under cultivation, multiplies also the number of import consumers, and at the same time increases their ability to purchase for consumption. In this way the federal treasury derives annually, even at the present time, a much greater revenue from the cultivation of the new States and Territories, than from the sales of lands within them.

The whole country, as a unit, and in all its parts, has the deepest interest in increasing the amount of this cultivation; and the most effectual way of doing this would seem to be by gratuitous grants of land in limited quantities to actual settlers. To the new States and Territories the extinction of the federal title to the lands lying within them, is only secondary in importance to the extinction of the Indian title. And in considering the practical bearings of a liberal land system upon the old States, which contain no public lands, I am of opinion that equivalents will be found, fully or more compensating them for any loss they will sustain by it. What is it that has caused the Atlantic States to vie with each other in extending their public works to the West? It is to make these works the channels, and their cities the marts of western trade. The surplus of the West is agricultural; and every one knows that the greatest profit or loss is not made or sustained in the mere production of this surplus, but in the carrying and exchange trades arising from it. These profits must always to a great extent be monopolized by the old States; and the greater our production, the greater the profit realized by them. The West, too, is a valuable customer of the old States; a purchaser and consumer of the fabrics of the East, and of the productions of the South. Every axe applied to the forest in Minnesota, every plough to our prairies, sinking its share in the wild grasses in which they abound, increases our ability to purchase, and adds to the general wealth of the whole country. In the proportion western population and production are increased, in like progressive and corresponding proportion are the interests of the manufacturing and commercial States advanced.

The third public sale of lands lying in the Territory of Minnesota, was held at Stillwater in November last. The whole number of acres disposed of in the year 1852, is 33,391. Of this aggregate 29,555 acres have been located by military land warrants. The number of acres pre-empted in the same period is 27,871.

By act of Congress of August 26, 1852, the military reserve at Fort Snelling is so contracted as to embrace only a small fraction of the northwest angle made by the Mississippi and Minnesota rivers. The lands heretofore included in the reserve are annexed to and made part of the Chippewa land district, and will at an early day be sold at public sale, under the direction of the President of the United States. Thus will be opened to cultivation a body of choice land, convenient to the growing cities and villages, that in this vicinity decorate the borders of the noblest river of our country.

The policy which has been pursued in the application of the several appropriations made for the construction of roads in Minnesota, by act of Congress of July 18, 1850, has been—firstly, to make the surveys, and prepare maps and estimates for the use of the Department at Washington having control of the appropriations—secondly, to apply the unexpended balances to the construction, as far as possible, of the roads.

The surveys of the several roads have been completed, with the exception of the contemplated one from Mendota to the mouth of the Big Sioux river. The appropriation for this improvement is considered inadequate to the work, and an additional appropriation is required before the survey will be entered upon.

The road from Wabashaw to Mendota has been surveyed, but the unexpended balance of the appropriation is insufficient to justify the commencement of operations in its construction.

The road from Point Douglass to Fort Ripley has been rendered available at all seasons of the year; and bridges, with suitable approaches, have been built over Coon creek, Elk river and Rock creek. This road is a military and commercial thoroughfare, by which the Chippewa and Winnebago Indians, the troops at Fort Ripley, and the traders at Pembina and Selkirk receive their supplies.

The road from the Mississippi river to Long Prairie, heretofore almost impassible in seasons of high water, has been much improved; and bridges have been built at the two crossings of Swan river.

Twenty-four miles of the Point Douglas and St. Louis river road have been constructed, opening from Stillwater northward, for that distance, a good highway.—The extension of this road is required to bring into market the extensive and richly-wooded, but inaccessible region, lying north of the Marine Mills, and open to settlement and the enterprise of our lumbermen tracts of valuable land now lying waste for want of means of communication with them.

At the last session of Congress a bill passed the House of Representatives, making further appropriations for these various works, but it was not reached in the Senate. Late advices, however, from Washington, bring the welcome information of its passage at the present session, in that body.

The circumstances by which we are disappointed in the occupancy of the Capitol this winter are much to be regretted. The Commissioners, both of the old and new boards, have used every effort to hasten the completion of the building; and inasmuch as money has at all times been in hand applicable to the payment of the work as it progressed, there should have been no avoidable delay.

The contractors for the erection of the territorial prison at Stillwater, have fulfilled their contract; and as far as examination has been had of the work, it appears highly creditable to them.

There has been drawn from the capitol fund, in payment of work upon the building and salary of commissioners, secretary, &c., the sum of \$17,946 82; leaving a balance of \$2,063 18 in the hands of the present treasurer.

From the prison fund there has been expended, in purchase of a site, construction of building, and expenses of commissioners, the sum of \$17,888 75, showing in the hands of the present treasurer a balance of \$2,111 25.

Inclosing the prison ground, filling up the low land between the front wall and the lake, erecting a few necessary workshops, and constructing some half dozen more cells, will require an additional appropriation of eight or ten thousand dollars. To complete the Capitol according to the original plan, and inclose and ornament with trees the surrounding grounds, will also require a further appropriation of ten thousand dollars. These sums it was the generous purpose of Congress to appropriate at its late session. A bill for this purpose passed the House of Representatives, but from the mere want of time, it is believed, was not acted on by the Senate.

The report of the board of building commissioners will soon be laid before

you. I respectfully refer you to it for more detailed information in regard to the expenditure of the funds and the condition of the buildings.

The reports of the Auditor and Treasurer will present you a full statement of the financial condition of the Territory. Returns from the entire Territory are as yet incomplete; but the following table sufficiently indicates the increase in the assessment of 1852 over that of the preceding year.

Counties,	Taxable Prop. 1851.	Taxable Prop. 1852.	Ter'l Tax. 1851.	Ter'l Tax. 1852.
Ramsey,	\$782,113,00	\$1,060,820,00	\$782,11	\$1,060,82
Benton,	64,775,00	103,170,00	64,78	103,17
Washington,	335,172,00	343,760,00	335,17	343,76
Chisago, (new county)		46,890,00		46,89
Hennepin, (new county)		43,525,00		43,53
Total,	\$1,182,060	\$1,598,165,00	\$1,182,06	\$1,598,17

It is estimated that the amount of warrants issued in 1852 will not exceed in sum \$85 00, leaving in the treasury a considerable surplus, if we consider the uncollected taxes as assets.

Prudence and rigid economy in the affairs of a State are as essential to its financial prosperity as they are indispensable to success in individual transactions; and if the past policy of the Territory in this regard be adhered to, Minnesota, when the proper time arrives, will enter the confederacy of States free of debt. I am of opinion that the light taxation at present imposed for Territorial purposes, will be sufficient to meet all necessary expenses of government, unprovided for by Congress.

To the adjutant-general's report I beg leave to refer you for information in regard to the condition of the militia of the Territory. The act of Congress of April 23, 1808, appropriates the annual sum of two hundred thousand dollars, for the purpose of providing arms and military equipments for the whole body of the militia of the United States; and requires the issue to be made "in proportion to the number of effective militia in each State and Territory." Any advances of arms or equipments, not due, are prohibited by regulation. There is no authority but this law for issuing arms and accoutrements to the States and Territories by the general government; and the quantity of arms to which the new States and Territories are entitled under it, is so small as to be of no practical advantage. In view of the insufficiency of the provision for arming the militia of new Territories, which have not participated in the issues heretofore made, the Secretary of War, in his annual report of 1851, brought the subject to the attention of Congress, and recommended that authority be given the Department to increase their supply, or at all events to issue in advance their quota for several years. The recommendation has not yet been acted upon; and as the public arms which are lying idle in the depots, are much needed to encourage the formation of a local militia upon our exposed frontier, it would be well for the Legislative Assembly, by memorial to Congress, to second the recommendation of the Secretary. The importance to us of a well-organized and well-equipped militia force is obvious; and I hope it will be the pleasure of the Legislature to afford every facility and encouragement to the perfection of this arm of service.

The report of the Superintendent of common schools will detail the practical operations of our school system, and will probably suggest some amendments to be made to the existing school laws. I doubt not they will be such as will commend themselves to your consideration.

The interests of our common and public schools are especially entrusted to the Legislature, and among the various duties which devolve upon you, no one more justly demands your attention and fostering care. The importance of a general

system of public instruction, all-searching and pervading, is daily attested in the lives of men, whom education has lifted from obscurity—from turning the sods of the valley to become the ornament of letters, the pride of science, the defence of religion and the pillars of state. Intelligence generally diffused is the very basis of our form of government, and the school house is the ark of our safety. The munificent gift by Congress of two sections of land in each township for the support of schools, if properly husbanded and judiciously managed, will place the schools of Minnesota upon a most liberal and firm foundation.

The report of the librarian will exhibit the state of the Territorial library. Including duplicates, some three hundred volumes have been added during the past year to the collection of books. The narrow accommodations furnished by the building temporarily rented for the library, render the early completion of the capitol, in which more spacious room will be provided, highly desirable.

I renew the recommendation made in a former message, for the appropriation annually of a moderate sum to be expended in the purchase of books, and to keep up the series of United States and State reports. The Territory, also, has an interesting collection of maps and charts, and may be expected each year to receive many more. These require to be placed in a shape to be easy of examination and reference.

The expediency of providing for the more general circulation, by sale or otherwise, of the Revised Statutes and Annual Session Laws, is submitted to your consideration. At present provision is only made for the distribution of these volumes among certain civil officers.

A modification is also much needed of that feature of the criminal code, which requires that persons convicted of capital crime shall be kept in solitary confinement for the period of one year after conviction. When the several counties of the Territory shall possess secure places of confinement, it may be well to recur to this provision; but at present it is unsafe, inconvenient and expensive.

Complaints are frequent of the insufficiency of the compensation allowed by law to assessors in the unorganized counties. If, upon examination these complaints shall appear to be well founded, I recommend that further provision be made for the recompense of these officers.

It is represented that the day designated by law for holding general elections in the several precincts of the Territory, is fixed at a season of the year highly inconvenient to the citizens of Pembina county. As the inhabitants of this county are mostly absent in the autumn upon their annual buffalo hunts, it would seem just, so far as they are concerned, to designate a different day for holding elections.

The Legislature will doubtless see the necessity of preparing, at the present session, a code of regulations for the government of the Territorial prison, and providing for the appointment of a superintendent or warden of the same. At present the whole subject is without any regulation whatever, by public authority; and no authority but that of the Legislature is competent to establish proper enactments. I am not prepared to suggest what provisions it may be proper to adopt. These it will be your business to consider and arrange. It may be well, in cases of offences of great enormity, to allow the use of the prison to such counties as have not within their own limits safe places of confinement. You will have the benefit of the legislation of other States upon the same subject, and will doubtless agree upon a suitable and economical system.

The increase of population in the recent Sioux purchase, and the further increase which will certainly take place prior to the next meeting of the Legislative Assembly, indicate a necessity for organizing new counties upon the west bank of the Mississippi, and in the valley of the Minnesota, so as to bring to the threshold of each settler, so far as the dispersed character of the population will admit, the full protection and advantages of county institutions. This duty must be regarded as of an interesting and delicate nature; and I commend the subject to your early attention.

It affords me pleasure, among other topics of remark, to be able to congratulate you and your constituents upon the happy condition of our national affairs. Under the just government of the present chief magistrate of the Union our relations at home and abroad are of the most satisfactory character.

Within our borders jarring elements have been harmonized, and our wise institutions, the work of revered ancestors, insured a long continuance; while foreign States have had as great reason to honor us for our just observance of international rights, as they before had to respect us for our national prowess.

In a word, to be a constituent part of this great republic, is every year a matter of renewed felicitation to all its members, even to us who are upon the extreme northwestern verge of its civilization. Our remoteness from the central government has not occasioned our infant commonwealth to be neglected by those who wield its authority. In evidence of this we can point to the liberal aid for various improvements which Minnesota, in common with other territories, has from time to time received at the hands of the President and of Congress, without being able at present to make any other return than the hearty gratitude of her hardy pioneers, than whom, I take it upon me to assert, in no part of the country is there a more patriotic people, or one more fondly attached to the constitution, or to the glorious Union, which it originated and cements.

In concluding this my last annual message, permit me to observe that it is now a little over three years and six months since it was my happiness to first land upon the soil of Minnesota. Not far from where we now are, a dozen framed houses, not all completed, and some eight or ten small log buildings, with bark roofs, constituted the capital of the new territory over whose destiny I had been commissioned to preside. One county, a remnant from Wisconsin territorial organization, alone afforded the ordinary facilities for the execution of the laws; and in and around its seat of justice resided the bulk of our scattered population. Within this single county were embraced all the lands white men were privileged to till; while between them and the broad rich hunting grounds of untutored savages rolled, like Jordan through the Promised Land, the River of Rivers, here as majestic in its northern youth as in its more southern maturity. Emphatically new and wild appeared every thing to the in-comers from older communities; and a not least novel feature of the scene was the motley humanity partially filling these streets—the blankets and painted faces of Indians, and the red sashes and moccasins of French *voyageurs* and half-breeds, greatly predominating over the less picturesque costume of the Anglo-American race. But even while strangers yet looked, the elements of a mighty change were working, and civilization with its hundred arms was commencing its resistless and beneficent empire. To my lot fell the honorable duty of taking the initial step in this work by proclaiming, on the 1st of June, 1849, the organization of the Territorial government, and consequent extension of the protecting arm of law over these distant regions. Since that day, how impetuously have events crowded time! The fabled magic of the eastern tale that renewed a palace in a single night, only can parallel our reality of growth and progress.

In forty-one months, the few bark-roofed huts have been transformed into a city of thousands, in which commerce rears its spacious warehouses, religion its spired temples, a broad capitol its swelling dome, and luxury and comfort numerous ornamented and substantial abodes; and where nearly every avocation of life presents its appropriate follower and representative. In forty-one months have condensed a whole century of achievements, calculated by the old world's calendar of progress—a government proclaimed in the wilderness, a judiciary organized, a legislature constituted, a comprehensive code of laws digested and adopted, our population quintupled, cities and towns springing up on every hand, and steam, with its revolving wings, in its season, daily fretting the bosom of the Mississippi, in bearing fresh crowds of men and merchandize within our borders.

Nor is that the least among the important achievements of this brief period.

which has enabled us, by extinguishing the Indian title to 40,000,000 acres of land, to overleap the Father of Waters, and plant civilization on his Western shore. Broad and beautiful, by universal concession, are these newly acquired lands—the very garden spot of the Northwest, as explorers have pronounced them—and it is scarcely surprising, though less than six months have elapsed since the ratification of the treaties by the Senate, that the keen-eyed enterprise of our race has within them already planned towns, built mills, opened roads, commenced farms, the nucleus of many a happy home.

But it is, however, in their initiatory stages only, we can consider the present growth and advancement of our Territory in all the constituents of national and individual prosperity. Our brief, though energetic past foreshadows but faintly the more glorious and brilliant destiny in store for us in the future; nor is prophetic inspiration necessary to foretell it. It is written so plainly that he who runs may read it. It is written in the advantages nature has so liberally bestowed upon us; by a beautiful country, unqualified by the drawback of much waste land, with an universally fertile soil, where prairies, “that blossom as the rose,” with groves and woods are proportionately intermingled; while dotting it over, in refreshing profusion, are gem-like lakes, and intersecting its map, at convenient distances, are crystal streams, whose precipitous waters afford elements out of which to create future Lowells and Manchesters.

It is written in our geographical position, in the center of our continent, at the head of the Mississippi Valley, and enfolding either bank of the great river with its very head springs, even as its delta is embraced on both sides by our sister, Louisiana. It is written in our proximity to Superior’s inland sea, and the abundant mines of rich ores possessed alike by its northern, as by its southern shores, mines, whose workmen it will be our inevitable lot to feed and clothe, and whose rough products our manufacturing skill will ultimately fit for the markets of the world. It is written in the fact that nearly half a million of people from the old world and the elder portion of the new, are every year seeking homes in our broad West—a tide of migration that must speedily engross the fertile fields of Minnesota, invitingly spread open to their possession, almost “without money and without price.” And it is written, likewise, on a thousand features of interest and advantage incident to our Territory; in our extensive pineries, the livelihood of hardy lumbermen, and a future chief resource for building purposes of the people of the great valley below us; in the many opportunities for manufacturing establishments offered by our magnificent water powers, and the ease with which the Mississippi enables us to procure the material, and export the products of factory labor; in our salubrious climate, insuring a healthy, hardy and numerous population, and in the immediate advantage to our early growth and prosperity, which follows the expenditure of a quarter of a million of dollars annually by the national Government, for the benefit of the Indian tribes in our midst.

That which is written is written—the life of a short generation will realize it. In ten years a State—in ten years more half a million of people—are not extravagant predictions. In our visions of that coming time, rise up in magnificent proportions; one or more capitals of the North, Stockholms and St. Petersburgs, with many a town besides, only secondary to these in their trade, wealth and enterprise. Steam on the water and steam on the land, everywhere fills the ear and sight. Steamboats crowd our waters, and railroads, intersecting in every direction, interlink remotest points within and without our Territory. The blue waters of Lake Superior and the red-tinged floods of the Mississippi are united by iron bands, and a south-eastern line connects St. Paul direct with Lake Michigan. The great New Orleans and Minnesota Railroad pours into its depot, somewhere on the Upper Minnesota river, passengers and products from the far sunny South, to receive in return, for ultimate ocean transit perhaps, furs and merchandize from the polar circle, which steamboats on the Red River of the North, or a Railroad on its banks have just brought from Selkirk, or the plains of distant Athabasca.

Let none deem these visions improbable, or their foreshadowing impracticable. Man, in the present age disdains the ancient limits to his career; and in this country, especially, all precedents of human progress, growth of States, and march of Empires, are set aside by an impetuous originality of action, which is at once both fact and precedent. Doubtless an overruling Providence, for inscrutable purposes, has decreed to the American nation this quicker transition from the wilderness of nature to the maturity of social enjoyments—this shorter probation between the bud and green tree of empire; and it well becomes us, therefore, in our congratulations upon present prosperity, and in our speculations upon greater power and happiness in the early future, to render humble, yet fervent thanks “unto Him who holdeth nations in the hollow of His hand,” and shapes out the destinies of every people.

ALEX. RAMSEY.

ST. PAUL, January 26, 1853.

Mr. Wells moved that the Joint Convention do now adjourn to meet at the Hall of the House of Representatives at 2 o'clock, P. M.

And the yeas and noes being called for and ordered,

There were, yeas—4; noes 23.

Those who voted in the affirmative, were

Messrs. McKee, Rolette, Truax and Wells—4.

Those who voted in the negative, were

Messrs. Babcock, Farrington, Forbes, Greely, Kittson, Larned, Loomis, Lowry, McLeod, Ames, Dutton, Gingras, Ludden, Lott, Murray, Noot, Olivier, Randall, Russell, Ramsey, Stimson, Wilcox and Speaker—23.

So the Convention refused to adjourn.

Mr. Farrington moved that the Joint Convention do now proceed to the election of a Printer or Printers,

And the yeas and noes being called for and ordered,

There were, yeas 13; noes 14.

Those who voted in the affirmative, were

Messrs. Babcock, Farrington, Forbes, Kittson, Loomis, McLeod, Gingras, Ludden, Randall, Rolette, Ramsey, Wilcox and Speaker—13.

Those who voted in the negative, were

Messrs. Greely, Larned, Lowry, Ames, Dutton, Lott, Murray, McKee, Noot, Olivier, Russell, Stimson, Truax and Wells—14.

On motion of Mr. Loomis,

The Joint Convention adjourned to meet immediately at the Hall of the House of Representatives.

The Joint Convention again met in the Hall of the House of Representatives:

The roll was called, and all the members answered to their names.

The Joint Convention then, in pursuance of law, proceeded to vote *viva voce* for a Printer or Printers, for the ensuing year; and on the first vote,

Mr. Babcock voted for Owens & Moore, and Joseph R. Brown,

“ Farrington “ do do

“ Forbes “ do do

“ Greely “ D. A. Robertson,

“ Kittson “ Owens & Moore, and Joseph R. Brown,

“ Larned “ D. A. Robertson,

“ Loomis “ Owens & Moore, and Joseph R. Brown,

“ Lowry “ D. A. Robertson,

“ McLeod “ Owens & Moore, and Joseph R. Brown,

“ Ames “ John C. Rives,

“ Dutton “ D. A. Robertson,

“ Gingras “ Owens & Moore, and Joseph R. Brown,

Mr. Ludden voted for Owens & Moore and Joseph R. Brown.
 " Lott " D. A. Robertson,
 " Murray " do
 " McKee " Owens & Moore, and Joseph R. Brown,
 " Noot " D. A. Robertson,
 " Olivier " do
 " Randall " Owens & Moore, and Joseph R. Brown,
 " Russell " D. A. Robertson,
 " Rolette " Owens & Moore, and Joseph R. Brown,
 " Ramsey " do do
 " Stimson " D. A. Robertson,
 " Truax " Owens & Moore, and D. A. Robertson,
 " Wells " do Joseph R. Brown,
 " Wilcox " do do
 " Speaker " do do

The result of the vote was then declared as follows:

Messrs. Owens & Moore and Joseph R. Brown received	15 votes.
Mr. D. A. Robertson,	" 10 "
" J. C. Rives,	" 1 "
Messrs. Owens & Moore and D. A. Robertson,	" 1 "

Whole number of votes,

27

Messrs. Owens & Moore and Joseph R. Brown having received a majority of all the votes cast, were declared to have been elected Territorial Printers for one year, and until their successors are elected and qualified.

On motion of Mr. Murray,

The Joint Convention then proceeded to vote for a Binder, and on the first vote,

Mr. Babcock voted for James McIntosh,
 " Farrington " Capt. Holcombe,
 " Forbes " James McIntosh,
 " Greely " Wm. Holcombe,
 " Kittson " James McIntosh,
 " Larned " Wm. Holcombe,
 " Loomis " James McIntosh,
 " Lowry " Wm. Holcombe,
 " McLeod " James McIntosh,
 " Ames " S. B. Lowry,
 " Dutton " Wm. Holcombe,
 " Gingras " James McIntosh,
 " Ludden " do
 " Lott " Wm. Holcombe,
 " Murray " do
 " McKee " James McIntosh,
 " Noot " Wm. Holcombe,
 " Olivier " do
 " Randall " James McIntosh,
 " Russell " Wm. Holcombe,
 " Rolette " James McIntosh,
 " Ramsey " do
 " Stimson " Wm. Holcombe,
 " Truax " James McIntosh,
 " Wells " do
 " Wilcox " do
 " Speaker " do

The result of the vote was then declared, as follows:

Mr. James McIntosh received	15	votes,
William Holcombe	10	" "
S. B. Lowry	1	" "
Capt. Holcombe	1	" "

Whole No. of votes	27
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Mr. McIntosh having received a majority of all the votes cast, was declared to have been duly elected to do the Binding for the Territory for one year, and until his successor shall have been elected and qualified.

Mr. Lott moved that the Joint Convention do now adjourn *sine die*;

Which motion was lost.

Mr. Babcock moved that the Joint Convention do now adjourn *sine die*, and that each House assemble in their respective Halls.

Which motion prevailed,

And the Joint Convention adjourned *sine die*.

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

Mr. Farrington, on leave, introduced,

(C. F. No. 4.) A Bill granting to Oliver Ames and his Associates, the right to establish and maintain a Ferry across the Minnesota river, near Traverse des Sioux,

Which was read a first and second time.

On motion of Mr. Farrington,

The Council resolved itself into a Committee of the Whole,

Mr. Larned in the Chair,

For the consideration of

(C. F. No. 2.) A Bill for an act to incorporate the Mississippi and Lake Superior Railroad Company.

After some time passed therein, the Committee rose, and by their Chairman reported the Bill back to the Council with amendments.

The question then recurring on accepting the report of the Committee of the Whole, it was accepted.

The question then recurring on adopting the amendments of the Committee of the Whole, they were adopted.

A message from the House being announced,

Joseph R. Brown, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Annual Report of the Superintendent of Common Schools has been received by the House of Representatives, and it has been laid on the table and ordered to be printed in the Journal of the proceedings of the House for this day.

And then the Chief Clerk withdrew.

Mr. Forbes moved that

(C. F. No. 2.) A Bill for an Act to incorporate the Mississippi and Lake Superior Railroad Company,

Be referred to the Committee on Incorporations.

Mr. Babcock moved to amend, by substituting "Committee on Internal Improvements;"

Which amendment was adopted, and the bill so referred.

Mr. Farrington gave notice that he would on to-morrow or some future day, introduce a Memorial to Congress, memorializing for a grant of land for the construction of the Mississippi and Lake Superior Railroad.

Mr. Forbes moved that the Council adjourn until 2 o'clock, P. M.

The Chair being unable to decide, a division was ordered,

There were ayes—5; noes 4.

So the Council adjourned until 2 o'clock P. M.

TWO O'CLOCK, P. M.

The Council met pursuant to adjournment.
On motion of Mr. Babcock,
The Council adjourned.

FRIDAY, JANUARY 28, 1853.

The Council met pursuant to adjournment.
On motion of Mr. Farrington,
Mr. Loomis was appointed President *pro tem.* during the absence of the President.
Prayer by the Rev. Mr. Reiheldaffer.
Journal of yesterday read and approved.
On motion of Mr. Forbes,
The Council resolved itself into a committee of the whole,
Mr. Farrington in the Chair,
For the consideration of the Message of his Excellency the Governor.
After some time passed therein, the committee rose, and reported the same back to the Council with sundry references, as follows:
So much of the Governor's Message as relates to the insufficiency of the provision by the General Government for arming the militia of new Territories, and memorializing Congress on the subject, be referred to the committee on Militia.
So much as relates to the Library be referred to the committee on Schools.
So much as relates to the more general circulation of the Revised Statutes, and Annual Session Laws, be referred to the committee on Territorial Affairs.
So much as relates to a modification of the criminal code, be referred to the committee on Judiciary.
So much as relates to insufficiency of compensation to assessors; also, time of holding general elections, be referred to committee on Judiciary.
So much as relates to Public Buildings, be referred to the committee on Public Building.
So much as relates to unorganized counties, to the committee on Territorial Affairs.
The question then recurring, on accepting the report of the committee of the whole;
It was accepted.
The question then recurring on making the references as recommended by the committee of the whole;
They were so referred.
Mr. Kittson gave notice that he would on to-morrow, or some future day, introduce a memorial to Congress, memorializing for the building of a military post in Pembina county.
Mr. Farrington moved, the Council adjourn;
Which motion was lost.
Mr. Forbes moved to reconsider the vote by which the Council refused to adjourn;
Which motion prevailed.

The question then recurring on the motion to adjourn;
It was decided in the affirmative.
So the Council adjourned.

SATURDAY, JANUARY 29, 1853.

The Council was called to order by the President *pro tem.*
Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday was read and approved.

Mr. Kittson, on leave, introduced the following resolution, viz:

Resolved, That the Secretary of the Council is hereby instructed to procure printed in pamphlet form, for the use of the Council, one thousand copies of the Message of his Excellency, the Governor.

Which was adopted.

On motion of Mr. Forbes,

The Council adjourned until Tuesday, 2 o'clock, P. M.

TUESDAY, FEBRUARY 1, 1853.

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

Prayer by the Rev. Mr. Reiheldaffer.

Journal of Saturday read and approved.

Mr. Larned presented the petitions of C. G. Ames and 226 others of St. Anthony;

Also, of Wm. R. Marshall and 189 others of St. Paul;

Also, of Nathaniel McLean and 12 others of Fort Snelling;

Also, of James Shearer and 22 others of Point Douglass and Cottage Grove;

Also, of Ann L. North and 246 other ladies of St. Anthony;

And of Eliza Attibone and 18 other ladies of Point Douglass,

Praying for the re-enactment of the Liquor Law of last winter;

Which were severally read, and

On motion of Mr. Larned,

Were laid on the table.

Mr. Kittson, on leave, introduced,

(C. F. No. 1.) A memorial to Congress for a military post at or near Pembina river;

Which was read a first and second time.

Mr. Larned gave notice that on to-morrow, or some future day, he would introduce a bill to incorporate the St. Paul and St. Anthony Railroad Company;

Also, a bill for the restriction of the sale of intoxicating liquors.

Mr. Babcock moved, that so much of rule 40 as required bills to lie on the files one day be suspended;

Which motion prevailed by a two-third vote.

On motion of Mr. Babcock,

The Council resolved itself into a committee of the whole,

Mr. Kittson in the Chair,

For the consideration of

(C. F. No. 4.) A bill for an act granting to Oliver Ames and his associates, the right to establish and maintain a Ferry across the Minnesota river near Traverse des Sioux.

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

The question then recurring, on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the amendments reported by the Committee of the whole,

They were adopted.

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

It was ordered.

Mr. Kittson, on leave, introduced the following resolution:

Resolved, That 500 copies of the documents accompanying the Governor's Message be printed for the use of the Council, and that said documents be stitched and bound with an equal number of copies of the Message, as heretofore ordered to be printed by the Council.

Which was adopted.

On motion of Mr. Kittson,

The Council adjourned.

WEDNESDAY, FEBRUARY 2, 1853.

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

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday read and approved.

Mr. Babcock presented the petition of T. A. Holmes and 67 others, praying for the organization of Holmes county, with the county seat at Shacopee;

Which was read, and

On motion of Mr. Farrington,

Was laid on the table.

Mr. Larned, on leave, introduced

(C. F. No. 5.) A bill for the restriction of the sale of intoxicating liquors within the Territory of Minnesota;

Which was read a first and second time.

Mr. Babcock gave notice that he would on to-morrow, or some future day introduce a bill for the government of the Territorial Prison.

Mr. Farrington, on leave, introduced

(C. F. No. 2.) A memorial for a grant of land to aid in the construction of the St. Paul and Lake Superior Railroad;

Which was read a first and second time.

Mr. Farrington moved that so much of the message of his Excellency, the Governor, as relates to the Sioux Indians, be referred to the committee on Territorial Affairs.

That so much as relates to Railroads, be referred to committee on Territorial Affairs.

So much as relates to roads, be referred to committee on Territorial Roads.

That so much as relates to Schools, be referred to Committee on Schools.

Which motion was adopted.

Mr. Forbes moved a call of the Council,

Which was ordered;

The roll was called, and

Messrs. Greely, Kittson and Lowry were reported absent.

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

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

Which motion was lost.

Mr. Farrington moved that the Council adjourn;

The Chair being unable to decide,

A division was called for and ordered;

There were, ayes 3; and noes, 2.

So the Council adjourned.

THURSDAY, FEBRUARY, 3, 1853.

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

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and approved.

The President laid before the Council the Report of the Territorial Auditor;

Which was read by the Secretary.

On motion of Mr. Babcock,

The report was laid on the table and 100 copies ordered to be printed.

Mr. Farrington, on leave, introduced,

(C. F. No. 6.) A bill for an act to incorporate the Louisiana and Minnesota Railroad Company of St. Paul.

Which was read a first and second time.

Mr. Babcock gave notice that he would on to-morrow, or some future day, introduce a bill to amend chaps. 70 and 116, of the Revised Statutes.

Mr. Larned, on leave, introduced,

(C. F. No. 7.) A bill to incorporate the St. Paul and St. Anthony Railroad Company.

Which was read a first and second time.

Mr. Farrington gave notice that he would on to-morrow, or some future day, introduce a bill, to incorporate the St. Paul Mutual Insurance Company.

Mr. Kittson gave notice that on to-morrow, or some future day, he would introduce a bill for an act granting to Geo. Farribault and his associates the right to establish and maintain a ferry at Traverse des Sioux.

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

(C. F. No. 2.) A bill to incorporate the Mississippi and Lake Superior Railroad Company, back to the Council with the following recommendation:

"The committee on Internal Improvements would recommend that the privileges asked for in Council File, No. 2, be granted to said company for the period of fifty years."

Mr. Babcock, from the committee on Incorporations, reported the petition of George Egbert, praying for a ferry charter, back to the Council, with a recommendation that the prayer of the petitioner be granted.

On motion of Mr. Forbes,

So much of rule 40, as requires bills to lie on the files one day was suspended by a two-third vote.

On motion of Mr. Forbes,
 The Council resolved itself into a committee of the whole,
 Mr. Forbes in the chair,
 For the consideration of
 (C. F. No. 2.) A memorial for a grant of land to aid in the construction of the
 St. Paul and Lake Superior Railroad.

After some time passed therein, the committee rose, and by their Chairman
 reported the memorial back to the Council with an amendment.

The question then recurring on accepting the report of the committee of the
 whole,

It was accepted.

The question then recurring on adopting the amendment of the committee of
 the whole,

It was negatived.

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

It was so ordered.

On motion of Mr. Babcock,
 So much of rule 40 as requires bills to lie on the files one day was suspended
 by a two-third vote.

On motion of Mr. Babcock,
 The Council resolved itself into a committee of the whole,
 Mr. Babcock in the chair,
 For the consideration of
 (C. F. No. 1.) A memorial to Congress for a military post on or near Pembina
 river;

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

The question then recurring on accepting the report of the committee of the
 whole,

It was accepted.

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

It was so ordered.

(C. F. No. 2.) A bill for an act to incorporate the Mississippi and Lake
 Superior Railroad Company,

Was taken up in the order of business, and read a second time by its title.

Mr. Farrington moved that the Council do now adjourn;

The Chair being unable to decide,

A division was called for and ordered;

There were ayes, 4; noes, 1;

So the Council adjourned.

FRIDAY, FEBRUARY 4, 1853.

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

Prayer by the Rev. Mr. Reiheldaffer,

Journal of yesterday read and approved.

Mr. Kittsen presented the petition of A. H. Cathcart and 39 others, praying
 for the formation of a new county out of the county of Dakota.

On motion of Mr. Forbes,

The petition was referred to the Committee on Territorial Affairs.

On motion of Mr. Forbes,

The petition of T. A. Holmes was taken from the table.

On motion of Mr. Forbes,

The petition was referred to the Committee on Territorial Affairs.

Mr. Larned presented the petition of J. M. Jackins and 37 others, of St. Anthony;

Also, of A. G. Huggins and 36 others, of Traverse des Sioux;

Also, of Inyang-mani and 8 other Dakota Indians, for the re-enactment of the Liquor Law of last winter.

On motion of Mr. Larned,

The petition was laid on the table,

Mr. Kittson, on leave, introduced

(C. F. No. 8.) A bill granting to George Farribault, and his associates, the right to establish and maintain a ferry at Traverse des Sioux;

Which was read a first and second time.

Mr. Farrington, on leave, introduced

(C. F. No. 9.) An act to incorporate the St. Paul Mutual Insurance Company of St. Paul;

Which was read a first and second time.

Mr. Farrington, on leave, introduced

(C. F. No. 3.) A memorial to Congress, memorializing for a grant of land to aid in the construction of the Louisiana and Minnesota Railroad;

Which was read a first and second time.

Mr. Farrington, on leave, introduced the following resolution:

Resolved, That the Chaplain of the Council be, and he is hereby allowed ten dollars worth of stationery, and that the Secretary, Assistant Secretary, Enrolling Clerk, Messenger and Sergeant-at-Arms be, and they are hereby allowed five dollars worth of stationery in addition to the amount already allowed them.

Debate having ensued, the resolution was laid on the table under Rule 58.

Mr. Farrington gave notice that he would on to-morrow, or some subsequent day, introduce,

A bill to amend the Revised Statutes.

Mr. Larned on leave, presented the memorial of a Convention of the friends of Temperance, held at St. Paul, Jan. 11, 1853;

Which was read, and

On motion of Mr. Farrington,

Was laid on the table.

On motion of Mr. Farrington,

The Council resolved itself into a Committee of the Whole;

Mr. Babcock in the Chair,

For the consideration of

(C. F. No. 2.) A bill for an act to incorporate the Mississippi and Lake Superior Railroad Company.

A Message from the House being announced,

The President, *pro tem.*, took the Chair, and Joseph R. Brown, Esq., Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House of Representatives has concurred in

(C. F. No. 1,) a bill to incorporate Hennepin Lodge No. 4, I. O. of O. F.

And I herewith return the bill to the Council;

The House of Representatives has passed,

(No. 2, H. of R.) A bill to incorporate the Baldwin School, in the city of St. Paul. And,

(No. 5, H. of R.) A bill to change the time of holding the general election in the several precincts in the county of Pembina.

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

And the chief clerk withdrew.

The Committee then resumed its sitting.

After some time passed therein, the Committee rose, and by their Chairman reported the Memorial back to the Council with amendments;

The question then recurring on accepting the report of the Committee of the Whole,

It was accepted.

The question then recurring on adopting the amendments of the Committee of the Whole,

They were adopted.

On motion of Mr. Babcock,

The bill was laid on the table,

On motion of Mr. Farrington,

So much of Rule 36, as requires one day's notice of leave to introduce Bills, was suspended.

Mr. Farrington, on leave introduced

(C. F. No. 10.) An Act to amend the Revised Statutes;

Which was read a first and second time.

On motion of Mr. Forbes,

The message from the House was taken up, and

(H. of R. No. 2.) A Bill to incorporate the Baldwin School of St. Paul;

Received its first and second reading. Also,

(H. of R. No. 5.) A bill to change the time of holding the General Election in the several Precincts in Pembina County,

Was read a first and second time;

Mr. Larned, on leave, reported as follows:

The Committee on Engrossed Bills would beg leave to report that they have examined and found correctly engrossed,

(Bill No. 4, C. F.) An Act granting to Oliver Ames and his Associates the right to establish and maintain a Ferry across the Minnesota river near Traverse des Sioux. W. L. LARNED, Chairman.

On motion of Mr. Forbes,

(C. F. No. 4.) A Bill granting to Oliver Ames and his Associates the right to establish and maintain a Ferry across the Minnesota river near Traverse des Sioux;

Was taken up, read a third time, passed and the title thereof agreed to.

Mr Kittson moved that the Council adjourn until 2 o'clock, P. M.

The ayes and noes being called for and ordered,

There were ayes 2; noes 4.

Those who voted in the affirmative, were Messrs. Kittson and Larned.

Those who voted in the negative, were

Messrs. Babcock, Farrington, Forbes and Loomis, President *pro tem*.

So the Council refused to adjourn until 2 o'clock P. M.

Mr. Babcock moved that the Council adjourn.

A division was ordered, and

There were ayes 3; noes 2.

So the Council adjourned.

SATURDAY, FEBRUARY 5, 1853.

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

Prayer by the Rev. Mr. Reibeldaffer.

The Journal of yesterday was read and approved.

The President *pro tem*. laid before the Council the following communication :

SAINT PAUL, Saturday, Feb. 5, 1853.

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

GENTLEMEN:—

Your attendance is requested at the annual exercises of the Minnesota Historical Society, at the Hall of the House of Representatives on Monday evening, 7th inst. The Hon. Martin McLeod is expected to read a paper on the life and services of Nicollet, prepared by Hon. H. H. Sibley. Other papers illustrative of our history will also be presented.

In behalf of the Executive Council,

E. D. NEILL,
Secretary.

Mr. Farrington gave notice that on to-morrow or some future day he would introduce

An act to legalize the official acts of John W. Bell, a justice of the peace at Fond du Lac.

The resolution offered on yesterday by Mr. Farrington, and laid on the table under rule 58,

Was taken up in the regular order of business;

And the question recurring on the passage of the resolution,

Mr. Babcock moved to amend,

By adding after "Sergeant-at-Arms," the words "and Fireman."

Which amendment was adopted.

The resolution as amended was then adopted.

Mr. Forbes, from the committee on legislative expenditures, to whom was referred,

(C. F. No. 3,) A bill for the relief of Joseph R. Brown,

Reported the bill back to the Council, and recommended its passage.

The report of the committee was accepted.

(H. of R. No. 2,) A bill to incorporate the Baldwin School in the city of St. Paul. Also,

(H. of R. No. 5,) A bill to change the time of holding the general election in the several precincts in Pembina county,

Came up in the regular order of business, and

On motion of Mr. Babcock,

The Council resolved itself into a committee of the whole, for the consideration of said bills,

Mr. Farrington in the chair;

After some time passed therein the committee rose,

And, by their chairman reported the bills back to the Council with an amendment, to

(H. of R. No. 5,) A bill to change the time of holding the general election in the several precincts in the county of Pembina.

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the amendment,

It was adopted.

The question then recurring on ordering

(H. of R. No. 2,) A bill to incorporate the Baldwin School in the city of St. Paul,

To a third reading,

On motion of Mr. Forbes,
 The bill was laid on the table.
 The question then recurring on ordering,
 (H. of R. No. 5,) A bill to change the time of holding the general election in the several precincts of Pembina county,
 To a third reading,
 It was so ordered;
 The bill was read a third time, passed, and the title thereof was agreed to.
 (C. F. No. 5,) a bill for the restriction of the sale of intoxicating liquors within the Territory,
 Came up in the order of business, and
 Mr. Farrington moved,
 The Council resolve itself into a committee of the whole for the consideration of said bill;
 Pending the motion,
 Mr. Forbes moved a call of the Council,
 Which was ordered;
 The roll was called, and Messrs. Greely, Larned, Lowry and McLeod reported absent;
 Mr. Farrington moved,
 That Messrs. Lowry and McLeod be excused from further attendance in the Council until they report themselves in their seats;
 Which motion prevailed.
 On motion of Mr. Farrington,
 Further proceedings under the call of the Council were dispensed with;
 The question then recurring on the motion of Mr. Farrington, to go into committee of the whole.
 It was negatived.
 On motion of Mr. Forbes,
 The Council adjourned until Monday next, at 2 o'clock, P. M.

MONDAY, FEBRUARY 7, 1853.

The Council was called to order by the President, *pro tem*.
 Prayer by the Rev. Mr. Reiheldaffer.
 The Journal of Saturday was read and approved.
 Mr. Babcock presented a communication from E. Hamilton and 2 others; also, The petition of H. S. Hamilton and 30 others, praying for the organization of a new county, with the county seat at Winona;
 On motion of Mr. Babcock,
 The communication and petition were referred to the committee on Territorial Affairs;
 Mr. Babcock, on leave, introduced
 (C. F.) No. 11, An act for the exercise of equity jurisdiction in the form of civil actions,
 Which was read a first and second time;
 A message from the House being announced,
 Joseph R. Brown, chief clerk thereof, appeared and delivered the following message, viz:
 MR. PRESIDENT:
 The House of Representatives has passed the following resolution:

Resolved, (The Council concurring,) That the two Houses will meet in convention to-morrow at 11 o'clock, A. M., for the purpose of electing four Regents for the University of Minnesota.

In which the concurrence of the Council is respectfully requested.

And then the chief clerk withdrew.

On motion of Mr. Babcock,

One hundred copies of (C. F. No. 11,)

Were ordered to be printed.

Mr. Larned from the committee on Engrossed Bills, reported as follows:

The committee on Engrossed Bills ask leave to report,

That they have examined and find correctly engrossed,

(Council File, No. 1,) A memorial to Congress for the establishment of a military post at or near the Pembina river. Also,

(C. F. No. 2,) A memorial for a grant of land to aid in the construction of the Mississippi and Lake Superior Railroad.

W. L. LARNED,
Chairman.

The message from the House of Representatives was taken up in the regular order of business.

The question then recurring,

On adopting the resolution from the House of Representatives, requesting the Council to meet the House in convention to-morrow at 11 o'clock A. M.

It was adopted.

(C. F. No. 1,) A memorial to Congress for the establishment of a military post on or near Pembina river,

Was taken up in the regular order of business, for a third reading;

Read a third time, passed, and the title thereof agreed to; also,

(C. F. No. 2,) A memorial for a grant of land to aid in the construction of the Mississippi and Lake Superior Railroad;

Was taken up, and,

On motion of Mr. Babcock,

Was laid on the table.

(C. F. No. 5,) A bill for the restriction of the sale of intoxicating liquors within the Territory,

Was taken up in the order of business, and,

On motion of Mr. Farrington,

The Council resolved itself into a committee of the whole,

Mr. Kittson in the chair,

For the consideration of said bill;

After some time passed therein, the committee rose,

And, by their chairman reported the bill back to the Council with an amendment;

The question then recurring on accepting the report of the committee of the whole,

It was accepted;

The question then recurring,

On adopting the amendment,

It was adopted;

The question then recurring,

On ordering the bill to be engrossed for a third reading,

Pending the question,

Mr. Kittson moved to amend the bill by inserting the word "and" between the words "law and equity" in section 16, line 3;

Which amendment was adopted,

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Forbes,

So much of rule 40 as requires bills to lie on the files one day, was suspended;

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole,

Mr. Babcock in the chair, for the consideration of

(C. F. No. 3,) A bill for the relief of Joseph R. Brown;

After some time passed therein, the committee rose,

And by their chairman reported the bill back to the Council without amendment;

The question then recurring on accepting the report of the committee of the whole, it was accepted:

The bill was then ordered to be engrossed for a third reading;

Mr. Babcock moved that

(H. of R. No. 2,) A bill to incorporate the Baldwin School in the City of St. Paul;

Be taken from the table;

The Chair being unable to decide,

A division was ordered,

There were ayes, 4;

A majority having voted in the affirmative, the bill was taken from the table;

Mr. Farrington moved,

That the bill be referred to the committee on schools;

The Chair being unable to decide,

A division was ordered,

There were ayes, 3, noes, 3.

So the motion was lost.

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

Mr. Forbes moved,

That the bill be laid on the table and made the special order of the day for Monday next;

The ayes and noes being called for and ordered,

There were, ayes—2; noes—4.

Those who voted in the affirmative, were,

Messrs. Forbes and Kittson;

Those who voted in the negative, were,

Messrs. Babcock, Farrington, Larned and Loomis;

So the motion was lost.

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

Pending the question,

Mr. Forbes moved a call of the Council,

Which was ordered;

The roll was called, and Mr. Greely was reported absent;

The Sergeant-at-Arms was directed to notify the absent member to appear in his seat;

Mr. Babcock moved that further proceedings under the call be dispensed with;

The chair being unable to decide,

A division was called for and ordered,

And there were ayes—4; noes—2;

So the motion prevailed.

Mr. Forbes moved the Council adjourn,

The ayes and noes were called for and ordered;

And there were ayes—4; noes—2;

Those who voted in the affirmative, were Messrs. Forbes, Kittson, Larned and Loomis;

Those who voted in the negative, were Messrs. Babcock and Farrington;

So the Council adjourned.

TUESDAY, FEBRUARY 8, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday was read and approved.

Mr. Kittson introduced

(C. F. No. 1,) Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society;

Which was read a first and second time.

Mr. Larned from the committee on Engrossed Bills, made the following report:

The committee on Engrossed Bills would ask leave to report that they have examined and found correctly engrossed,

(C. F. No. 3,) A bill for the relief of Joseph R. Brown.

W. L. LARNED,
Chairman.

(H. of R. No. 2,) A bill to incorporate the Baldwin School of St. Paul,

Was taken up in the order of business, and read a third time, passed, and the title thereof agreed to.

(C. F. No. 3,) A bill for the relief of Joseph R. Brown,

Was taken up in the order of business, and read a third time; passed, and the title thereof agreed to. Also,

(C. F. No. 3,) A memorial to Congress for a grant of land to aid in the construction of the Louisiana and Minnesota Railroad,

Came up in the order of business, and

On motion of Mr. Babcock,

The Council resolved itself into a committee of the whole,

Mr. Farrington in the chair,

For the consideration of said memorial.

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

The question then recurring on accepting the report of the committee of the whole;

It was accepted.

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

It was so ordered. Also,

(C. F. No. 7,) A bill to incorporate the St. Paul and St. Anthony Railroad Company,

Was taken up in the order of business, and

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole,

Mr. Forbes in the chair,

For the consideration of said bill.

After some time passed therein, the committee rose, and by their Chairman reported the bill back to the Council as amended.

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on concurring in the amendments reported by the committee of the whole,

They were concurred in.

The bill was then ordered to be engrossed for a third reading.

(C. F. No. 10,) A bill to amend the Revised Statutes,

Was taken up in the order of business, and

On motion of Mr. Farrington,

Was laid on the table.

A committee from the House of Representatives being announced,

Messrs. Randall and McKee appeared, and informed the Council that the House was now ready to meet them in Joint Convention, in the Hall of the House of Representatives;

And then the committee withdrew.

On motion of Mr. Forbes,

The Council adjourned to the Hall of the House of Representatives, to meet the House in Joint Convention, and from thence again to meet in the Council Room.

The Council having again assembled in the Council Chamber,

Mr. Farrington, on leave, introduced,

(C. F. No. 12,) A bill to legalize the official acts of John W. Bell, a justice of the peace residing at Fond du Lac, Itasca county;

Which was read a first and second time.

Mr. Babcock, on leave, introduced,

(C. F. No. 13,) A bill to amend the Revised Statutes,

Which was read a first and second time.

On motion of Mr. Loomis,

The Council adjourned.

WEDNESDAY, FEBRUARY 9, 1853.

The Council was called to order by the President;

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday was read and approved.

Mr. Farrington, from the joint committee on Enrolled bills, reported as follows:

The joint committee on Enrolled bills, beg leave to report that they have examined and found correctly enrolled the following entitled bill:

A bill entitled An act to incorporate the Hennepin Lodge No. 4, I. O. O. F.

GEO. W. FARRINGTON, *Council.* } Committee.
JNO. D. LUDDEN, *House.*

(C. F. No. 6.) An act to incorporate the Louisiana and Minnesota Railroad Company of St. Paul,

Being ready for the committee of the whole,

On motion of Mr. Farrington,

The Council resolved itself into a committee of the whole,

Mr. Larned in the chair,

For the consideration of said bill.

A message from the House of Representatives being announced,

The President took the chair, and

Joseph R. Brown, Esq., Chief Clerk, thereof, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed a bill entitled

An act to incorporate Hennepin Lodge No. 4, I. O. of O. F,

And said bill is herewith laid before the Council for the signature of the President of the Council.

The House of Representatives has concurred in the amendment made by the Council to

(H. of R. No. 5,) A bill to change the time of holding the general election in the several precincts of the county of Pembina.

The House has passed,

(H. of R. No. 3,) A bill to dissolve the marriage contract existing between Henry Buel and Susan Buel,

In which the concurrence of the Council is respectfully requested.

I herewith submit documents relative to the application of Mr. Buel for a divorce.

And then the chief Clerk withdrew;

And the committee resumed its sitting.

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

The question then recurring on accepting the report of the committee of the whole;

It was accepted.

The question then recurring on adopting the amendments reported by the committee of the whole,

They were adopted.

The bill was then ordered to be engrossed for a third reading.

(C. F. No. 9,) An act to incorporate the St. Paul Mutual Insurance Company of St. Paul,

Being ready for Committee of the whole,

On motion of Mr. Farrington,

The Council resolved itself into a committee of the whole.

Mr. Forbes in the chair,

For the consideration of said bill.

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

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the report of the committee of the whole,

It was adopted.

The bill was then ordered to be engrossed for a third reading.

(C. F. No. 8,) A bill granting to Geo. Farribault and his associates the right to establish and maintain a ferry across the Minnesota river at Traverse des Sioux,

Being ready for committee of the whole,

On motion of Mr. Farrington,

The Council resolved itself into a committee of the whole,

Mr. Loomis in the chair,

For the consideration of said bill.

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

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the amendment,

It was adopted.

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

Pending the question,

On motion of Mr. Kittson,

The bill was laid on the table.

The regular order of business having been gone through with,

The President reported the following proceedings of the Joint Convention of the two Houses of the Legislative Assembly on yesterday:

The roll was called and a quorum answered to their names.

When the Speaker of the House declared the Convention organized for business.

On motion of Mr. Murray,

The Convention then proceeded to vote for four Regents of the University of Minnesota, and, on the first vote,

Mr. Babcock voted for W. R. Marshall, John H. Stevens, H. M. Rice, Socrates Nelson,

“ Farrington “ J. G. Reiheldaffer, John H. Stevens, H. M. Rice, Socrates Nelson.

“ Forbes “ J. G. Reiheldaffer, John H. Stevens, H. M. Rice, Socrates Nelson.

“ Kittson “ J. G. Reiheldaffer, John H. Stevens, H. M. Rice, Socrates Nelson.

“ Larned “ Dr. H. Fletcher, C. T. Stearns, W. R. Marshall, H. M. Rice.

“ Loomis “ J. G. Reiheldaffer, John H. Stevens, H. M. Rice, Socrates Nelson.

“ President “ J. G. Reiheldaffer, John H. Stevens, H. M. Rice, Socrates Nelson.

“ Ames “ H. M. Rice, H. Fletcher, C. T. Stearns, W. R. Marshall.

“ Dutton “ H. M. Rice, Socrates Nelson, B. H. Randall, W. R. Marshall.

“ Gingras “ J. G. Reiheldaffer, John H. Stevens, H. M. Rice, Socrates Nelson.

“ Ludden “ H. M. Rice, J. G. Reiheldaffer, John H. Stevens, Socrates Nelson.

“ Lott “ H. M. Rice, W. R. Marshall, W. H. Forbes, Socrates Nelson.

“ Murray “ H. M. Rice, W. R. Marshall, J. G. Reiheldaffer, H. Fletcher.

“ McKee “ H. M. Rice, W. R. Marshall, Socrates Nelson, B. H. Randall.

“ Noot “ H. M. Rice, W. R. Marshall, Socrates Nelson, J. G. Reiheldaffer.

“ Randall “ H. M. Rice, W. R. Marshall, Socrates Nelson, C. T. Stearns.

“ Russell “ H. M. Rice, W. R. Marshall, H. Fletcher, C. T. Stearns.

“ Ramsey “ H. M. Rice, J. G. Reiheldaffer, John H. Stevens, Socrates Nelson.

“ Stinson “ H. M. Rice, J. G. Reiheldaffer, John H. Stevens, Socrates Nelson.

“ Truax “ H. M. Rice, J. G. Reiheldaffer, John H. Stevens, Socrates Nelson.

“ Wells “ H. M. Rice, J. G. Reiheldaffer, John H. Stevens, Socrates Nelson.

“ Wilcox “ H. M. Rice, W. R. Marshall, John H. Stevens, Socrates Nelson.

“ Speaker “ H. M. Rice, J. G. Reiheldaffer, John H. Stevens, Socrates Nelson.

The result of the vote shows that,

	Council.	House.	Total.
H. M. Rice received - - - -	7	16	23 votes,
J. G. Reiheldaffer " - - - -	5	9	14 "
John H. Stevens " - - - -	6	8	14 "
Socrates Nelson " - - - -	6	13	19 "
Dr. H. Fletcher " - - - -	1	3	4 "
C. T. Stearns " - - - -	1	3	4 "
Wm. R. Marshall " - - - -	2	9	11 "
B. H. Randall " - - - -	0	2	2 "
W. H. Forbes " - - - -	0	1	1 "

Messrs. H. M. Rice, John G. Reiheldaffer, John H. Stevens and Socrates Nelson, having received a majority of all the votes cast were declared to be duly elected Regents of the University of Minnesota, for the term prescribed by law.

On motion of Mr. Forbes,

The Convention adjourned *sine die*.

On motion of Mr. Farrington,

The message from the House of Representatives was taken up;

And the President signed,

An Act to incorporate Hennepin Lodge, No. 4, I. O. O. F.,

And the act was placed in the hands of the chairman of the committee on Enrolled Bills, for presentation to his Excellency the Governor, for his examination and approval.

(H. of R. No. 3,) A bill to dissolve the marriage contract between Henry Buel and Susan Buel,

Was read a first and second time.

Mr. Forbes moved that the documents accompanying said bill be read;

And the ayes and noes being called for and ordered,

There were ayes 3; noes, 3.

Those who voted in the affirmative were, Messrs. Forbes, Larned and Loomis;

Those who voted in the negative were, Messrs. Babcock, Kittson and the President;

So the motion was lost.

On motion of Mr. Kittson;

The Council adjourned.

THURSDAY, FEBRUARY 10, 1858.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and approved.

The presentation of petitions being in order;

Mr. Loomis presented the petition of Ole Kundrin and 68 others, praying for the organization of a new county to be called Columbia county, with the county seat at Octavia.

Mr. Loomis moved that the petition be referred to the Committee on Territorial Affairs.

A division was ordered;

There were ayes 4; noes 2.

The petition was so referred.

Communications being in order;

The President laid before the Council, the report of the Librarian of the Territory, which was read by the Secretary.

On motion of Mr. Babcock,

The report was laid on the table, and one hundred copies thereof was ordered to be printed.

Mr. Farrington, on leave, presented the Report of the Commissioners on Public Buildings;

Which was read; and

On motion of Mr. Babcock,

100 copies thereof was ordered to be printed.

Mr. Forbes, on leave, presented the remonstrance of A. P. Cummins and 329 others, against the re-enactment of the so-called Maine Liquor Law.

On motion of Mr. Kittson,

The Remonstrance was laid on the table.

The House File of Bills being in order,

On motion of Mr. Farrington,

The Council resolved itself into a Committee of the Whole,

Mr. Farrington in the Chair,

For the consideration of

(H. of R. No. 3.) A bill to dissolve the marriage contract between Henry Buel and Susan Buel;

After some time passed therein, the Committee rose, and by their Chairman reported the bill back to the Council.

The question then recurring on accepting the report of the Committee of the Whole;

It was accepted.

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

Pending the question,

On motion of Mr. Loomis,

The bill was laid on the table.

Mr. Babcock, on leave, introduced,

(C. F. No. 14.) A bill for the government of the Territorial Prison of Minnesota.

On motion of Mr. Loomis,

So much of Rule 37 as requires bills to be read a first time at length, was suspended.

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

On motion of Mr. Babcock,

The Council adjourned.

FRIDAY, FEBRUARY 11, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday was read and corrected.

Mr. Larned from the Committee on Engrossed Bills reported as follows, viz:

The Committee on Engrossed Bills beg leave to report that they have examined and found correctly engrossed the following entitled Bill:

(No. 3, C. F.) A Memorial to Congress memorializing for a grant of land to aid in constructing the Louisiana and Minnesota Railroad.

W. L. LARNED, Chairman.

Mr. Kittson, from the Committee on Territorial Affairs, reported by bill, as follows, viz:

(C. F. No. 15.) A bill to organize Counties north of Minnesota river; And the bill received its first and second reading.

Bills ready for a third reading being in order,

(C. F. No. 3.) A Memorial to Congress for a grant of land to aid in the construction of the Louisiana and Minnesota Railroad,

Was read a third time;

Mr. Farrington asked and obtained the unanimous consent of the Council to amend the Memorial as follows, viz:

After the word "Railroad" add "and that the right of way be granted for the said road through so much of the public domain as lies on the west bank of the Mississippi river; and your memorialists, as in duty bound, will ever pray."

The Memorial was then passed, and the title thereof agreed to.

Bills ready for a Committee of the Whole being in order,

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole,

Mr. Kittson in the Chair;

For the consideration of

(C. F. No. 1.) "Joint Resolution authorizing the Secretary of the Territory to purchase certain copies of the Annals of the Minnesota Historical Society."

After some time passed therein, the Committee rose,

And by their Chairman, reported the Joint Resolution back to the Council without amendment.

The question then recurring on accepting the report of the Committee of the Whole;

It was accepted.

The Joint Resolution was then ordered to be engrossed for a third reading.

On motion of Mr. Forbes,

The Council resolved itself into a Committee of the Whole,

Mr. Farrington in the Chair;

For the consideration of

(C. F. No. 12.) An Act to legalize the official acts of John W. Bell, a Justice of the Peace residing at Fond du Lac, Itasca county.

A message from the House being announced, the President took the Chair; and Joseph R. Brown, Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has negatived, by indefinite postponement:

(C. F. No. 4.) A bill for an Act granting to Oliver Ames and his associates the right to establish and maintain a Ferry across the Minnesota River near Traverse des Sioux;

The House has concurred in

(No. 1, C. F.) A memorial to Congress for the establishment of a military post at or near the Pembina Settlement. And,

(No. 3, C. F.) A Bill for the relief of Joseph R. Brown;

The House has passed,

(No. 2, H. of R.) A Memorial to Congress relative to School Lands;

(No. 10, H. of R.) A Bill to establish additional Road Districts in the Territory of Minnesota. And,

(No. 11, H. of R.) A Bill to incorporate the Hennepin County Agricultural Society;

In all of which the concurrence of the Council is respectfully requested;

And then the Chief Clerk withdrew, and the Committee resumed its sitting;

After some time passed therein, the Committee rose,

And by their Chairman reported the bill back to the Council with an amendment.

The question then recurring on accepting the report of the Committee of the Whole, it was accepted:

The question then recurring on concurring in the amendment reported by the Committee of the Whole; it was concurred in and the bill was then ordered to be engrossed for a third reading.

On motion of Mr. Farrington,

The Council resolved itself into a Committee of the Whole,

Mr. Loomis in the Chair,

For the consideration of

(No. 13, C. F.) A bill to amend the Revised Statutes;

After some time passed therein the Committee rose, and by their Chairman reported the bill back to the Council without amendment;

The question then recurring on accepting the report of the Committee of the Whole;

It was accepted;

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

Pending the question,

On motion of Mr. Babcock,

The bill was referred to the Committee on the Judiciary.

(No. 11, C. F.) An act for the exercise of Equity Jurisprudence in the form of civil actions,

Being ready for Committee of the Whole,

On motion of Mr. Forbes,

The bill was referred to the Judiciary Committee.

On motion of Mr. Farrington,

(No. 10, C. F.) A bill to amend the Revised Statutes,

Was taken from the table and referred to the Judiciary Committee.

On motion of Mr. Babcock,

So much of rule 36 as requires one day's notice of leave to introduce bills was suspended;

Mr. Babcock, on leave, introduced,

(No. 16, C. F.) A bill to incorporate the Minnesota Western Railroad Company,

Which was read a first and second time.

On motion of Mr. Farrington,

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

(No. 10, H. of R.) A bill to establish additional road districts,

Was read a first and second time;

(No. 2, H. of R.) A memorial to Congress relative to School Lands,

Was read a first and second time,

(No. 11, H. of R.) A bill to incorporate the Hennepin County Agricultural Society,

Was read a first and second time.

The order of business being disposed of,

Mr. Loomis moved,

That the Council adjourn until Monday next at 2 o'clock, P. M.

The ayes and noes being called for and ordered,

There were ayes 3; noes 4.

Those who voted in the affirmative, were

Messrs. Larned, Loomis and President.

Those who voted in the negative, were

Messrs. Babcock, Farrington, Forbes and Kittson.

So the motion was lost.

Mr. Kittson moved to reconsider the vote by which the motion to adjourn was lost,

And the ayes and noes being called for and ordered,

There were ayes 4; noes 3.

Those who voted in the affirmative, were
Messrs. Kittson, Larned, Loomis and President.

Those who voted in the negative, were
Messrs. Babcock, Farrington, and Forbes.

So the vote was reconsidered.

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

Mr. Forbes moved to amend the motion by striking out the word "Monday," and inserting in lieu thereof the word "Saturday."

A division was ordered,

There were yeas 2; and noes 3,

So the amendment was lost.

The question again recurring on the motion to adjourn until Monday next, at 2 o'clock, P. M.,

Pending the question,

Mr. Forbes moved that the Council adjourn;

The ayes and noes being called for and ordered,

There were ayes 3, noes 4;

Those who voted in the affirmative, were

Messrs. Babcock, Forbes, and the President.

Those who voted in the negative, were

Messrs. Farrington, Kittson, Larned and Loomis.

So the Council refused to adjourn.

The question again recurring on the motion to adjourn until Monday next at 2 o'clock P. M.,

Pending the question,

Mr. Forbes moved a call of the Council,

Which was ordered;

The roll was called and Mr. Greely was reported absent;

Mr. Farrington moved that further proceedings under the call be dispensed with:

A division was ordered, and

There were ayes 4; noes 3;

So the call was dispensed with.

The question again recurring on the motion to adjourn until Monday next, at 2 o'clock, P. M.

Pending the question,

Mr. Forbes moved that the Council adjourn;

A division was ordered, and,

There were yeas 3; noes 4;

So the motion was lost.

The question again recurring on the motion to adjourn until Monday next at 2 o'clock, P. M.,

And the ayes and noes being called for and ordered;

There were ayes 3; noes 4.

Those who voted in the affirmative, were

Messrs. Kittson, Loomis and President.

Those who voted in the negative, were

Messrs. Babcock, Farrington, Forbes and Larned.

So the motion was lost.

Mr. Babcock moved that the Council adjourn;

Which was negatived,

Mr. Larned moved that the Council adjourn until Monday next, at half-past one o'clock P. M.,

And the ayes and noes being called for and ordered,

There were ayes 5; noes 2,

Those who voted in the affirmative, were
Messrs. Forbes, Kittson, Larned, Loomis and President.

Those who voted in the negative, were
Messrs. Babcock and Farrington.

So the Council adjourned until Monday next at half-past one o'clock P. M.

MONDAY, FEBRUARY 14, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

Journal of Friday last was read and approved.

Mr. Farrington from the committee on Enrolled Bills, reported as follows:

The joint committee on Enrolled Bills, beg leave to report that they have examined and found correctly enrolled the following entitled bill and memorial:

A bill entitled an act for the relief of Joseph R. Brown; and,

A memorial to Congress for the establishment of a military post at or near the Pembina river.

And that they did, on Friday the 11th day of February, present to his Excellency, the Governor, for his approval, the following bill:

A bill entitled an act to incorporate the Hennepin Lodge No. 4, I. O. of O. F.

GEO. W. FARRINGTON, *Council.* } Committee.
JNO. D. LUDDEN, *House.*

Mr. Babcock, from the committee on the Judiciary, made the following report:

The Judiciary committee, to which was referred,

(C. F. No. 11,) An act for the exercise of equity jurisdiction in the form of civil actions, and for other purposes,

Have had the same under consideration, and beg leave to report the same back to the Council, and recommend the following amendments:

Amend Sec. 1, line 6, by striking out the words "or decree."

Amend Sec. 2, line 8, by striking out the words "or decree," and insert "and" before "judgment" in same line.

Amend Sec. 5, line 9, by inserting before "other" the word "the."

Amend Sec. 6, line 13, strike out the words "or decree."

Amend Sec. 11, line 4, by striking out the word "thereof."

L. A. BABCOCK,
Chairman.

The question then recurring on accepting the report,

It was accepted.

The President laid before the Council the report of the Regents of the University of Minnesota,

Which was read, and

On motion of Mr. Babcock,

The report was laid on the table, and one hundred copies thereof ordered to be printed.

A message from the Governor being announced,

W. B. White, his private Secretary appeared and delivered a message in writing;

And then he withdrew.

The message from his Excellency, the Governor, was taken up in order of business, and read, as follows, viz:

EXECUTIVE DEPARTMENT, }
Saint Paul, Feb. 14, 1853. }

To the Honorable President of the Council:

SIR:—I have this day examined and approved an act to incorporate Hennepin Lodge No. 4, I. O. O. F.

Very respectfully,

ALEX. RAMSEY.

The report of the Territorial Treasurer was then laid before the Council by the President, and was read by the Secretary.

On motion of Mr. Farrington,

The report was laid on the table, and one hundred copies thereof ordered to be printed.

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

On motion of Mr. Babcock,

The Council resolved itself into a committee of the whole,

Mr. Kittson in the chair,

For the consideration of

(H. of R. No. 2,) A memorial to Congress relative to School Lands.

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

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the amendments reported by the committee of the whole,

They were adopted.

The memorial was then ordered to be read a third time.

The memorial was read a third time, passed, and the title thereof agreed to.

On motion of Mr. Farrington,

The Council resolved itself into a committee of the whole,

Mr. Farrington in the Chair,

For the consideration of

(H. of R. No. 10,) A bill to establish additional road districts in the Territory of Minnesota;

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

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

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

It was so ordered.

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

On motion of Mr. Farrington,

The Council resolved itself into a committee of the whole,

Mr. Forbes in the chair,

For the consideration of,

(H. of R. No. 11,) A bill to incorporate the Hennepin County Agricultural Society;

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

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

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

It was so ordered.

On motion of Mr. Forbes,

The bill was read a third time by its title, passed, and the title thereof agreed to.

On motion of Mr. Farrington,

So much of rule 36 as requires one day's notice of leave to introduce bills, was suspended.

Mr. Farrington, on leave introduced,

(C. F. No. 17,) An act to incorporate the Northwestern Railroad Company; Which was read a first and second time.

On motion of Mr. Forbes,

The report of the Judiciary committee was taken from the table.

The question then recurring on adopting the amendments to

(C. F. No. 11.) An act for the exercise of equity jurisdiction in the form of civil actions,

The amendments were adopted.

On motion of Mr. Forbes,

The bill was read a second time by its title.

Mr. Larned, on leave, presented the petition of

R. P. Upton and 24 others of St. Anthony;

Also, of P. P. Furber and 33 others of Cottage Grove;

Also, of A. N. Hoyt and one other of Minneapolis;

Also, of Mrs Furber and 13 other ladies of Cottage Grove,

Praying for the re-enactment of the Liquor Law of last winter.

On motion of Mr. Larned,

The petitions were laid on the table.

Mr. Larned, from the committee on Engrossed Bills, reported as follows, viz:

The committee on Engrossed Bills beg leave to report, that they have examined and found correctly engrossed, the following bills and joint resolution, viz:

(C. F. No. 12,) A bill to legalize the official acts of John W. Bell, a justice of the peace, residing at Fond du Lac, Itasca county;

(C. F. No. 7,) A bill to incorporate the Saint Paul and Saint Anthony Railroad company;

(C. F. No. 1,) Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society.

W. L. LARNED,
Chairman.

On motion of Mr. Forbes,

(C. F. No. 12,) A bill to legalize the official acts of John W. Bell, a justice of the peace residing at Fond du Lac, Itasca county,

Was taken up, read a third time, passed, and the title thereof agreed to: Also,

(C. F. No. 7,) A bill to incorporate the Saint Paul and Saint Anthony Railroad company,

Was read a third time by its title, passed, and the title thereof agreed to: also,

(C. F. No. 1,) Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society,

Was read a third time, passed, and the title thereof agreed to.

On motion of Mr. Kittson,

(H. of R. No. 3,) A bill to dissolve the marriage contract existing between Henry Buel and Susan Buel,

Was taken from the table.

On motion of Mr. Kittson,

The bill was read a third time by its title, passed, and the title thereof agreed to.

Mr. Kittson moved that the Council adjourn;

The Chair being unable to decide,

And the ayes and noes being called for and ordered,

There were ayes, 3; noes, 2.

Those who voted in the affirmative were, Messrs. Babcock, Kittson and Larned.

Those who voted in the negative were, Messrs. Farrington and President.

So the Council adjourned.

TUESDAY, FEBRUARY 15, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer,
Journal of yesterday read and approved.

Mr. Forbes presented the petition of R. R. Peck and 29 others, praying that a ferry charter be granted to F. G. Winchester, across the Minnesota river at Le Sueur;

Which was read and laid on the table.

Mr. Forbes gave notice that he would on to-morrow, or some future day, ask leave to introduce a bill to suppress gaming, and for other purposes.

Bills ready for Committee of the Whole, being in order,

On motion of Mr. Farrington,

The Council resolved itself into a Committee of the Whole;

Mr. Farrington in the Chair,

For the consideration of

(No. 14, C. F.) A bill for the government of the Territorial Prison;

A message from the House being announced, the President took the Chair, and Joseph R. Brown, chief clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House has signed a bill entitled,

An act for the relief of Joseph R. Brown. And,

A memorial to Congress for the establishment of a military post on or near Pembina river;

The House has concurred in the amendment made by the Council to

(No. 2, H. R.) A memorial to Congress relative to School Lands;

The House has passed,

(No. 12, H. of R.) A bill to organize certain counties therein named. And,

(No. 14, H. of R.) A bill to prohibit the circulation of small bank bills;

In which the concurrence of the Council is respectfully requested;

And then the chief clerk withdrew, and the Committee resumed its sitting;

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

The question then recurring on accepting the report of the Committee of the Whole; it was accepted.

The question then recurring on adopting the amendments reported by the Committee of the Whole, except the last, they were adopted;

The question then recurring on adopting the last amendment reported by the Committee of the Whole, which was "Strike out the word 'three' where it occurs in line 3, section 39, and insert the word 'five' in lieu thereof."

Mr. Forbes moved to amend the amendment by striking out the word "five" and inserting in lieu thereof the word "six."

The amendment was accepted by the Council.

The amendment as amended was adopted.

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

It was so ordered.

Mr. Farrington moved that the Council adjourn until 2 o'clock, P. M.

A division was ordered;

There were ayes 2; noes 4,

So the motion was lost.

Mr. Forbes moved that the Council adjourn;

The ayes and noes being called for and ordered,

There were ayes 4, noes 2;

Those who voted in the affirmative, were
Messrs. Forbes, Kittson, Larned and President.

Those who voted in the negative, were
Messrs. Babcock and Farrington.
So the Council adjourned.

WEDNESDAY, FEBRUARY 16, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday read and approved.

Mr. Kittson presented the petition of A. J. Merrick and 40 others,

Praying for the organization of Nicolet county, with county seat at Traverse
des Sioux;

The petition was read, and

On motion of Mr. Kittson,

The petition was referred to the Committee on Territorial Affairs.

Mr. Larned from the Committee on Engrossed Bills reported as follows, viz:

The Committee on Engrossed Bills beg leave to report that they have examined
and found correctly Engrossed the following entitled bills:

(No. 6, C. F.) A bill entitled an act to incorporate the Louisiana and Minne-
sota Railroad Company, of St. Paul. And,

(No. 9, C. F.) A bill entitled an act to incorporate the St. Paul Mutual
Insurance Company, of St. Paul.

W. L. LARNED, *Chairman.*

The message from the House of Representatives was taken up in order under
the rules, and the President signed,

An act for the relief of Joseph R. Brown; and

A memorial to Congress for the establishment of a Military Post at or near the
Pembina river;

And the act and memorial were placed in the hands of the Chairman of the
Committee on Enrolled Bills, for presentation to his Excellency, the Governor,
for his examination and approval;

(No. 12, H. of R.) A bill to organize certain counties therein named. And
also,

(No. 14, H. of R.) A bill to prohibit the circulation of small bank bills,

Received their first and second reading.

Bills ready for a third reading being in order,

On motion of Mr. Forbes,

(No. 6, C. F.) A bill for an act to incorporate the Louisiana and Minnesota
Railroad Company of St. Paul,

Was read a third time by its title, and passed;

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

Mr. Kittson moved to amend the title, by striking out the words "of St. Paul;"

The ayes and noes being called for and ordered,

There were ayes 4; noes 3.

Those who voted in the affirmative, were
Messrs. Kittson, Larned, Loomis and President.

Those who voted in the negative, were
Messrs. Babcock, Farrington and Forbes.

So the amendment was agreed to.

The question then recurring on agreeing to the title, as amended,

The yeas and noes being called for and ordered,

There were yeas 4; noes 3,

Those who voted in the affirmative, were
Messrs. Kittson, Larned, Loomis and President.

Those who voted in the negative, were
Messrs. Babcock, Farrington and Forbes.

The title, as amended, was agreed to.

On motion of Mr. Kittson,

(No. 9, C. F.) A bill to incorporate the St. Paul Mutual Insurance Company,
Was read a third time, passed, and the title thereof agreed to.

Mr. Forbes, on leave, introduced the following resolution, which was read and adopted by the Council:

Resolved, That the Secretary of the Council be instructed to present to his honor, the Chief Justice of the Territory, a copy of the "bill for the restriction of the sale of spirituous liquors," and request of him for this body, an opinion on the constitutionality of such a law if passed, as the Council does not wish to act unadvisedly on a subject of such grave importance.

On motion of Mr. Babcock,

The Council resolved itself into a committee of the whole,

Mr. Larned in the chair,

For the consideration of

(No. 11, C. F.) A bill for the exercise of Equity Jurisdiction in the form of civil actions;

After some time passed therein, the Committee rose and by their Chairman reported the bill back to the Council with an amendment;

The question then recurring on accepting the report of the Committee of the Whole,

It was accepted.

The question then recurring on adopting the amendment reported by the Committee of the Whole,

And the yeas and noes being called for and ordered,

There were yeas 0; noes 7; as follows:

Those who voted in the negative, were

Messrs. Babcock, Farrington, Forbes, Kittson, Larned, Loomis and President.

So the amendment was lost.

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

Pending the question,

Mr. Kittson moved that the bill be laid on the table;

A division being called for and ordered,

There were yeas 2; noes 3,

So the motion was lost.

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

It was so ordered.

Mr. Loomis, on leave, introduced the following resolution, which was read and adopted, viz:

Resolved, That the Secretary of the Council be instructed to call upon the House of Representatives and request them to return to the Council, House bills Nos. 3 and 10, for their further action.

On motion of Mr. Loomis,

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

TWO O'CLOCK, P. M.

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

Mr. Farrington, from the committee on Enrolled bills, reported as follows:

The joint committee on Enrolled bills, respectfully report that they did, on the 16th day of February, present to his excellency, the Governor, for his approval the following entitled acts:

An act for the relief of Joseph R. Brown.

A memorial to Congress for the establishment of a military post at or near Pembina river.

GEO. W. FARRINGTON, *Council.* } Committee.
JNO. D. LUDDEN, *House.* }

Mr. Farrington, on leave, introduced the following resolution, which was adopted:

Resolved, (the House concurring,) That the Committee on Public Buildings be, and are hereby instructed to visit and inspect the Public Buildings, in connection with the Building Commissioners, and to report to the Council as soon as convenient.

On motion of Mr. Farrington,

(No. 2, C. F.) A memorial to Congress for a grant of land to aid in the construction of the Mississippi and Lake Superior Railroad. And,

(No. 2, C. F.) A bill for an act to incorporate the Mississippi and Lake Superior Railroad Company;

Were taken from the table.

On motion of Mr. Forbes,

(No. 2, C. F.) A bill to incorporate the Mississippi and Lake Superior Railroad Company,

Was re-committed to a Committee of the Whole,

Mr. Babcock in the Chair.

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

The question then recurring on accepting the report of the Committee of the Whole,

It was accepted.

The question then recurring on adopting the amendments reported by the Committee of the Whole,

They were adopted.

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

It was so ordered;

The question then recurring on ordering,

(No. 2, C. F.) A memorial to Congress for a grant of land to aid in the construction of the Mississippi and Lake Superior Railroad;

On motion of Mr. Forbes,

The memorial was read a third time by its title, passed, and the title thereof agreed to.

Mr. Forbes moved that the Council adjourn;

And the ayes and noes being called for and ordered,

There were yeas 2; noes 4, as follows:

Those who voted in the affirmative, were Messrs. Forbes and Loomis.

Those who voted in the negative, were

Messrs. Babcock, Farrington, Kittson, Larned and President.

So the motion was lost.

Mr. Forbes moved that the Council adjourn until to-morrow morning at 11 o'clock;

Mr. Farrington moved to amend the motion by inserting "7 o'clock, A. M.," instead of "11 o'clock, A. M.,"

Which amendment was negatived;

The question then recurring on the motion to adjourn until 11 o'clock, A. M.

A division was ordered, and

There were yeas 4; noes 3.

So the Council adjourned until 11 o'clock, A. M., to-morrow.

THURSDAY, FEBRUARY, 17, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and approved.

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

On motion of Mr. Farrington,

The Council resolved itself into a committee of the whole,

Mr. Loomis in the chair,

For the consideration of

(H. of R. No. 14,) A bill to prohibit the circulation of small bank bills:

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

The question then recurring, on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the amendments reported by the Committee of the whole,

Mr. Farrington asked that the question be taken on adopting the amendments separately.

First amendment was stated as follows:

Section 1, line 7; strike out "five" and insert "one."

The ayes and noes being called for and ordered,

There were, ayes 5; noes, 2.

Those who voted in the affirmative were,

Messrs. Babcock, Farrington, Forbes, Loomis and President.

Those who voted in the negative were,

Messrs. Kittson and Larned;

So the amendment was agreed to.

Mr. Farrington moved to strike out the letter "s" in the word "dollars" in seventh line, section one;

Which was adopted.

The second amendment was then stated as follows:

Add to section 1, "Provided, That such bills do not refer to the issues of bank notes of good standing."

The amendment was adopted.

The third and last amendment was then stated as follows:

Section 2, line 3; strike out "fifty" and insert "seventy;"

And the amendment was adopted.

The question then recurring on ordering the bill to be read a third time;

And the ayes and noes being called for and ordered,

There were ayes, 3; noes, 4;
 Those who voted in the affirmative were,
 Messrs. Kittson, Larned and President.
 Those who voted in the negative were,
 Messrs. Babcock, Farrington, Forbes and Loomis,
 So the Council refused to order the bill to a third reading.

On motion of Mr. Forbes,
 The Council resolved itself into a committee of the whole,
 Mr. Forbes in the chair,
 For the consideration of
 (H. of R. No. 12,) A bill to organize certain counties therein named.
 A message from the House of Representatives being announced,
 The President took the chair, and
 Joseph R. Brown, Esq., Chief Clerk, thereof, appeared and delivered the
 following message:

Mr. PRESIDENT:—I have been instructed to return to the Council for further
 consideration, House bills Nos. 3 and 10, which bills I accordingly now return.

The House of Representatives has concurred in,
 (C. F. No. 1,) Joint Resolution authorizing the Secretary of the Territory to
 purchase copies of the Annals of the Minnesota Historical Society.

The House of Representatives has also concurred in
 (C. F. No. 9,) A bill entitled an act to incorporate the St. Paul Mutual Insur-
 ance Company of Saint Paul; with an amendment, and an amendment to the
 title of the bill.

In all of which the concurrence of the Council is respectfully requested.
 And then the chief Clerk withdrew;
 And the committee resumed its sitting.
 After some time passed therein, the committee rose, and by their Chairman
 reported progress, and asked leave to sit again:
 Leave was granted.

On motion of Mr. Forbes,
 (C. F. No. 17,) A bill to incorporate the Northwestern Railroad Company;
 Was taken up and referred to the committee on the Judiciary.
 Mr. Forbes moved that the Council adjourn;
 A division was ordered, and
 There were ayes, 4.
 A majority having voted in the affirmative,
 The Council adjourned.

FRIDAY, FEBRUARY 18, 1853.

The Council was called to order by the President.
 Prayer by the Rev. Mr. Reiheldaffer.
 The Journal of yesterday was read and approved.
 A message from his Excellency, the Governor, being announced,
 W. B. White, his private Secretary appeared and delivered a message in
 writing;
 And then he withdrew.
 Mr. Forbes, on leave, introduced,
 (C. F. No. 18,) A bill for an act to suppress gaming, to increase the revenue,
 and for other purposes,

Which was read a first and second time.

Mr. Loomis, on leave, gave notice, that he would on to-morrow or some future day introduce a bill for a charter of the Grand Lodge of Free and Accepted Masons of Minnesota Territory, and its Subordinate Lodges.

The messages from his Excellency, the Governor, were taken up and read as follows, viz:

EXECUTIVE DEPARTMENT, }
Saint Paul, Feb. 17, 1853. }

To the Honorable President of the Council:

SIR:—I transmit herewith the Annual Report of the Adjutant General of Minnesota Territory.

Very respectfully, your ob't serv't,

ALEX. RAMSEY.

EXECUTIVE DEPARTMENT, }
Saint Paul, Feb. 18, 1853. }

To the Honorable President of the Council:

SIR:—I have this day examined and approved,

An act for the relief of Joseph R. Brown;

A memorial for the establishment of a military post on or near Pembina river.

Very respectfully, your ob't serv't.

ALEX. RAMSEY.

The report of the Adjutant General was then read, and

On motion of Mr. Forbes,

One hundred copies thereof were ordered to be printed, and

The report was referred to the committee on the Militia.

The message from the House of Representatives was then taken up and read.

The question then recurring on concurring in the amendments to

(C. F. No. 9,) A bill entitled an act to incorporate the Saint Paul Mutual Insurance Company;

Which was as follows:

Section 15, line 2; strike out "repeal."

Mr. Forbes moved to amend the amendment by inserting "3d" in lieu of 2d.

The amendment was agreed to, and the amendment as amended was concurred in.

The question then recurring on concurring in the amendment to the title of the bill, which was as follows:

Strike out "Saint Paul Mutual," and insert "Fire and Marine,"

It was concurred in.

A message from the House was received from Joseph R. Brown, Chief Clerk thereof, as follows:

MR. PRESIDENT:—The House of Representatives has concurred in,

(C. F. No. 6,) A bill for an act to incorporate the Louisiana and Minnesota Railroad Company, and

(C. F. No. 7,) A bill to incorporate the Saint Paul and Saint Anthony Railroad company,

Each with amendments.

The House of Representatives has adopted the resolution of the two Houses relative to visiting the public buildings, with amendments.

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

And then the chief Clerk withdrew.

Mr. Loomis moved that so much of rule 28, as requires a motion to reconsider a vote the same or the succeeding day be suspended, and

(H. of R. No. 10,) A bill to establish additional road districts, in the Territory,

Was taken up, and

On motion of Mr. Larned,

The vote was reconsidered by which the Council passed the bill.
The question then recurring on the passage of the bill,

On motion of Mr. Loomis,

The bill was laid on the table.

Mr. Loomis moved that so much of rule 28 as requires a motion to reconsider a vote the same or the succeeding day be suspended;

Pending the question,

Mr. Larned moved a call of the Council,

Which was ordered.

The roll was called and Messrs. Babcock and Greely reported absent.

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

Mr. Kittson moved to suspend the call,

Which was negatived.

Mr. Forbes moved the Council adjourn;

The motion was lost.

On motion of Mr. Loomis,

The call of the Council was dispensed with.

The question then recurring on suspending the rule,

A division was ordered, and

There were ayes, 5; noes, 1;

So the rule was suspended.

Mr. Larned moved to reconsider the vote by which the Council passed, (H. of R. No. 3,) A bill to dissolve the marriage contract existing between Henry Buel and Susan Buel,

Mr. Farrington asked to be excused from voting on the motion to reconsider the vote.

Mr. Larned moved a call of the Council,

Which was ordered;

The roll was called, and

Messrs. Babcock, Farrington and Greely were reported absent.

On motion of Mr. Forbes,

The call was suspended.

Mr. Forbes moved that Mr. Farrington be excused from voting on the question to reconsider the vote,

And the ayes and noes being called for and ordered,

There were ayes, 3; noes, 2;

Those who voted in the affirmative were,

Messrs. Larned, Loomis and President.

Those who voted in the negative were,

Messrs. Kittson and Forbes.

So the motion prevailed.

The question then recurring on the motion to reconsider the vote,

And the ayes and noes being called for and ordered,

There were ayes, 3; noes, 2;

Those who voted in the affirmative were,

Messrs. Forbes, Larned and Loomis.

Those who voted in the negative were,

Messrs. Kittson and President.

So the vote was reconsidered.

The question then recurring on the passage of the bill,

Mr. Farrington moved a call of the Council,

Which was ordered.

The roll was called and Messrs. Babcock and Greely were reported absent.

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

The Sergeant-at-Arms reported the absent members out of town.

The question then recurring on the passage of the bill,

And the ayes and noes being called for and ordered,

There were ayes, 2; noes, 4.

Those who voted in the affirmative were,

Messrs. Kittson and President.

Those who voted in the negative were,

Messrs. Farrington, Forbes, Larned and Loomis.

So the Council refused to pass the bill.

On motion of Mr. Farrington,

The message from the House was taken up and read.

The question then recurring on concurring in the amendments to,

(C. F. No. 6,) A bill for an act to incorporate the Louisiana and Minnesota Railroad Company,

The first amendment was concurred in, and the Council refused to concur in the second and last.

The question then recurring on concurring in the amendments of the House to, (C. F. No. 7,) A bill to incorporate the Saint Paul and Saint Anthony Railroad Company,

They were concurred in.

The question then recurring on concurring in the amendment to the resolution instructing the committee on Public Buildings, &c.,

They were concurred in.

Mr. Farrington moved that the Secretary of the Council be instructed to inform the Building Commissioners that the committee on Public Buildings will be ready to visit the Public Buildings on to-morrow.

The motion was adopted.

Mr. Loomis gave notice that he would on to-morrow, or some future day, ask leave to introduce joint resolutions relative to a representation of the industrial and natural productions of the Territory in the Crystal Palace.

The committee on the Judiciary, to which was referred,

(C. F. No. 16,) A bill to incorporate the Minnesota Western Railroad Company, Have had the same under consideration, and beg leave to report the same back to the Council, and recommends the following amendments:

Amend Section 2, by striking out in the 6th and 7th lines of the printed bill the words "and up the valley of the Minnesota river to the Missouri," and inserting the words, "by the most feasible route, to the western bounds of said Territory at such point as shall be deemed most expedient by said company;"

And also to amend the eighth line, by adding at the end of the section the words, to wit: "if deemed advisable by said company."

Amend section 6, in the first line, by striking out the word "to," after "payment," and inserting the word "of."

Amend Sec. 7, in the 7th line, by striking out the words "in" and "of debt," and inserting the word "civil."

Amend Sec. 10, in the second line, by inserting after the word "road," the following, to wit:

"Or any of its depots, cars, storehouses, buildings, machine shops, or other fixtures;" also in lines 4 and 5, strike out "in," and "of debt," and insert the word "civil."

Amend Sec. 11, in the second line, by inserting after the word "proper" the following, to wit: "And all necessary roads and passages across the track of said Railroad or otherwise."

In the third line strike out the word "it," and insert "the Company."

Amend Sec. 14, in the second line, by inserting after the word "width," the following, to wit: "Except where it is necessary to leave room for turn-outs, sites for water buildings, conduits and tanks, sites for depots, car and storehouses,

machine and other shops and the extra tracks, necessary therefor, and whenever it is necessary to have such lands, they shall have the right to enter upon, take, hold, and occupy such lands."

Amend in the 4th line by inserting after the word "road," when it occurs the second time, the following, to wit: "And for the purposes aforesaid."

Strike out all of Sec. 18, and insert the following, to wit: "The fee simple of all lands granted along the line of said road, or otherwise by the Congress of the United States, for the purpose of aiding in constructing said road, may be directly granted to said Company, and shall be vested in or transferred to said Company, and said Company is hereby authorized to receive the title thereto, and is hereby empowered to transfer just and proper proportional parts of said lands from time to time and convey in fee simple or otherwise as soon and as often as five miles of said road shall be constructed and completed and the track thereof shall be put in running order, and this grant shall not become void, nor this Company dissolved by the non-completion of the entire extent of said road, but shall be good and valid to all intents and purposes, for the parts or portions of said road completed, and said Company shall continue and survive to that extent.

The question then recurring on accepting the report,

It was accepted.

The question then recurring on concurring in the amendments recommended by the Judiciary Committee,

They were concurred in.

On motion of Mr. Forbes,

The Bill was read a second time by its title.

On motion of Mr. Forbes,

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

TWO O'CLOCK, P. M.

Council met pursuant to adjournment, and was called to order by the President. Mr. Farrington moved that the Council resolve itself into a Committee of the Whole,

Mr. Farrington in the Chair,

For the consideration of

(No. 12, H. of R.) A bill for the organization of certain counties therein named;

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

Leave was granted;

(C. F. No. 15,) A bill to organize Counties north of Minnesota river,

Being ready for Committee of the Whole;

On motion of Mr. Forbes,

The bill was laid on the table.

The President laid before the Council the petition of H. A. Stoll and others, praying for the organization of a new county from Wabashaw county.

On motion of Mr. Babcock,

The petition was laid on the table.

On motion of Mr. Kittson,

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

MONDAY, FEBRUARY 21, 1853.

The Council met pursuant to adjournment.

In the absence of the President,

On motion of Mr. Forbes,

Mr. Babcock was appointed President *pro tem*.

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of Friday was read and approved.

Mr. Farrington from the committee on enrolled bills, reported as follows:

The joint committee on enrolled bills beg leave to report, that they have examined and found correctly enrolled the following entitled joint resolution, viz;

Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society.

GEO. W. FARRINGTON, *Council.* } *Com.*
JNO. D. LUDDEN, *House.*

Mr. Loomis on leave introduced,

(C. F. No. 2.) Joint Resolution, authorizing the governor to appoint a suitable person to attend the World's Fair Exhibition in the Crystal Palace.

Which was read a first and second time.

The President laid before the Council, a communication signed J. H. Simpson, E. D. Neill and T. R. Cressey, inviting the Council to attend a temperance convention at the court house to-morrow;

On motion of Mr. Loomis,

The invitation was accepted;

And the communication was laid on the table;

A message from the House being announced,

Joseph R. Brown, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has concurred in the amendment made by the Council to an amendment proposed by the House to

(C. F. No. 9,) A bill to incorporate the St. Paul Fire and Marine Insurance Company.

The House of Representatives has refused to recede from the second amendment proposed by the House to

(C. F. No. 6.) A bill for an act to incorporate the Louisiana and Minnesota Railroad Company,

And then the Chief Clerk withdrew.

On motion of Mr. Farrington,

The message from the House was taken up and read,

On motion of Mr. Forbes,

A committee consisting of Messrs. Forbes and Farrington was appointed to confer with a similar committee on the part of the House, on the disagreeing vote of the two Houses on

(C. F. No. 6,) A bill to incorporate the Louisiana and Minnesota Railroad Company.

On motion of Mr. Loomis,

The Council adjourned until 2 o'clock P. M., to-morrow.

TUESDAY, FEBRUARY 23, 1853.

The Council was called to order by the President *pro tem*.
 A quorum not being in attendance,
 On motion of Mr. Farrington,
 The Council adjourned.

WEDNESDAY, FEBRUARY 23, 1853.

The Council was called to order by the President *pro tem*.
 Prayer by the Rev. Mr. Reiheldaffer.
 The journals of Monday and yesterday were read and approved.
 Mr. Loomis presented the remonstrance of Henry N. Setzer and 57 others re-
 monstrating against the passage of the Maine Liquor Law;
 Which was read, and,
 On motion of Mr. Loomis,
 Laid on the table;
 Mr. Larned presented the petition of 7 men and 3 women of Hennepin county,
 and also,
 The petition of 14 men and 3 women of Fort Snelling;
 Praying for the re-enactment of the Liquor Law;
 On motion of Mr. Forbes,
 The petitions were laid on the table.
 Mr. Forbes presented the petition of Ann L. Stees and 146 other ladies of St.
 Paul; and also,
 The petition of John Ittner and 180 others of St. Paul; and also,
 Of E. W. Merrill and 17 others of St. Anthony; and also,
 Of M. C. Merrill and 6 other ladies of St. Anthony; and also,
 Of R. M. Richardson and 16 others of Sauk Rapids; and also,
 Of O. H. Kelley and 8 others of Itasca; and also,
 Of Alpheus R. French and 19 others of Kaposia; and also,
 Of Antoine Greigno and 38 others of Long Prairie; and also,
 Of Catharine Fairbanks and 26 other ladies of Long Prairie;
 Praying for the re-enactment of the Liquor Law of last session.
 On motion of Mr. Forbes,
 The petitions were laid on the table.
 The President *pro tem*. laid before the Council the following communication,
 viz:
To the Hon. the President of the Council:
 The Secretary of the Council begs leave to report, that in compliance with a
 resolution of the Council, passed at its session on Wednesday, Feb. 16, I en-
 closed a copy of the resolution and bill specified; and have this day received the
 following communication from His Honor, Chief Justice Hayner.
 A. T. C. PIERSON,
 Secretary of the Council.

TUESDAY, Feb. 22d.

AT CHAMBERS, St. Paul, }
18th February, 1853. }

To the Hon., the Legislative Council of the Territory of Minnesota:

I am apprised by your Secretary that a resolution was adopted by your honorable body, the 16th instant, a copy whereof accompanying a copy of "a bill for the restriction of the sale of intoxicating liquors within the Territory of Minnesota," was enclosed to me by him, requiring my opinion on the constitutionality of such a law if passed.

Upon the examination of the Revised Statutes of the Territory, I find that you have the full right and authority to call upon me for such opinion. [R. S., § 18, p. 38.]

Whatever may be my private views of the propriety or impropriety of such a legal requirement, I shall not claim an exemption from the duty imposed upon me by the resolution.

Knowing, as I do, that your labors are drawing to a close, from the limitations prescribed by law, as to the time you are authorized to continue your sessions, I am warned thereby that whatever communications I have to make must be hastened with all convenient speed.

Agreeable to your request, I will state that I have examined the bill referred to, to the extent that time and opportunity have permitted since the same has come to hand, and I perceive the bill has been drawn with a view to avoid the constitutional objections that have heretofore been deemed to be valid in respect to enactments in some of the States, having the same end in view.

The limited time afforded me for the consideration of the various cases that may be fairly supposed will arise under such a law, and the manifest design of those who drew the bill to have all its provisions in the full stringency of other and similar enactments, avoiding those provisions heretofore held unconstitutional, and no others; intending to travel as closely as possible to the utmost constitutional limits, in the framing of the bill, will prevent me from traversing the boundary between what may or may not be constitutional, so thoroughly as to ascertain whenever it is approached by the bill, whether it trenches upon it or not, even satisfactory to myself; and I must premise that in any suggestion or intimation I may make to your honorable body, I shall hold myself free of any blame, provided the bill becomes a law, and the same or like questions are raised before me judicially, if after argument by counsel and more mature deliberation, I shall arrive at different conclusions from what I shall express in this communication. With these qualifications I make the following suggestions as probably correct:

First. The 9th section violates the United States constitutional provision that a man shall not be compelled, in a criminal case, to be a witness against himself.

Second. The 11th section violates the provisions of the constitution of the United States in these respects, viz:

1st. That a man shall not be deprived of his liberty or property, without due process of law.

2d. That the people have the right to be secure in their persons, houses and effects against unreasonable searches and seizures.

3d. That no warrants shall issue but upon probable cause, &c.

4th. That the defendant shall have compulsory process for obtaining witnesses in his favor.

5th. That he shall have the assistance of counsel for defence.

6th. That there is no provision made for the adjournment of a cause, but it must proceed immediately.

Third. The 8th section is in violation of the the provision of the constitution of the United States that excessive bail shall not be required.

Fourth. There probably are other unconstitutional provisions in the bill that

have escaped me from the necessarily hasty perusal I have been compelled to give it.

All which is most respectfully submitted.

H. Z. HAYNER.

The communication was read, and,

On motion of Mr. Forbes,

Laid on the table, and 250 copies thereof ordered to be printed;

Mr. Forbes gave notice that he would on to-morrow, or some future day, introduce a bill fixing the times of holding courts in the several counties of Minnesota.

Mr. Larned from the committee on Engrossed Bills, reported as follows:

The committee on Engrossed Bills ask leave to report,

That they have examined and found correctly engrossed,

The following entitled bills:—

(No. 14, C. F.) A bill entitled an act for the government of the Territorial Prison of Minnesota;

(C. F. No. 2.) A Bill entitled an act to incorporate the Mississippi and Lake Superior Railroad Company.

(C. F. No. 5.) A bill entitled an act for the restriction of the sale of intoxicating liquors within the Territory of Minnesota,

W. L. LARNED,
Chairman.

The committee on enrolled bills made the following report:

The committee on enrolled bills have examined and found correctly enrolled, the following:—

(No. 11, H. of R.) A Bill entitled an act to incorporate the Hennepin County Agricultural Society;

(No. 5, H. of R.) A bill entitled an act to change the time of holding the general election in the several election precincts in the county of Pembina.

(No. 2, H. of R.) A bill entitled an act to incorporate the Baldwin School in the city of St. Paul.

(No. 2, H. R.) A memorial to Congress relative to School Lands;
GEO. W. FARRINGTON, *Council*, } *Com.*
JNO. D. LUDDEN, *House*, }

Mr. Loomis from the judiciary committee, reported as follows:—

The committee on the judiciary, to which was referred,

(No. 10, C. F.) A bill to amend the Revised Statutes,

Beg leave to report the same back to the Council without amendment, and ask to be discharged from further consideration of the subject.

D. B. LOOMIS,
Of Judiciary Com.

The question then recurring on accepting the report of the committee on the judiciary,

It was accepted;

Mr. Loomis, on leave introduced

(No. 19, C. F.) A bill to incorporate the Grand Lodge of Ancient, Free, and Accepted Masons of Minnesota.

Which was read a first and second time.

Bills ready for a third reading, being in order,

(No. 14, C. F.) A bill for the government of the Territorial Prison of Minnesota, was,

On motion of Mr. Forbes,

Laid on the table;

(C. F. No. 5.) A bill to restrict the sale of intoxicating liquors within the Territory of Minnesota;

Received its third reading;

Pending the reading,

Mr. Larned asked and obtained the unanimous consent of the Council, to amend the bill, as follows:—

Section 3; line 4, insert "sacramental" after "medicinal;"

Section 4, line 9, and part of line 10, strike out the following words: "And shall be imprisoned in the common jail-not less than three months nor more than six months;"

Section 6, in line 9, strike out "twenty-four hours," and insert "ten days;"

Section 8, in line 11 and 12, strike out "and shall be imprisoned four months in the common jail of the county where the offence was committed;"

Section 11, in line 3, strike out "have reason to believe and do believe," and insert the word "know;"

Section 11, in lines 4, and 5, strike out "or deposited and intended for sale," and insert "and have been sold;"

Section 12, in line 9, insert "sacramental" after the word "medicinal;"

Mr. Loomis asked and obtained the unanimous consent of the Council to amend the bill, as follows, viz:—

Strike out section 10;

Section 11, strike out all after the word "payment" in line 39.

The question then recurring,

On the passage of the bill,

It was decided in the affirmative,

And the title thereof agreed to;

On motion of Mr. Forbes,

The Council adjourned until 2 o'clock P. M.

TWO O'CLOCK, P. M.

Council met pursuant to adjournment.

On motion of Mr. Forbes,

(C. F. No. 2,) A bill for an act to incorporate the Mississippi and Lake Superior Railroad Company,

Was read a third time, by its title, passed, and the title thereof agreed to.

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole,

Mr. Loomis in the chair

For the consideration of

(C. F. No. 16,) A bill to incorporate the Minnesota Western Railroad Company;

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

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the amendment recommended by the committee of the whole,

It was adopted.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Farrington,

The Council resolved itself into a committee of the whole,

Mr. Farrington in the Chair,

For the consideration of

(C. F. No. 17,) A bill to incorporate the Northwestern Railroad Company;

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

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

The bill was then ordered to be engrossed for a third reading.

(C. F. No. 18,) A bill for an act to suppress gaming, to increase the revenue, and for other purposes,

Being ready for committee of the whole,

On motion of Mr. Forbes,

Was laid on the table,

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole,

Mr. Forbes in the chair,

For the consideration of,

(H. of R. No. 12,) A bill for the organization of certain counties therein named.

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

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the amendments reported by the committee of the whole,

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

The 1st amendment was then stated, as follows:

Section 1. lines 3 and 4; strike out "opposite the mouth of Lake St. Croix," and insert "half-way between the mouth of Vermillion river and Red Wing Village."

A division was ordered;

There were ayes, 3; nays, 2.

So the amendment was adopted.

The second amendment was then stated as follows:

Amend Section 4 as follows:

Strike out all after the word "county" in 3d line, and insert, "thence along the south line of Wabashaw county to the mouth of Minniskah or White river; thence down the Mississippi river to a point on the same, one mile above the North-east corner of the town plat of Winona; thence South-east to the Iowa State line; thence in a direct line."

Mr. Loomis offered the following substitute for the amendment:

Strike out all after the word "county," in the third line and insert, "thence along the the south line of Wabashaw county to the mouth of Minniskah or White river; thence down the Mississippi river to a point where the north line of township No. 17, in the State of Wisconsin strikes said river; thence west upon said town line (when the same shall be surveyed) to its intersection with the range line between ranges 16 and 17 west of the 4th principal meridian; thence in a direct line to the place of beginning."

"Sec. 5. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Clinton, to wit: Beginning at the South-west corner of Fillmore county; thence along the southern boundary line of Fillmore county to the Mississippi river; thence down said river to the Iowa State line; thence westerly along said State line to its intersection with the range line between ranges 16 and 17 west of the 4th principal meridian; thence north to the place of beginning."

A division was ordered, and

There were ayes, 1; noes, 3;

So the substitute was lost.

The question then recurring on adopting the amendment,

A division was ordered, and

There were ayes, 3; noes, 1;

So the amendment was adopted.

The third amendment was then stated as follows:

Amend the bill by inserting as follows after section 4th:

“Sec. 5. All that portion of the Territory lying below the southerly boundary line of Fillmore county, be and is hereby created into the county of Wilkin.

It was adopted.

The fourth and last amendment was then stated, as follows:

Add to section 10. “The county seat shall be at Traverse des Sioux, within one mile above the old landing, known as the ‘Sioux Crossing,’ the locality within said ‘one mile’ to be determined upon by the first county commissioners of said Nicollet county;”

It was negatived.

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

On motion of Mr. Farrington,

The bill was laid on the table, and made the special order of the day for to-morrow.

Mr. Larned from the Committee on Engrossed Bills reported as follows, viz:

The Committee on Engrossed Bills beg leave to report that they have examined and found correctly Engrossed the following bills:

(C. F. No. 17,) A bill entitled an act to incorporate the Northwestern Railroad Company.

(C. F. No. 11,) A bill entitled an act for the exercise of equity jurisdiction in the form of civil actions, and for other purposes.

W. L. LARNED,
Chairman.

On motion of Mr. Farrington,

So much of rule 36 as requires one day’s notice of leave to introduce bills was suspended.

Mr. Farrington, on leave, introduced,

(C. F. No. 3,) Joint Resolution authorizing the Secretary of the Territory to collate and cause to be printed certain parts of the Revised Statutes, and for other purposes;

Which was read a first and second time.

On motion of Mr. Farrington,

(C. F. No. 11,) An act for the exercise of equity jurisdiction in the form of civil actions, and

(C. F. No. 17,) A bill to incorporate the Northwestern Railroad Company,

Were taken from the table for a third reading.

On motion of Mr. Loomis,

(C. F. No. 11,) A bill for the exercise of equity jurisdiction in the form of civil actions,

Was read a third time by its title, passed, and the title thereof agreed to.

On motion of Mr. Loomis,

(C. F. No. 17,) A bill to incorporate the Northwestern Railroad Company,

Was read a third time by its title and passed, and the title thereof agreed to.

On motion of Mr. Farrington,

The Council adjourned.

THURSDAY, FEBRUARY 24, 1853.

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

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and approved.

A message from the House of Representatives being announced, Joseph R. Brown, Chief Clerk thereof, appeared and delivered the following message,

MR. PRESIDENT:—The House of Representatives has negatived, by ordering to indefinite postponement:

(C. F. No. 12.) A Bill to legalize the official acts of John W. Bell, a Justice of the Peace residing at Fond du Lac, Itasca county.

And the bill is herewith returned to the Council;

The Speaker of the House of Representatives has signed

A Joint Resolution, authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society,

A Memorial to Congress relative to School Lands,

A bill entitled an Act to incorporate the Baldwin School in the city of St. Paul,
A bill entitled an Act to change the time of holding the general election in the several election precincts in the county of Pembina, and

A bill entitled an Act to incorporate the Hennepin County Agricultural Society,

The House of Representatives has appointed Messrs. Ames and Murray a committee on the part of the House to confer with a similar committee on the part of the Council on the disagreeing vote of the two Houses, on

(No. 6, C. F.) A bill entitled an act to incorporate the Louisiana and Minnesota Railroad Company,

The House of Representatives has passed,

(No. 1, H. of R.) A bill to provide for laying out a Territorial Road from the Falls of St. Anthony to the western boundary of Sibley county,

(No. 20, H. of R.) A bill prescribing the manner of contesting the election of members of the Legislative Assembly of this Territory. And,

(No. 21, H. of R.) A bill to provide for the election of special Commissioners in the county of Hennepin;

In all of which the concurrence of the Council is respectfully requested;

And then the Chief Clerk withdrew.

Mr. Forbes, on leave, introduced

(No. 20, C. F.) A bill fixing the time of holding courts in the several counties in Minnesota,

Which was read a first and second times.

Mr. Forbes, from the joint committee of Conference, made the following report:

The Joint Committee of Conference to whom was referred,

(No. 6, C. F.) A bill for an act to incorporate the Louisiana and Minnesota Railroad Company,

Respectfully recommend that the Council concur in the first disagreeing amendment, and that the House of Representatives recede from the second and last disagreeing amendment.

W. H. FORBES, *Council.*

A. E. AMES, *H. of R.*

The question then recurring on accepting the report of the committee of conference; it was accepted.

The question then recurring on adopting the recommendations of the committee of conference, they were adopted.

The message from the House of Representatives was then taken up in order of business, and the President *pro tem.* of the Council signed,

“Joint Resolution authorizing the Secretary of the Territory to purchase certain copies of the Annals of the Minnesota Historical Society.” And also,

A memorial to Congress relative to School lands. And also,

An act to incorporate the Hennepin County Agricultural Society. And, also,

An act to change the time of holding the general election in the several precincts in the county of Pembina. And, also,

An act to incorporate the Baldwin School in the city of St. Paul;

And the joint resolution, memorial and the acts were placed in the hands of the chairman of the committee on Enrolled Bills, for presentation to his Excellency the Governor, for his examination and approval.

(No. 1, H. of R.) A bill to provide for laying out a Territorial road from the Falls of St. Anthony to the Western boundary of Sibley county. And,

(No. 20, H. of R.) A bill prescribing the manner of contesting the election of members of the Legislative Assembly of this Territory. And,

(No. 21, H. of R.) A bill to provide for the election of special Commissioners in the county of Hennepin,

Were read a first and second time.

Mr. Farrington presented the report of the joint committee on public buildings, which was read; and

On motion of Mr. Forbes,

Laid on the table, and 100 copies thereof ordered to be printed.

On motion of Mr. Forbes,

(No. 12, H. of R.) A bill to organize certain counties therein named,

Was taken from the table.

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

Pending the question,

The President *pro tem.* called Mr. Loomis to the Chair, and Mr. Forbes offered the following amendment to section 1:

From the word “thence” in line 4, insert “on a straight line to a point on the Mississippi river, one half mile south of opposite the mouth of Lake Saint Croix, thence up the Mississippi river to the mouth of the Minnesota river, thence up the Minnesota river, to the place of beginning;

Which was adopted.

Mr. Babcock offered the following amendment to section 4:

Strike out of lines 8 and 9 the words “one mile above the north-east corner of the town plat of Winona,” and insert “equi-distant between the south-east corner of the town plat of Winona and north-east corner of the town plat of Minneowah,”

And the ayes and noes being called for and ordered;

There were ayes 2; noes 3.

Those who voted in the affirmative, were

Messrs. Babcock and Loomis.

Those who voted in the negative, were

Messrs. Farrington, Forbes and Larned.

So the amendment was lost.

Mr. Farrington moved that the Council adjourn;

And the ayes and noes being called for and ordered,

There were ayes 3; noes 2.

Those who voted in the affirmative, were

Messrs. Farrington, Forbes and Larned.

Those who voted in the negative, were

Messrs. Babcock and Loomis.

So the Council adjourned.

FRIDAY, FEBRUARY 25, 1853.

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

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday was read and approved.

Mr. Farrington presented the petition of W. B. Dodd and 35 others, praying for a county seat at Rock Bend and a ferry charter for W. B. Dodd.

On motion of Mr. Loomis,

The petition was laid on the table.

Mr. Loomis, from the Judiciary committee made the following report, viz:

The committee on the Judiciary, to which was referred,

(C. F. No. 13,) A bill to amend the Revised Statutes,

Have had the same under consideration, and report the bill back to the Council, and recommend the following amendments:

Insert in said bill, as Section 1, the following:

Sec. 1. Section one of Article seven, chapter 8, page 72, is hereby amended so as to read as follows:

Sec. 1. The qualified electors in each of the organized counties of the Territory, shall, at the annual election elect a surveyor, who shall hold his office for two years and until his successor shall be elected and qualified, and who shall reside in the county for which he shall have been elected, and shall, previous to his entering upon the duties of his office, take and subscribe an oath or affirmation faithfully to discharge the duties of the same, and shall give bond to the Clerk of the Board of County Commissioners of the proper county in the sum of five hundred dollars, conditioned for the faithful discharge of his duties.

Change section "one" of the bill to section "two," and insert the word "issues" after the word "rents," in second line.

§ 123 of chapter 69, page 315, is hereby amended so as to read as follows:

Sec. 123. Any person aggrieved by any judgment rendered by any justice of the peace under this article, when the judgment shall exceed fifteen dollars, or in action of replevin, when the value of the property as sworn to in the affidavit for a writ of replevin, shall exceed fifteen dollars, or when the amount claimed in the complaint shall exceed thirty dollars, may appeal, by himself or agent, to the district court of the county where the same was rendered: *Provided, however,* That when the claims of either party, as proven in the cause, at the trial, shall exceed one hundred dollars, or the claims of both parties, as proved on the trial, shall exceed two hundred dollars, then either party may appeal from such judgment, although the recovery before the justice be less than fifteen dollars; in which case, the fact of such sum or sums having been proved on the trial shall be set forth and certified by the justice in his return: *Provided,* This law shall not interfere with any action in cases of forcible entry and detainer: *And provided further,* That no appeal shall be allowed in any case unless the following requisites are complied with within ten days after judgment rendered, viz:

1. An affidavit shall be filed with the justice before whom the cause was tried, stating that the appeal is made in good faith and not for the purpose of delay.

2. A recognizance entered into by the party appealing, his agent or attorney, to the adverse party in a sum sufficient to secure such judgment and cost of appeal, must be entered into with one or more sureties to be approved by the justice.

Section 83, page 339, is hereby amended so as to read as follows:

Sec. 83. The plaintiff may unite several causes of action in the same complaint, whether legal or equitable, when they are included in either of the following classes:

1. The same transaction or transactions connected with the same subject of action.

2. Contracts, express or implied.

3. Injuries, with or without force, to person and property or either.

Change section "2" to section "5," and section "3" to section "6."

Sec. 7. Section 2 of chapter 100, page 492, is hereby amended so as to read as follows:

Sec. 2. Such killing, when perpetrated with a premeditated design to effect the death of a person killed, or any human being, shall be murder in the first degree, and the person who shall be convicted of the same shall suffer the punishment of death, but any person convicted of any capital crime shall be kept in solitary confinement for a period of not less than one month, nor more than six months in the discretion of the Judge before whom the conviction is had, at the expiration of which time it shall be the duty of the Governor to issue his warrant of execution. When perpetrated by any act imminently dangerous to others and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual, shall be murder in the second degree, and shall be punished by imprisonment in the Territorial Prison or Penitentiary for life. When perpetrated without any design to effect death by a person engaged in the commission of any felony, shall be murder in the third degree, and shall be punished by imprisonment in the Territorial Prison not more than fourteen years nor less than seven years.

D. B. LOOMIS,
Of the Judiciary Committee.

The question then recurring on accepting the report of the committee,

It was accepted.

The question then recurring on adopting the amendments reported by the committee;

They were adopted.

Mr. Larned from the committee on Engrossed bills, reported as follows, viz:

The committee on Engrossed Bills beg leave to report, that they have examined and found correctly engrossed, the following entitled bill:

(C. F. No. 16,) A bill to incorporate the Minnesota Western Railroad Company.

W. L. LARNED, *Chairman.*

Bills ready for a third reading being in order,

On motion of Mr. Loomis,

(C. F. No. 16,) A bill to incorporate the Minnesota Western Railroad Company,

Was read a third time by its title.

Mr. Forbes asked and obtained the unanimous consent of the Council to add section 22 to the bill, as follows:

"SEC. 22. The Legislature may at any time alter, amend or repeal this act."

The question then recurring on the passage of the bill,

It was decided in the affirmative, and the title thereof agreed to.

(H. of R. No. 12,) A bill to organize certain counties therein named,

Was read a third time, and

On motion of Mr. Loomis,

The bill was laid on the table.

On motion of Mr. Forbes,

So much of rule 36 as requires one day's notice of leave to introduce bills was suspended.

Mr. Loomis, on leave, introduced,

(C. F. No. 21,) A bill to organize the counties of Dakota and Wabashaw;

Which was read a first and second time.

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

On motion of Mr. Farrington,
 The Council resolved itself into a Committee of the Whole,
 Mr. Larned in the chair,
 For the consideration of
 (C. F. No. 29,) A bill to incorporate the Grand Lodge of Ancient, Free and
 Accepted Masons of Minnesota;
 After some time passed therein, the Committee rose,
 And by their Chairman reported the bill back to the Council with amendments.
 The question then recurring on accepting the report of the Committee of the
 Whole;

It was accepted.

The question then recurring on adopting the amendments reported by the Com-
 mittee of the Whole,

They were adopted.

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

It was so ordered.

On motion of Mr. Loomis,
 The Council resolved itself into a committee of the whole,
 Mr. Forbes in the chair,
 For the consideration of
 (C. F. No. 13,) A bill to amend the Revised Statutes,
 After some time passed therein, the committee rose, and by their Chairman
 reported the bill back to the Council without amendment.

The question then recurring on accepting the report of the committee of the
 whole;

It was accepted.

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

It was so ordered.

On motion of Mr. Farrington,
 The Council resolved itself into a committee of the whole,
 Mr. Greely in the chair,
 For the consideration of,
 (C. F. No. 10,) A bill to amend the Revised Statutes;
 After some time passed therein, the Committee rose and by their Chairman re-
 ported the bill back to the Council without amendment;

The question then recurring on accepting the report of the Committee of the
 Whole,

It was accepted.

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

And the ayes and noes being called for and ordered;

There were yeas 3; noes 3;

Those who voted in the affirmative, were

Messrs. Farrington, Forbes and Greely.

Those who voted in the negative, were

Messrs. Babcock, Larned and Loomis.

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

Mr. Forbes, on leave, gave notice that he would on to-morrow or some future
 day, move to suspend rule 40 for the remainder of the session.

On motion of Mr. Loomis,

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

TWO O'CLOCK, P. M.

Council met pursuant to adjournment, and was called to order by the President. On motion of Mr. Forbes, the Council resolved itself into a Committee of the Whole,

Mr. Forbes in the Chair,

For the consideration of the House file of bills,

A message from the House of Representatives being announced,

The President took the chair, and

Joseph R. Brown, Esq., Chief Clerk, thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House of Representatives has adopted the report of the Committee of Conference on the disagreeing vote of the two Houses on (No. 6, C. F.) A bill for an act to incorporate the Louisiana and Minnesota Railroad Company,

The House of Representatives has passed:

(No. 19, H. of R.) A bill to amend article ten of the Revised Statutes,

And has concurred in

(No. 2, C. F.) A bill for an act to incorporate the Mississippi and Lake Superior Railroad Company,

With amendments,

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

The House of Representatives has passed the following resolution, viz:

Resolved, That the Chief Clerk of this House be instructed to call upon the Council and request that body to return to this House, House bill No. 10, for its further action,

The House of Representatives has passed,

(H. of R. No. 13,) A bill to amend an act to incorporate the town of St. Paul in the county of Ramsey, and,

(No. 17, H. of R.) A bill to incorporate the town of Mendota in the county of Dakota,

In all of which the concurrence of the Council is requested.

And then the chief Clerk withdrew;

And the committee resumed its sitting.

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

With an amendment to,

(No. 20, H. of R.) A bill prescribing the manner of contesting the election of members of the Legislative Assembly of this Territory,

The question then recurring, on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the amendment to No. 20, H. of R.,

On motion of Mr. Forbes,

The bill was indefinitely postponed;

On motion of Mr. Farrington,

(No. 1, H. of R.) A bill to provide for laying out a Territorial road from the Falls of St. Anthony to the western boundary of Sibley county,

Was read a third time by its title, and passed,

And the title thereof agree to;

The question then recurring on ordering,

(No. 21, H. of R.) A bill to provide for the election of special Commissioners in the county of Hennepin,

To a third reading,

Pending the question,

On motion of Mr. Larned,
The bill was laid on the table.

On motion of Mr. Forbes,
The Council resolved itself into a committee of the whole,
Mr. Farrington in the chair,
For the consideration of

(No. 2, C. F.) Joint Resolution authorizing the Governor to appoint a suitable person to attend the World's Fair, in the Crystal Palace;

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

The report was accepted, and the amendments adopted;
And the joint resolution ordered to be engrossed for a third reading.

The joint committee on Enrolled bills, reported as follows:

The joint committee on Enrolled bills, respectfully report that they did, on the 16th day of February, present to his Excellency, the Governor, for his approval the following entitled acts:

(No. 2, H. of R.) A bill entitled an Act to incorporate the Baldwin School in the city of St. Paul,

(No. 5, H. of R.) A bill entitled an Act to change the time of holding the general election in the several election precincts in the county of Pembina,

(No. 11, H. of R.) A bill entitled an Act to incorporate the Hennepin County Agricultural Society,

(No. 2, H. of R.) A memorial to Congress relative to School Lands,
(C. F. No. 2,) Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society.

GEO. W. FARRINGTON, *Council.* } Committee.
JNO. D. LUDDEN, *House.*

On motion of Mr. Loomis,

The message from the House was taken up and read,
The question then recurring,

On concurring in the amendments of the House to
(No. 2, C. F.) A bill entitled an act to incorporate the Mississippi and Lake Superior Railroad Company;

The first, second, third, fourth, and sixth amendments were concurred in, with amendments to the first and sixth, and the fifth was non-concurred in;

Mr. Forbes on leave, introduced the following resolution
Which was read and adopted:

Resolved, That the Secretary of the Council be instructed to inform the House that in accordance with their resolution calling for (H. of R. No. 10,) have to say that the bill is on the Council table, and yet in existence; otherwise the House would have so been informed. Any final action which may be had on said bill, the House will be so notified, in accordance with joint rule No. 8;

(H. of R. No. 13,) A bill entitled an act to amend an act to incorporate the town of St. Paul, in the county of Ramsey; and,

(H. of R. No. 17,) A bill entitled an act to incorporate the town of Mendota, in the county of Dakota; and,

(H. of R. No. 19,) A bill entitled an act to amend article ten of the Revised Statutes;

Were severally read a first and second time.

A message from the House of Representatives being announced,
Joseph R. Brown chief clerk thereof appeared and delivered the following message:—

MR. PRESIDENT:—The House of Representatives has concurred in
(C. F. No. 16,) A bill entitled an act to incorporate the Minnesota Western Railroad Company,

With an amendment;

And have passed,
 (H. of R. No. 27,) A bill entitled an act to incorporate colleges, seminaries,
 churches, lyceums, and libraries;
 In all which the concurrence of the Council is respectfully requested,
 And then the chief clerk withdrew.
 Mr. Forbes moved the message from the House be taken up,
 And the ayes and noes being called for and ordered,
 There were ayes, 2; noes, 4;
 Those who voted in the affirmative, were
 Messrs. Forbes, and Greely;
 Those who voted in the negative, were
 Messrs. Babcock, Farrington, Larned and Loomis;
 So the Council refused to take the message from the table.
 Mr. Forbes moved the Council adjourn until Monday next;
 Which was negatived.
 Mr. Farrington moved that the Council adjourn,
 And the ayes and noes being called for and ordered,
 There were ayes, 4; noes, 2;
 Those who voted in the affirmative were,
 Messrs. Babcock, Farrington, Larned and Loomis.
 Those who voted in the negative were,
 Messrs. Forbes, and Greely,
 So the Council adjourned.

SATURDAY, FEBRUARY 26, 1853.

The Council was called to order by the President *pro tem*.
 Prayer by the Rev. Mr. Reiheldaffer.
 On motion of Mr. Forbes,
 The Council adjourned until Monday next, at 2 o'clock P. M.

MONDAY, FEBRUARY 28, 1853.

The Council was called to order by the President.
 Prayer by the Rev. Mr. Reiheldaffer.
 The Journal of Friday and Saturday was read and approved.
 Mr. Forbes moved, in accordance with previous notice, to suspend Rule 40,
 which motion prevailed by a two-thirds vote.
 Mr. Forbes gave notice that he would, on to-morrow or some future day, intro-
 duce a Joint Resolution authorizing an increase of the Territorial Library.
 On motion of Mr. Farrington,
 So much of Rule 36, as requires one day's notice of leave to introduce Bills,
 was suspended.
 Mr. Farrington, on leave, introduced
 (C. F. No. 22,) An act to amend an act, entitled an act to incorporate the
 St. Paul Fire and Marine Insurance Company, passed Feb. 18, 1853;
 Which was read a first and second time.

The Committee on Engrossed Bills reported as follows:

That they have examined and found correctly Engrossed, the following entitled Bills and Joint Resolutions, viz:

(C. F. No. 13,) A Bill, to amend the Revised Statutes, passed March 31st, 1851,

(No. 19, C. F.) A Bill to incorporate the Grand Lodge of Ancient, Free and Accepted Masons of Minnesota,

(C. F. No. 2,) Joint Resolution authorizing the Governor to appoint a suitable person to attend the World's Fair in the Crystal Palace.

L. A. BABCOCK,

From Com. on Engrossed Bills.

The Joint Committee on Enrolled Bills, beg leave to report, that they have examined and found correctly enrolled, the following entitled Bills:

(C. F. No. 7,) A Bill entitled an act to incorporate the St. Paul and St. Anthony Rail Road Company. And,

(No. 1, H. of R.) A bill entitled an act to provide for laying out a Territorial Road from the Falls of St. Anthony, to the western boundary of Sibley county.

GEO. W. FARRINGTON, *Council.* } Committee.
JNO. D. LUDDEN, *House.* }

The message from the House was taken up;

The question then recurring on concurring in the House amendment to

(C. F. No. 16,) A Bill to incorporate the Minnesota Western Railroad Company;

It was concurred in.

A message from the Governor being announced, W. B. White, his private Secretary, appeared and delivered a message in writing,

And then he withdrew; and

(H. of R. No. 27,) A bill to incorporate Colleges, Seminaries, Churches, Lyceums and Libraries,

Received its first and second reading.

On motion of Mr. Loomis,

The Council resolved itself into a Committee of the Whole,

Mr. Larned in the Chair,

For the consideration of the House File of Bills,

After some time passed therein, the Committee rose and by their Chairman reported the bills back to the Council,

Without amendment;

The report was accepted.

The question then recurring on ordering,

(H. of R. No. 19,) A bill to amend article 10, of the Revised Statutes,

To a third reading,

Mr. Loomis moved that the bill be indefinitely postponed;

The motion was lost.

The bill was then ordered to a third reading,

Read a third time;

The question then recurring on the passage of the bill,

On motion of Mr. Larned,

The bill was laid on the table.

The question then recurring on ordering

(H. of R. No. 17,) A bill to incorporate the town of Mendota in the county of Dakota;

To a third reading;

On motion of Mr. Forbes,

The bill was read a third time by its title, passed, and the title thereof agreed to.

The question then recurring on ordering

(No. 13, H. of R.) A bill to amend an act to incorporate the town of St. Paul in the county of Ramsey,

To a third reading.

Pending the question;

The following message was received from the House of Representatives by Joseph R. Brown, chief clerk thereof,

MR. PRESIDENT:—The House of Representatives has negatived,

(No. 17, C. F.) A bill for an Act to incorporate the Northwestern Railroad Company,

The House has passed,

(No. 22, H. of R.) A bill to provide for laying out a Territorial Road from St. Anthony to Taylor's Falls;

In which the concurrence of the Council is respectfully requested.

And then the chief clerk withdrew, and

On motion of Mr. Babcock,

The bill was referred to a select committee, consisting of Messrs. Forbes and Farrington.

Mr. Farrington, on leave, presented a communication from Edward Perkins, proposing to take the Territorial Prison,

Which was read, and,

On motion of Mr. Farrington,

Was referred to the Committee on Territorial Affairs.

On motion of Mr. Forbes,

(H. of R. No. 12,) A bill to organize certain counties therein named,

Was taken from the table;

The question then recurring on the passage of the bill,

And the ayes and noes being called for and ordered,

There were ayes 3, noes 3.

Those who voted in the affirmative, were Messrs. Forbes, Larned and President.

Those who voted in the negative, were

Messrs. Babcock, Farrington and Loomis.

So the Council refused to pass the bill.

Mr. Forbes moved the Council adjourn,

Which was negatived.

On motion of Mr. Farrington,

The message from his Excellency, the Governor, was taken up and read, as follows:

EXECUTIVE DEPARTMENT, }
St. Paul, February 28, 1853. }

To the Hon. President of the Council:

SIR:—I have this day examined and approved "A joint resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society.

Very Respectfully, your Ob't Serv't.

ALEX. RAMSEY.

On motion of Mr. Loomis,

The message from the House of Representatives was taken up,

(H. of R. No. 22,) A bill to provide for laying out a Territorial Road from St. Anthony to Taylor's Falls;

Received its first and second reading.

The Council File of Bills ready for Committee of the Whole being in order:

On motion of Mr. Forbes,

(C. F. No. 20,) A bill fixing the time of holding Courts in the several counties in Minnesota,

Was laid on the table.

Mr. Babcock moved that

(C. F. No. 21.) A bill to organize the counties of Dakota and Wabashaw,
Be laid on the table,

A division was called for and ordered, and

There were yeas 1, noes 2,

So the motion was lost.

Mr. Forbes moved that the bill be indefinitely postponed,

And the ayes and noes being called for and ordered,

There were ayes 2; noes 4,

Those who voted in the affirmative, were

Messrs. Farrington and Forbes.

Those who voted in the negative, were

Messrs. Babcock, Larned, Loomis and President.

So the motion was lost.

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole,

Mr. Babcock in the chair,

For the consideration of,

(C. F. No. 3.) Joint resolution authorizing the Secretary of the Territory to collate and cause to be printed certain Acts, and for other purposes,

After some time passed therein, the Committee rose, and by their Chairman reported the resolution back to the Council without amendment,

The report was accepted, and the Joint Resolution ordered to be engrossed for a third reading:

Mr. Loomis moved that the Council adjourn;

A division was ordered, and

There were ayes 3; noes 1;

So the Council adjourned.

TUESDAY, MARCH 1, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday read and approved.

Mr. Forbes introduced the following resolution:

Resolved, That the Secretary of the Council be instructed to request the House to return to the Council, (H. of R. No. 12,) for their further action on said bill;

Debate having ensued on the passage of the resolution,

Mr. Forbes moved,

That rule 58 be suspended, in order to consider the resolution to-day,

Which motion prevailed;

The question then recurring,

On the passage of the resolution,

A division was called for and ordered,

And there were ayes 4, noes 1;

So the resolution was adopted;

On motion of Mr. Farrington,

Suspension of rule 33 as requires one day's notice of leave to introduce bills, was suspended,

Mr. Farrington on leave, introduced,
 C. F. No. 4,) A memorial to Congress relative to a further appropriation for the completion of the capitol buildings at St. Paul;
 Which was read a first and second time;
 Mr. Forbes, from the select committee, made the following report:—
 The select committee to whom was referred,
 (H. of R. No. 13,) A bill entitled an act to amend an act to incorporate the town of St. Paul;
 Having had the same under consideration,
 Report it back and recommend its passage,

WILLIAM H. FORBES,
Chairman.

The question then recurring on accepting the report;
 It was accepted;
 (H. of R. No. 13,) A bill entitled an act to amend an act to incorporate the town of St. Paul in the county of Ramsey,
 Was read a third time,
 Pending the reading,
 The following message was received from the House of Representatives, by Joseph R. Brown chief clerk thereof, viz:
 MR. PRESIDENT:—The Speaker of the House has signed,
 A bill entitled an act to incorporate the St. Paul and St. Anthony Railroad Company; and,
 A bill entitled an act to provide for laying out a Territorial road from the Falls of St. Anthony to the western boundary of Sibley county;
 The House of Representatives has negatived, by refusing to order to a third reading,
 (C. F. No. 5,) A bill for an act for the restriction of the sale of intoxicating liquors within the Territory of Minnesota;
 And then the chief Clerk withdrew.
 The question then recurring on the passage of the bill,
 It was passed,
 And the title thereof agreed to;
 Mr. Forbes, on leave, introduced
 (C. F. No. 3,) A joint resolution authorizing an increase of the Territorial Library;
 Which was read a first and second time;
 Bills ready for a committee of the whole being now in order,
 On motion of Mr. Babcock,
 The Council resolved itself into a committee of the whole,
 Mr. Forbes in the chair,
 For the consideration of the House file of bills;
 After some time passed therein, the committee rose,
 And, by their chairman reported the bills back to the Council without amendment;
 The report was accepted;
 And the question then recurring on ordering,
 (H. of R. No. 22,) A bill to provide for laying out a Territorial road from the Falls of St. Anthony to the western boundary of Sibley county,
 To a third reading;
 It was so ordered,
 And the bill was read a third time, passed, and the title thereof agreed to.
 The question then recurring, on ordering,
 (H. of R. No. 27,) A bill entitled an act to incorporate colleges, seminaries, churches, lyceums, and libraries,
 To a third reading,

It was so ordered;
 And the bill was read a third time, passed, and the title thereof agreed to.
 On motion of Mr. Farrington,
 The Council resolved itself into a Committee of the Whole,
 Mr. Babcock in the Chair,
 For the consideration of
 (C. F. No. 22,) A bill to amend an act entitled an act to incorporate the St. Paul Fire and Marine Insurance Company.
 After some time passed therein the committee rose,
 And by their chairman,
 Reported the bill back to the Council with amendments,
 The report was accepted;
 The question then recurring, on adopting the amendments reported by the committee of the whole,
 They were adopted,
 And the bill was then ordered to be engrossed for a third reading;
 On motion of Mr. Farrington,
 The Council resolved itself into a committee of the whole,
 Mr. Loomis in the chair,
 For the consideration of
 (C. F. No. 21,) A bill entitled an act to organize the counties of Dakota and Wabashaw;
 After some time passed therein,
 The committee rose,
 And by their chairman reported the bill back to the Council, without amendment;
 The report was accepted.
 The question then recurring on ordering the bill to be engrossed for a third reading,
 Pending the question,
 On motion of Mr. Forbes,
 The bill was laid on the table;
 On motion of Mr. Babcock,
 Council File of bills ready for a third reading were taken from the table;
 On motion of Mr. Babcock,
 (C. F. No. 13, A bill entitled an act to amend the Revised Statutes,
 Was read a third time,
 Passed, and the title thereof agreed to; and,
 (C. F. No. 19,) A bill to incorporate the Grand Lodge of Ancient, Free, and Accepted Masons of Minnesota.
 Was read a third time,
 Mr. Loomis asked and obtained the unanimous consent of the Council,
 To amend the bill as follows, viz:—
 After the word "Minnesota," in 3d line, insert "D. B. Loomis, J. C. Ramsey, E. Case, and A. T. C. Pierson, as trustees."
 Strike out of lines 4 and 5, the words, "Of Ancient Free and Accepted Masons."
 The bill was then passed,
 And the title thereof was agreed to;
 (C. F. No. 2,) Joint Resolution, authorizing the governor to appoint a suitable person to attend the World's Fair in the Crystal Palace.
 Was read a third time;
 The question then recurring on the passage of the resolution,
 And the ayes and noes being called for and ordered,
 There were ayes, 4; noes, 2;
 Those who voted in the affirmative were,

Messrs. Babcock, Farrington, Loomis, and President;

Those who voted in the negative were,

Messrs. Forbes, and Larned.

So the resolution was passed,

And the title thereof was agreed to;

On motion of Mr. Forbes,

The message from the House was taken up;

And, the President signed an act to provide for laying out a Territorial road from the Falls of St. Anthony to the western boundary of Sibley county; and,

An act to incorporate the St. Paul and St. Anthony Railroad Company;

And the acts were placed in the hands of the chairman of the committee on enrolled bills, for presentation to his excellency, the Governor, for his examination and approval.

Mr. Loomis moved that the Council adjourn,

Which motion was lost;

On motion of Mr. Forbes,

The Council adjourned until 2 o'clock P. M.

TWO O'CLOCK, P. M.

Council met pursuant to adjournment.

The joint committee on enrolled bills made the following report:

The joint committee on enrolled bills respectfully report, that they did, on the 1st day of March, present to his excellency the Governor, for his approval, the following:—

A bill entitled an act to provide for laying out a Territorial road from the Falls of St. Anthony to the western boundary of Sibley county; and

A bill entitled an act to incorporate the St. Paul and St. Anthony Railroad Company.

GEO. W. FARRINGTON, *Council.* } *Com.*
JNO. D. LUDDEN, *House.*

Mr. Forbes moved a call of the Council,

Which was ordered.

The roll was called, and

Messrs. Babcock, Greely and Kittson, were reported absent.

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

The Sergeant-at-Arms reported Mr. Babcock in his seat, and Messrs. Greely and Kittson not to be found.

Mr. Larned from the Committee on Engrossed Bills reported as follows, viz:

The Committee on Engrossed Bills beg leave to report that they have examined and found correctly Engrossed the following bills:

(C. F. No. 22,) A bill entitled an act to amend an act to incorporate the Saint Paul Fire and Marine Insurance Company.

(C. F. No. 3,) Joint Resolution authorizing the Secretary of the Territory to collate and cause to be printed certain acts, and for other purposes.

W. L. LARNED,
Chairman.

On motion of Mr. Forbes,

(C. F. No. 15,) A bill to organize counties north of Minnesota river.

Was taken from the table.

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole,

Mr. Larned in the chair,

For the consideration of, (C. F. No. 15,)

A message from the House being announced,

The President took the chair, and Joseph R. Brown, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has concurred in the amendment proposed by the Council to the first and sixth amendments to

(C. F. No. 2,) A bill for an act to incorporate the Mississippi and Lake Superior Railroad Company, and has refused to recede from the fourth amendment to said bill proposed by the House.

The House of Representatives has passed the following resolution, viz:

Resolved, That the Chief Clerk of this House be instructed to inform the Council, that in accordance with their resolution calling for No. 12, H. of R., have to say that said bill is in the possession of the House—and yet in existence—otherwise the Council would have been so informed. Any final action which may be had on said bill, the Council will be so notified, in accordance with joint rule No. 8.

The House of Representatives has concurred in, (C. F. No. 11,) An act for the exercise of equity jurisdiction in the form of civil actions, and for other purposes; with an amendment.

The House has passed, (H. of R. No. 34,) A bill fixing the terms of the District Court in the county of Washington.

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

And then he withdrew, and

The committee resumed its sitting;

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

The question then recurring on accepting the report of the committee of the whole,

It was accepted.

The question then recurring on adopting the amendments reported by the committee of the whole,

They were adopted.

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

Mr. Loomis offered the following amendment:

Strike out all after the enacting clause, and insert:

SEC. 1. That the County of Dakota is hereby detached from the county of Ramsey for judicial purposes, and the county of Wabashaw is hereby detached from the county of Washington for judicial purposes, and the said counties of Dakota and Wabashaw shall each be organized with all the powers of separate county government conferred upon any other of the organized counties of Minnesota Territory.

SEC. 2. His Excellency, the Governor, shall appoint and commission three suitable persons, in each of the counties of Dakota and Wabashaw, being qualified voters of the county for which they are appointed, to be a board of county commissioners for each county as aforesaid, with full power and authority to do and perform all the acts and duties devolving upon the board of county commissioners of any organized county of this Territory, until their successors shall be duly elected and qualified; and each of the said boards of commissioners shall have power to appoint as clerk, any suitable person whom they may designate, to execute, fulfil and perform the duties devolving by law upon the register of deeds and clerk of the board of commissioners of any organized county, who shall respectively hold their office until their successors are duly elected and qualified by law.

SEC. 3. The board of commissioners for the county of Dakota shall meet at the house of ———, in said county, on the second Monday of April, A. D.

1853, at ten o'clock in the forenoon; and the board of commissioners for the county of Wabashaw shall meet at the house of ———, in said county, on the second Monday of April, A. D. 1853, at ten o'clock in the forenoon, and each board having so appointed as aforesaid, a clerk of their respective boards, shall proceed to make out a list of the grand jurors and petit jurors for the next term of the district court in each of the counties, and either of the said boards, or a quorum thereof, may also call special meetings of their respective boards, and do any other acts that may be done by any other board of county commissioners, and make all necessary provisions for holding terms of the district court, and for publishing notices of the annual election, and for the establishment of election precincts, and for the appointment of judges of election, and all election returns in said counties now made returnable to the clerk of the board of county commissioners and register of deeds of the counties of Ramsey and Washington respectively, shall be returnable and returned to the clerks of the board of county commissioners and register of deeds of said counties of Dakota and Wabashaw respectively, who shall canvass the poll books and give certificates of election in like manner as is required of such officer in other organized counties.

Sec. 4. At the next annual election, the qualified electors of each of the counties of Dakota and Wabashaw shall elect all of the county and Precinct officers for each of said Counties that are elected in other organized counties, who shall, in all respects, be subject to the same duties, powers, privileges and pay, as is provided for by law in other organized counties.

Sec. 5. There shall also be elected, as aforesaid, at the next annual election, in and for the said counties of Dakota and Wabashaw, a Judge of Probate in and for each of the said counties, with the same qualifications and who shall exercise the same powers conferred upon the Judge of Probate of any other organized county of this Territory.

Sec. 6. A Court of Probate is hereby established in each of said counties, and the Governor is hereby authorized to appoint a Judge of Probate for each of said Courts, with the same power which the Judge of Probate has in the county of Ramsey; the said Judges so appointed shall hold their offices until their successors are elected at the next general election of said counties of Dakota and Wabashaw, and duly qualified according to law.

Sec. 7. All acts or parts of acts contravening the provisions of this act are hereby repealed, and this act shall take effect from and after its passage.

The ayes and noes being called for and ordered,

There were, ayes 1; noes, 5.

Those who voted in the affirmative were,

Mr. Loomis.

Those who voted in the negative were,

Messrs. Babcock, Farrington, Forbes, Larned and President.

The bill was then ordered to be engrossed for a third reading;

On motion of Mr. Farrington,

(No. 3, C. F.) Joint resolution authorizing the Secretary of the Territory to collate and cause to be printed, certain acts, and for other purposes,

Was taken up, and read a third time by its title, passed, and the title thereof agreed to,

On motion of Mr. Farrington,

(No. 22, C. F.) A bill to amend an act entitled an act to incorporate the St. Paul Fire and Marine Insurance Company, passed February 18, 1853;

Was taken up for a third reading.

Mr. Farrington asked and obtained the unanimous consent of the Council to amend the bill, as follows:

Strike out the three last lines, and insert the following in lieu thereof:

"The Secretary and Treasurer shall give bonds with sufficient sureties as shall be approved of by the board of directors, for the faithful performance of their respective trusts."

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

On motion of Mr. Farrington,

The message from the House of Representatives was taken up and read;

The question then recurring on adhering to the vote by which the Council refused to concur in the fourth amendment of the House to

(C. F. No. 2,) A bill for an act to incorporate the Mississippi and Lake Superior Railroad Company,

It was decided in the negative.

The question then recurring on concurring in the amendments to

(C. F. No. 11,) A bill entitled an act for the exercise of equity jurisdiction in the form of civil actions,

It was concurred in;

(No. 34, H. of R.) A bill fixing the terms of the District Court in the County of Hennepin,

Was read a first and second time.

Mr. Farrington moved that

(No. 10, H. of R.) A bill to establish additional road districts in Minnesota Territory,

Be taken from the table.

A division was ordered, and

There were ayes, 3; noes, 1;

So the bill was taken from the table, and

On motion of Mr. Forbes,

The bill was indefinitely postponed.

On motion of Mr. Farrington,

(No. 4, C. F.) A memorial to Congress relative to a further appropriation for the completion of the Capitol Building,

Was taken up, and

The Council resolved itself into a Committee of the Whole,

Mr. Babcock in the Chair,

For the consideration of said bill,

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

The report was accepted and the amendment adopted,

And the memorial was ordered to be engrossed for a third reading;

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole,

Mr. Farrington in the chair

For the consideration of

(No. 4, C. F.) A Joint Resolution authorizing an increase of the Territorial Library;

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

The report was accepted and the amendments adopted, and

The Resolution was ordered to be engrossed for a third reading.

Mr. Larned from the committee on Engrossed Bills, made the following report:

The committee on Engrossed Bills would ask leave to report that they have examined and found correctly engrossed,

The following entitled memorial, viz:

(No. 4, C. F.) Memorial to Congress relative to a further appropriation for the completion of the Capitol Buildings at St. Paul, Minnesota Territory.

W. L. LARNED,
Chairman.

Mr. Babcock moved that the Council adjourn,

A division being called for and ordered,

There were ayes 3; noes 2,

So the Council adjourned.

WEDNESDAY, MARCH 2, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer,
Journal of yesterday read and approved.

On motion of Mr. Farrington,
So much of rule 36, as requires one day's notice of leave to introduce bills was suspended.

Mr. Babcock introduced the following resolution:

Resolved, By the Council, (the House of Representatives concurring therein,) That Joint Rule No. 18 be, and the same is hereby suspended, during the remainder of the session of this Legislative Assembly;

Which was adopted.

Mr. Larned from the committee on Engrossed Bills, reported as follows:

The committee on Engrossed Bills beg leave to report,

That they have examined and found correctly engrossed, the following entitled Bill and Joint Resolution, viz:

(C. F. No. 15,) A bill entitled an act to organize counties north of the Minnesota river; and,

(No. 4, C. F.) A Joint Resolution authorizing an increase of the Territorial Library.

W. L. LARNED,
Chairman.

Mr. Farrington from the joint committee on Enrolled Bills, reported as follows, viz:

The joint committee on Enrolled bills, beg leave to report that they have examined and found correctly enrolled the following entitled bill:

(C. F. No. 16,) A bill entitled an act to incorporate the Minnesota Western Railroad Company,

GEO. W. FARRINGTON, *Council.* } Committee.
JNO. D. LUDDEN, *House.*

Bills ready for a third reading being in order,

(No. 4, C. F.) Joint resolution authorizing an increase of the Territorial Library,

Was read a third time;

The question then recurring on the passage of the bill,

A division was called for and ordered; and

There were ayes 2; noes 3,

So the resolution was rejected.

Mr. Babcock moved to reconsider the vote by which the Council refused to pass,

(No. 4, C. F.) Joint resolution authorizing an increase of the Territorial Library;

A division was ordered, and

There were, ayes 4; noes 2,

So the vote was reconsidered;

The question then recurring on the passage of the Joint Resolution,

Pending the question,

Mr. Loomis asked the unanimous consent of the Council to amend the Joint Resolution, by striking out the proviso;

Which was not granted.

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

It was negatived.

The question then recurring on the third reading of

(C. F. No. 4.) A Memorial to Congress for a further appropriation for the completion of the Capitol Building;

Mr. Loomis asked and obtained the unanimous consent of the Council to amend the Memorial as follows:

Strike out all after the word "sheweth," and insert,

"That the appropriation of \$40,000 made by Congress in the year 1850, for the erection of a State House, at St. Paul, and of a Territorial Prison at Stillwater, in said Territory, has been nearly expended, and but a very small amount remains in the Treasury; that the said Capitol and Prison Buildings have been examined by a Joint Committee of the Legislative Assembly, and they found by observation, by examination of the contracts, and by the report of the Building Commissioners, that the same are but little more than half completed, and the work thereon suspended for want of sufficient funds to carry on the same: *Therefore*, we respectfully and urgently urge upon your Honorable Body a further appropriation for the completion of the said buildings, in order that they may be of that use to the Government and Territory for which they were designed."

The memorial was then read a third time and passed.

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

Pending the question,

Mr. Loomis moved to amend the title as follows, viz:

Strike out all after the word "the" and insert "Public Buildings in the Territory of Minnesota;"

The title as amended was then agreed to.

(No. 15, C. F.) A bill to organize Counties north of the Minnesota river, Was read a third time,

The question then recurring on the passage of the bill,

And the ayes and noes being called for and ordered,

There were ayes 5; noes 1.

Those who voted in the affirmative, were

Messrs. Babcock, Farrington, Forbes, Larned and President.

Those who voted in the negative, were Mr. Loomis;

So the bill passed.

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

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

Strike out all after the words "A Bill," and insert,

"To organize certain Counties therein named, and for other purposes."

The amendment was adopted,

The title as amended was agreed to.

Bills ready for the Committee of the Whole being in order,

On motion of Mr. Larned,

The Council resolved itself into a Committee of the Whole,

Mr. Loomis in the Chair,

For the consideration of,

(No. 34, H. of R.) A bill fixing the terms of the District Court in the County of Hennepin.

After some time passed therein, the Committee rose and by their Chairman reported the bill back to the Council,

Without amendment;

The report was accepted. And,

On motion of Mr. Babcock,

The bill was laid on the table.

On motion of Mr. Larned,

(No. 18, C. F.) was taken from the table.

On motion of Mr. Forbes,

The Council resolved itself into a Committee of the Whole,

Mr. Farrington, in the chair,

For the consideration of
(No. 13, C. F.) A bill for an act to suppress gaming, to increase the revenue,
and for other purposes.

After some time passed therein, the Committee rose,
And by their Chairman reported the bill back to the Council with an amendment.
The question then recurring on accepting the report of the Committee of the
Whole;

It was accepted.

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

Pending the question,

Mr. Loomis offered the following amendment, viz:

SEC. 1. That no person shall be allowed at any time to manufacture or sell,
by himself, his clerk, servant or agent, directly or indirectly, any spirituous or
intoxicating liquors, or any mixed liquors, a part of which is spirituous or intoxicating,
except as hereinafter provided.

SEC. 2. The County Commissioners of any county, on the 1st Monday of May
annually, or as soon thereafter as may be convenient, shall appoint two or more
suitable persons, who shall reside in different precincts, as the agents of said
county, or within the precincts of any unorganized county, which may be attached
to such county for judicial purposes, to sell within their respective precincts within
said county, spirits, wines, or other intoxicating liquors, to be used for medicinal,
sacramental or mechanical purposes, and no other; and said agents shall receive
such compensation for their services as the board appointing them shall prescribe;
and shall, in the sale of such liquors, conform to such rules and regulations as
said commissioners shall prescribe for that purpose. And such agents, appointed
as aforesaid, shall hold their situations for one year, unless sooner removed by
the board from which they received their appointments, as they may be at any
time, at the pleasure of said board.

SEC. 3. Such agents shall receive a certificate from such county commissioners,
by whom they have been appointed, authorizing them as the agents
of such county, to sell intoxicating liquors for medicinal and mechanical
purposes only, but such certificate shall not be delivered to the persons so
appointed, until they each shall have executed and delivered to said board, a bond
with two good and sufficient sureties, in the penal sum of six hundred dollars, in
substance as follows:

Know all men by these presents, that _____ as principal, and
sureties, are holden and stand firmly bound unto the county of _____ in the
sum of six hundred dollars, to be paid to the treasurer of said county, to which
payment we bind ourselves, our heirs, executors and administrators, firmly by
these presents, sealed with our seals, and dated this _____ day of _____ A. D.
The conditions of this obligation are such, that whereas, the above bounden
_____ has been duly appointed an agent for the county of _____ to sell with-
in and for and on account of said county, intoxicating liquors for medicinal, sacra-
mentational, and mechanical purposes, and no other, until the _____ day of
A. D. _____ unless sooner removed from said agency: Now if the said
_____ shall in all respects conform to the provisions of the law relating to the business
for which he is appointed, and to such rules and regulations as now are, or shall
be from time to time established by the board making the appointment, then this
obligation to be void, otherwise to remain in full force.

SEC. 4. If any person by himself, clerk, servant or agent, shall at any time
sell any intoxicating liquors, part of which is intoxicating, in violation of the
provisions of this act, he shall forfeit and pay on the first conviction, twenty
dollars and costs of prosecution, and shall stand committed until the same be paid;
on the second conviction, he shall pay thirty dollars and the costs of prosecution,
and shall stand committed until the same be paid; on the third and every subse-

quent conviction, he shall pay fifty dollars and the costs of prosecution, and shall be imprisoned in the common jail not less than three months nor more than six months. And if any clerk, servant, agent or other person in the employment, or on the premises of another, shall violate the provisions of this section, he shall be held equally guilty with the principal; and on conviction shall suffer the same penalty. Any number of violations of this act may be prosecuted for in the same action.

SEC. 5. Any forfeiture or penalty arising under the above section, may be prosecuted for and recovered in a civil action, or by complaint, by any individual, in the name of the county commissioners, before any justice of the peace, or district court, in the county where the offence was committed, or the county to which such county is annexed for judicial purposes. And the forfeiture so recovered, shall go into the county treasury for the support of schools in the precinct where the convicted party resides; and in all civil actions arising under this section, the fines and forfeitures suffered by the defendant, shall be the same as if the actions had been by complaint. And it shall be the special duty of the county commissioners, or any of them, to commence an action in behalf of said county, against every person guilty of a violation of any of the provisions of this act, on being informed of the same and furnished with the proof of this fact; and such action, when commenced by one of said county commissioners, or any other person, cannot be discontinued by any other of the county commissioners.

SEC. 6. If any person shall claim an appeal or certiorari from any judgment rendered against him for a violation of any of the provisions of this chapter, he shall before such appeal or certiorari shall be allowed, give a bond to the county, with two good and sufficient sureties, in the sum of two hundred dollars, to prosecute his appeal or certiorari, and to pay all costs, fines and penalties, that may be awarded against him; and that he will not, during the pendency of such appeal or certiorari, violate any of the provisions of this act; and if the bond mentioned in this section shall not be given within twenty-four hours after the judgment, the appeal or certiorari shall not be allowed; the defendant in the mean time to stand committed.

SEC. 7. The county commissioners of any county, whenever complaint shall be made to them, that a breach of the conditions of the bond given by any person appointed under this act has been committed, shall notify the person complained of, and if, upon a hearing of the parties, it shall appear that any breach has been committed, they shall revoke and make void his appointment. And whenever a breach of any bond given to the commissioners of any county, in pursuance of any of the provisions of this act, shall be made known to the said commissioners, or shall in any manner come to their knowledge, they, or some of them, shall at the expense, and for the use of said county, cause the bond to be put in suit in any court proper to try the same.

SEC. 8. No person shall be allowed to be a manufacturer of any spirituous or intoxicating liquors, or common seller thereof, without being duly appointed as aforesaid, on pain of forfeiting, on the first conviction, the sum of one hundred dollars and costs of prosecution, and in default of the payment thereof, the person so convicted shall be imprisoned sixty days in the common jail; and on the second conviction, the person so convicted shall pay the sum of two hundred dollars and costs, and shall be imprisoned four months in the common jail of the county where the offence was committed; said penalties to be recovered before any court of competent jurisdiction, by indictment or by civil action, in the name of the county where the offence shall have been committed. And when default shall be had of any recognizance or bond arising under this act, an action shall be brought thereon by the county commissioners, or in case of their neglect, by any individual in their name.

SEC. 9. No person engaged in the unlawful traffic in spirituous liquors shall be competent to sit on any jury in any case arising

information shall be communicated to the court that any member of any panel is engaged in such traffic, or that he is believed to be so engaged, the court shall enquire of the jurymen of whom such belief is entertained, and no answer which he shall make shall be used against him in any case arising under this act; but if he shall answer falsely, he shall be deemed guilty of perjury; but he may decline to answer, in which case he shall be discharged by the court from all further attendance as a jurymen in such case.

Sec. 10. All cases arising under this act, whether by action, indictment or complaint, which shall come before a superior court, shall take precedence in said court of all other business, except those criminal cases in which the parties are actually under arrest awaiting a trial; and the court and prosecuting officer shall not have authority to discontinue or grant a continuance in any case arising under this act, except where the purpose of justice will require it.

Sec. 11. If any three persons, voters in the county where the complaint shall be made, shall before any justice of the peace make complaint under oath or affirmation that they have reason to believe, and do believe that spirituous or intoxicating liquors are kept or deposited and intended for sale by any person not authorized to sell the same in any county under the provisions of this act, in any store, shop, warehouse, or other building or place in said county, said justice shall issue his warrant of search to any sheriff or constable, who shall proceed to search the premises described in said warrant; and if any spirituous or intoxicating liquors are found therein, he shall seize the same and convey them to some proper place of security where he shall keep them until final action is had thereon; but no dwelling house in which or in part of which a shop is not kept, shall be searched unless at least one of said complainants shall testify to some act or sale of intoxicating liquor therein, by the occupant thereof, or by his consent or permission, within one month of the time of making said complaint. And the owner or owners of the liquors seized as aforesaid, if he shall be known to the officer seizing the same, shall be summoned forthwith before the justice by whose warrant the liquors were seized. Upon the return of such warrant by the officer, if the owner or keeper of said liquors has been summoned to appear as aforesaid, the trial shall be immediately proceeded with as in other civil actions before a justice. And if in the course of the trial it shall be proved to the satisfaction of the justice that the value of the liquors seized exceed one hundred dollars, he shall discontinue all further proceedings in the case, and immediately certify said cause to the district court for his county, where the issue shall be the same, and the trials proceeded with in the same manner as though said cause had been originally commenced in said district court. If upon the trial of any cause it shall appear to the court that said liquors have been kept or deposited for the purpose of sale, contrary to the provisions of this act, they shall be declared forfeited, and the court shall issue an order for the destruction of the same in his presence, or in the presence of some person appointed by him to witness the destruction thereof, and who shall join with the officer by whom they have been destroyed, in attesting the fact upon the back of the order by authority of which it was done; and the owner or keeper of such liquors shall pay a fine of twenty dollars and costs, or shall stand committed thirty days, in default of payment. In all cases arising under this act, the keeping of intoxicating liquors in any shop, grocery, or other place where intoxicating liquors have been previously kept for sale, shall be deemed *prima facie* evidence that such liquors were kept and intended for the purposes of sale.

Sec. 12. If the owner, keeper or possessor of liquors seized under the provisions of this act, shall be unknown to the officer seizing the same, they shall not be condemned and destroyed until they have been advertised, with the number and description of the packages as near as may be, for two weeks, by posting up a written description of the same in some public place, that if such liquors are actually the property of any county in the Territory, and were so

the time of the seizure, purchased for sale by the agent of said county for medicinal and mechanical purposes only, in pursuance of the provisions of this act, they may not be destroyed, but upon satisfactory proof of such ownership within said two weeks, before the judge or justice by whose authority said liquors were seized, said judge or justice shall deliver to the agent of said county an order to the officer having said liquors in custody, whereupon said officer shall deliver them to said agent, taking his receipt therefor upon the back of said order which shall be returned to said justice or judge.

SEC. 13. Nothing in this act shall be so construed to prevent any chemist, artist, or manufacturer, in whose art or trade they may be necessary, from keeping at his place of business, such reasonable and proper quantity of distilled liquor as he may have occasion to use in his art or trade.

SEC. 14. It shall be the duty of any sheriff or constable, if he shall know, or have information, that any intoxicating liquors are kept or sold on any boat, scow, raft, or canoe, on any river within this Territory, or in any tent, shanty, hut, or other place of any kind, for selling refreshments or any other articles in any public place, on or near the ground of any cattle show, agricultural, mechanical, or other exhibition, military parade or public occasion of any kind, to seize such liquors and arrest the keeper or keepers of such place, and take them forthwith, or as soon as may be, before some justice of the peace, or judge of district court, and upon proof that such liquors are intoxicating; that they were found in possession of the accused, he or they shall be sentenced to imprisonment in the county jail for thirty days; and the liquors so seized shall be destroyed by order of said justice or judge. If the accused shall demand a trial by jury, and shall advance the fees therefor, such justice or judge shall direct the officer making the arrest immediately to summon a jury as juries are summoned in courts of justice of the peace. Such liquors to remain in the possession of the officer until final action be had thereon.

SEC. 15. In all cases of appeal or certiorari under this act, from the judgment of a justice of the peace, or judge of any district court, to the district or supreme court, they shall be conducted in said district or supreme court, by the district attorney of the county; and said officer shall be entitled to receive all costs taxable to the county in all criminal proceedings under this act, in addition to the salary or compensation allowed to such officer by law; but no costs in such cases shall be remitted or reduced by the prosecuting officer or the court. In any proceeding against any person for a violation of any of the provisions of this act, other than for the first offence, it shall not be requisite to set forth particularly the record of a former conviction; but it shall be sufficient to allege briefly that such person has been convicted of a violation of the fourth section of this act, or as a common seller, or as the case may be, and such allegation in any civil or criminal process, in any stage of the proceedings before final judgment, may be amended without terms and as a matter of right.

SEC. 16. All payments or compensation for liquors sold in violation of law, whether in money, labor, or other property, either real or personal, shall be held and considered to have been received in violation of law and without consideration, and against law and equity; all sales, transfers and conveyances, mortgages, liens, attachments, pledges and securities of every kind, which either in whole or in part shall have been for or on account of spirituous or intoxicating liquors, shall be utterly null and void against all persons and in all cases, and no rights of any kind shall be acquired thereby; and in any action, either at law or equity, touching such real or personal estate, the purchaser of such liquor may be a witness for either party.

SEC. 17. Each person appointed to sell liquors, as provided in section second, shall keep an accurate account in writing of all liquors bought or manufactured by him, specifying the quantity of each kind purchased or manufactured, the price of that purchased, the names of the persons of whom it was purchased, and the date

of the purchase, the quality of each kind sold, and the date of the sale, its price, the name and residence of the person to whom it was sold, and the purpose for which it was purchased by him. He shall once in each quarter deliver to the clerk of the board of county commissioners, a complete copy of such accounts, together with a balance sheet, (both of which shall be verified by his oath,) showing the quantity of each kind of liquor bought and sold by him during the quarter and the aggregate costs and proceeds thereof. If it shall appear to the said county commissioners, that the profits of said business amount to more than would be a fair and just compensation to such persons for transacting the same, they shall fix the amount to be retained by him for such compensation, and shall require him to pay the surplus to the treasurer of the county for the support of schools, as hereinbefore provided. Should the county commissioners or any other officer, refuse or neglect to comply with the requisitions of this act, they shall be deemed guilty of a misdemeanor.

SEC. 18. All provisions of this act relating to counties, shall be applicable to cities and towns; and those relating to county commissioners, shall also be applied to the mayor and aldermen of cities and the president and council of towns.

SEC. 19. All acts and parts of acts heretofore in force in this Territory, regulating or restricting the sale of intoxicating drinks, and for granting licenses for the sale thereof, are hereby repealed. This act shall take effect from and after its passage.

The President decided that the amendment was not in order.

Mr. Loomis appealed from the decision of the Chair.

The question was then put:

Shall the decision of the Chair, stand as the decision of the Council?

It was decided in the negative.

The question then recurring on adopting the amendment,

Mr. Loomis called for the reading of the amendment.

On motion of Mr. Farrington,

The reading of the amendment was dispensed with,

The question again recurring on adopting the amendment,

It was negatived.

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

And the ayes and noes being called for and ordered;

There were yeas 5; noes 1;

Those who voted in the affirmative, were

Messrs. Babcock, Farrington, Forbes Larned and President.

Those who voted in the negative, were Mr. Loomis.

So the bill was ordered to be engrossed for a third reading.

On motion of Mr. Farrington,

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

TWO O'CLOCK, P. M.

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

Mr. Larned from the Committee on Engrossed Bills, reported as follows:

The Committee on Engrossed Bills, beg leave to report, that they have examined and found correctly Engrossed, the following entitled bill:

(No. 18, C. F.) A bill entitled an act to suppress gaming, to increase the revenue, and for other purposes.

W. L. LARNED, *Chairman.*

On motion of Mr. Forbes,

(No. 18, C. F.) A bill for an act to suppress gaming, to increase the revenue, and for other purposes,

Was read a third time by its title,
 The question then recurring on the passage of the bill;
 Pending the question,
 The President called Mr. Forbes to the Chair;
 The question was then put.
 And the ayes and noes being called for and ordered;
 There were ayes 4; noes 2.

Those who voted in the affirmative, were
 Messrs. Babcock, Farrington, Forbes and Larned.

Those who voted in the negative, were
 Messrs. Loomis and President.
 So the bill passed.

The following message was received from the House of Representatives by
 Joseph R. Brown, Chief Clerk thereof,

MR. PRESIDENT:—The House of Representatives has concurred in,
 (No. 19, C. F.) A bill to incorporate the Grand Lodge of Ancient Free and
 Accepted Masons of Minnesota;

The House has passed,

(No. 36, H. of R.) A Bill to provide for the alteration of the St. Paul and Pt.
 Douglas road;

(No. 35, H. of R.) A bill to amend an act entitled an act to provide for laying
 out a Territorial Road from St. Anthony to the west bank of Lake St. Croix,
 opposite Willow River; and

(No. 37, H. of R.) A Bill to provide for laying out a Territorial road from the
 Cannon river to the New Fort on the Minnesota river;

The House of Representatives has concurred in,

(C. F. No. 2,) Joint Resolution authorizing the Governor to appoint a suitable
 person to attend the World's Fair in the Crystal Palace,

With an amendment, and an amendment to the title thereof;

And has also concurred in,

(No. 3, C. F.) Joint Resolution authorizing the Secretary of the Territory to
 collate and cause to be printed certain acts, and for other purposes,

With an amendment,

The House of Representatives has passed the following resolution of the two
 Houses, viz:

Resolved, [the Council concurring,] That a Committee of two from each
 House be appointed to whom shall be referred the two bills now before the
 House relating to the government of the Territorial Prison, and all communications
 on the subject before either House.

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

The House has concurred in the Resolution of the Council relative to dispensing
 with Joint Rule No. 18, during the remainder of the session.

The Speaker of the House has signed a bill, entitled,

A Bill to incorporate the Minnesota Western Railroad Company;

Which is herewith transmitted,

The House of Representatives has concurred in the passage of

(C. F. No. 22,) An act to amend an act, entitled an act to incorporate the
 St. Paul Fire and Marine Insurance Company, passed Feb. 18, 1853;

Which is herewith returned,

And then the chief Clerk withdrew;

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

Mr. Larned offered the following amendment to the title of the Bill:

Strike out all after the word "act" and insert the following words:

"For the restriction of the sale of intoxicating liquors within the Territory of
 Minnesota."

Which was adopted.

The title as amended was then agreed to.

The Joint Committee on Enrolled Bills made the following report:

The Joint Committee on Enrolled Bills, beg leave to report, that they have examined and found correctly enrolled, the following entitled Bills:

(H. of R. No. 17.) A bill entitled an act to incorporate the town of Mendota in the county of Dakota;

A Bill entitled an act to provide for laying out a Territorial road from St. Anthony to Taylor's Falls.

JNO. D. LUDDEN, *House.*

GEO. W. FARRINGTON, *Council.* } Committee.

Mr. Babcock from the Judiciary Committee, reported by bill as follows:
(No. 23, C. F.) A bill to authorize the Librarian to sell copies of the Revised Statutes, and for other purposes,

Which was read a first and second time.

On motion of Mr. Forbes,

The message from the House of Representatives was taken up and read,
(No. 36, H. of R.) A Bill to provide for the alteration of the Saint Paul and Point Douglas road, and

(No. 35, H. of R.) A Bill, to amend an act entitled an act to provide for laying out a Territorial road from St. Anthony to the west bank of Lake St. Croix, opposite Willow river; and,

(No. 37, H. of R.) A bill to provide for laying out a Territorial road from the Cannon River, to the New Fort, on the Minnesota river.

Were severally read a first and second time,

The question then recurring on concurring in the amendments to

(No. 2, C. F.) Joint Resolution authorizing the Governor to appoint a suitable person to attend the World's Fair in the Crystal Palace;

It was concurred in,

And the amendments to the title were concurred in.

The President signed

An act to incorporate the Minnesota Western Railroad Company;

And the Act was placed in the hands of the Chairman of the Committee on Enrolled Bills for presentation to his Excellency, the Governor, for his examination and approval.

On motion of Mr. Loomis,

The resolution embraced in the message asking the concurrence of the Council was adopted;

And the Chair appointed Messrs. Farrington and Babcock such Committee, in accordance with the resolution.

Mr. Larned from the Committee on Territorial Affairs to whom was referred the communication of E. Perkins, asked to be excused from further action on the same, which was granted.

On motion of Mr. Babcock,

(No. 20, C. F.) A bill fixing times of holding courts in the several counties in Minnesota, was taken from the table.

On motion of Mr. Forbes,

The bill was referred to the Committee on the Judiciary.

A message from the House of Representatives being announced,
Joseph R. Brown, Esq., Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—Messrs. Ludden and Russell have been appointed a committee on the part of the House to act in conjunction with a similar committee of the Council under a resolution of the two Houses of this day,

And then the Chief Clerk withdrew.

On motion of Mr. Forbes,

The Council adjourned.

THURSDAY, MARCH 3, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

The Journal of yesterday was read and approved.

Mr. Farrington, from the Joint Committee on Enrolled Bills, reported as follows, viz:

The Joint Committee on Enrolled Bills beg leave to report that they have examined and found correctly enrolled the following entitled bills and joint resolution:

A bill entitled an Act to incorporate the Grand Lodge of Ancient Free and accepted Masons of Minnesota,

A bill entitled an Act to incorporate Colleges, Seminaries, Churches, Lyceums and Libraries,

A bill entitled an Act to amend an act to incorporate the town of St. Paul in the county of Ramsey,

A bill entitled an Act to amend an act to incorporate the St. Paul Fire and Marine Insurance Company,

Joint Resolution authorizing the Secretary to collate and cause to be printed, certain acts, and for other purposes.

GEO. W. FARRINGTON, *Council.* } *Com.*
JNO. D. LUDDEN, *House.*

Mr. Babcock from the Judiciary Committee, to whom was referred, (C. F. No. 20,) A bill fixing times of holding courts in the several counties in Minnesota,

Reported the Bill back to the Council and recommended the following substitute, viz:

A Bill for an Act to establish the Terms of the Supreme and District Courts of the Territory, and for other purposes.

On motion of Mr. Forbes,

The substitute was adopted,

On motion of Mr. Forbes,

The bill was read a second time by its title.

Bills ready for the Committee of the Whole being in order,

On motion of Mr. Forbes,

The Council resolved itself into a Committee of the Whole,

Mr. Babcock in the Chair,

For the consideration of,

(No. 20, C. F.) A Bill for an Act to establish the Terms of the Supreme and District Courts of the Territory, and for other purposes.

A message from his Excellency, the Governor, being announced,

The President took the the Chair, and

W. B. White, his private Secretary appeared and delivered a message in writing;

And then he withdrew, and the Committee resumed its sitting.

A message from the House of Representatives being announced,

The President took the Chair, and

Joseph R. Brown, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

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

(C. F. No. 13.) A bill entitled an act to amend the Revised Statutes,

With amendments,

In which the concurrence of the Council is respectfully requested.

The House of Representatives has concurred in the passage of,

(No. 4, C. F.) Memorial to Congress relative to a further appropriation for the completion of the Capitol Buildings at St. Paul, Minnesota Territory; also,

(No. 15, C. F.) A bill to organize certain counties and for other purposes;
 All of which are herewith returned;
 And then the Chief Clerk withdrew, and
 The committee resumed its sitting;
 After some time passed therein the committee rose, and by their chairman,
 reported progress, and asked leave to sit again,
 Leave was granted.

On motion of Mr. Forbes,
 The Council resolved itself into a Committee of the Whole,
 Mr. Forbes in the Chair,
 For the consideration of the House File of Bills,
 After some time passed therein, the Committee rose, and by their Chairman
 reported the bills back to the Council,

With an amendment to,
 (No. 37, H. of R.) A Bill to provide for laying out a Territorial road from the
 Cannon River, to the New Fort on the Minnesota River.

The report was accepted and the amendment adopted,

On motion of Mr. Forbes,

The House File was laid on the table;

Mr. Forbes moved that the Council adjourn until 2 o'clock, P. M.

A division was ordered, and,

There were ayes 1; noes 3,

So the Council refused to adjourn.

Mr. Farrington from the joint committee on enrolled bills reported as follows:

The joint committee on enrolled bills respectfully report, that they did, on the
 3d day of March, present to his excellency the Governor, for his approval, the
 following bill, to wit:

A bill to incorporate the Minnesota Western Railroad Company.

GEO. W. FARRINGTON, *Council.* } Committee.
 JOHN D. LUDDEN, *House.* }

On motion of Mr. Farrington,

The messages from his Excellency, the Governor, were taken up and read.

EXECUTIVE DEPARTMENT, }
 Saint Paul, March 2, 1853, }

To the Honorable President of the Council:

SIR:—I have this day examined and approved,

An Act to incorporate the St. Paul and St. Anthony Railroad Company.

Very respectfully, your ob't serv't.

ALEX. RAMSEY.

EXECUTIVE DEPARTMENT, }
 Saint Paul, March 3, 1853. }

To the Honorable President of the Council:

SIR:—I have this day examined and approved,

An Act to incorporate the Minnesota Western Railroad Company.

Very respectfully, your ob't serv't,

ALEX. RAMSEY.

Mr. Farrington, from the special joint committee, reported as follows:

The joint committee to whom was referred the bills and communications now
 before the Legislature relating to the regulations of the Territorial Prison,

Respectfully report that they have had the same under consideration, and have
 unanimously agreed to recommend the passage of

(C. F. No. 14,) With the alterations and amendments herewith submitted.

Your Committee believe that the bill as amended provides for the regulation
 and government of the Territorial Prison, a system which in its practical operation,
 will prove efficient and economical.

The bill also provides for the safe keeping of county prisoners.
This it is believed will afford a great relief to the several counties of the Territory in which substantial prisons have not been built.

All which is respectfully submitted.

G. W. FARRINGTON, *Council,* }
L. A. BABCOCK, } Committee.
JOHN D. LUDDEN, *House.* }
R. P. RUSSELL, }

Mr. Forbes called for the reading of the amendments.

On motion of Mr. Larned,

The reading of the amendments was dispensed with.

On motion of Mr. Farrington,

The Council adjourned until 2 o'clock P. M.

TWO O'CLOCK, P. M.

Council met pursuant to adjournment.

On motion of Mr. Forbes,

The amendments to

(C. F. No. 14,) A bill entitled an Act for the government of the Territorial Prison of Minnesota,

Was read and adopted.

On motion of Mr. Babcock,

Thirty copies of (No. 20, C. F.,) were ordered to printed.

On motion of Mr. Forbes,

Rule 44 was suspended.

On motion of Mr. Forbes,

(C. F. No. 14,) A bill for the government of the Territorial Prison of Minnesota,

Was ordered to be engrossed for a third reading.

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole,

Mr. Loomis in the chair,

For the consideration of,

(C. F. No. 23,) A bill to authorize the Librarian to sell copies of the Revised Statutes, and for other purposes.

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

The report was accepted.

On motion of Mr. Forbes,

So much of rule 42, as requires bills to be engrossed, was suspended.

On motion of Mr. Forbes,

(C. F. No. 23,) A bill to authorize the Librarian to sell copies of the Revised Statutes, and for other purposes,

Was read a third time, passed, and the title thereof agreed to.

Mr. Larned moved that the committee on printing be instructed to report to-morrow.

Which motion prevailed.

Mr. Forbes moved that Mr. Babcock be added to the committee on printing.

A division was called for and ordered,

There were ayes, 3; noes, 2;

So the motion prevailed.

The following message was received from the House of Representatives, by Joseph R. Brown chief clerk thereof, viz:

MR. PRESIDENT:—The House of Representatives has passed the following resolution:

Resolved, [the Council concurring,] That the two Houses of the Legislative Assembly do adjourn *sine die*, on Saturday next, the 5th day of March; In all which the concurrence of the Council is respectfully requested. And then the chief Clerk withdrew.

On motion of Mr. Loomis,
The message from the House was taken up and read;
The question recurring on adopting the resolution of the House,
It was adopted.

On motion of Mr. Forbes,
The Council adjourned.

FRIDAY, MARCH 4, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday read and approved.

The following message was received from the House of Representatives by Joseph R. Brown, chief clerk thereof,

MR. PRESIDENT:—The Speaker of the House has signed a bill entitled,
An act to incorporate the town of Mendota, in the county of Dakota,
A bill entitled an act to amend an act to incorporate the town of St. Paul in the county of Ramsey,

A bill entitled an act to provide for laying out a Territorial Road from St. Anthony to Taylor's Falls,

A bill entitled an act to incorporate colleges, seminaries, churches, lyceums, and libraries,

A bill entitled an act to incorporate the Grand Lodge of Ancient, Free, and Accepted Masons of Minnesota,

A bill entitled an act to amend an act to incorporate the St. Paul Fire and Marine Insurance Company, passed February 18, 1853,

And joint resolution authorizing the Secretary of the Territory to collate and cause to be printed certain Acts, and for other purposes,

The House of Representatives has passed,

(H. of R. No. 40.) A bill relative to the price of ferriage at the ferries across the Mississippi river, at the town of St. Paul.

In which the concurrence of the Council is respectfully requested.

And then the chief clerk withdrew.

Mr. Farrington from the committee on enrolled bills, reported as follows:

The joint committee on enrolled bills beg leave to report, that they have examined and found correctly enrolled the following entitled bills and memorial:—

A bill entitled an act to incorporate the Mississippi and Lake Superior Railroad Company,

A bill entitled an act to incorporate the St. Paul Fire and Marine Insurance Company.

A bill entitled an act to authorize the exercise of all equity jurisdiction in the form of civil actions, and for other purposes.

A memorial to Congress relative to a further appropriation for the completion of the public buildings in the Territory of Minnesota.

GEO. W. FARRINGTON, *Council*, } *Com.*
JNO. D. LUDDEN, *House*,

A message from the House of Representatives being announced,

Joseph R. Brown, chief clerk thereof, appeared and delivered the following message:—

MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following acts and memorial:—

An act to incorporate the St. Paul Fire and Marine Insurance Company;

An act to authorize the exercise of all equity jurisdiction in the form of civil actions, and for other purposes;

An act to incorporate the Mississippi and Lake Superior Railroad Company;

A memorial to Congress relative to a further appropriation for the completion of the public buildings in the Territory of Minnesota.

And then the chief clerk withdrew.

The messages from the House of Representatives were taken up, in the order of business, and read;

The question then recurring on concurring in the amendments to

(C. F. No. 13,) A bill to amend the Revised Statutes;

The first amendment was non-concurred in; and

The second and third amendments were concurred in.

(H. of R. No. 40,) A bill relative to the price of ferriage at the ferries across the Mississippi river at the town of St. Paul;

Was read a first and second time;

The President signed the following bills, and joint resolution and memorial:—

An act to incorporate the town of Mendota in the county of Dakota;

An act to amend an act to incorporate the town of St. Paul in the county of Ramsey;

An act to provide for laying out a Territorial road from St. Anthony to Taylor's Falls;

An act to incorporate Colleges, Seminaries, Churches, Lyceums and Libraries.

An act to incorporate the Grand Lodge of Ancient Free and Accepted Masons of Minnesota.

An act to amend an act to incorporate the St. Paul Fire and Marine Insurance Company, passed Feb. 18, 1853.

Joint resolution authorizing the Secretary of the Territory to collate and cause to be printed, certain acts and for other purposes.

An act to incorporate the St. Paul Fire and Marine Insurance Company.

An act to authorize the exercise of all equity jurisdiction in the form of civil actions, and for other purposes;

An act to incorporate the Mississippi and Lake Superior Railroad Company; and,

A memorial to Congress relative to a further appropriation for the completion of the public buildings in the Territory of Minnesota.

And the bills, memorial and joint resolution were placed in the hands of the chairman of the committee on enrolled bills,

For presentation to his excellency, the Governor, for his examination and approval.

On motion of Mr. Forbes,

(C. F. No. 21,) A bill entitled an act to organize the counties of Dakota and Wabashaw;

Was taken from the table;

On motion of Mr. Forbes,

(C. F. No. 21,) A bill entitled an act to organize the counties of Dakota and Wabashaw,

Was re-committed to the committee of the whole,

Mr. Larned in the chair,

After some time passed therein the committee rose,

And by their chairman,

Reported the bill back to the Council with amendments,

The report was accepted;
 And the amendments adopted:
 On motion of Mr. Forbes,
 So much of rule 45 as requires bills to be engrossed,
 Was suspended,
 And the bill was ordered to be read a third time,
 On motion of Mr. Forbes,
 The bill was read a third time, by its title, and passed,
 The question then recurring on agreeing to the title of the bill,
 Mr. Farrington offered the following amendment to the title of the bill, viz:
 Strike out the present title, and insert,
 "A bill to incorporate the Lake Superior and Puget Sound and Pacific Railroad
 Company."
 The amendment was adopted,
 And the title, as amended, was agreed to,
 A message by Joseph R. Brown, chief clerk of the House was received, viz:—
 Mr. PRESIDENT:—The House has receded from their amendment to
 (C. F. No. 13,) A bill to amend the Revised Statutes;
 The House has indefinitely postponed
 (C. F. No. 23,) A bill to authorize the librarian to sell copies of the Revised
 Statutes, and for other purposes;
 And then the chief clerk withdrew.
 On motion of Mr. Babcock,
 The Council resolved itself into a Committee of the Whole,
 Mr. Forbes in the Chair,
 For the consideration of
 (C. F. No. 20,) A bill for an act to establish the terms of the Supreme and
 District Courts of the Territory, and for other purposes.
 After some time passed therein, the committee rose, and by their Chairman
 reported the bill back to the Council as amended
 The report was accepted,
 And the amendments were adopted.
 On motion of Mr. Babcock,
 So much of rule 45 as requires bills to be engrossed,
 Was suspended,
 On motion of Mr. Babcock,
 The bill was then read a third time,
 Passed, and the title thereof agreed to.
 On motion of Mr. Forbes,
 (H. of R. Nos. 35, 36, 37,) Bills to provide for laying out Territorial roads,
 Were taken from the table.
 On motion of Mr. Forbes,
 The bills were severally read a third time, by their titles,
 The question then recurring on the passage of
 H. of R. No. 35,) A bill to amend an act entitled an act to provide for laying
 out a Territorial road from St. Anthony to the west bank of Lake St. Croix, op-
 posite Willow River;
 A division was ordered, and
 There were ayes, 3; noes, 1;
 So the bill was passed,
 And the title was agreed to.
 The question then recurring on the passage of
 (H. of R. No. 36,) A bill to provide for the alteration of the St. Paul and Point
 Douglas road,
 Mr. Babcock moved
 That the bill be indefinitely postponed,

The motion was lost,
 The question again recurring on the passage of the bill,
 It was decided in the affirmative,
 And the title thereof agreed to.
 The question then recurring on the passage of
 (H. of R. No. 37,) A bill to provide for laying out a Territorial road from the
 Cannon river to the new fort on the Minnesota river,
 Mr. Babcock moved,
 That the bill be indefinitely postponed,
 The motion was lost;
 The question again recurring on the passage of the bill,
 It was passed,
 And the title thereof was agreed to.
 On motion of Mr. Babcock,
 The message from the House was taken up and read,
 On motion of Mr. Forbes,
 The Council adjourned until 2 o'clock P. M.

2 O'CLOCK P. M.

The Council met pursuant to adjournment,
 Mr. Farrington from the joint committee on enrolled bills reported as follows:
 The joint committee on enrolled bills respectfully report:
 That they did on the 4th day of March, present to his excellency, the Governor,
 for his approval, the following bills to wit:
 An act to incorporate the Mississippi and Lake Superior Railroad Company.
 An act authorizing the exercise of all equity jurisdiction in the form of civil
 actions, and for other purposes.
 An act to amend an act to incorporate the St. Paul Fire and Marine Insurance
 Company.
 An act to incorporate the Grand Lodge of Ancient, Free, and Accepted
 Masons of Minnesota.
 An act to incorporate the town of Mendota in the county of Dakota.
 An act to amend an act to incorporate the town of St. Paul in the county of
 Ramsey.
 An act to incorporate Colleges, Seminaries, Schools, Churches, Lyceums and
 Libraries.
 An act to provide for laying out a Territorial road from St. Anthony to Taylor's
 Falls.
 A memorial to Congress relative to a further appropriation for the completion
 of the public buildings in the Territory of Minnesota.
 Joint resolution authorizing the Secretary to collate and cause to be printed,
 certain acts, and for other purposes.

GEO. W. FARRINGTON, *Council,* } *Com.*
 JNO. D. LUDDEN, *House.*

Mr. Babcock moved a call of the Council,
 Which was ordered;
 The roll was called,
 Messrs. Kittson, Greely, and Larned, were reported absent.
 The Sergeant-at-Arms was directed to notify the absentees to appear in their
 seats;
 Mr. Farrington moved that further proceedings under the call of the Council
 be dispensed with;
 The ayes and noes being called for and ordered,
 There were ayes 3, noes 2.

Those who voted in the affirmative, were
Messrs. Farrington, Loomis and President.

Those who voted in the negative, were
Messrs. Babcock, and Forbes.

The following message was received from the House of Representatives, by
Joseph R. Brown, chief clerk thereof:—

MR. PRESIDENT:—The House has passed:

(H. of R. No. 41,) A bill to provide for laying out a Territorial road from the
Falls of Vermillion to the Iowa State line.

The House has concurred in the passage of,

(C. F. No. 20,) A bill for an act to establish the terms of the Supreme and
District Courts of the Territory, and for other purposes.

With amendments;

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

The House of Representatives has refused to concur in the amendments pro-
posed by the Council to,

(No. 37, H. of R.) A Bill to provide for laying out a Territorial road from the
Cannon river to the new fort on the Minnesota river;

The bills are herewith transmitted.

And the chief Clerk withdrew;

On motion of Mr. Babcock,

The message from the House was taken up and read.

(H. of R. No. 41,) A bill to provide for laying out a Territorial road from the
Falls of Vermillion river to the Iowa State line,

Was then read a first and second time;

The question then recurring on concurring in the amendments to

(No. 20, C. F.) A Bill for an Act to establish the terms of the Supreme and
District Courts of the Territory, and for other purposes.

The first and second were non-concurred in,

And the third and fourth were concurred in.

The question then recurring on the Council's receding from their amendment to

(H. of R. No. 37,) A bill to provide for laying out a Territorial road from the
Cannon river to the new fort on the Minnesota river,

It was decided in the negative.

A message was received from the House of Representatives by Joseph R.
Brown, Chief Clerk thereof,

MR. PRESIDENT:—The House has refused to recede from its first and second
amendments proposed to

(C. F. No. 20,) A bill for an act to establish the terms of the Supreme and
District courts of the Territory, and for other purposes.

And then the chief clerk withdrew.

Mr. Babcock moved that a committee of two be appointed to confer with a sim-
ilar committee on the part of the House on the disagreeing vote on (C. F. No.
20.)

The motion prevailed;

Messrs. Babcock and Loomis were appointed such committee.

Mr. Loomis, from the committee on printing, made the following report, viz:

The committee on printing beg leave to report:—

That they have examined the accounts presented by Owens & Moore; that the
same are verified by the oath of Geo. W. Moore, and are in their opinion correct,
and would recommend that the amount claimed by them be inserted in the general
appropriation bill, as per bill herewith enclosed.

D. B. LOOMIS, *Chairman.*

On motion of Mr. Babcock,
The report was laid on the table.

Mr. Farrington from the joint committee on Enrolled Bills, reported as follows, viz:

The joint committee on Enrolled bills, beg leave to report that they have examined and found correctly enrolled the following entitled bills:

A bill entitled an act to amend an act entitled an act to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willow River;

A bill entitled an act to provide for the alteration of the St. Paul and Point Douglass road;

GEO. W. FARRINGTON, *Council.* } Committee.
JNO. D. LUDDEN, *House.*

A message was then received from the House by Joseph R. Brown chief clerk thereof, viz:

MR. PRESIDENT:—The House of Representatives has passed, (C. F. No. 2,) A memorial to Congress for a grant of land to aid in the construction of the Mississippi and Lake Superior Railroad.

With an amendment.

The House of Representatives has passed the following resolution:

Resolved, [the Council concurring] That the members of the Legislative Assembly be, and they are hereby authorized and entitled to receive each two copies of all the laws and journals of the present session required and ordered to be printed.

In all which the concurrence of the Council is respectfully requested;

Messrs. Ames and Randall have been appointed a committee on the part of the House to act in conjunction with the committee of the Council on the disagreeing vote of the two Houses on (No. 20, C. F.)

Messrs. Wells and Stimson have been appointed a committee to confer with a similar committee to be appointed by the Council on (H. of R. No. 37,)

And the appointment of a similar committee of the Council is respectfully requested;

And then the chief clerk withdrew.

On motion of Mr. Farrington,

The message from the House was taken up and read,

The question then recurring on concurring in the amendments to (C. F. No. 2,) A memorial to Congress for a grant of land to aid in the construction of the Mississippi and Lake Superior Railroad;

It was non-concurr'd in.

The question then recurring on the passage of the resolution,

Mr. Forbes moved to amend the resolution as follows:

Insert between the words "the" and "legislative," the word "present;"

Which was adopted.

Mr. Loomis moved to amend the resolution as follows:

Insert in line 2 after the word "assembly" "and its officers;"

Which was adopted.

The resolution as amended was then concurred in;

Messrs. Larned and Farrington were appointed a committee to confer with the House committee on (H. of R. No. 37,)

Mr. Larned from the committee on Engrossed Bills, reported as follows:

The committee on Engrossed Bills beg leave to report,

That they have examined and found correctly engrossed, the following entitled bill:—

(C. F. No. 14,) A bill for the government of the Territorial Prison of Minnesota,

W. L. LARNED,
Chairman.

On motion of Mr. Forbes,

(C. F. No. 14,) A bill for the government of the Territorial prison of Minnesota.

Was taken up,

Read a third time by its title, passed, and the title thereof agreed to.

On motion of Mr. Forbes,

The Council adjourned.

SATURDAY, MARCH 5, 1853.

The Council was called to order by the President.

Prayer by the Rev. Mr. Reiheldaffer.

Journal of yesterday read and approved.

Mr. Farrington from the joint committee on enrolled bills, reported as follows:

The joint committee on enrolled bills, beg leave to report that they have examined and found correctly enrolled the following entitled Bills:

A Bill, entitled an Act to incorporate the Louisiana and Minnesota Railroad Company,

A Bill, entitled an act to organize certain Counties, and for other purposes,

A bill entitled an act to amend the Revised Statutes.

GEO. W. FARRINGTON, Council, } Com.
JNO. D. LUDDEN, House, }

Mr. Babcock, from the joint committee of Conference, to whom was referred (C. F. No. 20,) reported as follows:

The Joint Committee of Conference to which was referred the disagreeing vote on (C. F. No. 20,) have duly taken the same into consideration, and beg leave to report that in their opinion the Second Judicial District should be composed of the Counties West of the Mississippi, as originally introduced in the Bill, for many weighty and obvious reasons. To separate the Counties of Dakota and Hennepin from the new Counties created at this session, and attach them to the Third Judicial District, of which Benton County is the centre, or at present most populous part, would not only be improper geographically, but also impolitic in other points of view and very unsatisfactory to many of the people of the West side of the Mississippi, particularly those of Dakota County, and to attach Hennepin County alone to the Third Judicial District, leaving the other Western Counties, including Dakota County, as they were first introduced, would tend to sever old associations, and place the two Counties of Hennepin and Dakota, which are now in the same Council and Representative Districts, in separate Judicial Districts: Therefore, your committee would respectfully recommend that the House recede from their two amendments to said Bill. Which is respectfully submitted.

L. A. BABCOCK,
D. B. LOOMIS, Council. } Committee.
A. E. AMES,
B. H. RANDALL, House. }

On motion of Mr. Loomis,

The report was adopted.

A message from the House of Representatives was then received by Joseph R. Brown, Chief Clerk thereof, as follows:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed:

A bill entitled "An Act to provide for the alteration of the St. Paul and Point Douglas road," and

A bill entitled "An Act to amend an act entitled an act to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willow River.

The House of Representatives has concurred in,
(C. F. No. 14,) A bill entitled an Act for the government of the Territorial Prison of Minnesota,

After filling a blank therein.

The House has indefinitely postponed the further consideration of a question to recede from its amendment to

(No. 2, C. F.) Memorial for a grant of land to aid in the construction of the Mississippi and Lake Superior Railroad,

The House has refused to order to a third reading,

(No. 3, C. F.) A memorial to Congress memorializing for a grant of land to aid in constructing the Louisiana and Minnesota Railroad.

The House has passed

(No. 39, H. of R.) A bill to amend an act entitled an act to provide for the erection of Public Buildings in the Territory of Minnesota, approved Feb. 7, 1851, and an act amendatory thereto, approved March 6, 1852,

In which the concurrence of the Council is respectfully requested.

The Governor has notified the House of Representatives, that he did on the 4th day of March, examine and approve

An act to provide for laying out a Territorial Road from the Falls of St. Anthony to the Western boundary of Sibley county,

The House has passed,

(No. 21, C. F.) A bill to incorporate the Lake Superior, Puget Sound, and Pacific Railroad Company,

The House has adopted the report of the Committee of Conference on

(No. 20, C. F.) A bill for an act to establish the terms of the Supreme and District Courts of the Territory, and for other purposes.

And then the chief clerk withdrew.

On motion of Mr. Loomis,

The message from the House was taken up and read.

The question then recurring on concurring in the amendment to

(C. F. No. 14,) A Bill for the government of the Territorial Prison.

It was concurred in.

(H. of R. No. 39,) A bill to amend an act entitled an act to provide for the erection of Public Buildings in the Territory of Minnesota, approved Feb. 7th, 1851, and an act amendatory thereto, approved March 6, 1852.

Was read a first and second time.

A message from the House of Representatives was received by Joseph R. Brown, as follows:

MR. PRESIDENT:—The House has passed,

(H. of R. No. 29,) A bill for defraying the expenses of the Legislative Assembly, and for other purposes,

In which the concurrence of the Council is respectfully requested.

The Speaker of the House of Representatives has signed

A bill entitled an act to amend the Revised Statutes,

A bill entitled an act to organize certain counties, and for other purposes, and

A bill entitled an act to incorporate the Louisiana and Minnesota Railroad Company,

And said bills are hereby transmitted;

And then the Chief Clerk withdrew.

And the President signed the within acts.

On motion of Mr. Babcock,

Rules 39 and 45 were suspended for the day.

On motion of Mr. Babcock,

(H. of R. No. 39,) was read a third time by its title, passed, and the title was agreed to.

The President signed the following acts:

An act to provide for the alteration of the St. Paul and Point Douglas Road.

An act to amend an act entitled an act to provide for laying out a Territorial Road from St. Anthony to the Western Bank of Lake St. Croix, opposite Willow River,

An act to amend the Revised Statutes,

An act to organize certain Counties, and for other purposes,

An act to incorporate the Louisiana and Minnesota Railroad Company.

And the acts were placed in the hands of the Chairman of the joint committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination and approval.

On motion of Mr. Babcock,

The message from the House was taken up and read.

On motion of Mr. Forbes,

So much of Rule 37, as requires Bills to be read at length the first time was suspended.

(H. of R. No. 29,) A bill for defraying the expenses of the Legislative Assembly, and for other purposes,

Was then read a first and second time by its title.

On motion of Mr. Forbes,

The Council resolved itself into a Committee of the Whole,

Mr. Forbes in the Chair,

For the consideration of H. of R. No. 29;

A message from the House of Representatives being announced,

The President took the Chair,

When Joseph R. Brown, Chief Clerk of the House appeared and delivered the following message:

MR. PRESIDENT:—The House of Representatives has adopted the report of the committee of conference on

(No. 37, H. of R.) A Bill to provide for laying out a Territorial road from the Cannon River, to the New Fort on the Minnesota River.

And then the chief clerk withdrew,

And the committee resumed its sitting;

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

The report was accepted and the amendments adopted.

On motion of Mr. Forbes,

The bill was ordered to be read a third time by its title, passed, and the title agreed to.

On motion of Mr. Forbes,

The message from the House was taken up and read.

Mr. Farrington, from the committee of conference on (H. of R. No. 37,) reported that the committee had agreed to disagree.

The report was adopted.

On motion of Mr. Farrington,

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

TWO O'CLOCK, P. M.

Council met pursuant to adjournment.

The following message was received from the House of Representatives by Joseph R. Brown, chief clerk thereof:

MR. PRESIDENT:—The House of Representatives has concurred in the 1st, 2nd, 3d, 4th, 8th and 11th amendments proposed by the Council to (H. of R. No. 29,) A bill to defray the expenses of the Legislative Assembly, and for other purposes,

And has refused to concur in the 5th, 6th, 7th, 9th and 10th amendments proposed to said bill by the Council.

And then the chief clerk withdrew.

The Joint Committee on Enrolled Bills made the following report:

The joint committee on enrolled bills respectfully report, that they did, on the 5th day of March, 1853, present to his excellency, the Governor, for his approval, the following:

A bill entitled an act to provide for the alteration of the Saint Paul and Point Douglas road.

A bill entitled an act to amend an act entitled an act to provide for laying out a Territorial road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver.

A bill entitled an act to amend the Revised Statutes.

A bill entitled an act to incorporate the Louisiana and Minnesota Railroad Company.

A bill entitled an act to organize certain counties, and for other purposes.

GEO. W. FARRINGTON, *Council.* } Committee.
JOHN D. LUDDEN, *House.* }

On motion of Mr. Farrington,

The message from the House of Representatives was taken up and read;

The question then recurring on the Council receding from their amendments to H. of R. No. 29,

Pending the question,

A message from his Excellency, the Governor, was announced,

W. B. White, his private Secretary appeared and delivered a message in writing;

And then he withdrew.

The question again recurring, on receding from the amendments to H. of R. No. 29, the Council refused to recede.

On motion of Mr. Babcock,

So much of rule 36 as requires one day's notice of leave to introduce bills was suspended.

Mr. Babcock, on leave, introduced,

(C. F. No. 24,) A bill to provide for the printing of the Laws and Journals of the present session,

Which was read a first and second time.

On motion of Mr. Babcock,

Rule 39 was suspended.

On motion of Mr. Forbes,

(C. F. No. 24,) A bill to provide for the printing of the Laws and Journals of the present session,

Was read a third time by its title, passed, and the title thereof agreed to.

On motion of Mr. Loomis,

The message from his Excellency, the Governor, was taken up and read as follows:

EXECUTIVE DEPARTMENT, }
Saint Paul, March 5, 1853, }

To the Honorable President of the Council:

SIR:—I have this day examined and approved the following acts, viz:

An act to authorize the exercise of all equity jurisdiction in the form of civil actions, and for other purposes.

An act to incorporate the Mississippi and Lake Superior Railroad Company.

An act to incorporate the Grand Lodge of Ancient Free and Accepted Masons of Minnesota.

An act to amend an act to incorporate the Saint Paul Fire and Marine Insurance Company, passed February 18th, 1853.

I have also examined and approved,

A Joint Resolution authorizing the Secretary of the Territory to collate and cause to be printed certain acts, and for other purposes; and

A memorial to Congress relative to a further appropriation for the completion of the public buildings in the Territory of Minnesota.

Very respectfully, your ob't serv't.

ALEX. RAMSEY.

On motion of Mr. Loomis,

The Council went into executive session.

After some time passed therein the doors were again opened.

The following message from the House of Representatives was received by Joseph R. Brown, chief Clerk thereof:

MR. PRESIDENT:—His Excellency, the Governor, has notified the House of Representatives that he did on the 5th of March approve and sign the following acts:

An act to incorporate Colleges, Seminaries, Churches, Lyceums and Libraries.

Also, An act to incorporate the town of Mendota in the county of Dakota.

Also, An act to amend an act to incorporate the town of Saint Paul in the county of Ramsey.

Also, An act to provide for laying out a Territorial road from Saint Anthony to Taylor's Falls.

The House has passed,

(C. F. No. 24,) A bill to provide for the printing of the Laws and Journals of the present session of the Legislative Assembly.

And then the Chief Clerk withdrew.

Mr. Farrington from the joint committee on enrolled bills reported as follows:

The joint committee on enrolled bills respectfully report:

That they have examined and found correctly enrolled, the following entitled bill, viz:

A bill entitled an act to amend an act entitled an act to provide for the erection of public buildings in the Territory of Minnesota, approved Feb. 7, 1851, and an act amendatory thereto, approved March 6th, 1852.

GEO. W. FARRINGTON, *Council*, }
JNO. D. LUDDEN, *House*. } Com.

A message from his Excellency, the Governor was received by W. B. White, his private Secretary;

After delivering which he withdrew.

On motion of Mr. Forbes,

The message from his Excellency, the Governor, was taken up and read, as follows:

EXECUTIVE DEPARTMENT, }
St. Paul, February 28, 1853. }

To the Hon. President of the Council:

SIR:—I have this day examined and approved,

An act to incorporate the Louisiana and Minnesota Railroad Company.

An act to amend the Revised Statutes.

An act to organize certain counties, and for other purposes.

Very Respectfully, your Ob't Serv't.

ALEX. RAMSEY.

On motion of Mr. Forbes,

The message from the House of Representatives was taken up and read.

A committee from the House of Representatives being announced,

Messrs. Randall and Ramsey appeared and informed the Council that the House was ready to adjourn *sine die*.

The following message from the House was received by Joseph R. Brown, chief Clerk thereof:

MR. PRESIDENT:—The Governor has notified the House that he did approve and sign on the 15th day of March 1853, the following bills, to wit:

An act to provide for the alteration of the Saint Paul and Point Douglass road.

An act to amend an act entitled an act to provide for laying out a Territorial road from Saint Anthony to the west bank of Lake Saint Croix opposite Willow-river.

Messrs. Lott and Rolette, have been appointed a committee to confer with a similar committee to be appointed by the Council to confer on the disagreeing vote of the two houses on

(H. of R. No. 29,) A bill to defray the expenses of the Legislative Assembly and for other purposes;

And the appointment of a similar committee on the part of the Council is respectfully requested.

And then the Chief Clerk withdrew.

On motion of Mr. Loomis,

The message from the House was taken up and read.

The President appointed Messrs. Loomis and Larned a committee to confer with the House committee on the disagreeing vote on (H. of R. No. 29.)

A message from the House of Representatives being announced,

Joseph R. Brown, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed,

A bill entitled an act to amend an act to provide for the erection of public buildings in the Territory of Minnesota, approved February 7, 1851, and an act amendatory thereto, approved March 6th, 1852.

And then the chief Clerk withdrew.

On motion of Mr. Babcock,

The message was taken up and read, and the President signed

An act to amend an act entitled an act to provide for the erection of public buildings in the Territory of Minnesota, approved Feb. 7, 1851, and an act amendatory thereto, approved March 6th 1852.

And the bill was placed in the hands of the chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, for his examination and approval.

Mr. Loomis, from the committee of conference on (H. of R. No. 29,) reported as follows:

The joint committee of conference to which was referred (H. of R. No. 29,) beg leave to report, that the Council should recede from the 5th, 7th 9th and 10th amendments to said bill, and that the House concur in the 6th amendment to said bill.

D. B. LOOMIS,	}	Committee.
W. L. LARNED, Council,		
B. W. LOTT,		
J. ROLETTE, House,		

On motion of Mr. Forbes,

The report was adopted and the committee discharged.

Mr. Farrington, from the joint committee on Enrolled Bills reported as follows:

The Joint Committee on Enrolled Bills, beg leave to report, that they have examined and found correctly enrolled, the following entitled Bills and Joint Resolution, viz:

A bill entitled an act for the Government of the Territorial Prison of Minnesota.

A bill entitled an act to establish the terms of the supreme and district courts of the Territory of Minnesota, and for other purposes.

A bill entitled an act to incorporate the Lake Superior, Puget Sound and Pacific Railroad Company.

Joint Resolution, authorizing the Governor to appoint some person or persons to attend the World's Fair in the buildings appropriated for that purpose in the city of New York.

GEO. W. FARRINGTON, *Council.* } Committee.
JNO. D. LUDDEN, *House.* }

The following message from the House of Representatives was received by Joseph R. Brown, chief Clerk thereof:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following bills and joint resolution:

A bill entitled an act to establish the terms of the supreme and district courts of the Territory, and for other purposes.

A bill entitled an act to incorporate the Lake Superior, Puget Sound and Pacific Railroad Company.

A bill entitled an act for the government of the Territorial Prison of Minnesota. Joint Resolution authorizing the Governor to appoint some person or persons to attend the World's Fair in the buildings appropriated for that purpose in the city of New York.

The House of Representatives has adopted the report of the committee of conference on the disagreeing vote of the two Houses on, (H. of R. No. 29,) A bill for the payment of the expenses of the Legislative Assembly, and for other purposes.

And then the chief Clerk withdrew.

On motion of Mr. Babcock,

The message from the House was taken up and read, and the President signed the following bills and joint resolution:

A bill entitled an act to establish the terms of the supreme and district courts of the Territory, and for other purposes.

A bill entitled an act to incorporate the Lake Superior, Puget Sound and Pacific Railroad Company.

A bill entitled an act for the government of the Territorial Prison of Minnesota; and a

Joint Resolution authorizing the Governor to appoint some person or persons to attend the World's Fair in the buildings appropriated for that purpose in the city of New York.

And the bills and joint resolution were placed in the hands of the chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, for his examination and approval.

The joint committee on Enrolled Bills made the following report:

The joint committee on Enrolled Bills respectfully report, that they did, on the 5th day of March, 1853, present to his Excellency, the Governor, for his approval, the following:

A bill entitled an act to amend an act to provide for the erection of public buildings in the Territory of Minnesota, approved Feb. 7, 1851, and an act amendatory thereto, approved March 6, 1853.

A bill entitled an act to incorporate the Lake Superior, Puget Sound and Pacific Railroad Company.

Joint Resolution authorizing the Governor to appoint some suitable person or persons to attend the World's Fair in the buildings appropriated for that purpose in the city of New York.

A bill entitled an act to establish the terms of the supreme and district courts of the Territory, and for other purposes.

G. W. FARRINGTON, *Council.* } Committee.
J. D. LUDDEN, *House.* }

Mr. Farrington, from the joint committee on Enrolled Bills, reported as follows, viz:

The joint committee on Enrolled Bills, beg leave to report that they have examined and found correctly enrolled, the following entitled bills, viz:

A bill entitled an act to provide for the printing of the laws and journals of the present session of the Legislative Assembly.

A bill entitled an act for defraying the expenses of the Legislative Assembly, and for other purposes.

G. W. FARRINGTON, *Council*, } Committee.
J. D. LUDDEN, *House*, }

A message from his Excellency, the Governor, being announced, W. B. White, his private Secretary appeared and delivered a message in writing;

And then he withdrew.

On motion of Mr. Babcock,

The message from his Excellency, the Governor, was taken up and read as follows:

EXECUTIVE DEPARTMENT, }
Saint Paul, March 5, 1853. }

To the Hon. President of the Council:

SIR:—I have this day examined and approved,

An act to incorporate the Lake Superior, Puget Sound and Pacific Railroad Company.

An act to establish the terms of the supreme and district courts of the Territory, and for other purposes.

An act to amend an act entitled an act to provide for the erection of public buildings in the Territory of Minnesota, approved February 7, 1851, and an act amendatory thereto, approved March 6, 1852.

Joint Resolution authorizing the Governor to appoint some person or persons to attend the World's Fair in the buildings appropriated for that purpose in the city of New York.

Very respectfully, your ob't serv't,

ALEX. RAMSEY.

On motion of Mr. Forbes,

The Council adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

The Council met pursuant to adjournment.

The following message from the House was received by Joseph R. Brown, chief clerk thereof:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following bills, viz:—

A bill entitled an act to provide for the printing of the laws and journals of the present session of the Legislative Assembly; also,

A bill entitled an act for defraying the expenses of the Legislative Assembly, and for other purposes;

And said bills are hereby transmitted.

And then the chief clerk withdrew.

On motion of Mr. Babcock,

The message from the House was taken up and read,

And the President signed the following bills:

A bill entitled an act to provide for the printing of the laws and journals of the present session of the Legislative Assembly; and

A bill entitled an act to defray the expenses of the Legislative Assembly, and for other purposes;

And the bills were placed in the hands of the chairman of the joint committee on enrolled bills for presentation to his excellency, the Governor, for his examination and approval.

On motion of Mr. Forbes,
(H. of R. No. 40,) was taken up and read a third time;
The question then recurring on the passage of the bill,
It was negatived.

Mr. Farrington, on leave, introduced,
(C. F. No. 25,) A bill for the relief of F. E. Collins,
Which was read a first and second time.

On motion of Mr. Forbes,
(C. F. No. 25,) was read a third time by its title, passed, and the title thereof agreed to.

The joint committee on enrolled bills made the following report:—

The joint committee on enrolled bills respectfully report, that they did, on the 5th day of March, 1853, present to his excellency, the Governor, for his approval, the following:

A bill entitled an act for the government of the Territorial Prison of Minnesota.

An act to incorporate the St. Paul Fire and Marine Insurance Company.

A bill entitled an act to defray the expenses of the Legislative Assembly, and for other purposes.

A bill entitled an act to provide for the printing of the laws and journals of the present session of the Legislative Assembly.

GEO. W. FARRINGTON, *Council*, } Com.
J. D. LUDDEN, *House*, }

A message from the House was received by Joseph R. Brown, chief clerk thereof, as follows:—

MR. PRESIDENT:—The House of Representatives has concurred in
(C. F. No. 25,) A bill for the relief of F. E. Collins.

The bill is herewith transmitted.

And then the chief clerk withdrew;

A message from his excellency, the Governor being announced, W. B. White, his private secretary appeared and delivered a message, and then he withdrew;

On motion of Mr. Babcock,

The message from the Governor was taken up and read, as follows:

EXECUTIVE DEPARTMENT, }
St. Paul, March 5, 1853. }

To the Hon. President of the Council:

SIR:—I have this day examined and approved "An act to provide for the printing of the laws and journals of the present session of the Legislative Assembly."

Very respectfully your obedient servant,

ALEX. RAMSEY.

Mr. Forbes, on leave, introduced the following resolution:

Resolved, That the thanks of this Council be tendered to the Hon. Martin McLeod for the able, impartial, and courteous manner with which he has fulfilled the duties imposed on him as presiding officer of this body.

Which was unanimously adopted.

Mr. Farrington from the joint committee on enrolled bills made the following report:

The joint committee on enrolled bills respectfully report:—

That they have examined and found correctly enrolled the following:

(C. F. No. 25,) A bill entitled an act for the relief of F. E. Collins.

GEO. W. FARRINGTON, *Council*, } Com.
J. D. LUDDEN, *House*, }

A message from the House of Representatives being announced, Joseph R. Brown, chief clerk, thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—His excellency, the Governor, has notified the House of Representatives that he did on the 5th day of March, approve and sign,

An act for defraying the expenses of the Legislative Assembly, and for other purposes.

In pursuance of a resolution of the Council of the ult., the House has directed that

(H. of R. No. 12,) A bill for the organization of certain counties therein named,

Be returned to the Council for further action;

I herewith transmit the bill.

And then the chief clerk withdrew.

On motion of Mr. Loomis,

The message from the House was taken up and read.

The following message was received from the House of Representatives by Joseph R. Brown, chief clerk thereof, viz:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed,

A bill entitled an act for the relief of F. E. Collins,

And the bill is herewith transmitted;

The House of Representatives has passed the following resolution:

Resolved, That a committee of two be appointed on the part of this House to act in conjunction with a similar committee to be appointed on the part of the Council, to wait on his Excellency, the Governor, and inform him that the two Houses have completed the business before them and inquire of him if he has any further communication to lay before either branch of the Legislative Assembly at its present session.

Messrs. Wells and Wilcox have been appointed a committee on the part of the House under said resolution.

And then the chief clerk withdrew.

On motion of Mr. Babcock,

The message was taken up and read; and the President signed

An act for the relief of F. E. Collins,

And the act was placed in the hands of the Chairman of the joint committee on enrolled bills, for presentation to his Excellency, the Governor, for his examination and approval.

The question then recurring on concurring in the resolution of the House.

It was concurred in;

And the President appointed Messrs. Babcock and Forbes such committee on the part of the Council.

The joint committee on enrolled bills beg leave to report that they did on the fifth day of March, A. D. 1853, present to his Excellency, the Governor, for his examination and approval, the following entitled Bill, viz:

A bill for the relief of F. E. Collins.

GEO. W. FARRINGTON, *Council.* } Com.
JNO. D. LUDDEN, *House.* }

A message from the Governor being announced,

W. B. White, his private Secretary appeared and delivered two messages, one on Executive Business,

And then he withdrew.

On motion of Mr. Loomis,

The message from the Governor was then taken up and read, as follows:

EXECUTIVE DEPARTMENT, }
Saint Paul, March 5, 1853. }

To the Honorable President of the Council:

SIR:—I have this day examined and approved,

An act for the government of the Territorial Prison of Minnesota,
 An act to incorporate the St. Paul Fire and Marine Insurance Company.

Very respectfully,
 Your Obdt. Servt.

ALEX. RAMSEY.

EXECUTIVE DEPARTMENT, }
 Saint Paul, March 5, 1853. }

To the Honorable President of the Council:

SIR:—I have this day examined and approved:
 An act for the relief of F. E. Collins.

Very respectfully, your ob't serv't,

ALEX. RAMSEY.

On motion of Mr. Babcock,

The Council went into Executive Session,

After some time passed therein the doors were again opened.

Mr. Babcock from the Committee appointed to wait on the Governor, reported that the committee had performed the duty assigned them, and that his Excellency had informed them that he had no further communications to make.

On motion of Mr. Loomis,

A committee, consisting of Messrs. Loomis and Larned, were appointed to wait on the House of Representatives, and inform them that the Council had no further business before them, and were ready to adjourn *sine die*.

Mr. Loemis from the committee appointed to wait on the House, reported that the committee had performed the duty assigned them.

Mr. Forbes moved that the Council do now adjourn, *sine die*,

Which motion prevailed,

And the President made the following valedictory remarks:

Gentlemen of the Council:

Before I announce my last official act, in accordance with the vote just taken, I desire your indulgence while I make a few brief remarks—made more in the spirit of a custom which has long obtained in Legislative bodies, than from any personal motives on my part.

The session, which in a few moments will terminate, although not one of pressing importance to the immediate wants of this Territory, will nevertheless have its favorable influence on our future prospects, and its due weight in the records of our Legislative annals. If we have not been called upon by circumstances to a very extended sphere of Legislative action at this session, I trust that we have cautiously and wisely avoided *over legislation*, which, it has always been conceded has proved the bane of many of the Western States and Territories—embarrassing the Legislative and Judicial proceedings, and thereby in no slight degree retarding their advancement and prosperity. This error I trust we have shunned, and have not failed to profit by the precedents and the experiences of the past; but while we have avoided one extreme, I believe we have not proved derelict in our duty, and neglectful of the immediate wants of our constituents.

Since the consummation of the magnificent Sioux treaties, a new era has not only dawned, but come forth in full refulgent light upon our Territory. Eleven counties have been called into existence west of the Mississippi, where but a very few years ago there was not a regularly established settlement, and where the savage was sole "monarch of all he surveyed."

The bill organizing these counties may not be as complete and perfect as was desirable, still its friends hope it will meet the approval, not only of those who have already cast their lot among us, but of the thousands whose destiny will lead them to the promised land west of the Great River. Yet if this bill, in all its details, is not such as the members who have the honor to represent the west

side were anxious to obtain, still they, and many of their honorable colleagues who aided them, believe it to be the *great measure* of the session; and that whatever defects exist in it now, will be remedied at a future session, when the wants and wishes of the people are more clearly defined and comprehended.

Not the least of the important questions that have come before us, are the railroad charters. They will tend, in an eminent degree, to bring this Territory into extended notice, as leagued with the great States of the West in the grandest schemes of internal improvements which have ever yet engaged the energies of man, or entered into his conceptions. And little do those know of the impulsive progress of events in this hemisphere who through their narrowed vision "see things dimly," and pronounce such grand projects visionary, and the speedy accomplishment either impossible or impracticable.

Another measure of the greatest import, which yet needs the test of time in older communities was lost, less through open hostility, than the injudiciousness of its *theoretic* friends—not the true and tried practical men, who stamp the impress of action on their every thought and deed. These, although they have failed now, will still continue to exert themselves until success will sanction, and the approval of the people sustain their cause, and if the cause does, in truth, find an abiding place in the hearts of a majority, who can doubt of its ultimate triumph.

My intercourse with you, gentlemen, has been continued for a long time. With some of you it has been my lot to act during four sessions—no small portion of man's allotted span.

We came together when this Territory first sprung into political existence. In future time, when it is a great, wealthy and populous State, may it be the lot of all of you to then look back upon our early efforts, with pleasing recollections of the generous emulation which actuated legislators in their efforts to benefit their common, or adopted country, and the personal regard which has ever harmoniously existed between Councillors.

But the scene is about to change. In a few moments our duties will have terminated—duties such as we may not be call upon again to resume. All in this Territory is now in a state of rapid transition—new men will come upon the scene, and let us hope that however superior their capacity or brilliant their abilities, they may continue to be actuated by the same motives which have prompted our actions, and awakened all our energies.

Whoever they may be to whom the Legislative affairs of this fair land are henceforth to be entrusted, they never can bring to the work truer hearts than those who shaped its destinies in the four sessions which terminate this day. And it is these facts, Councillors, which now lead me to trench upon your time, and deviate from the brevity which I had imposed upon myself; but yet a moment and I shall conclude.

What is self, or what is one individual among the many, yet fain would I linger a brief moment amid the associations of the past. If, gentlemen, the person who now addresses you, feels—and feeling—expresses his regrets that he has not been able to accomplish as *much* as he desires, he has the soothing recollection of your uniform courteousness towards him, and the generous manner in which his efforts have been sustained during his occupancy of the chair.

Thanking you most sincerely for all this—and more to which I may not give utterance—and wishing you all every success and happiness in life, I proceed to consummate my final act as a legislator and your presiding officer, and now pronounce this Council adjourned, *sine die*.

EXECUTIVE SESSION.

SATURDAY, MARCH 5, 1853.

The lobby being cleared and none but the members and sworn officers of the Council being present;

On motion of Mr. Forbes,

The message from his Excellency, the Governor was read, viz:

EXECUTIVE DEPARTMENT, }
Saint Paul, March 5, 1853. }

To the Legislative Council:

The following nominations are submitted for your consideration:

Abraham Van Voorhees—*Territorial Auditor.*

Calvin A. Tuttle—*Territorial Treasurer.*

Lorenzo A. Babcock—*Attorney General.*

Wallace B. White—*Librarian.*

A. D. Heaton—*Major General.*

B. W. Brunson, W. D. Phillips, W. P. Murray, Isaac Atwater, William Richardson, J. J. Noah, H. F. Masterson, Truman M. Smith, A. Pierser, Samuel M. Tracy, G. W. Prescott, William C. Hurd, H. A. Lambert, Joseph Wakefield, Lorenzo Hoyt, Robert F. Slaughter, W. H. Tinker—*Notaries Public in Ramsey County.*

Pierce B. Furber, Theo. E. Parker, F. K. Bartlett, Chas. D. Gilfillon—*Notaries Public in Washington County.*

Fred. B. Sibley, Andrew Robertson—*Notaries Public in Dakota County.*

B. H. Randall, Warren Bristol, Edwin Hedderly, H. M. Hanson—*Notaries Public in Hennepin County.*

Allan Morrison, O. H. Kelley, J. H. Fairbanks—*Notaries Public in Benton County.*

S. A. Henderson, A. A. Gilbert, E. F. Parker, A. S. Goddard, Andrew Cole—*Notaries Public in Wabashaw County.*

Joseph Rolette—*Notary Public in Pembina County.*

ALEX RAMSEY.

Mr. Forbes moved that the question on confirmation be taken separately on the first five names;

Which motion prevailed.

The question then recurring,

Will the Council advise and consent to the nomination of Abraham Van Voorhees as Territorial Auditor?

It was negatived.

So the Council refused to confirm the nomination of Abraham Van Voorhees.

The question recurring,

Will the Council advise and consent to the nomination of Calvin A. Tuttle as Territorial Treasurer?

It was decided in the affirmative.

The question recurring,

Will the Council advise and consent to the nomination of Lorenzo A. Babcock as Attorney General for the Territory of Minnesota;

It was decided in the affirmative.

The question recurring,

Will the Council advise and consent to the nomination of Wallace B. White as Librarian?

It was negatived.

So the Council refused to confirm Wallace B. White.

The question recurring,

Will the Council advise and consent to the nomination of A. D. Heaton as Major General?

It was decided in the affirmative.

The question then recurring,

Will the Council advise and consent to the nominations of the persons named in the executive communication as Notaries Public?

They were unanimously confirmed.

On motion of Mr. Loomis,

The Secretary was instructed to notify his Excellency, the Governor, of the action of the Council in executive session.

On motion of Mr. Forbes,

The executive session closed.

MARTIN McLEOD,
President of the Council.

A. T. C. PIERSON,
Secretary.

EVENING SESSION, SATURDAY, March 5, 1853.

The lobby being cleared, and none but members and sworn officers of the Council present;

The following message from his Excellency, the Governor, was read, viz:

EXECUTIVE DEPARTMENT, }
Saint Paul, March 5, 1853. }

To the Legislative Council:

The nominations of Charles T. Stearns, Emanuel Case, and Cornelius Lyman, as Inspectors of the Territorial Prison, are submitted for your consideration.

Very respectfully your obd't serv't

ALEX. RAMSEY.

The question recurring,

Will the Council advise and consent to the above named Inspectors of the Territorial Prison.

They were all unanimously confirmed by the Council.

On motion of Mr. Forbes,

The Secretary was instructed to inform his Excellency, the Governor, of the action of the Council in executive session.

On motion of Mr. Forbes,

The executive session closed,

MARTIN McLEOD,
President of Council.

A. T. C. PIERSON,
Secretary.

REPORT OF THE BUILDING COMMISSIONERS.

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

In accordance with the requirements of Section 9, of the act entitled "An act to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota," passed during the last session of the Legislative Assembly, the Board of Building Commissioners have the honor to transmit you, herewith, a brief history of its proceedings since the date of the first annual report of the Board, transmitted to the "Honorable President and members of the Council" on the 5th day January, A. D. 1852.

By virtue of the act above referred to, the term of office of the Building Commissioners elected under the act to which that act was amendatory, expired on the day of the last "general election." It was, also, provided in said act (Sec. 1,) that if the Public Buildings shall not then be completed, the "Governor, Chief Justice, and Secretary of the Territory" shall constitute a Board of Commissioners, under whose direction said Public Buildings shall be completed.

It was, also, provided in said act (Sec. 3,) that the Secretary of the Territory shall be Treasurer of the Building Fund, comprising both Capitol and Prison Funds, and he was authorized to demand and receive the same from the respective Treasurers thereof, whose terms of office thus expired by virtue of said act.

The Board of Commissioners thus organized, held their first session at Saint Paul, on the twelfth day of November, 1852; Alexander Ramsey presiding; at which session the present Secretary was elected, and entered upon the discharge of his duties. C. P. V. Lull was elected Superintendent of the Capitol, and also entered upon his duties.

On the 14th day of November, at a session of said board of Commissioners, held at Stillwater, Alden Bryant was elected Superintendent of the Territorial Prison, and immediately thereafter commenced his duties as such Superintendent.

At the date of the first Annual Report of the Commissioners, January 5th 1852, suitable sites had been selected for the Public Buildings; the title to the premises on which they were to be erected had been perfected; and contracts for their erection and completion according to the plans and specifications thereof, had been entered into. Both the Capitol and Prison Buildings were then in progress of erection and were to be completed on or before the first day of December, 1852.

From the advanced state of the Capitol at the date of said report, it was supposed that the contractor, J. Daniels, would complete the building at, or within, the time specified in his contract. In this the Commissioners have been disappointed. The money appropriated by Congress to erect the Capitol is nearly expended, and considerable work and material will be required to complete it.

For more particular information touching the amount of labor and material required to complete the contract of J. Daniels, the Board beg leave to refer you to the report of the Superintendent of the Capitol Building hereto annexed, (marked "B,") and which they respectfully offer as a part of their report.

Up to the present date, there has been appropriated from the Capitol Fund the sum of \$19,579,84; of which amount the sum of \$15,797,02 has been expended for material furnished, and work performed upon the Capitol; and the balance, \$3,782,82, has been paid for salaries of officers, per diem of Commissioners, painting, office rent, &c., leaving in the hands of the Treasurer, out of the \$20,000 appropriated by Congress, the sum of \$420,16.

For further information in reference to the disbursement of the Capitol Fund, the Board would respectfully refer you to a copy of their records, and the report of the Treasurer, hereto annexed, and taken as a part of this report.

In the contract entered into by the Board of Commissioners, with J. Daniels, for the erection of the Capitol, no provision was made for the painting thereof.—Proposals were, therefore, received, after due notice given, by the Board, for painting said building. Several proposals were received, and the contract was awarded to I. P. Wright, he agreeing to furnish all the materials and to perform the labor, for twenty cents per yard. Considerable painting has been done on the Capitol, for which there has been paid to Mr. Wright, the sum of \$79,00, out of the Capitol Fund.

In regard to the Territorial Prison, the Commissioners are happy to inform the Honorable, the Legislative Assembly, that the contractors for the erection of the Prison and its appurtenances, had, when the Board last visited the Prison, nearly completed the building in accordance with the plans and specifications, as will appear by reference to the report of the Superintendent of the Prison, hereto annexed, (marked "C.") The building has not yet been accepted by the Board, nor have the contractors been released from their contract. They, however, are anxious to have the Commissioners visit the prison, and ascertain if any portion of their contract remain unperformed, and if not, they desire to be discharged therefrom. The Board of Commissioners respectfully suggest to your Honorable Body the appointment of a committee from the Legislature to visit at their earliest convenience, the Capitol and the Territorial Prison, in company with the Commissioners, for the purpose of inspecting said buildings.

From the fund appropriated by Congress for the erection of the Territorial Prison, there has been expended up to the present date, the sum of \$19,174,51; of which amount \$15,816,00 has been paid to J. Taylor & Co., the contractors, for materials furnished and labor performed, in the erection of the building, the remainder, \$3,258,51 has been expended in payment of salaries of officers, per diem of Commissioners, site for building, office rent, &c., leaving in the treasury an unexpended balance of \$925,49.

For further information concerning the disbursement of the Prison fund the Board would refer you to the report of the Treasurer.

To complete the public buildings according to the original plans and specifications, and surround the Capitol with a corresponding enclosure, and other necessary attending expenses, will require further appropriations from Congress. The Board would therefore, suggest to the Honorable, the Legislature, to take such action as will secure such appropriation at the earliest moment.

For further information, the Board beg leave to refer your Honorable Body to their journal, and the reports hereto annexed as a part of this report.

By order of the Board,

I. VAN ETTEN,

Secretary of the Board of Commissioners.

ST. PAUL, February 10, 1853.

APPENDIX

TO THE

JOURNAL OF THE COUNCIL,

OF THE

TERRITORY OF MINNESOTA.

Carried.

Ayes—Brawley and Roberts.

On motion of D. F. Brawley,

The Board adjourned to meet again on Tuesday, March 9th, 1852, at 3 o'clock, P. M.

ALEX. RAMSEY,
President of the Board.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, March 9, 1852.

Board met pursuant to adjournment.

Absent—Gov. Alex. Ramsey, L. Roberts and J. McKusick.

There being no quorum, the Board adjourned until to-morrow, the 10th inst., at 3 o'clock, P. M.

CHARLES F. TRACY,
Secretary of the Board.

ST. PAUL, March 10, 1852.

Board met.

Absent—J. McKusick.

There being no business before the Board,

On motion of E. A. C. Hatch,

The Board adjourned to meet again on the 23d of April, at 3 o'clock, P. M.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, April 23, 1852.

Board met pursuant to adjournment.

Absent—Roberts and McKusick.

Communication received from Elias McKean, read and ordered to be filed.

On motion of E. A. C. Hatch,
The Board adjourned to meet again on to-morrow, 24th, at 2 o'clock P. M.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, April 24, 1852.

Board met pursuant to adjournment.

Absent—Roberts.

Bill of Messrs. Jesse Taylor, & Co., for \$1800 00, for iron &c., on the Territorial Prison, certified to by John McKusick, Building Commissioner, was read.

On motion of D. F. Brawley,

Resolved, That an order be drawn on the Treasurer of the Territorial Prison Fund, in favor of Jesse Taylor & Co., for one thousand (\$1,000) dollars, on account of said bill.

Carried.

Ayes—Hatch, Brawley and McKusick.

Absent—Roberts.

On motion of E. A. C. Hatch,

Resolved, That when this Board adjourn, it adjourn to meet again on Monday, 24th May, at 2 o'clock P. M.

Carried.

Ayes—Hatch, Brawley and McKusick.

On motion of E. A. C. Hatch,

The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, May 24, 1852.

Board met pursuant to adjournment.

The certificate of per diem of members the last quarter, was submitted by the Secretary.

A communication was received from Messrs. J. Taylor & Co., accompanying bill of \$1805 00.

On motion of D. F. Brawley,

Resolved, That the bill of J. Taylor & Co., for \$1805 00, be allowed by this Board.

Lost.

JOURNAL OF THE PROCEEDINGS.

ST. PAUL, February 6, 1852.

Board met pursuant to adjournment.

Absent—Roberts and McKusick.

A communication was received from J. Daniels, accompanying bill for \$1050 00.

On motion of D. F. Brawley,

Resolved, That the bill of J. Daniels for \$1050 00 be allowed, and an order be drawn on the Treasurer of the Capital Fund for this amount in his favor.

Carried.

Ayes—Brawley and Hatch.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on the Treasurer of the Prison Fund for Eighteen dollars in favor of C. K. Smith's Attorney, being the amount audited and allowed on his account of May 1851.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn to meet again on Monday 23d February, at 2 o'clock P. M.

Carried.

Ayes—Brawley and Hatch.

Board adjourned.

ALEX. RAMSEY,
President Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, February 23, 1852.

Board met pursuant to adjournment.

Absent—Gov. Ramsey and L. Roberts.

J. McKusick in the chair.

The Secretary presented the certificate of the Members of the Board for the last quarter, ending February 19, 1852, from which it appeared that Gov. Ramsey

had been in attendance eight days; E. A. C. Hatch, six days; J. McKusick, five days; L. Roberts, seven days; and D. F. Brawley, eight days.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on the Treasurer of the Capitol Fund for One Hundred and Seventy-four dollars in favor of D. F. Brawley, for one quarter's salary as Building Commissioner for the Capitol, and per diem attendance the last quarter.

Carried.

Ayes—Hatch and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on the Prison Fund for \$265, in favor of J. McKusick, being one quarter's salary, (\$100) as Treasurer of the Fund; \$150 as Building Commissioner of the Territorial Prison, and \$15 per diem for attendance on the Board.

Carried.

Ayes—Brawley and Hatch.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on J. McKusick, Treasurer of the Prison Fund, for Twenty-one Dollars, in favor of L. Roberts, for seven day's per diem last quarter. Also, an order in favor of Gov. Ramsey, for \$48, being per diem for two quarters.

Carried.

Ayes—Hatch and Brawley.

On motion of D. F. Brawley,

Resolved, That an order be drawn on the Treasurer of the Capitol Fund, for One Hundred and Eighteen Dollars, in favor of E. A. C. Hatch, for one quarter's salary as Treasurer, and per diem, the last quarter.

Carried.

Ayes—Brawley and Hatch.

On motion of E. A. C. Hatch,

Resolved, That the account of C. F. Tracy, for One Hundred and Ninety Dollars and Sixty Cents, be and the same is hereby allowed, and an order be drawn on the Treasurer of the Capitol Fund, in his favor, in full payment of the same.

Carried.

Ayes—Brawley and Hatch.

On motion of E. A. C. Hatch,

The Board adjourned until to-morrow morning at 10 o'clock, A. M.

Board adjourned.

J. McKUSICK,
President *pro tem*.

Attest:

CHARLES F. TRACY,
Secretary.

FEBRUARY 24, 1852.

Board met pursuant to adjournment.

Absent—Hatch and McKusick.

The account of H. W. Tracy, for rent of office, was presented, and

On motion of D. F. Brawley,

Resolved, That an order be drawn on the Treasurer of the Capitol Fund for the amount of Eighteen Dollars, in full payment of the same.

Ayes—McKusick.

Noes—Brawley, Roberts and Hatch.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on J. McKusick for \$1000, in favor of J. Taylor & Co., on account of their bill rendered this day:

Carried.

Ayes—Hatch, McKusick and Gov. Ramsey.

Noes—Roberts and Brawley.

On motion of E. A. C. Hatch,

Resolved, That warrants be issued by the President of the Board on the Treasurer of the Capitol Fund, in favor of the following persons, for salaries and per diem the last quarter, ending May 23d, to wit: In favor of D. F. Brawley, for one hundred and sixty-eight dollars; in favor of E. A. C. Hatch, for one hundred and fifteen dollars; in favor of L. Roberts, for six dollars; in favor of Gov. Ramsey, for twelve dollars. And that there also be a warrant issued by the President on the Treasurer of the Prison Fund, in favor of J. McKusick, for two hundred and fifty-six dollars, in full for one quarter salary as Building Commissioner and Treasurer, and per diem last quarter.

H. W. Tracy's bill for rent of Secretary's office, was read by the Secretary.

On motion of E. A. C. Hatch,

Resolved, That a warrant be issued by the President of the Board on the Treasurer of the Prison Fund, for eighteen dollars, in full payment of same; and also a warrant on the Treasurer of the Capital Fund, for fifty dollars, in favor of E. A. C. Hatch, for six months rent of Treasurer's office to 23d May.

Carried unanimously.

On motion of D. F. Brawley,

Resolved, That the Building Commissioners be instructed by this Board to endorse no bills for materials furnished, unless the material is on the ground and labor performed on the same;

Laid on the table until to-morrow.

The Secretary presented his account for services last quarter, amounting to \$168.

On motion of J. McKusick,

Resolved, That the Secretary's bill be allowed, and an order be drawn on the Treasurer of the Capitol Fund in favor of C. F. Tracy for \$168, in full payment of same.

Carried.

Ayes—Hatch, McKusick and Roberts.

Noes—Brawley.

On motion of L. Roberts,

Resolved, That in the opinion of this Board, all materials delivered and paid for, be and thereby become the property of the United States, and are not to be removed unless by consent of the Board;

Laid over till to-morrow.

J. McKusick presented a bill of \$50 for six months rent of office.

On motion of E. A. C. Hatch,

Resolved, That J. McKusick's bill be allowed, and an order be drawn on the Treasurer of the Territorial Prison Fund for fifty dollars, in full payment of the same.

Carried.

Ayes—Hatch, Roberts, McKusick and Brawley.

On motion E. A. C. Hatch,

Resolved, That this Board do now adjourn to meet again to-morrow morning, the 25th, at 8 o'clock, A. M.

Carried unanimously.
Board adjourned.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

SAINT PAUL, May 25, 1852.

Board met pursuant to adjournment.

On motion of J. McKusick,

Resolved, That when this Board adjourns, it adjourns to meet again on Monday, 28th of June at 2 o'clock, P. M.

Carried.

Ayes—Brawley, Roberts, Hatch and McKusick.

Mr. Brawley's resolution of yesterday being in order, it was amended, on motion of J. McKusick, by inserting the word "being" before the word performed, and passed as follows:

Resolved, That the Building Commissioners be instructed by this Board to endorse no bills for materials furnished, unless the material is on the ground, and the labor being performed on the same;

Ayes—Brawley, Roberts and McKusick.

Noes—Hatch.

Mr. Roberts' resolution of yesterday was amended by striking out the words "be, and," in the second line.

The resolution, as amended, passed, as follows:

Resolved, That, in the opinion of this Board, all materials delivered and paid for, thereby become the property of the United States, and are not to be removed, unless by consent of the Board.

Ayes—Brawley, Roberts and McKusick.

Noes—Hatch.

On motion of J. McKusick.

Resolved, That the Board do now adjourn.

Carried.

Ayes—Brawley, Roberts, McKusick and Hatch.

Board adjourned to 28th June, at 2 o'clock, P. M.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

SAINT PAUL, June 28, 1852.

Board met pursuant to adjournment.

Absent—J. McKusick.

A bill of \$2,103 from Messrs. Jesse Taylor & Co., was presented and ordered to be laid on the table till next meeting.

On motion of E. A. C. Hatch,

Resolved, That a warrant be drawn in favor of F. N. Hudson, for fifteen dollars, for a draft of the plan of Capitol Building.

Carried.

Ayes—Roberts, Brawley and Hatch.

Mr. J. Daniels presented a bill for extra work done on the Capitol, amounting to \$772 00; also, a modification of the plan of the roof of the Capitol.

On motion of E. A. C. Hatch,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Building Fund, for seven hundred and seventy-two dollars, in favor of Jos. Daniels, being for extra work done on the Capitol, not included in the contract.

Carried.

Ayes—Hatch, Roberts and Brawley.

On motion of D. F. Brawley,

Resolved, That the modification of the plan for roof of Capitol, presented this day by Joseph Daniels, be accepted by the Board;

Carried,

Ayes—Hatch, Brawley and Roberts.

On motion of L. Roberts,

Resolved, That when this Board adjourns, it adjourn to meet again on Monday, the 26th of July, at 3 o'clock;

Carried,

Ayes—Hatch, Brawley and Roberts,

On motion of E. A. C. Hatch,

The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, July 26, 1852.

Board met pursuant to adjournment,

Absent—Hatch and L. Roberts;

The account of J. Taylor & Co., for \$2108, having been laid over to this meeting, was taken up;

The Building Commissioner having endorsed the bill,

On motion of D. F. Brawley,

Resolved, That an order be drawn on the Treasurer of the Prison Fund, for \$2103. in favor of J. Taylor & Co., being the amount of their account in full.

Carried;

Ayes—Brawley and McKusick;

On motion of J. McKusick,

Resolved, That when this Board adjourns, it adjourn to meet in Stillwater to-morrow, the 27th, at 10 o'clock, at the Minnesota House,

Carried,

Ayes—McKusick and Brawley;

On motion of D. F. Brawley,
The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

STILLWATER, July 27, 1852.

Board met,

Absent—Hatch and Roberts,

After some time spent in an examination of the work done on the Penitentiary, the Board returned to the Minnesota House,

On motion of D. F. Brawley,

Resolved, That in the opinion of this Board, the finish of the gables of the roof of the Warden's house is not according to the plan, and that the Building Commissioners be instructed to notify the contractors that a cornice should extend around the gables, and the roof be projected so as to cover the same.

Carried,

Ayes—Brawley and McKusick;

On motion of D. F. Brawley,

Resolved, That the Building Commissioner for the Prison be authorized to erect a fence around the Penitentiary ground, to clear away the subsoil, and to dig a trench on the upper side of the wall, and report the expense of said work to the Board for action thereon,

Carried,

Ayes—Brawley and McKusick,

On motion of J. McKusick,

Resolved, That when this Board adjourns, it adjourn to meet again next Tuesday week, the 10th August, at 10 o'clock, A. M., at St. Paul.

On motion of J. McKusick,

The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, August 10, 1852.

Board met, 10 A. M.

Absent—Hatch, McKusick and Roberts;

A communication was received from Mr. Hawes in regard to the finish of the

dome of the Capitol Building , and continuing stairway from the basement.

There being no quorum,

On motion of D. F. Brawley,

The Board adjourned to 3 o'clock, P. M.

3 o'clock, P. M.

Board met;

Absent—Hatch and Roberts,

There being a quorum present, the Board proceeded to business.

Bills were presented from Messrs. Taylor & Co., Joseph Daniels, and Pattison & Benson.

The account of Messrs. Taylor & Co., of \$1,489 00, having been endorsed by the Commissioner having the work in charge;

On motion of D. F. Brawley,

Resolved, That the said account be allowed, and an order be drawn on the Treasurer of the Prison Fund for , \$1,489 00, in full payment of the same.

Carried.

Ayes—McKusick and Roberts.

The account of Mr. Joseph Daniels, for \$2,500, work done and materials furnished, on the Capitol Building, having been endorsed by the Commissioner;

On motion of J. McKusick,

Resolved, That the said account be allowed, and an order be drawn on the Treasurer of the Capitol Fund for \$2,500, in full payment of the same.

Carried.

Ayes—Brawley and McKusick.

On motion of D. F. Brawley,

Resolved, That the account of Messrs. Pattison & Benson, of five dollars, for use of carriage to Stillwater, be allowed, and an order drawn in their favor for five dollars on the Treasurer of the Prison Fund, in full payment of the same.

Carried.

Ayes—McKusick and Brawley,

On motion of D. F. Brawley,

Resolved, That the Board do now adjourn to meet again on Tuesday, the 24th August, 1852, at 11 o'clock A. M.

Carried.

Ayes—Brawley and McKusick.

Board adjourned.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

TUESDAY, August 24, 1852.

Board met.

Present—Gov. Ramsey and D. F. Brawley.

Absent—Hatch, McKusick and Roberts.

There being no quorum, the Board adjourned to three o'clock, P. M.

3 o'clock, P. M.

Board met.

There being no quorum,

On motion of D. F. Brawley,

The Board adjourned to to-morrow evening at 3 o'clock P. M.

Board adjourned.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary,

WEDNESDAY, August 25,

Board met.

Absent—Roberts and McKusick.

The communication of Wm. Hawes, in relation to the alteration of the dome of the Capitol, being before the Board, it was decided after some discussion, to postpone the further consideration until there should be a full meeting of the Board.

On motion of E. A. C. Hatch,

Resolved, That when this Board adjourns, it adjourn to meet on Wednesday, Sept. 1st, 1852, at 11 o'clock, A. M.

Carried.

Ayes—Brawley and Hatch.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn.

Carried.

Ayes—Brawley and Hatch.

Board adjourned.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

SAINT PAUL, Sept. 1, 1852.

Board met pursuant to adjournment.

Absent—L. Roberts.

On motion of J. McKusick,

Resolved, That Joseph Daniels, the contractor, be advised to construct the dome of the Capitol building according to the original plan.

Carried.

Mr. Wm. Barton presented a bill for J. Daniels of \$2037 58.

The Building Commissioner having endorsed the said bill, to the amount of \$1000 only,

On motion of E. A. C. Hatch,

Resolved, That there be allowed on the said account, \$1000, and an order be drawn on the Treasurer of the Capitol Fund for this amount in favor of the contractor, Joseph Daniels.

Carried unanimously.

On motion of J. McKusick,

Resolved, That when this board adjourns, it adjourn to meet again on Monday, the 20th of September, at 10 o'clock, A. M.

Carried.

Ayes—Brawley, Hatch and McKusick.

On motion of E. A. C. Hatch,

The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, Sept. 20, 1852.

Board met pursuant to adjournment.

Present—Alex. Wilkin, presiding officer, and D. F. Brawley.

There being no quorum,

The Board adjourned until to-morrow, the 21st, at 1 o'clock, P. M.

ALEX. WILKIN,
President.

ST. PAUL, Sep. 21, 1852.

Board met pursuant to adjournment.

Present—Alex. Wilkin, President, and D. F. Brawley.

The Secretary was ordered to notify J. McKusick that there would be a meeting on Monday, the 27th, at 2 o'clock, P. M.

There being no quorum,

The Board adjourned until Monday, 27th Sept., at 2 o'clock, P. M.

ALEX. WILKIN,
President.

ST. PAUL, Sept. 27, 1852.

Board met pursuant to adjournment.

Present—Alex. Wilkin, D. F. Brawley and J. McKusick.

Absent—Hatch and Roberts.

A bill was presented from Messrs. J. Taylor & Co., for \$2,469, bearing the endorsement of the Building Commissioner having the work in charge.

On motion of D. F. Brawley,

Resolved, That the account of J. Taylor & Co., of \$2,469 be allowed, and an order be drawn on the Treasurer of the Prison Fund for this amount in their favor
Carried.

Ayes—McKusick and Brawley.

On motion of J. McKusick,

Resolved, That the Secretary of the Board be authorized to receive proposals for painting the outside of the Capitol Building, three coat work. Bids to state the price per square yard.

Carried.

Ayes—McKusick and Brawley.

The Secretary presented his bill for service, to date.

On motion of J. McKusick,

Resolved, That this Board do now proceed to audit and allow the accounts of salaries for the last quarter, ending 23d August.

Carried.

Ayes—Brawley and McKusick.

On motion of J. McKusick,

Resolved, That the account of C. F. Tracy, for \$168 00, for services as Secretary the last quarter, ending August 23d, be allowed; and orders be drawn on the Treasurer of the Capitol Fund for \$150 00 and \$18 00, in full payment of the same.

Carried.

Ayes—Brawley and McKusick.

On motion of J. McKusick,

Resolved, That the account of C. F. Tracy, for \$100 00, as Secretary from the 23d August to 27th September, be allowed; and an order be drawn on the Treasurer of the Prison Fund, for this amount in his favor.

Carried.

Ayes—McKusick and Brawley.

From the certificate of the Secretary for the last quarter, ending 23d August, it appears that D. F. Brawley was in attendance six days; E. A. C. Hatch, three days; L. Roberts three days, and Alex. Ramsey, six days.

On motion of J. McKusick,

Resolved, That orders be drawn on the Treasurer of the Capitol Fund, in favor of the following persons, to wit: in favor of D. F. Brawley, for \$168 00, for salary and per diem for the quarter ending August 23d; in favor of E. A. C. Hatch, for \$109 00, one quarter's salary as Treasurer and per diem for the last quarter ending August 23d; in favor of L. Roberts for \$9 00, per diem in full for last quarter; and in favor of Alex. Ramsey, for \$18 00, per diem last quarter; and in favor of Willoughby & Powers, for \$7 00, amount in full of their bill rendered to date.

Carried.

Ayes—Brawley and McKusick.

Mr. J. McKusick presented his bill for \$564 00, being for salary, rent of office, and per diem last quarter, ending August 23d, for expenses paid livery bill in attendance at sixteen sessions of the Board, and for expenses incurred in cashing government draft.

On motion of D. F. Brawley,

Resolved, That the account of J. McKusick for \$564, for salary, &c., be allowed and an order be drawn on the Treasurer of the Prison Fund for this amount in his favor, in full payment of same.

Carried,

On motion J. McKusick,

Resolved, That this Board do now adjourn,

Carried,

Ayes—Brawley and McKusick,

Board adjourned to Thursday, 30th, at 2 o'clock, P. M.

ALEX. WILKIN,
President.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, Sept. 30th, 1852.

Board met pursuant to adjournment,

Present—Alex. Wilkin and D. F. Brawley,

Absent—McKusick, Roberts, and Hatch,

There being no quorum,

The Board adjourned to Monday, 4th of October, at 2 o'clock P. M.

ALEX. WILKIN,
President.

Attest:

CHARLES F. TRACY,
Secretary,

ST. PAUL, October 4, 1852.

Board met pursuant to adjournment,

Present—Alex. Wilkin, D. F. Brawley, and E. A. C. Hatch;

Absent—McKusick, and Roberts;

The Board proceeded to examine proposals for painting the outside wood work of the Capitol, and it appearing that the bid of I. P. Wright, for 20 cents per square yard, three coat work, was the lowest, the contract was awarded to him.

Mr. Daniels presented an account of \$7000 for work done and material furnished on the capitol building, bearing the endorsement of the Building Commissioners having the work in charge,

On motion of D. F. Brawley,

Resolved, That the account of J. Daniels, for \$7000, for work done on the Capitol be allowed, and an order be drawn in his favor on the Treasurer of the Capitol Fund for this amount,

Carried;

Ayes—Brawley, and Hatch;
 Mr. Hatch presented a bill for \$25 for rent of office for quarter ending August 23d, 1852.

On motion of D. F. Brawley,
Resolved, That the account of E. A. C. Hatch, for \$25 be allowed, and an order be drawn in his favor on the Treasurer of the Capitol Fund for the amount.
 Carried.

Ayes—Hatch and Brawley.
 On motion of E. A. C. Hatch,
Resolved, That this Board do now adjourn to meet again on Saturday, the 9th October, at 10 o'clock A. M.
 Carried.

Ayes—Brawley and Hatch.
 Board adjourned.

ALEX. WILKIN,
 President Board Commissioners.

Attest:
 CHARLES F. TRACY,
 Secretary.

ST. PAUL, October 9, 1852.

Board met pursuant to adjournment.
 Present—Hatch and Brawley,
 There being no quorum, the Board adjourned to meet again on Monday, 11th October, at 2 o'clock P. M.

Attest:
 CHARLES F. TRACY,
 Secretary.

SAINT PAUL, October 13th, 1852.

Board met pursuant to adjournment,
 Present—Hatch, Brawley, and Hon. Alexander Wilkin;
 Mr. Brawley presented an account of \$68,40, from I. P. Wright, the contractor for painting the Capitol. And also a bill of \$1176,00 from J. Taylor & Co., endorsed by Noah McKusick;

The consideration of these bills was indefinitely postponed.
 The certificate of attendance of members was presented by the Secretary, from which it appeared that

E. A. C. Hatch	was present	4	days	since	August	23d.
D. F. Brawley	"	"	10	"	"	"
J. McKusick	"	"	2	"	"	"
Gov. Ramsey	"	"	3	"	"	"
Alex. Wilkin	"	"	6	"	"	"

The amount of salary due each officer to date, is for one month and two-thirds.

On motion of E. A. C. Hatch,

Resolved, That orders be drawn on the Treasurer of the Capitol Fund in favor of the following persons for salaries, &c., to date, viz: In favor of E. A. C. Hatch for \$70 55, being for one and one-third months salary as Treasurer, \$55 55, and \$15 per diem. Also an order in favor of same for \$13 88, for rent of office in full. An order in favor of D. F. Brawley for \$133 33, for one and two-thirds months salary as Building Commissioner, and ten days per diem in full. An order in favor of C. F. Tracy for \$45 33, for services as Secretary in full to date. An order in favor of D. F. Brawley for \$7, being amount paid expenses to Stillwater.

Carried.

Ayes—Brawley and Hatch.

On motion of D. F. Brawley,

Resolved, That an order be drawn on the Treasurer of the Territorial Prison Fund in favor of the following persons, for per diem, &c., in full to date, viz: In favor of J. McKusick for \$158 76, being for salary as Treasurer and Building Commissioner, \$138 88, and \$19 88 per diem and rent of office in full to date. In favor of Gov. Ramsey for \$9, per diem. And in favor of Alex. Wilkin for \$18, per diem in full to date.

Carried.

Ayes—Brawley and Hatch.

On motion of E. A. C. Hatch,

The Board adjourned *sine die*.

ALEX. WILKIN,
President.

Attest:

CHARLES F. TRACY,
Secretary.

ST. PAUL, November 12, 1852.

Board met pursuant to call for meeting.

Present—Governor and Chief Justice.

The Board proceeded to business,

Governor Ramsey presiding.

On motion of Chief Justice,

Resolved, That the Board do now proceed to the election of a Secretary.

Carried.

Ayes—Chief Justice.

On motion,

I. Van Etten was elected Secretary to this Board.

Ayes—Hayner.

On motion of Chief Justice,

Resolved, That a Superintendent of the Capitol Building be now elected by this Board.

Carried.

Ayes—Governor and Chief Justice.

On motion of Chief Justice,

Resolved, That C. P. V. Lull be elected Superintendent.

Carried.

Ayes—Governor and Chief Justice.

On motion of Governor,

Resolved, That the Rules of the late Board of Commissioners be adopted by this Board until otherwise amended.

Carried.

Ayes—Governor and Chief Justice.

On motion,

Resolved, That this Board do now adjourn to meet at Stillwater, November 14, 1852.

Carried.

Ayes—Governor and Chief Justice.

The Board adjourned to meet pursuant to resolution.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

STILLWATER, November 14, 1852.

Board met pursuant to adjournment.

Present—Governor, Chief Justice and Secretary Wilkin.

The Board proceeded to examine the Prison Building;

After which it again assembled, when,

On motion of Chief Justice,

Resolved, That the Board proceed to elect a Superintendent of the Territorial Prison Building.

Carried.

Ayes—Chief Justice and Secretary Wilkin.

On motion of Secretary Wilkin,

It was ordered that a warrant be drawn on the Treasurer of the Prison Fund in favor of J. Taylor & Co. for \$1,176 00.

Ayes—Chief Justice and Secretary Wilkin.

On motion

Resolved, That this Board do now adjourn to meet again at St. Paul.

Carried.

Ayes—Chief Justice and Secretary Wilkin.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

ST. PAUL, December 18, 1852.

Board met.

Present—Governor, Chief Justice, and Secretary Wilkin.

A communication from Joseph Daniels, of December 10th, was read and ordered to be filed.

A bill of Jesse Taylor & Co., for \$3,760 was then presented, for work on Penitentiary.

On motion of Secretary Wilkin,

Ordered, that a warrant be drawn on the Treasurer of the Prison Fund for \$2000.
Carried.

Ayes—Chief Justice and Secretary Wilkin.

On motion of Chief Justice Hayner,

Resolved, That the contract heretofore existing between the Board of Commissioners of Public Buildings and Joseph Daniels is hereby declared annulled and at an end.

Carried.

Ayes—Chief Justice and Secretary.

On motion of Secretary Wilkin,

Ordered, that a warrant of \$25 in favor of the Superintendent of Penitentiary, for services rendered, be drawn on Treasurer of Prison Fund.

Carried.

Ayes—Governor, Chief Justice and Secretary Wilkin.

ALEX. RAMSEY,
President Board Building Commissioners.

Attest:

I. VAN ETTEN,
Secretary.

ST. PAUL, Dec. 29, 1852.

Board met.

Present Gov. Ramsey and Secretary Wilkin.

On motion of Secretary Wilkin,

Resolved, That the salaries of superintendents of Capitol and Penitentiary buildings be at the rate of \$250 per annum, and the Secretary of the Board a like amount.

Also, that the Treasurer of the Board be allowed two per cent upon the moneys received and paid out by him, but such allowance not to exceed at the rate of \$250 per annum.

On motion of Secretary Wilkin,

The Board adjourned.

ALEX. RAMSEY,
President Board Building Commissioners.

Attest:

I. VAN ETTEN,
Secretary.

ST. PAUL, Jan. 28, 1853.

Board met.

Present—Governor Ramsey and Secretary Wilkin.

A communication from Daniel F. Brawley, late superintendent of Capitol Building, was then presented, and read as follows:

REPORT OF THE BUILDING COMMISSIONER.

To the Board of Commissioners of Territorial Buildings, for the Territory of Minnesota:

GENTLEMEN: As Ex-Building Commissioner, I have the honor to submit the following report of my stewardship, while in office:

On the 12th day of October, I endorsed the bill of J. Daniels, Esq., for \$7000, for the payment of materials for the Capitol, as follows:

For brick from the second story to the completion of the building, (231,120 brick) laid in the wall,	\$2,311 20
The remainder of the bill was for seventy-five thousand shingles at \$3 00 per thousand,	225 00
And putting on roof and partition, flooring, cornice, window casings, doors and frames, and columns for portico, including the lumber thereof,	4,440 00
	<u>\$7000 00</u>

The above sums are according to my own estimate. In making which I under estimate the carpenters' estimate thereof.

At this date, Oct. 12, Mr. Daniels' contract is completed with the exception of about ten days' work for a carpenter, lathing and plastering, putting in window sash and glass.

Respectfully submitted,

D. F. BRAWLEY,
Ex-Building Commissioner.

Oct. 12, 1852.

Which,

On motion of Secretary Wilkin,

Was ordered to be filed.

The following preamble and resolution was then offered, viz:

WHEREAS, Joseph Daniels has given an order, dated Nov. 2, 1852, on this Board for \$400, in favor of Haus & Lewry, sub-contractors, for work done on Capitol, under the contract of said Daniels, and whereas, said Haus & Lewry have presented their bill for \$500, properly certified.

On motion of A. Wilkin,

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for \$400, in favor of said Haus & Lewry, upon said account and order.

On motion of Alexander Wilkin,

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for \$1000, in favor of J. Daniels, upon account of bill for lumber, presented this day by William R. Marshall, to whom the same was assigned, December 1st, 1852.

On motion of Alex. Wilkin,

Ordered, That a warrant for \$79 be drawn on the Treasurer of the Capitol Fund in favor of Isaac P. Wright, upon account of bill for painting, presented this day.

On motion of A. Wilkin,
Adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

SAINT PAUL, Feb. 5, 1853.

Board met.

Present—Governor and Secretary.

The following report of Superintendent of the Capitol was then read and ordered to be filed.

To the Honorable Board of Building Commissioners for the Territory of Minnesota:

The Superintendent of Capitol respectfully begs leave to report, that he has examined said Buildings, and estimated the cost of completing the same, and finds that there remains to complete said Building according to the plan and specification, to the best of his knowledge:

Finishing dome and turning columns, and floor in front; casing windows, sash and glass, and setting same; setting partitions and base and door; stairs and filling front opening, and completing the plastering in the Building.

That the above work will cost, to the best of his knowledge, \$2,150 00.

Most respectfully yours,

C. P. V. LULL,
Superintendent of Capitol.

Saint Paul, Feb. 2, 1853.

A. Wilkin then offered the following, which was adopted:

WHEREAS, M. Wise & Co., had contracted with Joseph Daniels, late contractor, &c., to supply sash for said building; but had not delivered the same on account of non-payment by said Daniels for same, until the indebtedness was assumed by this Board, and the same have been delivered in consequence of such assumption, and such delivery has been properly certified to by the Superintendent, and said Daniels has authorized the Board to pay said bill to said Wise & Co.

On motion of Alex. Wilkin,

Resolved, That a warrant for \$146 02, be issued by the Treasurer of the Capitol Fund, in favor of said Wise & Co., in payment of their bill dated November 5th, 1852.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

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REPORT

OF

TREASURER OF CAPITOL AND PRISON FUNDS.

The Treasurer of the Capitol and Prison Funds herewith presents to the Honorable, the President and members of the Council of Minnesota Territory, his annual report.

For the convenience of the members of the Council, I have specified the different funds by separate statements, showing the amount drawn from each fund since January 5th 1852, up to the present time; and also the balance of each fund now in the Treasury.

I have the honor to remain, very respectfully,
 St. Paul, February 7, 1853. A. WILKIN, Treasurer.

<i>Statement of Capitol Fund.</i>			
United States, in account with Alex. Wilkin, Treasurer, &c.			
		Dr.	Cr.
1852.			
Jan. 5.	To balance in hands of E. A. C. Hatch,		\$16,150 87
United States, In account with Alex. Wilkin, Treasurer, &c.			
1852.			
Feb. 16.	To draft No. 19, in favor of J. Daniels, contractor,	\$1,050 00	
" 23	" " " 20, " D. F. Brawley, per diem,	174 00	
April 16.	" " " 21, " C. F. Tracy, Secretary,	190 60	
" " " 22, " E. A. C. Hatch, "		118 80	
" 20.	" " " 23, " H. W. Tracy, room rent 1qr	18 00	
May 20.	" " " 24, " A. Ramsey, per diem,	12 00	
" 24.	" " " 25, " D. F. Brawley, Buil. Com.	168 00	
" " " 26, " E. A. C. Hatch, per diem,		115 00	
" " " 27, " L. Roberts, per diem,		6 00	
" " " 28, " C. F. Tracy, salary,		150 00	
" " " 29, " " " room rent,		18 00	
" " " 30, " E. A. C. Hatch, salary,		50 00	
June 23.	" " " 31, " J. Daniels, extra work on Capitol,	772 00	
" " " 32 " F. R. Hudson, for draft of buildings,		15 00	
Aug. 5.	" " " 33, " J. Daniels, on contract,	2,500 00	
Sept. 27.	" " " 34, " " " "	1,000 00	
" " " 35, " D. F. Brawley, per diem,		133 00	
" " " 33, " E. A. C. Hatch, salary,		109 00	
Amount carried forward.		-	\$6,633 40

	Amount brought forward,	\$6,663 40	
Sept. 27.	To draft No. 37, in favor of L. Roberts, per diem,	9 00	
" "	" " " 38, " A. Ramsey, per diem,	18 00	
" "	" " " 39, " Willoughby & Powers, Liv- ery bill,	7 00	
" "	" " " 40, " C. F. Tracy, secretary,	150 00	
" "	" " " 41, " " "	18 00	
Oct. 7.	" " " 42, " J. Daniels, on contract,	7,000 00	
" 13.	" " " 43, " E. A. C. Hatch, salary,	70 55	
" "	" " " 44, " " office rent,	13 88	
" "	" " " 45, " C. F. Tracy, salary,	45 33	
" "	" " " 46, " D. F. Brawley per diem,	113 33	
" "	" " " 47, " " salary,	7 00	
1853.			
Jan. 25.	" " " 48, " J. Daniels on contract,	1,000 00	
" "	" " " 49, " Haus & Lewry, on con- tract,	400 00	
" "	" " " 50, " I. P. Wright, painting,	79 00	
Feb. 2.	" " " 51, " M. Wise & Co., sash, &c.,	140 02	
		\$19,554 84	
	Add to this amount drawn by E. A. C. Hatch,	25 00	\$19,579 84
	Balance in Treasury	\$420 16	

Recapitulated.

Sum total received from the United States per appropriation, - - - -		\$20,000 90
Amount disbursed up to January 5, 1852, as per report of treasurer of that date, -	\$3,849 13	
Amount disbursed since January 5, 1852, up to date, - - - -	15,730 71	
Balance in hands of Treasurer, - - - -	420 16	

<i>Statement of the Prison Fund.</i>			
United States, In account with Alex. Wilkin, Treasurer, &c.,		Dr.	Cr.
1852.			
Jan. 5,	To balance in hands of J. McKusick,		\$14,708 25
1852.			
Feb. 6,	To draft No. 23, in favor of C. K. Smith, Att'y,	\$18 00	
March 8	" " " 24, " L. Roberts, per diem,	21 00	
" "	" " " 25, " J. McKusick, as Treas- urer and Com'r,	265 00	
April 16	" " " 26, " A. Ramsey, per diem,	48 00	
" 24	" " " 27, " J. Taylor, & Co., on contract,	1,000 00	
May 24	" " " 28, " " " "	1,000 00	
" "	" " " 29, " J. McKusick, as Build- ing Com'r,	256 00	
" "	" " " 30, " " Treasurer,	50 00	
" "	" " " 31, " H. W. Tracy room rent,	18 00	
July 26	" " " 32, " J. Taylor & Co., on contract,	2,103 00	
Aug. 10	" " " 33, " " " "	1,489 00	
" "	" " " 34, " Pattison & Benson livery bill,	5 00	
Sept. 27	" " " 35, " J. Taylor & Co. on con- tract,	2,469 00	
" "	" " " 36, " J. McKusick, as Treas- urer and Com'r,	564 00	
" "	" " " 37, " Chas. F. Tracy, salary,	100 00	
Oct. 13	" " " 38, " J. McKusick, as Treas- urer and Com'r,	158 76	
" "	" " " 39, " A. Ramsey, per diem,	9 00	
" "	" " " 40, " A. Wilkin, " "	18 00	
Dec. 18	" " " 41, " J. Taylor & Co. on con- tract,	1,176 00	
" "	" " " 42, " " " "	2,000 00	
" "	" " " 43, " Alden Bryant, salary,	25 09	
1853.			
Jan. 28	" " " 44, " J. Taylor & Co. on con- tract,	1,000 00	
		\$13,792 76	
	Balance in Treasury, - - -		\$925,49

Recapitulated.

Total received from the United States, per ap- propriation, - - - - -		\$20,000 00
Amount disbursed up to January 5, 1852,	\$5,291 77	
Amount disbursed since January 5, 1852, up to date, - - - - -	13,792 76	
Balance in hands of Treasurer, - - -	925 49	
Total, - - - - -	\$20,000,00	

REPORT OF SUPERINTENDENT OF THE CAPITOL.

To the Honorable board of Building Commissioners for the Territory of Minnesota:

The undersigned Superintendent of Capitol, respectfully begs leave to report, that he has examined said building and estimated the cost of completing the same, and finds that there remains to complete said building according to Joseph Daniel's contract for said Capitol building, to the best of my knowledge:

Finishing dome and tinning, columns and floor in front, casing windows, sash and glass, and setting same, setting partitions, and base and door stairs, and filling front opening, and completing the plastering in the building—that the above work will cost, to the best of my knowledge, \$2,150.00.

Most respectfully yours,

C. P. V. LULL,
Superintendent of Capitol.

St. Paul, Feb. 2, 1853.

REPORT OF THE PRISON SUPERINTENDENT.

To the Honorable Board of Building Commissioners of the Territory of Minnesota:

The undersigned, Superintendent of the Prison Building, begs leave to make the following report:

The buildings are nearly completed according to the plans and specifications thereof. Six (6) cells (being the number called for by the contract) are now ready for the reception of prisoners.

The main prison is nearly completed. The Warden's house, situated outside of the walls of the prison, is also ready for occupancy by the Warden.

The wall surrounding the prison will require some more work before it is completed. According to the best of my judgment, not more than two hundred dollars will be required to complete the whole work, as called for by the contract under which they have been built.

All of which is respectfully submitted.

ALDEN BRYANT,
Superintendent of Prison Building.

St. Paul, Feb. 4th, 1853.

REPORT OF COMMITTEE ON PUBLIC BUILDINGS.

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

The Committee on Public Buildings, would respectfully present the following Report:

That in accordance with a joint resolution, in conjunction with a similar Committee from the House of Representatives and the Board of Building Commissioners, they did, on Saturday the 19th day of February 1853, proceed to the Territorial Prison, situated about one mile north of Stillwater, and after a careful examination of the Prison and other Buildings connected with it, they found them ready for occupancy, and completed according to the plans and specification thereof, except in the following particulars, to wit: The hanging of the cell doors, (which are ready on the premises,) laying of the cell floors in cement, a small amount of painting and fencing in of the Warden's House, all of which can be accomplished in a few days, at a cost of about two or three hundred dollars.

The Prison contains six good and well secured cells, two on each floor, with arched stone ceilings, and opening into large halls, from which they can be heated. There are also various other apartments suitable for overseer, keeper and cooking purposes, and also a large room in the 3d story suitable for Hospital purposes or Divine Worship.

The outer cell windows are substantially secured with heavy iron bars secured in iron work. The main walls of the Prison Building are twenty-five feet high, forty-five feet long, thirty feet wide, and eighteen inches thick, and are finished in a good, substantial and workman-like manner.

The wall surrounding the Prison Building is finished and substantially constructed according to specification and encloses an area of two hundred feet by two hundred and eighty-eight feet, fourteen feet high, four feet thick at base, and tapering off two and a half feet at top.

The Prison is also supplied with the required number of hand-cuffs, shackles, chains and locks for the securing of prisoners.

The Building erected for the use of the Warden, is a neat two-story stone house, forty-five by thirty feet, containing six rooms with the necessary pantries and closets, and cellar under ground.

For further particulars, the Committee would refer to Commissioners Report.

On the whole, the buildings present a fine appearance and are a credit to the Territory, as well as to the efficient Board of Commissioners, under whose direction they were constructed.

The Contractors, also, deserve much praise for the early completion of that much needed building, which will now afford a safe place of confinement for the offenders of law, and the perpetrators of crime.

Your Committee would recommend a further expenditure of six thousand dollars for the erection of shops, filling up of low grounds on two sides of the enclosure, opening of road in front of the buildings, and the fencing in of the balance of the Prison grounds.

Your Committee would say in conclusion that it is important to have the foundation of the Warden's Building protected by embankment or piers. The wall on two sides having settled so much as to injure the wall very much, owing, as the Committee suppose, to its location being in a sloping ravine, forming a basin which drains the surrounding country. and the quick sands on which said foundation stands are liable to be undermined at any time.

GEO. W. FARRINGTON, *Council.* } Committee.
R. P. RUSSELL, *House.*

The Committee would also report that they have in like manner examined the Capitol Building, situated in St. Paul, and regret they cannot report the same degree of proficiency towards its completion, as in the case of the Territorial Prison.

The Committee find by referring to the Commissioners Report that the sum of nineteen thousand five hundred and seventy-nine dollars and eighty-four cents has been appropriated and paid for material furnished, work done, office rent, and salaries. Leaving in the Treasury a balance of Four Hundred and Twenty Dollars and sixteen cents.

They have also referred to the Superintendents' Report, and find that Joseph Daniels has not completed his contract by twenty-one hundred dollars.

The Committee also find on examination that a further appropriation will be necessary to complete the said Capitol Building, and would urge upon your honorable body the necessity of memorializing Congress in a suitable manner for the same.

All of which is respectfully submitted,
GEO. W. FARRINGTON, *Council.* } Committee.
R. P. RUSSELL, *House.*

REPORT

OF THE

SUPERINTENDENT OF COMMON SCHOOLS.

To the Legislative Assembly of the Territory of Minnesota:

Among the first educational efforts in the Atlantic States, was the establishment of schools for the education of Indian children. The distinguished British philosopher, Robert Boyle, gave a considerable sum to render the present college at Williamsburgh, Va., subservient to the education of children of the Aborigines. Dartmouth College, which now enrolls as alumni, Choate, Woodbury and Webster, was in its infancy, nothing more than an Indian Charity School.

As far as can be ascertained, the first school of any description in the Territory was taught at the trading house of the late Mr. Aitkin, at Sandy Lake, in the year 1832, by Mr. F. Ayer, now principal of a school at Belle Prairie, in Benton county. He was succeeded by Mr. E. F. Ely, now of St. Paul.

In 1833 the Rev. W. T. Boutwell opened a school at Leech Lake, and in 1834, Mr. Ely taught at Fond du Lac. In 1837, a school was opened by Mr. Ayer at Lake Pokegama.

The first school in Minnesota, west of the Mississippi, was taught by Miss S. Poage, now Mrs. Gideon H. Pond, in 1835, at Lac qui Parle. The next year, Rev. Samuel W. Pond taught at the Dakota village at Lake Harriet, west of St. Anthony. In 1837, a school was opened at Kaposia and in 1840 it was moved to Red Rock. In 1842 a school was commenced at the mouth of the St. Croix.

If we are not misinformed, one of the early teachers in the Indian country, and two of the pupils of those teachers have been members of past Legislative Assemblies.

SCHOOLS IN THE WHITE SETTLEMENTS.

The Rev. T. S. Williamson, M. D., late of Kaposia, discovering that there was a number of children, mostly of mixed blood, growing up in entire ignorance in the vicinity of the small Indian trading houses, that have since expanded into the capital of Minnesota, applied to the friends of education in the States, for a teacher.

Through the aid of the National Board of Popular Education, the services of Miss H. E. Bishop were secured, and in the Spring of 1848, in a decayed log hut, with bark roof, that stood on or near the site of the First Presbyterian Church, she commenced the first regular English school in Minnesota, the army school at Fort Snelling excepted. It was composed of nine children, chiefly half breeds.

Shortly after, another English school was opened at Stillwater, by a lady under the auspices of the National Education Society. During the summer of 1849, another lady from the same Board, now a teacher among the Choctaws, taught the first school at St. Anthony, in a building at present used as a stable.

In 1848, a school house was erected at Stillwater, and also St. Paul. The building at the latter place is now used as a lawyer's office, and adjoins the First Presbyterian Church.

The Legislative Assembly of 1849, enacted a law for the establishment and support of Common Schools, but owing to the fact that the citizens failed to elect school trustees at the general election, no organizations according to law were effected that year.

The first meeting of citizens in reference to education was held at St. Paul on the evening of Dec. 1, 1849, at which a Provisional Committee on Schools was appointed.

In the "Chronicle & Register" newspaper of December 15, 1849, the following is published:

SCHOOL COMMITTEE MEETING.

At a meeting of the Provisional Committee on Schools, at the office of the Secretary of the Territory, in St. Paul, on the evening of the 4th of December, 1849, there were present—Rev. Mr. Hoyt, Rev. Mr. Parsons, Rev. Mr. Neill, Hon. Wm. H. Forbes and Mr. E. Rice.

Hon. Wm. H. Forbes was appointed to the chair, and E. Rice was appointed Secretary.

Rev. Mr. Neill, from the Committee appointed to ascertain what amount of indebtedness existed for building the school house occupied by Miss Bishop and Miss Scofield, and whether, if the same should be paid, a title to the land on which the house is erected can be procured, reported verbally, that he had conferred with Mr. Irvine, the owner of the land, who informed him that there remained unpaid, to Mr. Pomeroy about \$80, for the building of the house, and that Mr. Irvine would execute a deed of the land to the proper persons, when that indebtedness had been paid. Whereupon said committee was discharged.

Rev. Mr. Parsons moved that said debt be assumed, and that the Secretary draft a subscription paper, and that each member of the Provisional Committee take active measures in circulating the same, to the end that said indebtedness may be discharged by subscriptions; which motion prevailed.

Rev. Mr. Neill moved that three schools be established in St. Paul the present winter, as follows: One at the school house in the upper end of town; one at the school house about to be erected at the lower end of town, and another at the brick church; which was agreed to.

Rev. Mr. Parsons moved that the Committee employ upon just and equitable terms, the Rev. Mr. Hobart to teach at the brick church, and Miss Bishop to teach at the school house at the upper end of town, and Miss Scofield to teach at the house to be built at the lower part of town; and the motion was adopted.

Rev. Mr. Neill moved that Rev. Mr. Hoyt confer with Rev. Mr. Hobart, and Rev. Mr. Parsons confer with Miss Bishop and Miss Scofield, on the subject of teaching school, agreeably to the preceding motion; and the motion was adopted.

And on further motion, the Committee adjourned to meet at 7 o'clock next Saturday evening, at the same place.

WM. H. FORBES,
Chairman.

EDMUND RICE,
Secretary.

SATURDAY EVENING, Dec. 6, 1849.

Committee met pursuant to adjournment.

Present—the Chairman and Secretary, Rev. Messrs. Hoyt and Parsons, B. W. Brunson, and J. Snow, Esqs.

Proceedings of last meeting read and approved.

A subscription paper, agreeable to previous directions, was presented by the Secretary.

Rev. Mr. Hoyt reported that he had conferred with Mr. Hobart in regard to teaching school the present winter, who offered to teach at the rate of three dollars per scholar by the quarter, under general superintendence of the provisional committee.

Rev. Mr. Parsons made a like report in regard to his conference with Miss Bishop and Miss Scofield.

Mr. Brunson moved that they be employed upon the terms reported, until such time as a legal organization of one or more school districts shall take place, but not to exceed three months; and the motion was agreed to.

Rev. Mr. Hoyt moved that teaching five days shall be considered equivalent to a week, and sixty days to a quarter; and further, that the necessary fuel for the several schools be obtained by subscription, and when delivered, that the young men of the place be requested to meet at a given time and cut the same for use; and the motion was agreed to.

On motion of the Secretary,

Rev. Mr. Hoyt was appointed to request Mr. Hobart to commence his school on Monday, Dec. 10th; and Rev. Mr. Parsons was appointed to request Miss Bishop and Miss Scofield to commence their schools respectively on Monday, Dec. 24th; and the motion was adopted.

Rev. Mr. Parsons moved that the proceedings of the committee be published in the "Pioneer," and "Chronicle and Register;" carried.

Whereupon the committee adjourned, subject to meet by a call of the Chairman.

W. H. FORBES,
Chairman.

EDMUND RICE, Secretary.

SCHOOL HOUSES.

During the past year there has been little increase in the number of school edifices. Last autumn the Trustees of school district number three, in the town of St. Paul, purchased a new school building in one of the most eligible situations of the town. Two stories in height, well ventilated and lighted; it affords the most capacious school rooms in the Territory, and will answer the increasing wants of the district for some time.

The Superintendent would again call attention to the importance of the proprietors of new village sites, such as Hastings, Mendota, Le Sueur, Mankato, Traverse des Sioux, and other places on the recently ceded Dakota lands, setting apart at least one acre of ground, near the centre of the plot, to be reserved forever as a site for a school edifice. In order that the ground might not be defaced by some log hut offensive to the eye and to good taste, the land might be deeded to the School Trustees on the condition that it should not be occupied until the inhabitants would erect a building of correct proportions, that would answer the purposes of a school house on six days of each week, and a sanctuary on the seventh, to those branches of the Church that might desire to worship therein, until they were sufficiently numerous to go forth and build a temple for

their own use. Much harm has often been done to the cause of education, and the common Christianity of the land, by a sectarian zealot, hastening into a new settlement, and circulating a subscription among men of various religious professions for the erection of a house for his particular denomination, when that settlement is as yet without a respectable school house, or common place of worship.

It appears to be the duty of every enlightened citizen in a new land to contribute first to the erection of a school edifice which can be appropriately used on the Sabbath, by the Roman, Episcopal, Methodist, Baptist, and Presbyterian branches of the Holy Catholic Church, as a place for their devotions, and then contribute to the erection of as many distinct church edifices as means, opportunity and inclination prompt.

SCHOOL TRUSTEES.

These as a body, appear to have been faithful in the discharge of their duties. But owing to the apathy that prevails upon this vital interest of education, and the almost entire failure of influential citizens to attend the annual school meeting, their unrewarded labors have not only been unappreciated, but they have been obliged, in some cases, to receive the censure of the citizens, because they have endeavored to be true to their trust, and collect taxes levied by law, and keep the schools in operation.

SCHOOL MONEYS.

The pay of teachers is expressly provided for by the school law. Section first, Article first, says that it shall be the duty of the Commissioners of each county, "to lay an annual tax of one fourth of one per cent. on the ad valorem amount of the assessment rolls, made by the county assessors for the same year, and to include the same in their warrant to the collector; and the said collector shall proceed to collect the said tax in the same manner the county tax is collected; and the said moneys so collected shall be paid over to the County Treasurer, to be appropriated for the hire of school teachers in the several school districts."

Though collected at the same time and in the same manner, the school tax is entirely distinct from the county tax. The school moneys can only be appropriated by law to one purpose, the hire of school teachers. Though the law is plain, some of the instructors of our schools have been much embarrassed, by the failure of the treasurer to meet the orders of the school trustees. Some females who taught a year ago, still remain unpaid. The Superintendent is required by law to give, in his report to the Legislative Assembly, "estimates on accounts and expenditures of the school moneys;" but he is wholly unable to comply with the requisition, as he has failed to learn from the proper officers, anything in relation to the school moneys. The cause of education would be greatly promoted by making a separation of the office of county and school treasurer.

The Superintendent does not, in the infancy of our Territory, deem it advisable to make any new suggestions in relation to education. The law which we now have in our statute book is sufficient for our present wants. The great amendment needed, is that our citizens should first remedy their indisposition to comply with its provisions.

All which is respectfully submitted,
January 27, 1853.

E. D. NEILL,

AUDITOR'S REPORT.

OFFICE OF THE TERRITORIAL AUDITOR, }
St. Paul, January 27, 1853. }

To the Honorable, the Legislature of the Territory of Minnesota:

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

The amount of Territorial tax assessed for the year ending December 31st, 1852, is one thousand six hundred and seventy-nine dollars eighty-two cents, for details of which see schedule marked A.

The salaries of the officers of the Territory for the year 1852, amount to the sum of eight hundred dollars.

The amount of drafts drawn on the treasury during said year, is eight hundred and ninety-four dollars.

The amount of taxes paid into the treasury during the same period is seven hundred and five dollars and seventeen cents.

The amount of liabilities over all assets, on the first day of January 1852, was sixteen dollars and ninety-five cents.

The amount of assets (including delinquent taxes) over liabilities on the first day of January 1853, was seven hundred and sixty-eight dollars and eighty-seven cents.

The amount of delinquent taxes on the first day of January 1853, was seven hundred and eleven dollars eighty-seven cents; a detailed statement of which will be found in schedule marked B.

The amount of Taxable property in the Territory, for the year 1852, as shown by the return of the assessors, exceeds that of the preceding year, by the sum of \$497,820, a flattering index of the rapid growth of this infant Territory. It is confidently believed that the assessment of the present year, will reach the sum of \$2,150,000, producing a revenue of \$2,150. It is proper, however, to state, that the demands upon the treasury for the present year, will more than double that of any previous year, owing to some outstanding claims, and the heavy expense incurred in locating a Territorial road from Reed's landing near the foot of Lake Pepin, to the St. Peter's, authorized by an act of the last session, an estimate of which will be found in schedule marked C.

A bill for assessing and making a tax roll of Dakota county for 1852, has been presented to this office for allowance. The bill was originally presented to the board of commissioners of Ramsey county, to which the county of Dakota is attached for judicial purposes. The commissioners rejected the claim on the ground, (as it is understood) that the assessment being made for *Territorial* pur-

poses only, the expense must be borne by the Territory. From an examination of Sec. 21, chap. 1, and Sec. 23, 47, and 95, of chap. 12, of the revised statutes, it seems to have been the intention of the Legislature to raise a revenue for Territorial purposes, of one mill on the dollar, of the assessed value of all the taxable property of the Territory, independent in amount, of any deduction for assessment or collection of the same, direct or indirect. Entertaining this view of the law, I declined auditing the account.

The effect of a different construction of the law, is forcibly illustrated by the facts in the present case, for example:

The entire valuation of Dakota county for the year 1852, is \$56,539. Tax \$56,54. Charge for assessing, \$62,00. Making tax roll, \$15,00. Total, \$77,00. Twenty dollars and forty-six cents *over the entire amount of the tax levied.*

I have deemed it proper to bring this subject to your notice, that the defect in the law, if defect there be, may receive your early attention.

All of which is respectfully submitted.

A. VAN VORHEES,
Territorial Auditor.

SCHEDULE A.

Amount of Territorial Tax for the year ending December 31, 1852, no part of which has yet been paid.

Counties.	Amount of taxable property.	Tax.
Ramsey county,	\$1,060,818	\$1,060 82
Washington "	343,758 35	343 76
Benton "	103,168	103 17
Chisago "	46,892	46 89
Wabashaw "	16,500	16 50
Itasca "	8,620	8 62
Hennepin "	43,525	43 52
Dakota "	36,539	56 54
Pembina "	No returns received.	
Cass "	" " "	
Total.	\$1,679,820 35	\$1,679 82

Liabilities.

Salaries of officers for 1852,	\$806 00
Other liabilities,	94 00
Deficiency in assets to meet the liabilities on the 31st of December last,	16 95
Balance of assets* over liabilities, on the 31st December, 1852,	910 96
	\$767 87

SCHEDULE B.

Amount of Territorial Taxes delinquent for the years 1850 and 1851.

Counties.	Amount of taxes.	Amount paid.	Amount delinquent.
Ramsey county	1850 \$545 37	\$512 50	\$31 87
" "	1851 782 11	200	582 11
Benton "	1851 64 78		\$613 98
Wabashaw "	1850 33 21		64 78
			33 21
			\$711 97

*This includes the delinquent taxes for 1850 and 1851.

SCHEDULE C.

Drafts on the Treasury for 1853.

1st. SALARIES OF OFFICERS.			
*Territorial Treasurer, - - - - -		\$150 00	
“ Auditor, - - - - -		100 00	
Attorney General, - - - - -		250 00	
Adjutant General, - - - - -		150 00	
Superintendent of Common Schools, - - - - -		100 00	\$750 00
2d. MISCELLANEOUS.			
Lake Pepin and St. Peters road, (estimated at) - - -		\$800 00	
Expenses in suite, U. S. vs. Hatch, - - - - -		150 00	
“ “ U. S. vs. Fales, - - - - -		50 00	
Publishing School Laws, - - - - -		52 15	
Incidental, (estimated,) - - - - -		100 00	\$,152 15
			<u>\$1,902 15</u>

Revenue for 1853.

Estimated valuation, - - - - -	\$2,150,000	
Tax 1 mill, - - - - -		\$2,150 00

*Under the Revised Statutes.

ADJUTANT GENERAL'S REPORT.

ADJUTANT GENERAL'S OFFICE, }
St. Paul, Feb. 15, 1853. }

SIR:—I have the honor to report that I have received from the General Government, the amount of arms due from it to the Territory, for the years 1850 and 1851. They amount to twenty stand, as will appear from the schedule marked (A.) and hereto annexed, and which contains a list of the arms received.

I would further state that since my last report there has been formed a uniform company from the militia of Ramsey county, consisting of about seventy-five persons, rank and file. They have purchased their uniform, and they will be fully equipped, early in the ensuing spring.

Since the year 1851, the emigration to the Territory has been large, and of course, the number of persons coming within the militia act as capable of bearing arms, has very much increased. The full returns of the late census of the Territory, are not yet made, but they will when returned, undoubtedly show within our Territory, five thousand persons subject to do military duty. If this be so, this will render the General Government indebted to the Territory for a further supply of arms. But I would respectfully suggest, that, situated as we are upon a remote frontier, surrounded by large tribes of Indians, of whom the Sioux within our borders, under the late treaty stipulations are soon to be removed, and knowing from past facts, that the removal of almost all the tribes of Indians, whenever it has occurred in the United States, has always been accompanied with more or less difficulty, that even this additional supply will be absolutely insufficient to arm the militia, or to insure the protection of the citizens of the Territory. I would therefore recommend, that the Territory, through its Legislature, memorialize the Congress of the United States, setting forth the facts, and asking of them such a supply of arms as will render the citizens of the Territory secure, and if, unfortunately, the necessity should arise, enable them to defend themselves.

There being at present no place within the Territory for the storage of arms and ammunition, I would recommend that a Territorial Arsenal be provided.—That this should be done I deem to be a matter of absolute necessity.

I am, Sir, very respectfully,

Your Excellency's ob't serv't,

JAMES M. BOAL,

Adj't Ter'y Minnesota.

To His Excellency ALEX. RAMSEY, Governor, Territory of Minnesota.

SCHEDULE A.

20 Muskets, Bright Perc'd,	}	\$265 00
20 Musket Screw Vices,		
2 Musket Ball Screws,		
2 Musket Spring Vices,		
20 Musket Wipers,		
5 Musket Cones, Extra,		
20 Musket Catridge Boxes and Plates,		24 00
20 Musket Catridge Boxes, Belts and Plates,		14 00
20 Musket Waist Belts and Plates,		6 20
20 Musket Bayonet Scabbards, with frogs, 16 inch,		11 20
20 Musket Gun Slings,		3 20
20 Cap, Pockets and Picks,		8 00
		<hr/>
		\$331 60
1 Packing Box,		
1 Gun Box,		
Being equivalent, at \$13 00 per musket, to twenty-five and six-thirteenths muskets, (25 6-13.)		

REPORT

OF THE

REGENTS OF THE UNIVERSITY OF MINNESOTA.

To the Hon., the President of the Council of the Legislative Assembly of the Territory of Minnesota:

The Second Annual Report of the Board of Regents of the University of Minnesota is herewith respectfully submitted to the Legislative Assembly. No changes or proceedings of peculiar importance connected with the Institution have occurred since the last Annual Report. The Institution is in as flourishing a condition as could reasonably be expected from its recent establishment, and the infancy of the Territory.

The Board of Regents met at St. Anthony in October last for the transaction of business. The subject of the removal of the present site of the University engaged the attention of the Board. It has been thought by some of the friends of the University that its present location is in closer proximity to the business, and especially the manufacturing carried on in town, than would be desirable for a seat of learning. The subject has been referred to a Committee for examination, and to report whether any more eligible site can be obtained in the vicinity of St. Anthony.

The two townships of land donated by Congress to the University, have not yet been located. It was thought advisable to defer the location till after the ratification of the Indian treaties, in order that wider range might be afforded to make a selection most favorable to the interests of the Institution. The matter is one of great consequence to the interests of the University, and will receive the attention of the Regents as early as practicable.

One of the first steps taken by the Board of Regents, in behalf of the University, was the establishment of a Preparatory Department. This is now in a flourishing condition. It is under the direction of Prof. E. W. Merrill, a gentleman of much experience and success in teaching. It was opened for the reception of students November 26th, 1851. Since that time about 150 different students have been connected with the Institution. The number has been steadily increasing each term, the present numbering 85 different pupils. It is gratifying to observe an interest is felt in the Institution in different parts of the Territory. Several

students from abroad have, the present winter, availed themselves of the advantages it affords.

There have been six students pursuing the study of the languages, seventeen Algebra and Geometry, sixteen Physiology, the same number Book-keeping, twenty-nine Philosophy, and six Astronomy. The books used are the same as recommended by the Superintendent of Public Instruction.

No provision has yet been made for procuring apparatus suitable for the illustration of the Natural Sciences, and experiments therein. Great inconvenience is experienced from this cause. By a resolution of the Board of Regents, all the expenses connected with the Preparatory Department, are defrayed by private subscription. Many of the friends of education have already contributed generously towards this object. But it is believed there are others who would only need to be informed that the want above alluded to is felt, to cheerfully contribute the means for furnishing the necessary apparatus.

From the Treasurer's report, it appears there has been paid towards the erection and completion of the building for this department, the sum of \$2351 70. The amount subscribed and collected for this purpose, is \$2380 11. There is still about \$200 00 due on the building. It is believed that the amount now due on available subscriptions, is sufficient to cancel this debt.

Several Contributions to the University Library have been made the past year, including a valuable set of the London Encyclopedia in twenty-two volumes, presented by C. H. Drew, Esq. Also, a communication has been received from Prof. Henry, Secretary of the Smithsonian Institution, advising that four volumes of the Smithsonian contributions to Knowledge, have been forwarded to St. Louis, subject to the order of the University. These books have not yet been received, but will probably come to hand on the opening of navigation in the spring. Hon. H. H. Sibley has also presented several volumes to the library.

All which is respectfully submitted,

I. ATWATER,
Sec'y of Board of Regents.

LIBRARIAN'S REPORT.

TERRITORIAL LIBRARY, }
SAINT PAUL, Feb. 9, 1853. }

In compliance with the duty required of him by law, the Librarian submits the following report to the Legislative Assembly of the Territory of Minnesota.

The additions which have been made to the library since the last report of the undersigned, will be found recorded in the accompanying catalogue. As no grant has been made by the Legislature for the increase of the library, it is unnecessary to state that the additions enumerated are due to the liberality and public spirit of individual donors. In this connection the kind offices of Dr. T. Romeyn Beck, Secretary of the Regents of the University of the State of New York, deserve grateful notice. Several consignments have been received from him in the past, as in previous years; and the contributions from this source have been frequent and valuable.

Use and other causes have done their work of injury, more or less, upon a number of volumes, but the books generally are in good condition. Several works are missing, but most of these will at an early day be replaced by the individuals to whom they were loaned.

During the past year a file of each newspaper published in the Territory has been preserved. No fines have in this period been collected or assessed. Insurance has been effected on the library to the amount of \$5,000—the policy expiring in July next.

As there are duplicates of a number of works of slight intrinsic value, and to which reference is seldom made, I submit the propriety of the Legislature authorizing the sale or exchange of them to the best advantage.

WALLACE B. WHITE,
Territorial Librarian.

Catalogue of Books, Maps, &c., which have been received at the Territorial Library, from February 1, 1852, to February 1, 1853.

REPORTS.

Maine Reports, vols. 31 and 32.
Vermont Reports, (Washburn) vol. 7.
North Carolina Reports, (Iredell's Equity,) vol. 7.
North Carolina Reports, vol. 13.

Kentucky Reports, vol. 11.
 Texas Reports, vol. 3.
 Tennessee Reports, (Humphrey) vol. 11.
 Ohio Reports, vol. 20.
 Illinois Reports, vol. 13.
 Missouri Reports, vols. 13 and 14.
 Iowa Reports, (Greene,) vol. 2.

PUBLIC DOCUMENTS.

U. S. Statutes at Large, 1841-52; 30 copies.
 House Journal, 1st session 32d Congress; 3 copies.
 Documents, 2d session 31st Congress, 3 sets, 21 vols. each.
 Annals of Congress, 5th and 6th Congress, complete; 2 sets.
 Congressional Directory, 1st session 32d Congress.
 do do 2d do do
 Annual Message of the President and accompanying documents, 1851-52; 2 parts.
 Congressional Report on the discovery of the anæsthetic properties of ether.
 Report on Commerce and Navigation.
 Sixth Annual Report of the Smithsonian Institution.
 Maps of the Coast Survey.
 Map of the District of Columbia.
 Map of the City of Washington.
 Acts and resolves of the Legislature of Maine, 1852.
 Journals of the Legislature of New Hampshire, 1852; 2 copies.
 Compiled Statutes of Vermont, 1850.
 Session Laws of Vermont, 1851.
 Journal of the Senate of Vermont, 1851.
 Journal of the House of Representatives of Vermont, 1851.
 Report of the Auditor of accounts of Vermont, 1851.
 Acts and resolves of the Legislature of Massachusetts, 1852, 3 copies.
 Acts of the General Assembly of Rhode Island, 1851; 3 copies.
 " " " " " " 1852; 3 copies.
 Report on the Public Schools of Rhode Island, 1852; 2 copies.
 Public Acts of the Legislature of Connecticut, 1851, 3 copies.
 Private Acts " " " 1851, 3 copies.
 Laws, Journals and Documents of the State of New York, 1850, 15 vols.
 " " " " " " 1851, 14 vols.
 " " " " " " 1852, 13 vols.
 Documentary History of New York, vol. 2.
 Annual Report of New York State Library, 1852.
 Fifth Annual report of the New York State Cabinet of Natural History.
 Sixty-fifth Annual Report of the Regents of the New York State University; 2 copies.
 Laws of New Jersey, 1852.
 Laws of Pennsylvania, 1852.
 Acts of Assembly of Virginia, 1850-51.
 " " " " 1852.
 Documents, House Delegates Virginia, 1850-51.
 Journal " " " 1849-50.
 " " " " 1850-51.
 Acts, &c., of the General Assembly of South Carolina, 1851; 2 copies.
 New Digest of the Laws of Georgia, 1851.
 Acts of Alabama, 1851-52.

Code of Alabama, 1852.
Report of the Inspectors of the Alabama Penitentiary, 1851.
Message of the Governor of Florida and accompanying documents, 1852.
Laws of Texas, Fourth Legislature; 2 copies.
Acts of Tennessee, 1852.
Auditor's Reports of Kentucky, 1851-52.
Session Acts of Kentucky, 1851-52; 2 copies.
Laws of Ohio, 1852.
Laws of Illinois, 1852; 3 copies.
Laws of Wisconsin, 1852; 2 copies.
Statutes of California, 2d session of the Legislature.
 " " 3d " " "
Journal of the Senate of California, 2d Legislature.
 " House " " "
Debates in the Convention of California.
Debates De La Convencion De California, (Spanish.)
Acts of the First Legislative Assembly of the Territory of Utah.
Statutes of Minnesota.

MISCELLANEOUS BOOKS.

Pickett's History of Alabama, 2 vols.
Life and Works of John Adams, vols. 4, 5 and 6.
Bush on the Resurrection.
Sketches of Boston.
The Scarlet Letter.
Annals of the Minnesota Historical Society, 1852; 4 copies.

The following books have been recently donated by His Excellency, Alex. Ramsey:

Dakota Grammar and Dictionary.
Universal Ancient History, 21 vols.
Ben. Johnson's Works, Anno, 1631, (rare edition.)
Tillotson's Works, folio.
Bohn's Classical Library, 3 vols.
Johnson's Dictionary, unabridged.
Sewel's History of the friends, 2 vols.
Journal of George Fox, 2 vols.
Memoir of Fox.
Bloomfield's Thucydides, 3 vols.; notes, &c.
Translation of the Opera Patrum Apostolorum.
Robinson's Biblical Researches, 3 vols.; with maps, &c.

TREASURER'S REPORT.

TREASURER'S OFFICE, ST. PAUL, Feb. 1853.

To the Honorable, the Legislature of the Territory of Minnesota:

The Territorial Treasurer, pursuant to statute, respectfully submits the following Annual Report for the fiscal year ending on the 10th day of Feb. 1853.

	\$	c.	\$	c.
Balance in Treasury on the first day of March, 1852, - - - - -	9	22		
Receipts from March 1st to Feb. 10, 1853, - - - - -	925	45		
ADJ. Total amount, - - - - -			934	67
Amount of payments during same time, - - - - -	932	10		
Balance in the Treasury Feb. 10, 1853, - - - - -				257
Delinquent Taxes (as assets,) - - - - -	1,440	42		
Amount of Auditor's drafts on counties for the year, - - -	3,522	37		
Tax on unorganized counties that have filed bonds in this office,	172	08		
Total tax for three years, - - - - -	3,694	41		
" receipts " " - - - - -	2,253	99		
" payments " " - - - - -	2,251	42		
Remaining fund to meet liabilities, - - - - -	1,443	02		

Summary of payments during the year.

	\$	c.	\$	c.
To Wm. Marshall, for laying out roads, - - - - -	56	50		
" J. W. Furber, " " " - - - - -	24	00		
" Robert Kennedy, " " " - - - - -	94	30		
" B. W. Brunson, " " " - - - - -	37	50		
" A. J. Whitney, " " " - - - - -	15	00		
TERRITORIAL OFFICERS SALARIES:				
To L. A. Babcock, - - - - -	250	00		
" James M. Boal, - - - - -	300	00		
" J. E. McKusick, - - - - -	50	00		
" E. D. Neill, - - - - -	50	00		
" J. C. Ramsey, for Auditor's Books, - - - - -	38	00		
" C. A. Tuttle, " " " - - - - -	14	80		
			932	10

All of which is respectfully submitted.

C. A. TUTTLE,
Treasurer.

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- No. 12—**To legalize the Official Acts of John W. Bell, a Justice of the Peace residing at Fon du Lac, Itasca County.
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 Reported presented to Governor, 118.
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 Reported back, with recommendations, 71.
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- No. 17.—To Incorporate the Northwestern Railroad Company.
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- No. 23.—To authorize Librarian to sell copies of the Revised Statutes, and for other purposes.
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- No. 24.—To provide for the printing of the Laws and Journals of the present session of the Legislative Assembly.
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- No. 1.—To provide for laying out a Territorial road from the Falls of St. Anthony to the Western boundary of Sibley County.
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- No. 2.—To incorporate the Baldwin School in the city of St. Paul.
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- No. 3.—To dissolve the marriage contract existing between Henry Buel and Susan Buel.
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- No. 5.—To change the time of holding the general Election in the several precincts in the County of Pembina.
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- No. 10.—To establish additional Road Districts in the Territory of Minnesota.
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- No. 11.—To incorporate Hennepin County Agricultural Society.
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- No. 12.—To organize certain counties therein named.
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- No. 14.—To prohibit the circulation of small Bank Bills.
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- No. 19.—To amend Article Ten of Revised Statutes.
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- No. 21.—To provide for the election of Special Commissioners in the County of Hennepin.
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- No. 27.—To incorporate Colleges, Seminaries, Churches, Lyceums and Libraries.
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- No. 39.—To amend an act entitled an act to provide for the erection of Public Buildings in the Territory of Minnesota, approved Feb. 7, 1851, and an act amendatory thereto, approved March, 6, 1852.
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JOURNAL

OF THE

COUNCIL OF MINNESOTA,

DURING THE FIFTH SESSION

OF THE

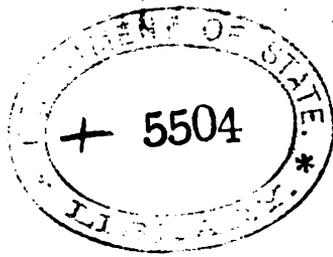
LEGISLATIVE ASSEMBLY,

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1854.



JOURNAL OF THE COUNCIL.

WEDNESDAY, JANUARY 4, 1854.

The first Wednesday in January being the day designated by law for the annual meeting of the Legislative Assembly of the Territory of Minnesota, that being the fourth day of the month, at twelve o'clock, M., the Council met in the Capitol, at St. Paul, and was called to order by A. T. C. Pierson, who being the Secretary of the last Council, was the person designated by law to perform that duty.

Prayer was offered by the Rev. Mr. Chamberlain.

The following gentlemen then presented their credentials as members elect to the Council of the Legislative Assembly, at its fifth session:

From the first Council District—John E. Mower and Albert Stimson.

From the Second Council District—William P. Murray.

From the Third Council District—Charles T. Stearns.

From the Sixth Council District—Joseph R. Brown.

From the Seventh Council District—Norman W. Kittson.

Mr. Brown moved that Isaac Van Etten, member elect from the second Council District, William Freeborn, member elect from the fourth Council District, and S. B. Olmstead, member elect from the Fifth Council District, be admitted to their seats;

Which motion was put by the Secretary,

And unanimously adopted by the Council.

Mr. Stearns moved that the Chief Justice of the Territory be requested to administer the oath of office to the members of this Council;

The question was put by the Secretary,

And unanimously adopted by the Council.

Chief Justice Welch being in attendance, the roll was called, and the following members appeared and collectively took the oath of office.

From the First Council District—John E. Mower and Albert Stimson.

From the Second Council District—William P. Murray and Isaac Van Etten.

From the Third Council District—Charles T. Stearns.

From the Fourth Council District—William Freeborn.

From the Fifth Council District—S. B. Olmstead.

From the Sixth Council District—Joseph R. Brown.

From the Seventh Council District—Norman W. Kittson.

On motion of Mr. Brown,

Mr. S. B. Olmstead was appointed President, *pro tem.*

Mr. Noot, from the House, appeared and informed the Council that the House of Representatives was organized, *pro tempore*, and ready to proceed to business:

On motion of Mr. Brown,

William M. Dwinel was appointed Sergeant-at-Arms, *pro tem.*

On motion of Mr. Murray.

W. B. Fredericks was appointed Assistant Clerk, *pro tem.*

Mr. Stearns moved that Charles Kingsley be appointed Messenger, *pro tem.*;

Which motion was negatived:

On motion of Mr. Kittson,

Paul Beaulieu was appointed Enrolling Clerk, *pro tem.*

On motion of Mr. Freeborn,

William Nevins was appointed Fireman, *pro tem.*

On motion of Mr. Brown,

F. Lemai was appointed Messenger, *pro tem.*

The Secretary, Enrolling Clerk, Sergeant-at-Arms, and Fireman, were then sworn into office by the President, *pro tem.*, of the Council.

On motion of Mr. Murray,

The Council adjourned until 10 o'clock, A. M., to-morrow.

S. B. OLMSTEAD,

President of the Council, pro tem.

Attest:

JAMES STARKEY,

Secretary, pro tem.

THURSDAY, JANUARY 5, 1854.

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

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

First Council District—John E. Mower and Albert Stimson.

Second Council District—William P. Murray and Isaac Van Etten.

Third Council District—Charles T. Stearns.

Fourth Council District—William Freeborn.

Fifth Council District—S. B. Olmstead.

Sixth Council District—Joseph R. Brown.

Seventh Council District—Norman W. Kittson.

Mr. Brown offered the following resolution, viz:

Resolved, That the Rules of the last Council be adopted, temporarily, by the present Council;

Which was unanimously adopted.

The Journal of yesterday was then read and corrected.

Mr. Brown offered the following resolution, viz:

Resolved, That so much of the Journal of the Council of yesterday, as relates to the appointment of James Starkey, as Secretary of the Council, *pro tem.*, be stricken out;

Which was adopted.

Mr. Brown then moved that, in consequence of the absence of the Secretary of the Council, James Starkey be appointed Secretary of the Council, *pro tem.*;

Which motion prevailed.

Mr. Murray offered the following resolution, viz:

Resolved, That, in consequence of the absence, yesterday, of W. B. Fredericks, the Assistant Secretary, *pro tem.*, he be now called to the President's desk and sworn in;

Which was adopted.

Whereupon, W. B. Fredericks appeared and was sworn in, accordingly, by the President, *pro tem.*

Mr. Van Etten moved that the Council do now proceed to an election of permanent President;

Which was decided in the affirmative.

Whereupon, Mr. Van Etten proposed the Hon. S. B. Olmstead, member from the Fifth Council District, as President of the Council.

And the roll being called, the result was as follows:

Mr. Brown	voted for	Mr. Olmstead,
" Freeborn	"	" Olmstead,
" Kittson	"	" Olmstead,
" Murray	"	" Olmstead,
" Mower	"	" Olmstead,
" Olmstead	"	" Stimson,
" Stimson	"	" Olmstead,
" Stearns	"	" Olmstead,
" Van Etten	"	" Olmstead.

The result of the vote was then declared, as follows:

Mr. Olmstead received 8 votes,

" Stimson " 1 "

Whole number of votes cast,	9
Necessary to a choice,	5

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

Messrs. J. R. Brown and W. P. Murray were then appointed a committee to conduct Mr. Olmstead to the Chair.

The President, on taking the Chair, made the following very pertinent remarks:

Gentlemen of the Council:

For the very unexpected honor which you have conferred upon me, by selecting me

to preside over your deliberations, during this session, permit me to thank you.

From the little experience I have in Legislative practice, you have reason to expect me to commit many errors, but I hope you will always be ready and willing to aid me with your council. I shall make it my constant aim to discharge the duties of the Chair to the best of my ability.

Gentlemen, permit me again to return you my sincere thanks, and let me assure you that the favor you have shown me, on this occasion, will always be remembered by me with the warmest feelings of gratitude.

On motion of Mr. Murray,

The Council proceeded to the election of Secretary;

And the roll being called, the result was as follows:

Mr. Brown	voted for	Mr. Dixon,
" Freeborn	"	" Dixon,
" Kittson	"	" Dixon,
" Murray	"	" Dixon,
" Mower	"	" Dixon,
" Olmstead	"	" Dixon,
" Stimson	"	" Dixon,
" Stearns	"	" Dixon,
" Van Etten	"	" Dixon.

The result of the vote was then declared, as follows:

Mr. Dixon received 9 votes,

Whole number of votes cast,	9
Necessary to a choice,	5

Mr. J. B. Dixon, having received the unanimous vote of the Council, was declared duly elected Secretary of the Council, during the present session.

On motion of Mr. Van Etten,

The Council proceeded to the election of Assistant Secretary;

And the roll being called, the result was as follows:

Mr. Brown	voted for	Mr. Starkey,
" Freeborn	"	" Starkey,
" Kittson	"	" Starkey,
" Murray	"	" Starkey,
" Mower	"	" Starkey,
" Olmstead	"	" Starkey,
" Stimson	"	" Starkey,
" Stearns	"	" Starkey,
" Van Etten	"	" Starkey.

The result of the vote was then declared, as follows:

Mr. Starkey received 9 votes.

Whole number of votes cast,	9
Necessary to a choice,	5

Mr. James Starkey, having received the unanimous vote of the Council, was declared duly elected Assistant Secretary of the Council, during the present session.

On motion of Mr. Brown;

The Council proceeded to the election of Enrolling Clerk;
And the roll being called, the result was as follows:

Mr. Brown	voted for	Mr. Lamb,
" Freeborn,	"	" Lamb,
" Kittson	"	" Lamb,
" Murray	"	" Lamb,
" Mower	"	" Lamb,
" Olmstead	"	" Lamb,
" Stimson,	"	" Lamb,
" Stearns	"	" Fredericks,
" Van Etten	"	" Lamb.

The result of the vote was then declared, as follows:

Mr. Lamb	received	8	votes.
" Fredericks	"	1	"

Whole number of votes cast,	9
Necessary to a choice,	5

Mr. John M. Lamb, having received a majority of all the votes cast, was declared duly elected Enrolling Clerk of the Council, during the present session.

On motion of Mr. Murray,

The Council proceeded to the election of Sergeant-at-Arms;
And the roll being called, the result was as follows:

Mr. Brown	voted for	Mr. Chapman;
" Freeborn	"	" Chapman,
" Kittson	"	" Chapman,
" Murray	"	" Chapman,
" Mower	"	" Chapman,
" Olmstead	"	" Chapman,
" Stimson	"	" Chapman,
" Stearns	"	" Chapman,
" Van Etten	"	" Chapman.

The result of the vote was then declared, as follows:

Mr. Chapman	received	9	votes.
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Whole number of votes cast,	9
Necessary to a choice,	5

Mr. Warren H. Chapman, having received the unanimous vote of the Council, was declared duly elected Sergeant-at-Arms of the Council, during the present session.

On motion of Mr. Brown,

The Council proceeded to the election of Messenger;
And the roll being called, the result was as follows:

Mr. Brown	voted for	Mr. Dwinel,
" Freeborn	"	" Dwinel,
" Kittson	"	" Dwinel,
" Murray	"	" Dwinel,

" Mower	"	" Dwinel,
" Olmstead	"	" Dwinel,
" Stimson	"	" Dwinel,
" Stearns	"	" Chapman,
" Van Etten	"	" Dwinel,

The result of the vote was then declared, as follows:

Mr. Dwinel received 8 votes.

" Chapman " 1 "

Whole number of votes cast, 9

Necessary to a choice, 5

Mr. William M. Dwinel, having received a majority of all the votes cast, was declared duly elected Messenger of the Council, during the present session.

On motion of Mr. Kittson,

The Council proceeded to the election of Fireman;

And the roll being called, the result was as follows:

Mr. Brown	voted for	Mr. La Sarte,
" Freeborn	"	" Nevins,
" Kittson	"	" La Sarte,
" Murray	"	" La Sarte,
" Mower	"	" La Sarte,
" Olmstead	"	" La Sarte,
" Stimson	"	" La Sarte,
" Stearns	"	" Nevins,
" Van Etten	"	" La Sarte.

The result of the vote was then declared, as follows:

Mr. La Sarte received 7 votes.

" Nevins " 2 "

Whole number of votes cast, 9

Necessary to a choice, 5

Mr. La Sarte, having received a majority of all the votes cast, was declared duly elected Fireman of the Council, during the present session.

Mr. Brown moved that the officers elect be now sworn in;

Which motion prevailed.

The officers elect, with the exception of the Fireman elect, were then sworn in by the President of the Council.

Mr. Murray offered the following resolution, viz:

Resolved, That the Rev. Mr. Kerns be, and is hereby, appointed to act as Chaplain to the Council;

Which was unanimously adopted.

Mr. Murray then offered the following resolution, viz:

Resolved, That a committee of two be appointed to wait upon the Rev. Mr. Kerns, and inform him of his election as Chaplain to this Council;

Which was adopted.

The President appointed Messrs. Murray and Freeborn said committee.

Mr. Brown offered the following resolution, viz.

Resolved, By the Council, (with the concurrence of the House,) that a joint committee of two, from each House, be appointed to report Joint Rules for the government of the two houses, during the present session.

Which was unanimously adopted.

Mr. Van Etten, also, offered the following resolution, viz:

Resolved, That the Secretary of the Council be, and he is hereby, authorized to subscribe for such newspapers, printed in the Territory, as the respective members of the Council may direct, to the number of twelve copies for each member, and twelve copies for each officer of the Council.

Mr. Murray offered, as an amendment to the above resolution, the following, viz:

Strike out the word "twelve," and insert, in lieu thereof, the word "thirty."

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

It was decided in the negative.

The question then recurring on the original resolution, as offered by Mr. Van Etten;

It was adopted.

Mr. Murray offered the following resolution, viz:

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

Which was decided in the affirmative.

Mr. Stimson, also, offered the following resolution, viz:

Resolved, That a committee of three be appointed, by the Chair, to draft Rules for the government of the Council, during the present session;

Which was unanimously adopted.

The President appointed Messrs. Stimson, Brown, and Kittson, said committee.

Mr. Brown offered the following resolution, viz:

Resolved, That the Secretary of the Council be, and he is hereby, authorized to purchase the necessary stationery for the use of his desk.

Which was unanimously adopted.

Mr. Van Etten moved that the Council do now adjourn until to-morrow morning, at 10 o'clock;

Which motion prevailed.

So the Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTED.

President of the Council.

Attest:

J. B. DIXON,

Secretary.

FRIDAY, JANUARY 6, 1854.

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

Prayer by the Rev. Mr. Kearns.

A quorum being present, the Journal of yesterday was then read by the Secretary.

Mr. Stearns moved to strike out the whole of the last resolution contained in the Journal of yesterday;

Which was adopted.

Mr. Brown moved that the Fireman of the Council do now come forward and be sworn in;

Which motion prevailed.

Whereupon, the Fireman appeared at the President's desk, and was, accordingly, sworn in by the President of the Council.

Mr. Van Etten offered the following resolution, viz:

Resolved, That the Reporters of the Press of the city be, and are hereby, admitted to the privileges of the Council, during its present session;

Which was adopted.

Mr. Brown then offered the following resolution, viz:

Resolved, That the Secretary of the Council notify the House of Representatives that the Council is now permanently organized, by the election of Hon. S. B. Olmstead, of the Fifth Council District, President of the Council; J. B. Dixon, Esq., Secretary; Mr. James Starkey, Assistant Secretary; John M. Lamb, Enrolling Clerk; W. H. Chapman, Sergeant-at-Arms; William M. Dwinel, Messenger; Louis La Sarte, Fireman, and Rev. Mr. Kerna, Chaplain;

Which was adopted.

Mr. Van Etten moved to reconsider the vote, by which the resolution of yesterday was passed, authorizing the Secretary of the Council to subscribe for twelve copies of newspapers, printed in the Territory, for each member, and twelve copies for each of the officers of the Council;

Which was agreed to.

So the vote was reconsidered.

The question then recurring on the adoption of the resolution.

Mr. Van Etten moved to strike out the word "twelve," wherever it occurs in said resolution, and insert, in lieu thereof, the word "thirty."

Which was unanimously adopted.

Mr. Stimson then offered the following resolution, viz:

Resolved, By the Council (with the concurrence of the House of Representatives) 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 of the Territory, and inform him that the two Houses are now organized and ready to receive any communication he may have to make;

Which was unanimously adopted.

Mr. Brown moved that the Council do now adjourn until to-morrow morning, at 10 o'clock, A. M.;

Which was adopted.

So the Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. Dixon,
Secretary.

SATURDAY, JANUARY 7, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present, the Journal of yesterday was then read by the Secretary.

Mr. Murray offered the following resolution, viz:

Resolved, That the Secretary of the Territory be requested to furnish the members of the Council with copies of the Statutes and Session Laws of the Territory.

Which was adopted.

Mr. Brown, from the Committee appointed to draft Rules for the government of the Council, during the present session, made the following report, viz:

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 proceeding day to be read and corrected.

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

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 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 afterwards 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 a 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 a 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 from his seat and respectfully address himself to "Mr. President," and shall confine himself to the question under debate, and avoid personality.

XIV. When 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 exceptional 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 table 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 debated.

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 the 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, for the previous question, to postpone to a day certain, to commit, to amend, or to postpone indefinitely; and these several motions shall have precedence in the order in which they stand arranged. A motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall not be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be equivalent to the rejection of the bill.

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 be only admitted when demanded by a majority of the members present; and until it is decided, shall preclude amendment and further debate of the main question. On a motion for the previous question, and prior to the main question being put, a call of the Council shall be in order.

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 succeeding day; and such motion shall take precedence of all other questions, except a motion to adjourn. A motion for reconsideration being put and lost shall not be renewed.

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 proceeding in the call be suspended.

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 days 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. And bills, memorials, resolutions, and amendments, after being printed, shall remain at least one day on the files before being considered.

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 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 amendments shall be received on third reading, except to fill blanks, without the unanimous consent of the Council. In filling blanks, the largest sum, longest time, and greatest distance, shall be first taken.

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 reconsider the vote by which the Council passed said bill, or other paper, in which case the Secretary shall not transmit said bill, or other paper, until the motion to reconsider has been put; and on the concurrence in any bill, or other paper, of the House of Representatives by the Council, or on the concurrence or disagreement in any vote of the House, it shall also be the duty of the Secretary to notify the House thereof.

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.

c. j. s.

LI. A Secretary, Assistant Secretary, Enrolling Clerk, Sergeant-at-Arms, Messenger, and Fireman, shall be elected to 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 all 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 the 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, Delegate 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. Murray,

The reading of the rules was dispensed with.

On motion of Mr. Murray,

The report was accepted.

The question then recurring on the adoption of the rules, reported by the committee, as the rules of order for the government of the Council, during the present session;

It was decided in the affirmative.

Mr. Murray moved that the Council adjourn until Monday, at 10 o'clock, A. M.

Which was agreed to.

So the Council adjourned until Monday, at 10 o'clock, A. M.

S. B. OLMSTEAD
President of the Council.

Attest:

J. B. DIXON,
Secretary.

MONDAY, JANUARY 9, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

On motion of Mr. Van Etten,

The reading of the Journal, so far as relates to the Standing Rules of the Council, was dispensed with.

The Journal of Saturday was then read and approved.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House of Representatives has permanently organized by the election of the following officers:

N. C. D. Taylor, Speaker;

A. J. Morgan, Chief Clerk;

G. W. Prescott, Assistant Clerk;

Henry Jackson, Enrolling Clerk;

James Middleton, Sergeant-at-Arms;

Joseph Tersow, Messenger;

Joshua A. Draper, Fireman;

Rev. Mr. Bradley, Chaplain.

The Chief Clerk then withdrew.

Mr. Freeborn offered the following resolution, viz:

Resolved, That each of the Clerks of the Council be allowed to purchase stationery, for their own use, to the amount of fifteen dollars, and that the amount of said stationery be included in the Appropriation Bill;

Which was adopted.

Mr. Brown gave notice that, on to-morrow, or some future day, he would ask leave to introduce a bill to legalize county officers, in the County of Dakota.

Mr. Van Etten then offered the following resolution, viz:

Resolved, That the Secretary of this Council procure, printed and bound in pamphlet form, for the use of the Council, seventy five copies of the Rules of the Council, to contain, also, the Rules for the House of Representatives, Joint Rules of the Council and House of Representatives, and the Standing Committees;

Which was decided in the affirmative.

Mr. Brown offered the following resolution, viz:

Resolved, That the Secretary of the Council be, and he is hereby, authorized to purchase from the Postmaster, in this city, one hundred stamped envelopes, and five hundred newspaper stamps, for the use of each member and clerk of the Council, and to be paid for out of the moneys appropriated for defraying the expenses of the Legislative Assembly;

Which was unanimously adopted.

The President announced the following Standing Committees for the present session, to wit:

INTERNAL IMPROVEMENTS.

Messrs. Brown, Mower and Stearns.

TERRITORIAL AFFAIRS.

Messrs. Van Etten, Stimson and Kittson.

THE JUDICIARY.

Messrs. Murray, Van Etten and Freeborn.

AGRICULTURE AND MANUFACTURES.

Messrs. Freeborn, Stearns and Stimson.

TERRITORIAL EXPENDITURES.

Messrs. Stimson, Murray and Mower.

LEGISLATIVE EXPENDITURES.

Messrs. Mower, Freeborn and Van Etten.

MILITIA.

Messrs. Stearns, Brown and Kittson.

SCHOOLS.

Messrs. Murray, Stimson and Freeborn.

INCORPORATIONS.

Messrs. Van Etten, Mower and Murray.

TERRITORIAL ROADS.

Messrs. Kittson, Stearns and Brown.

PUBLIC BUILDINGS.

Messrs. Stimson, Van Etten and Kittson.

PRINTING.

Messrs. Brown, Stimson and Murray.

ENGROSSED BILLS.

Messrs. Van Etten, Kittson and Mower.

ENROLLED BILLS.

Messrs. Freeborn, Brown and Stimson.

A message from the House being announced,

A. J. Morgan, Esq., Chief Clerk of the House, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has adopted the Joint Resolution of the Council, appointing a Committee to prepare Joint Rules for the government of the two Houses, during the present session; and the Speaker has appointed Messrs. Davis and Gardner said Committee.

The House has appointed Messrs. Watson and Noot a Committee to act in conjunction with a similar Committee, on the part of the Council, to wait on his Excellency, the Governor, and inform him that the two Houses are now ready to receive any communication he may have to make.

The Chief Clerk then withdrew.

The President then appointed Messrs. Murray and Freeborn a Committee 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 President, also, appointed Messrs. Brown and Van Etten a Committee to draft Joint Rules, for the government of the two Houses, during the present session.

On motion of Mr. Van Etten,

The Council adjourned until 10 o'clock, to-morrow morning.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

TUESDAY, JANUARY 10, 1854.

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

Prayer by the Rev. Mr. Kerns,

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

After which, the Committee appointed to wait on His Excellency, Governor Gorman, to inform him that the two Houses are now organized and ready to receive any communication he may have to make, made the following report, viz:

That they had waited on His Excellency, in accordance with the resolution under which they were appointed, and had received from him the following communication, to wit:

EXECUTIVE DEPARTMENT, }
St. Paul, Jan. 9, 1854. }

GENTS:—I have received your message, from the two Houses, informing me that your organization is complete, and that they are ready to receive any communication that I may be pleased to make.

I have the honor to say, that I will deliver my annual Message, to both Houses, in the Hall of the House of Representatives, on to-morrow, (Tuesday) at 11 o'clock, A. M.

I am most respectfully,
your obedient servant,
W. A. GORMAN.

To Messrs. Freeborn, Noot and Watson.

Mr. Van Etten then offered the following resolution, viz:

Resolved, (The House of Representatives concurring) that the Council and House of Representatives will meet in Joint Convention to day, at 11 o'clock, A. M. in the Representatives' Hall, to receive the Governor's Annual Message;

Which was adopted.

The Joint Committee, appointed to report Joint Rules for the government of the two Houses, during the present session, made the following report, viz:

The Joint Committee, appointed to report Joint Rules for the government of the two Houses, during the present session, beg leave to report the following Rules of Order:

JOSEPH R. BROWN,
ISAAC VAN ETTEN, Council.
WILLIAM DAVIS, House,
Committee.

JOINT RULES AND ORDERS OF THE TWO HOUSES.

1. In all cases of disagreement between the two Houses, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall appoint a similar committee, and such committee shall, at a convenient hour, to be agreed upon by their chairman, meet in the conference chamber, and state to each other verbally, or in writing, as either shall choose, the reasons of their respective Houses for or against the disagreements, and confer freely thereon.

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

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

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

be discovered in the enrolled bill, and make their report forthwith to the respective Houses.

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

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

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

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

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

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

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

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

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

14. The committees of each House, on Territorial Expenditures, on Enrolled Bills, Legislative Expenses, Printing, and Public Buildings, shall act jointly.

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

16. In Joint Convention of the two Houses, the Speaker of the House of Representatives shall preside.

17. No item shall be inserted in any appropriation bill until it has been passed upon by one of the Joint Committees on Territorial Expenditures or Legislative Expenditures.

18. The general appropriation bill shall be introduced into the House at least ten days before the close of the session, and passed by the House, and sent to the Council for their concurrence, at least three days before the close of the session.

The above Joint Rules and Orders of the two Houses being read,
Mr. Brown moved that the Joint Rules and Orders just read be received and adopted;
Which motion prevailed.

Mr. Murray offered the following resolution, viz:

Resolved, That the Chaplain be allowed to purchase fifteen dollars worth of stationery,
the same to be paid for by the Secretary of the Territory;
Which, having elicited debate, was ordered to be laid over until to-morrow.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House will be ready for the reception of the Council, at 11 o'clock this day.

The Chief Clerk then withdrew.

Mr. Murray gave notice that, on to-morrow, or some future day, he will ask leave to introduce a bill to charter the Minnesota Bank and branches.

A committee from the House of Representatives being announced,

Messrs. Fisher and Roy appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives are now ready to meet the Council in Joint Convention, in the Hall of the House of Representatives.

The Committee withdrew.

The Council then repaired to the House of Representatives.

The Council having again assembled in the Council Chamber,

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

Which motion prevailed.

The Council then adjourned until 10 o'clock to-morrow.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

WEDNESDAY, JANUARY 11, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was then read, with the exception of that part which relates to the Joint Rules and Orders of the two Houses; which,

On motion of Mr. Murray,

The reading was dispensed with.

The Chair then announced the proceedings of the Joint Convention of yesterday; Which were as follows, viz:

JOURNAL OF THE JOINT CONVENTION.

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

Prayer by the Rev. Mr. Bradley.

The roll being called,

Messrs. Brown, Freeborn, Kittson, Mower, Murray, Stearns, Stimson, Van Etten and President, of the Council; and Messrs. Bartlett, Davis, Day, Fisher, Fletcher, Gardner, Lord, McKusick, Morrison, Noot, Nobles, Plummer, Rolette, Richardson, Roy, Sloan, and Speaker, of the House, answered to their names.

The Governor was then introduced by Messrs. Murray and Freeborn, committee on the part of the Council, and Messrs. Watson and Noot, committee on the part of the House of Representatives.

The Governor, having taken a place between the President of the Council and Speaker of the House, delivered the following message, viz:

Fellow Citizens of the Council and House of Representatives:

You have assembled here to day, in obedience to law, to deliberate upon the most suitable measures to be adopted for the promotion of the general good of the country.

Since your last meeting, a change in the administration of the General Government, has produced a change in the Executive Department of the Territory. And I may be allowed to hope, that by your co-operation we may be able to so direct the legislation of the country, that its varied resources may be developed, and a new impetus given to its prosperity. And allow me to congratulate the country upon the advent of a new National Administration, which has inspired new hope in the people, that our national honor will be vindicated, our resources developed, our commerce extended, and our constitutional obligations to the States faithfully kept.

During the year that has just closed, it has pleased the Great Ruler of the Universe to continue His blessings toward us individually and collectively, and, especially, to protect us from the ravages of such epidemics as have scourged other portions of the Union. The great cause of agriculture has been blessed, and our farmers have gathered an abundant harvest. The moral, social and political condition of the people has been improved, population has poured into the country with unparalleled rapidity, and every branch of industry has been richly rewarded.

The short time that I have had the honor to preside over the Territory, and the unprecedented amount of labor that has devolved upon me, from the day I landed on your shores, up to within a few days before your meeting, has precluded my giving that attention to our laws and institutions, which, under less pressing duties, it would have been my pleasure to have done, will give you ample apology, I hope, for my not going into a more detailed review of the necessary future legislation.

The maxim that, "that government is best which governs least," has much wise admonition to a State in its infancy. The laws for the government of a plain republican people, should be few, simple, and with uniform application to every section of the country, and bearing alike upon all, leaving to each individual the largest liberty consistent with the

good of the whole. Capital always comes forward with the largest demands upon the Legislator, whilst labor is more humble in its pretensions, and stands yet far more in need of your fostering care. I hope we may all profit by an occasional recurrence to those great principles which lie at the foundation of all legislation. Therefore, should it be your pleasure, during the present session, to incorporate companies for the development of our resources, I recommend that they be so guarded, with restrictions, as to keep them constantly under the control of the people's representatives. Population and commerce will command capital, and without the aid of Legislative protection, that capital, concentrated, will *command* power enough for all legitimate purposes.

The resources of Minnesota are such, as to give those who have seen them, ample cause for congratulating themselves on a most hopeful future. In June, 1849, His Excellency, Governor Ramsey, issued his proclamation for organization; then this beautiful city, now of near five thousand souls, had scarcely emerged from the dominion of the savage; then but a few small houses composed the now flourishing city of St. Paul, and scarcely could a white man be found, except upon the St. Croix, save the adventurer to the Indian trading posts in the bosom of an uninhabited and comparatively unexplored wilderness. Then from Prairie du Chien to Crow Wing there was scarcely a village to dot the advance of civilization. Now Prairie La Cross, Winona, Wabashaw, Rolling Stone, Red Wing, Point Prescott, Point Douglass, Hastings, Kaposia, Red Rock, Saint Paul, Mendota, St. Anthony, Manomin, Anoka, Itasca, Sauk Rapids, and Watab, are flourishing points, and mark the advance of commerce and civilization on the Mississippi River. No less prosperous are all the villages on the St. Croix and Minnesota, from the mouth of each to the Indian country, and population is spreading into the interior upon our lakes and prairies. The fine flourishing settlements on Lake Minnetonka, deserve special notice. The lovely valley of the Minnesota is now fast filling up with a hardy and industrious population, who are opening farms and building villages, with a rapidity unparalleled in the Northwest.

This fall the Dakota or Sioux tribe of Indians have been permanently removed from their old homes on the Mississippi and lower Minnesota Rivers, leaving that beautiful country free for settlement and cultivation. No event has transpired, since your last meeting, that will tend in a higher degree to promote the prosperity and growth of the Territory, when the fact is known to those who may desire to locate within our borders. The laws for the protection of the rights, and enforcement of legal remedies on these lately ceded lands, may, and probably will, demand your attention.

No doubt every member of this General Assembly, will be animated with a sense of the propriety of asking, in a proper manner, of the Congress of the United States, a reasonable appropriation for the opening of roads in the Territory. An appropriation of this sort will redound to the advantage of the General Government equally as much as to our own.

The President of the United States, in his message delivered to the present Congress, with that high spirit of liberality and progress that characterizes the man and his principles, has wisely said that he regards our public domain, "as chiefly valuable to provide homes for the industrious and enterprising," and fully concurs in the propriety of appropriations for the construction of roads within the Territories. In a country like ours, just emerging from a wilderness, the new settler, as a matter of primary importance, must

first build a cabin to shelter himself and family, next must fence, plow and plant; the mechanic must build his shop, the merchant his store room. Every individual coming to a new country must attend first to these primary wants, before he can spare the time to construct roads. Thus it is, we need the fostering care and aid of the parent Government to assist the infant settlers. By these appropriations the General Government invites the population from which she derives a revenue from the sale of her public lands. When without this facility for travel and transportation a new country must long struggle against the natural impediments to prosperity. Your superior acquaintance with the geography of the country, will enable you, in your wisdom, to determine what points to designate. It will give me pleasure to co-operate with you in whatsoever may be the result of your deliberations.

I beg leave to call your attention to the condition of the settlers on the west side of the Mississippi River, on the lands ceded to the Government by the Sioux tribe of Indians, by the treaties of 1851. It will be remembered that this fertile region, even since the date of those treaties, has been filling up with a hardy, industrious, intelligent and enterprising people. Hundreds of farms have been opened, neat houses built, villages laid off, hotels erected, machine shops and mercantile houses established. Your familiarity with a new country, will, no doubt, enable you to devise the proper memorial to Congress for their protection. Nearly all of these settlements are unprotected by the present pre-emption laws of the United States, until the surveys are made. So powerfully does this interest appeal to the justice of the General Government, that I most earnestly recommend that you, by joint resolution, ask Congress to recognize and confirm to actual settlers their claims to 160 acres of land.

In my judgment that duty is enjoined upon Congress by a higher consideration than ordinary pre-emption laws; it will dispel any danger that might arise by speculators attempting to rob honest toil and worthy enterprise of its just reward. Should Congress, in their enlightened judgment, legalize these actual settlements, it would avoid all possible future litigation between our citizens, and prevent those scenes of violence that have sometimes occurred, growing out of conflicting interests at the land sales.

This desired action of Congress, I deem of increased interest and importance, from the fact, that several years may elapse before the surveys and subdivisions will be completed.

If Congress, in its wisdom, sees proper to amend the pre-emption laws in this regard, it will, in my judgment, greatly facilitate the settlement of the country. The subject of **granting lands to actual settlers** has always been a favorite measure with the western people.

If population is the basis of our National power and greatness, then the policy of the Government should be to facilitate and encourage the speedy settlement and cultivation of the soil, by proper enactments of Congress.

The Creator of the earth intended that civilized man should own and enjoy it, and in a government where the sovereign power is in the people, it should not tax the occupant of that soil any more than may be necessary for their good; and now, when the revenues derived from imports has created, and is accumulating, a large surplus in the National Treasury, seems to me a most propitious moment for relieving the bona fide settler from this land tax of \$1,25 per acre. Now is a favorable moment to reward the hardy pioneer

for going in advance and clearing away the difficulties, dangers and obstacles to a rapidly approaching civilization, commerce and wealth. This class of our countrymen have taken their rifle, axe and plow, and stood between a higher civilization and the wild savage of the wilderness and prairie, and they deserve a land warrant of their country as richly as any gallant soldier, for dangerous and distinguished services, and all the reward they need or ask is that the powers that govern them shall deal justly by them.

These hardy men feel that close upon their track are always found the school and the house of God. They are not speculators, traders, merchants, bankers, or brokers, but sentinels upon the out posts, guarding each of these from danger and molestation. And, without intending to be invidious, it is too often the case that opulence and comfort lead the Legislator to forget what these frontier people are daily doing for the cause of civilization and christianity. I therefore submit, whether it would not be proper for you to give an expression of your views on this question, so vitally important to western interests. The great power of this Union is now in the West; its great agricultural resources are here in the valley of the Mississippi. The conservative principle, on almost every question of great National importance, is in the West; and it is no longer the fancy of the poet, that says:

"Westward the Star of Empire takes its way."

It is now a stern reality, that no power can resist. The South have their peculiar institutions, and the North their prejudices of education, but it is here, in the great West, where we "know no North, no South, nothing but the Union," and the laws of progress. By an act of the last Congress appropriations were made to prosecute surveys and explorations of the different routes for a railroad to the Pacific. These have been commenced and by this time mostly completed. Information, of a reliable character, has been received from Governor Stevens, giving the most satisfactory report upon the practicability of the Northern route. A most extraordinary natural pass has been found in the mountains for a road, thereby obviating all anticipated difficulty.

It has been objected to the Northern route, that the winter snows present an obstacle which is supposed to embarrass it, but the Government need only to be properly informed to dispel this unfounded objection. This objection is made without reason, and against the experience of the people of equally high Northern latitudes, where railroads are now in full and successful operation, without obstacle or inconvenience.

If Congress should grant public lands to aid in the construction of this great work of the 19th century, it would seem unjust not to give that portion of the Union a fair consideration, from which these lands will have to be chiefly taken.

The country from the Mississippi, to far beyond the limits of Minnesota, and to near Fort Union, is level, and possesses timber, water and a fertile soil. In a word, no country in the Union, for the same distance, has so few and so slight obstacles to the speedy and cheap construction of a railroad; and such, we are assured, will be the views of Governor Stevens in his official report to the Government. It, therefore, would not be improper to have an official expression from you on this subject.

The question of opening up our communication with the South and East, during the winter season, is one of great concern, among the people. Nothing is so much needed as this. Indeed, this barrier must not exist any longer than it can be obviated and overcome.

To get out from here, during the winter, to the most accessible point to regular communication with the great marts of commerce and trade, is far above and beyond any other consideration to the people of Minnesota. To accomplish this, in my judgment, you must concentrate all the energies of the people to one or two roads, AND NO MORE, for the present. I have but little doubt that Congress will grant us land sufficient to unlock our ice-bound home, if we confine our request to one point. Our internal resources are now of sufficient importance to command capital enough for this purpose. If the Legislature, in its wisdom, will lay aside all local interests, and concentrate its whole energy and power to this great point, they will have done more than can by possibility be accomplished, in many years to come, by any other policy or course of action.

I, therefore, earnestly recommend that you single out the route which will give us the quickest and most safe transit from this Capitol to where the channels of communication are uninterrupted; and let the Congress of the United States be properly informed of this, your united request, and it will be granted beyond all reasonable doubt.

Your action will give the whole people the initial point, and, from that hour, capital will seek investment in the enterprise.

It is to be hoped that the General Government will take early steps to extinguish the Indian title to that portion of the copper region lying within the Territory of Minnesota, on Lake Superior. Public attention is being attracted to the vast mines of copper on the shores of this Lake, and soon we may look for a strong tide of emigration to set in that direction. Indeed, to day, the region is attracting the attention of capitalists, and population is giving it the germ of a great Lake city.

By a late act of Congress, the military reserve, attached to Fort Snelling, has been reduced to perhaps one fourth its original size.

Before this limitation of its boundaries, many persons settled thereon, at least by the sufferance of the Government, and now, in my judgment, they should not lose the result of their labor. Some of their improvements are valuable and extensive, and it seems to me the Government will, and surely ought, to recognize their bona fide pre-emption right. You are supposed to be familiar with the circumstances, and it might not be amiss to make the proper memorial on the subject.

The unexampled increase of population within the Territory lately ceded by the Sioux Indians to the United States, makes the present law apportioning the members of the Council and House of Representatives, in my judgment, unequal, and it should be changed.

I would, also, call your attention to the taxes of the Territory and counties. The burdens of a new settlement should be as light as possible. No one thing retards the settlement of a new country more than the fear of heavy taxation. This subject needs your attention, and will, no doubt, receive it in the proper way.

Where the field of speculation is large, and the use of money demands a high rate of interest, the temptation for creating banks, to circulate paper money, is, and has always been, in every section of the Union, very great. The school of politics, to which I have always had the honor to belong, has opposed, upon principle, the establishment of such banking institutions; and it would be repeating the well established doctrines of the country, to attempt a re-argument of this question. I, therefore, content myself by saying, that no law, creating a bank within this Territory, for circulating a paper currency, can receive my official sanction.

I should be doing injustice to a highly meritorious class of our fellow citizens, engaged in the lumbering business, were I not to call your attention to the embarrassments that surround them. The act organizing this Territory says, that "the Legislative power of the Territory shall extend to all the rightful subjects of legislation, consistent with the Constitution of the United States and the provisions of this act, but no law shall be passed interfering with the primary disposal of the soil." The extent of your power, on the subject of protecting the Government lands from trespassers, is complete, and as the pineries of Minnesota, for the present, to some extent, bear the same relation to our people and our commerce, that the mines of California do to their people and their commerce, it seems to me that you can act on this subject in such a way as to disembarass our enterprising lumbermen, and secure the Government against damage until the pine lands are all in the market. I have taken some pains to ascertain the character and extent of this trade on the St. Croix and Upper Mississippi, for which I am greatly indebted to Mr. Setzer, of Stillwater, and Mr. McAlpin, of St. Anthony, which is deemed entirely reliable.

St. Anthony Mills.

Manufacture eight millions feet of long lumber per year—eight upright saws in operation; average one million per saw.

600,000 laths,
1,300,000 shingles,
100,000 pickets for fencing.

Has \$80,000 invested to carry on the operations.

Employs, in connection with the mills, cutting logs, &c., 100 men.

To which should be added the mills at Manomin, Rum River, Elk River, and Little Falls.

This vast trade has been much annoyed by the heretofore uncertain regulations of the Government, and it is believed that action by the Territory can afford a remedy, either by the proper memorial to Congress, or to the Secretary of the Interior. The latter is taking much pains to expedite the surveys, and have the public lands speedily brought into market, which must prove highly advantageous to our Territorial prosperity.

The improvement of the Little Rapids, in the Minnesota River, would be of incalculable benefit to the Rapidly growing country above that point, and should claim your attention.

I call your attention to the propriety of considering the best means to organize a few independent companies of volunteer militia. The city of St. Paul, and the town of Saint Anthony, would, no doubt, get up two or three uniform companies, that would have a salutary influence upon the Indian population of the Territory. The people will feel that those whose business it is to provide for the defence of the country, in emergencies, were neglectful of the public weal, if they should fail to take some steps to this end.

The "University of Minnesota," as yet, exists only in name, but the time has come when a substantial reality may and should be created, to which that name may be permanently attached.

The provisions made in the Statutes for the establishment of a University "at or near the Falls of St. Anthony," and the appropriation of two townships of land by Congress for its endowment, are most wise and liberal.

The inhabitants of this Territory will soon need such an institution full grown; and they very much need some of its departments now. Could a department of agricultural chemistry be opened, with facilities for analyzing the different soils in the Territory, and giving instruction upon the various branches of agriculture, the department of industry upon which the prosperity of the Territory must mainly depend, it must and would result in inestimable benefit to this rising and rapidly growing country. Such a department of practical knowledge would tend directly and immediately to increase the interest in the cultivation of the soil, and place in the hands of the people the means of obtaining the richest and most abundant productions of which it is capable. Much need not be said to enforce the necessity of adding every facility and encouragement for the pursuit of agriculture, which an enlightened people and wise legislation can invent.

While other branches of labor and enterprise will more naturally be promoted and sustained; agriculture, from its complex nature, and unparalleled importance, as well as the tendency of all classes, from the safe and the sure, to the speculative pursuits, needs more attention and encouragement from Legislative influence.

It is highly desirable that some steps be taken to have the two townships of land granted to the Territory for the purposes of the University, selected and made available at as early a day as possible. With this view, some action will be necessary by the Legislature.— And allow me to hope that it will not be delayed longer than a proper deliberation can be had.

It would not embarrass our resources, in my judgment, if a small loan was effected to erect a building and establish one or two Professorships, and a preparatory department. Such loan to be based upon the two townships of land appropriated for the sole use of this institution.

Its present location, at the Falls of St. Anthony, is eminently eligible. This point must ere long attract the attention of the Southern people, as a summer retreat, and delightful watering place. Its beautiful scenery, and surrounded as it is by an unsurpassed fertility of soil, and roaring by its side the grand cataract of the king of rivers, make it a most fitting point for the seat of literature and science.

Upon the subject of Common Schools a full report will be made, and more definite information given by the Superintendent.

It gives me pleasure in being able to say, that our school system, although it is susceptible of improvement, is working well. Provision for the general diffusion of knowledge, for which the people of this Republic, generally, are so justly celebrated, has not been neglected in Minnesota. Our common schools are sustained with the ability and usefulness of those in older sections of the country.

In these schools the means of mental culture are provided for the young without distinction, and there the foundation is laid for their future usefulness. These schools are the more important from the fact that in them a large number receive their entire education. Either from the want of means or disposition to avail themselves of the advantages of schools of a higher grade, a great portion of the young of this Territory will go beyond the common schools for that education which is to qualify them to act as citizens and useful members of society. While schools of a higher order should not be neglected, the common schools should share largely in the interests of the people, and government should most vigilantly foster, and sustain these colleges of the people.

The number of schools the last year has considerably increased in the Territory, and every new settlement is soon christened with a school house. It should ever be the policy of the citizens to bear with them, or create wherever they go the means of educating their children. If government could provide the means, and point the way, the people would be induced, wisely, to avail themselves of the benefit of its provisions.

The gradual increase of the Territorial Library is highly desirable. The liberality of Congress would, no doubt, promptly respond to a request on your part for such purpose. And it would be appropriate, in my judgment, should the Legislature add a small sum for such purpose from the Territorial Treasury.

The Territorial Prison, at Stillwater, has been nearly completed, and is ready for the reception of convicts. An additional appropriation of about five thousand dollars will be needed to complete the grading, and do such work as will protect the walls and buildings from the action of the surface and spring water.

The report of the Board of Inspectors will give you a more detailed view of the affairs of the Prison, to which I refer you.

c. J. 5.

The Capitol has been nearly completed, but we need a small appropriation to dig a well, and erect a fence around, and otherwise protect it. It is, also, highly important that the Government should be asked for a small additional appropriation to purchase a fire engine to be kept for its special protection. I regret to say that some of the work is not done in that substantial manner contemplated by the liberal appropriations made by Congress.

For a history of the financial condition of the Territory, I refer you to the reports of the Auditor and Treasurer.

I beg leave to call your attention to the subject of providing more stringent laws to enforce the strictest accountability of all your public officers from the lowest to the highest. Without an honest and faithful discharge of all public trusts, the people are always the sufferers. It is the unsuspecting masses that are the main props of a republican government; they bear its burden, and defend its honor, and every public officer should be held to the strictest accountability for the faithful discharge of his duty.

I hope that, in all your legislation, you may find it profitable to recur frequently to the great political truths that have guided those wise statesmen of the past, and illuminated the path and progress of republican liberty throughout this great confederacy. Give the people the largest political rights, consistent with the Constitution of the United States, and the Organic act of the Territory. Enforce the strictest obedience to the laws. Be guided by the safest economy in all public expenditures; let your action be controlled by the rule that the "RIGHT IS ALWAYS EXPEDIENT." Encourage a high morality amongst the people. Guard the weak against the strong. Give equal rights to all, exclusive privileges to none. And thus, by keeping these great truths before our eyes, we shall merit and receive the approbation of Him who holds the destiny of nations in his hand, and lay the foundation, broad and deep, for a State in whose high destiny we shall all be proud.

WILLIS A. GORMAN.

After the message was delivered and the Governor had withdrawn from the Speaker's Chair,

Mr. Van Etten moved that the Convention proceed to the election of two persons, to act as Territorial Printers, for the ensuing year.

Mr. Murray moved to amend the motion by striking out the words, "two persons," and inserting "printer or printers;"

Which motion was lost.

Mr. Murray then moved to amend the motion by adding after the word "two," the words "or more;"

Which motion was lost.

The question then recurring on the original motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 14, nays 13:

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Kittson, Mower and Van Etten, of the Council; Day, Fletcher, McKusick, Morrison, Noot, Nobles, Rolette, Sloan and Mr. Speaker, of the House—14.

Those who voted in the negative were,
 Messrs. Murray, Stearns, Stimson, and President of the Council; Bartlett, Davis,
 Fisher, Gardner, Lord, Plumer, Richardson, Roy, and Watson—13.

So the motion prevailed,

And the Convention proceeded to vote for two persons to act as Territorial Printers.

Mr. Van Etten nominated Joseph R. Brown and David Olmsted.

Mr. Murray nominated General Armstrong and Beverly Tucker.

Mr. Gardner nominated George W. Prescott and David Olmsted.

Mr. Plumer nominated Owens & Moore, and Geo. D. Bowman.

The roll being called,

Mr. Brown voted for D. Olmsted and Gen. Armstrong.

Mr. Freeborn voted for D. Olmsted and Joseph R. Brown.

Mr. Kittson " " "

Mr. Murray " " "

Mr. Mower " " "

Mr. Stearns voted for Owens & Moore and Geo. D. Bowman,

Mr. Stimson voted for D. Olmsted and J. R. Brown,

Mr. Van Etten " " "

Mr. President " " "

Mr. Bartlett " D. Olmsted,

Mr. Davis " "

Mr. Day " Owens & Moore,

Mr. Fisher " D. Olmsted,

Mr. Fletcher voted for J. R. Brown and D. Olmsted,

Mr. Gardner voted for D. Olmsted and Geo. W. Prescott,

Mr. Lord voted for D. Olmsted and J. R. Brown,

Mr. McKusick voted for Owens and Moore,

Mr. Morrison voted for J. R. Brown and D. Olmsted,

Mr. Noot " " "

Mr. Nobles " " "

Mr. Plumer " Owens & Moore and Geo. D. Bowman.

Mr. Rolette " Owens & Moore and J. R. Brown,

Mr. Richardson " " D. Olmsted,

Mr. Roy " D. Olmsted, Prescott and J. R. Brown.

Mr. Sloan voted for D. Olmsted and J. R. Brown,

Mr. Watson voted for D. Olmsted,

Mr. Speaker voted for D. Olmsted and J. R. Brown.

The result of the vote was then declared, as follows:

Whole number of votes cast 27

Necessary to a choice 14

D. Olmsted and J. R. Brown received	14	votes.
D. Olmsted received	4	"
Owens and Moore and George D. Bowman received	2	"
Owens & Moore received	2	"
Olmsted and Gen. Armstrong received	1	"
Olmsted and Prescott received	1	"
Olmsted, Prescott and Brown received	1	"

Owens & Moore and Brown received	1	“
Owens & Moore and Olmsted received	1	“
	<hr/>	
	27	

Messrs. Olmsted and Brown, having received a majority of all the votes cast, were declared duly elected printers for one year.

Mr. Murray moved that the Convention do now proceed to the election of Book Binder;

Which motion prevailed.

Mr. Richardson nominated W. M. Coles.

The roll being called, the following was the result:

Mr. Brown voted for W. M. Coles,		
“ Freeborn	“	“
“ Kittson	“	“
“ Mower	“	“
“ Murray	“	“
“ Stearns	“	Hansington,
“ Stimson	“	W. M. Coles,
“ Van Etten	“	“
“ President	“	Jas. McIntosh,
“ Bartlett	“	W. M. Coles,
“ Davis	“	“
“ Day	“	“
“ Fisher	“	“
“ Fletcher	“	“
“ Gardner	“	Hansington,
“ Lord	“	W. M. Coles,
“ McKusick	“	“
“ Morrison	“	“
“ Noot	“	“
“ Nobles	“	“
“ Plumer	“	Hansington,
“ Rolette	“	W. M. Coles,
“ Richardson	“	“
“ Roy	“	“
“ Sloan	“	“
“ Watson	“	“
“ Speaker	“	Jas. McIntosh.

The result of the vote was then declared, as follows:

Whole number of votes cast	27
Necessary to a choice	14
Mr. Coles received	22 votes.
“ Hansington	3 “
“ McIntosh	2 “
	<hr/>
	27

W. M. Coles, having received a majority of all the votes, was declared duly elected Book Binder, for the ensuing year.

Mr. Murray moved that the Convention now proceed to the election of Building Commissioner, for the ensuing year;

Which motion prevailed.

Mr. Murray nominated Reuben Haus.

Mr. Day nominated B. W. Brunson.

The roll being called, the following was the result:

Mr. Brown	voted for	Mr. Haus,
" Freeborn	"	"
" Kittson	"	"
" Mower	"	"
" Murray	"	"
" Stearns	"	Brunson,
" Stimson	"	Haus,
" Van Etten	"	"
" President	"	"
" Bartlett	"	"
" Davis	"	"
" Day	"	Brunson,
" Fisher	"	Haus,
" Fletcher	"	"
" Gardner	"	"
" Lord	"	"
" McKusick	"	Brunson,
" Morrison	"	"
" Noot	"	Haus,
" Nobles	"	C. P. V. Lull,
" Plumer	"	Brunson
" Rolette	"	"
" Richardson	"	"
" Roy	"	Haus,
" Sloan	"	"
" Watson	"	"
" Speaker	"	"

The result of the vote was then declared, as follows:

Whole number of votes cast 27

Necessary to a choice 14

Mr. Haus received	19	votes,
" Brunson	7	"
" Lull	1	"

—
27

Mr. Haus, having received a majority of all the votes cast, was declared duly elected Building Commissioner for one year.

On motion of Mr. Brown,

The Convention adjourned *sine die*, and the Council returned to the Council Chamber.

On motion of Mr. Van Etten,

The reading of the Journal of the proceedings in Joint Convention was dispensed with.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole,

Mr. Brown in the Chair,

To take into consideration the Governor's Message.

After some time passed therein, the Committee rose, and, by the Chairman, reported a series of resolutions, as follows:

Resolved, That so much of the Governor's Message, as relates to the passing of laws for the protection of rights and enforcement of legal remedies on the unsurveyed lands of this Territory, be referred to the Committee on the Judiciary.

Resolved, That so much of the Governor's Message, as relates to roads, be referred to the Committee on Roads.

Resolved, That so much of the Governor's Message, as relates to pre-emptions, lands, and settlers upon unsurveyed lands, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's Message, as relates to the construction of railroads in this Territory, be referred to the Committee on Incorporations.

Resolved, That so much of the Governor's Message, as relates to the extinguishment of the Indian title to the copper lands of Minnesota, be referred to the Committee on Agriculture and Manufactures.

Resolved, That so much of the Governor's Message, as relates to settlers upon the late Military Reserve, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's Message, as refers to the Apportionment Law, be referred to the Committee on the Judiciary.

Resolved, That so much of the Governor's Message, as relates to the assessment of taxes, be referred to the Committee on Internal Improvements.

Resolved, That so much of the Governor's Message, as relates to Banks, be referred to the Committee on Incorporations.

Resolved, That so much of the Governor's Message, as relates to Pine Lands, be referred to the Committee on Internal Improvements.

Resolved, That so much of the Governor's Message, as refers to the improvement of the Little Rapids, in the Minnesota river, be referred to the Committee on Internal Improvements.

Resolved, That so much of the Governor's Message, as relates to Volunteer Militia, be referred to the Committee on the Militia.

Resolved, That so much of the Governor's Message, as relates to the University of Minnesota, University Lands, and Common Schools, be referred to the Committee on Schools.

Resolved, That so much of the Governor's Message, as relates to the Territorial Library, be referred to the Committee on Territorial Expenditures.

Resolved, That so much of the Governor's Message, as relates to the Public Buildings, be referred to the Committee on Public Buildings.

Resolved, That so much of the Governor's Message, as refers to the reports of the Auditor and Treasurer, be referred to the Committee on Territorial Expenditures.

Resolved, That so much of the Governor's Message, as relates to Public Officers, be referred to the Committee on the Judiciary.

Resolved, That so much of the Governor's Message, as relates to corporate companies, be referred to the Committee on Incorporations.

On motion of Mr. Van Etten,

The reading of the resolutions was dispensed with.

Mr. Van Etten then moved that the report of the Committee of the Whole be adopted;

Which was agreed to.

Mr. Murray moved that the Council do now adjourn;

Which motion prevailed.

So the Council adjourned until 10 o'clock, to-morrow morning, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

THURSDAY, JANUARY 12, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read, excepting so much of said Journal as relates to the proceedings in Joint Convention; which,

On motion of Mr. Brown,

The reading of the proceedings of the Joint Convention was dispensed with.

Mr. Brown gave notice that, on to-morrow, or some future day, he would ask leave to introduce a remonstrance to the Senate of the United States, against the ratification of the late Treaty between Commissioners, on the part of the United States, and the Winnebago Indians.

Mr. Kittson gave notice that, on to-morrow, or some future day, he would ask leave to introduce a memorial to Congress, praying for the erection of a fort at or near the Pembina river, and for other purposes.

Mr. Van Etten offered the following resolution, viz:

Resolved, That the Secretary of the Council be, and he is hereby, authorized to order the printing of twenty five hundred copies of the Message of His Excellency, the Governor.

Mr. Murray moved to amend the resolution, by inserting the words one thousand in lieu of twenty five hundred;

Which was agreed to.

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

It was decided in the affirmative.

Mr. Murray offered the following resolution, viz:

Resolved, That the Secretary be authorized to have translated, the message of the Governor, in the French and German languages, and that he have printed five hundred copies of each.

Mr. Van Etten moved to amend the resolution, by adding the words, "five hundred copies, also, in the Norwegian language;"

Which motion was lost.

The question then recurring on the original resolution;

It was decided in the affirmative.

Mr. Murray moved that the resolution authorizing the Chaplain of the Council to receive fifteen dollars worth of stationery,

Be now taken up;

Which was decided in the affirmative.

Mr. Murray then moved that the resolution be adopted.

The question was put,

And the Chair being unable to decide,

A division was called for and ordered, and resulted as follows—yeas 3, nays 4.

So the resolution was not adopted.

Mr. Van Etten moved that the Council do now adjourn until Monday next, at two o'clock, P. M.;

Which motion prevailed.

The Council then adjourned until Monday next, at two o'clock, P. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

MONDAY, JANUARY 16, 1854.

The Council met at two o'clock, P. M., pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of Thursday was read and approved.

Mr. Murray moved that the Council do now adjourn;

Which motion prevailed.

The Council then adjourned until to-morrow morning, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

TUESDAY, JANUARY 17, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Mr. Van Etten gave notice that, on to-morrow or some future day, he would ask leave to introduce the follows bills, viz:

A bill repealing an act entitled "an act to authorize the exercise of all Equity Jurisdiction in the form of Civil Actions, and for other purposes," passed at the last session of the Legislature of this Territory; also,

A bill establishing the terms of the Supreme and District Courts of the Territory, and for other purposes; also,

A bill regulating the filing of chattle mortgages, bills of sale, and for other purposes.

c. J. 6.

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

A bill to incorporate the St. Paul Water Company; also,

A bill to amend an act to incorporate the Minnesota Western Railroad Company; also,

A bill to provide for laying out a Territorial Road from St. Anthony and Little Canada to the Falls of St. Croix.

Mr. Murray asked and obtained leave to introduce the following resolution, to wit:

Resolved, By the Legislative Assembly of the Territory of Minnesota, that the Secretary of the Territory be requested to furnish each member of the Legislative Assembly with ten copies of "Minnesota and its Resources;"

Which was adopted.

Mr. Brown offered the following resolution, to wit:

Resolved, That the Secretary of the Territory be requested to transmit to the Council a statement of the number of votes polled at the several precincts, in each county, in this Territory, at the election in October last;

Which was adopted.

Mr. Brown, on leave, introduced

No. 1, (C. F.) A bill relative to the county officers of Dakota county.

Pending the reading of the bill,

A message from the House was announced,

Whereupon, A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed the following joint resolution, in which the concurrence of the Council is requested:

Resolved, By the House of Representatives, the Council concurring, that the members and officers of this Legislative Assembly contribute one day's salary toward the completion of the Washington National Monument.

The Chief Clerk then withdrew.

No. 1, (C. F.) A bill relative to the county officers of Dakota county,

Was then read a first and second time, and laid on the table to be printed.

Mr. Van Etten moved to reconsider the vote, by which the resolution was passed, requesting the Secretary of the Territory to furnish each member of the Legislative Assembly with ten copies of "Minnesota and its Resources;"

Which was agreed to.

Mr. Murray offered the following amendment to the original resolution, viz:

Resolved, That the Secretary of the Territory be requested to furnish each member of the Council, the Secretary, Assistant Secretary, and Enrolling Clerk, with ten copies of "Minnesota and its Resources."

Which was adopted.

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

It was decided in the affirmative.

Mr. Brown gave notice, that he would, on to-morrow, or some subsequent day of the session, ask leave to introduce a bill amendatory of the act incorporating the Mississippi Boom Company.

Mr. Brown moved that the message from the House be now taken up;
Which was agreed to.

On the resolution contained in the message being read,

Mr. Murray offered the following amendment to the resolution, viz:

Provided, There shall be any moneys in the hands of the Secretary due said members at the close of the session.

A message from the Governor was then announced,

And R. A. Smith, Esq., private Secretary to his Excellency, then appeared, and handed in a message in writing.

R. A. Smith, Esq., the private Secretary of the Governor, then withdrew.

The question then recurring on the adoption of the amendment to the resolution relative to a donation to the Washington Monument;

Mr. Murray asked and obtained leave to withdraw said amendment.

Mr. Brown then offered the following amendment, viz:

Resolved, That the Secretary of the Territory be, and he is hereby, authorized to deduct that amount from the pay of each member and officer of the two Houses, and forward the same to the proper accounting officer of the monument fund, on behalf of the said members and officers of this Legislature.

Which was lost.

Mr. Murray moved that the resolution be laid on the table;

And the yeas and nays being called for and ordered,

There were yeas 6, nays 3.

Those who voted in the affirmative were,

Messrs. Kittson, Mower, Murray, Stearns, Stimson, and President—6.

Those who voted in the negative were,

Messrs. Brown, Freeborn, and Van Etten—3.

So the resolution was laid on the table.

Mr. Brown moved that the message from the Governor be now taken up;

Which was agreed to.

EXECUTIVE OFFICE, }
January 17, 1854. }

Hon. Baldwin Olmstead, President of the Council:

I have the honor to lay before the Council the Report of the Warden and Inspectors of the Territorial Prison.

Very respectfully,

Your obedient servant,

W. A. GORMAN.

WARDEN'S OFFICE, TERRITORIAL PRISON, }
Stillwater, January 4, 1854. }

GOV. W. A. GORMAN, SIR:—I herewith transmit to you a transcript of the doings of the Board of Inspectors, at their meeting held January 2nd and 3rd; also, their report to you.

I also transmit, through you, to the Legislative Assembly, my report as Warden.

Yours respectfully,

F. R. DELANO,

Warden Territorial Prison.

REPORT OF THE WARDEN OF THE TERRITORIAL PRISON.

WARDEN'S OFFICE, TERRITORIAL PRISON, }
Stillwater, December 31, 1853. }

To the Honorable Legislative Assembly of the Territory of Minnesota:

In accordance with the requirements of an act of the Legislature, entitled "An Act for the Government of the Territorial Prison of Minnesota," approved March 5th, 1853, the undersigned entered upon the duties of his office as Warden, and respectfully submits the following statement of the general affairs of the Prison, as also of the receipts and expenditures, from March 5, to December 31, 1853.

The first meeting of the Inspectors was held April 4th. At this meeting, measures were adopted for completing the buildings and grading the grounds connected therewith. Upon the 9th of May, contracts were entered into for building a workshop, an office, and two guard houses, also, for completing the prison buildings, the erection of a buttress wall, and to do a part of the grading.

Orders have, also, been made for the completion of the Warden's house, and for fencing the grounds connected thereto.

The work already laid out and commenced, will, when completed, exhaust the amount of appropriations now on hand.

The Prison, so far as it is finished, is furnished throughout, and ready for the reception of convicts, as, also, for county prisoners, from those counties in which there is no sufficient jail to detain them.

No convicts have yet been received into this prison.

PRISON RECEIPTS.

IN ACCOUNT.	Dr.
To balance of Prison Fund received from Alex. Wilkins, late treasurer,	\$277 54
To amount received from United States Treasurer, being the amount appropriated by act of Congress, approved March 3, A. D., 1853,	12,500 00
	<hr/>
	\$12,777 54

PRISON EXPENDITURES.

IN ACCOUNT.	CR.
By amounts paid to contractors and others, for material and labor furnished to prison,	\$7,160 78
Balance on hand,	5,616 76
	\$12,777 54

F. R. DELANO,
Warden Territorial Prison.

INSPECTORS OFFICE, TERRITORIAL PRISON, }
Stillwater, January 3, 1854. }

The above statement and account of the Warden has been examined and approved by the Board of Inspectors.

CORNELIUS LYMAN,
Chairman.

TERRITORY OF MINNESOTA, }
County of Washington. } ss.

F. R. Delano, of Stillwater, in said county, being duly sworn, doth depose and say, that he is Warden of the Territorial Prison, and that the above and foregoing statement and account of the affairs of said prison is true and correct.

F. R. DELANO.

Sworn and subscribed before me, this 4th day of January, A. D., 1854.

T. E. PARKER,

Notary Public, in and for said county.

**REPORT OF THE BOARD OF INSPECTORS OF THE TERRITORIAL
PRISON TO THE GOVERNOR.**

INSPECTORS OFFICE, TERRITORIAL PRISON, }
Stillwater, January 2, 1854. }

SIR:—In accordance with the provisions of an act of the Territorial Legislature, approved March 5th, 1853, entitled "An Act for the Government of the Territorial Prison of Minnesota," (Sec. 8 thereof) the following report is respectfully submitted:

The Inspectors entered upon the duties of their office, and held their first meeting, at the prison, on the 4th of April, 1853; a special meeting was held May 9th. Regular stated meetings were held on the first Mondays in January, April, July and October.— Transcripts of our proceedings have been forwarded to you, to which reference is made in connection with this report.

At the first meeting of this Board measures were adopted to complete the buildings connected with the prison, and the Warden was instructed to advertise for proposals to finish the same.

Proposals were received and contracts were entered into for building an addition to the prison containing ten cells. Also, for a workshop seventy five feet long, thirty feet wide, and nine feet high in the clear. Also, for an office building, which building answers the purpose of an office, guard house and stair room, by which access is had to the yard without opening the large gates. The building of a small guard house, upon the yard wall, at the north west angle, is, also, included in these contracts.

The grading has been finished around the yard walls, around and in front of the prison yard and Warden's house, so far as to make the premises available for use; an additional amount of grading and culverting is absolutely needed to protect the buildings and yard walls from the effects of the spring water and frost.

The amount necessary to finish these protection works is estimated at five thousand dollars.

A contract was entered into for the erection of a buttress wall against the south wall of the yard, the original wall having been very much injured by the water and frost last winter. The contractor for this work is the only one who has failed to give satisfaction to this Board, by the manner in which they have done their work, and as this was the most important job, requiring great strength and permanence, the Board of Inspectors believing it will not answer the purpose for which it was intended, owing to the manner in which it has been done, have declined paying Mr. Flinn, the contractor, for the same until next spring.

Of the work, commenced under the appropriations, there still remains unfinished the addition to the prison, the small guard house, the addition to the Warden's house, and the fencing of the grounds. The work will be resumed at an early day in the spring, and completed as soon as possible. The contracts already made, will exhaust the amount of the appropriation now on hand, and we respectfully suggest the propriety of the Legislature memorializing Congress for an additional appropriation for doing work to protect that which is already done. The buildings that have been erected, thus far, are all of stone.

Rules and regulations have been adopted for the government of the Warden and his officers in the management of the prisoners, a copy of which has been forwarded to you heretofore. The prison is furnished and ready for the reception of convicts, none have as yet been received.

By reference to the Warden's account, it will be seen that the sum of \$12,777 54, has been received since the 5th of March last; of this amount, \$7,160 75 has been paid out, the balance on hand will be required to meet engagements already made, so that no new work or improvement can be entered upon until an additional appropriation is made. It

is reasonable to suppose, that upon works of this description, more or less repairs will be needed annually. The estimate for repairs, during the coming year, is five hundred dollars.

CORNELIUS LYMAN,
Chairman Board of Inspectors.

To his Excellency, W. A. GORMAN, {
Gov. Territory of Minnesota. }

TRANSCRIPT OF THE DOINGS OF THE BOARD OF INSPECTORS OF
THE MINNESOTA TERRITORIAL PRISON.

INSPECTORS OFFICE, TERRITORIAL PRISON, {
Minnesota Territory, May 9, 1853. }

Board met pursuant to adjournment.

Present—Messrs. Lyman and Stearns.

Mr. Lyman in the Chair.

On motion of Mr. Stearns, it was

Ordered, That the work done around the Warden's house, by Johnson and McHale, be accepted, and the amount specified in the contract, with them, paid by the Warden, out of funds appropriated for completion of prison.

On motion of Mr. Stearns, it was

Ordered, That the ten rules and regulations, submitted to this Board by the Warden, be marked A, and signed by the Chairman, and placed on file in this office; and that a copy be posted in the Warden's office for the instruction of himself and officers in discharge of their duties.

On motion of Mr. Stearns, it was

Ordered, That the Warden apply to the Secretary and Treasurer of the Board of Building Commissioners, formerly controlling the prison, for certified copies of contracts, bonds and specifications connected with the prison, and for whatever funds are now on hand, appropriated to the use of the prison, and receipt for the same.

On motion of Mr. Lyman, it was

Ordered, That the Warden cause to be put upon the Warden's house a good tin trough and spouts.

On motion of Mr. Stearns, it was

Ordered, That the Warden employ an attorney to draw contracts, bonds, and attend to any other legal business, connected with the affairs of the prison.

On motion of Mr. Stearns, it was

Ordered, That all accounts, both for salaries and contracts, be presented to this Board, for allowance, at each regular stated meeting.

On motion of Mr. Stearns,

The Board proceeded to open and award proposals for doing the work upon the prison and grounds, as advertised for.

On motion of Mr. Stearns,

The Board adjourned to Tuesday the 10th inst., at 8 o'clock, A. M.

CORNELIUS LYMAN,
Chairman.

Attest:

F. R. DELANO,
Clerk.

TUESDAY, MAY 10, 1853.

The Board met pursuant to adjournment.

Present—Messrs. Lyman and Stearns.

After the proposals were opened and examined, the following persons were found to be the lowest bidders, viz:

To grade, drain and culvert,	John Skallan,
“ Build buttress wall,	Peter Flinn,
“ “ guard houses,	R. B. Johnson,
“ “ addition to prison,	C. Carli,
“ “ workshop,	C. Carli.

On motion of Mr. Stearns, it was

Ordered, That the contractors be required to give bond in double the amount of their bids for the performance of their respective contracts.

On motion of Mr. Stearns, it was

Ordered, That the Warden let the fencing of the grounds to the lowest bidder, after giving written notice; the fence around the Warden's house to be built immediately; the balance when the grading is finished.

Mr. John Skallan having refused to give bonds on his bid, the same work was awarded to F. S. Curtis and D. Sullivan.

On motion of Mr. Stearns,

Mr. Lyman was appointed to visit the prison monthly, until the next regular stated meeting.

On motion of Mr. Lyman, it was

Ordered, That in case of failure, on the part of contractors, the Warden select from the bids the next best, and make the contract with the bidder thereon.

On motion of Mr. Stearns,

The Board adjourned to meet at this place on the first Monday in July next.

CORNELIUS LYMAN,
Chairman.

Attest:

F. R. DELANO,
Clerk.

I hereby certify that the above is a correct transcript of the doings of the Board of Inspectors, at their meetings held May 9th and 10th, 1853.

F. R. DELANO,
Warden.

MONDAY, JULY 4, 1853.

Board met pursuant to adjournment.

Present—Mr. Lyman.

No quorum being present, adjourned, to meet to-morrow morning at 9 o'clock.

CORNELIUS LYMAN,
Chairman,

Attest:

F. R. DELANO,
Clerk.

TUESDAY, JULY 5, 1853.

Board met pursuant to adjournment.

Present—Messrs. Lyman, Stearns and Case.

On motion of Mr. Case,

The Board proceeded to examine the accounts handed in and audited, to

Jesse Taylor	\$ 50 00
Jesse Taylor & Co	811 44
C. Carli	675 00
Curtis and Sullivan	500 00
Johnson & McHale	65 00
W. S. Combs	26 85
T. E. Parker	12 50
Owens & Moore	20 00
R. B. Johnson	200 00
George Russell	64 50
T. Cogswell	2 00
George Battles	7 00
F. R. Delano	165 15

And ordered the same to be paid by the Treasurer.

c. j. 7.

On motion of Mr. Case, it was

Ordered, That the Warden cause to be erected a woodshed and kitchen on the back side of the Warden's house, 16 by 36 on the ground, provided the same shall not cost over 600 dollars.

On motion of Mr. Stearns, it was

Ordered, That Mr. Lyman visit the prison monthly, until next meeting.

On motion of Mr. Stearns,

The Board adjourned to meet at this place, on Monday, the 3d day of October next.

CORNELIUS LYMAN,

Chairman.

Attest:

F. R. DELANO,
Clerk.

I hereby certify that the foregoing is a correct transcript of the doings of the Board of Inspectors, at their meeting, July 4th and 5th, 1853.

F. R. DELANO,
Warden,

STILLWATER, MIN. TER., }
July 6, 1853. }

Gov. W. A. GORMAN,
St. Paul,

SIR:—In accordance with the law, and by order of the Board of Inspectors, I send you a transcript of their doings up to this date.

Respectfully yours,
F. R. DELANO,
Warden, T. P.

INSPECTORS OFFICE, TERRITORIAL PRISON, }
MINNESOTA TERRITORY, Monday, Oct. 3, 1853. }

Board met pursuant to adjournment.

Present, Messrs. Lyman and Stearns.

Mr. Lyman in the Chair.

After some time being spent in the examination of work now in progress, the Board,

On motion of Mr. Stearns,

Proceeded to the examination of accounts for allowance and payment, and the following accounts were allowed, and the Warden ordered to pay the same:

To C. Carli	\$1,579 34
“ Curtis and Sullivan	1,326 00
“ Parker and Thompson	12 50
“ R. B. Johnson	530 00
“ F. R. Delano	347 00
“ C. Lyman	72 00
“ C. T. Stearns	0 00
“ Peter Flinn	85 50
	\$3,961 34

On motion of Mr. Stearns,

The following resolution was adopted, viz:

Resolved, That we, the Board of Inspectors, are of the opinion, that Peter Flinn has not done his work upon the buttress wall in accordance with his bond for doing the same, and that his account, not allowed, be laid over until the next meeting of this Board, for further action.

On motion, the Board adjourned to meet to-morrow morning, at 8 o'clock.

TUESDAY, OCTOBER 4, 1853.

Board met. Present, Messrs. Lyman and Stearns.

On motion of Mr. Stearns,

Mr. Lyman was appointed to visit the Prison monthly, until the next meeting of the Board.

On motion of Mr. Stearns,

The Board adjourned to meet at this place, on Monday, the 2d day of January, 1854

CORNELIUS LYMAN,

Chairman.

ATTEST:

F. R. DELANO,
Clerk.

I hereby certify that the foregoing is a correct transcript of the doings of the Board of Inspectors, at their meeting, October 3d and 4th, 1853.

F. R. DELANO,
Warden.

TRANSCRIPT OF THE BOARD OF INSPECTORS, TERRITORIAL PRISON,
JANUARY SECOND AND THIRD, 1854.

INSPECTORS OFFICE,
Territorial Prison, Jan. 2, 1854. }

- Board met pursuant to adjournment.
- Present, Mr. Lyman.
- Adjourned to meet to-morrow, at 9 o'clock.

THURSDAY, JANUARY 3, 1854.

Board met.

Proceeded to examine the report of the Warden to the Legislature; and, finding the same to be correct, it was approved by the Board.

Report of the Inspectors to the Governor adopted; ordered to be signed by the Chairman and forwarded to the Governor.

The following accounts were presented, examined, allowed, and the Warden ordered to pay the same:

To Thompson and Parker -----	\$12 50
“ C. Lyman -----	30 00
“ F. R. Delano -----	\$942 52
“ R. B. Johnson -----	5 00
“ C. Carli -----	200 00
	\$1,190 02

Mr. Lyman was appointed to visit the Prison monthly, until the next regular stated meeting of the Board.

Board adjourned to meet at this place the first Monday in April next.

CORNELIUS LYMAN,
Chairman.

Attest:

F. R. DELANO,
Clerk.

The above is a correct transcript of the doings of the Board of Inspectors, at their meeting, held January 2d and 3d, 1854.

F. R. DELANO,
Warden.

(A)

RULES AND REGULATIONS,

For the direction of the Warden and his officers, in the discharge of their duties in the government of the Territorial Prison of Minnesota Territory.

The following books shall be kept, in which all matters connected with the prison shall be recorded, viz:

1st. The Register, in which shall be entered upon the reception of a convict into the prison; the name, from what county sent; for what crime; term of imprisonment; age; height; color of hair; general complexion and features; native of what State or country; any peculiar mark or scar upon the body.

2d. A Prison Journal, in which shall be entered all cases of punishments; for what inflicted; the manner and extent. The sickness, escape, death or discharge of convicts, as well as all other matters of importance connected with the prison.

3d. A Cash Book, in which shall be entered the amount of cash received; from whom, and on what account. The amount of cash paid out, to whom, and on what account; all of which shall be written up, balanced and certified to by the Warden, or his deputy, as correct, and laid before the Board of Inspectors, at their regular stated meetings, for examination, or approval.

4th. Convicts, upon their reception into the prison, shall be registered; the hair cropped upon one side of the head; the face shaved smoothly, and furnished with a suit of clothing suitable to the season, and of uniform kind, and having some peculiar mark or stripe, which may be easily recognized; and shall thus remain until within one month of the time of discharge, when the hair and beard shall be allowed to grow out.

5th. All convicts may be worked from sunrise to sundown, allowing them thirty minutes for eating each meal, of which they shall have three per day, of good, wholesome food; suitable for working men.

6th. No conversation shall be allowed between convicts, except such as is absolutely necessary in regard to their work, and while employed thereat, and no person not connected with the prison, shall be allowed communication with a convict, unless in presence of an officer of the prison.

7th. No letter, or article of any kind or description, shall be sent to or from a convict, until the same shall have been carefully examined, and found to contain nothing which will lead to an escape, or the violation of the rules of the prison.

8th. Convicts may be employed at labor outside the prison yard; *Provided*, that convicts so employed shall be attended by a sufficient and well armed guard.

9th. For unruly conduct, or disobedience of orders, a convict shall be punished; first, by solitary imprisonment, and fed on bread and water only. If, at the end of three days, said confinement fails to produce the desired effect, then, as a last resort, corporeal punishment may be added to the solitary confinement, at the rate of thirty lashes per day, for five days; if this fail to produce obedience, the case shall be reported to the Inspectors, for their especial attention. Nothing in this rule shall be construed to restrain a convict

from solitary confinement, until he shall be willing to obey orders. The time, course, and manner of punishment, shall be entered, in full, upon the Journal of the prison.

10th. All county prisoners, sent to the prison, shall be registered in a separate book, to be called the County Prison Register, which shall show the name, age, height, color of hair; from what county sent; by whom sent; what for; what time to stay. They shall be comfortably fed and lodged, carefully watched, and confined separate from the convicts as much as possible.

11th. All attempts to escape, by digging down walls or floors, cutting bars or doors, breaking or picking locks, or by assaulting guards, may be punished by solitary confinement, or corporeal punishment, according to the magnitude of the case.

CORNELIUS LYMAN,

Chairman.

The foregoing Rules and Regulations are a correct copy of those on file in the Inspectors' office.

F. R. DELANO,

Warden and Clerk.

Pending the reading of the reports of the Warden and Inspectors of the Territorial Prison,

Mr. Brown moved that the further reading of the same be dispensed with;

Which was adopted.

Mr. Stearns moved that one hundred copies of the reports of the Warden and Inspectors of the Territorial Prison, be printed for the use of the Council;

Which motion prevailed.

Mr. Brown moved that the rule requiring the laying over of a bill after its first and second reading be suspended;

Which was adopted.

Mr. Brown then moved that the Council do now resolve itself into a committee of the whole, for the consideration of

No. 1, (C. F.) A bill relative to the county officers of Dakota county;

Which was decided in the affirmative.

The Council then resolved itself into a Committee of the Whole, Mr. Kittson in the Chair, having under consideration

No. 1, (C. F.) A bill relative to the county officers of Dakota county.

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

The question then recurring on the acceptance of the report of the Committee of the Whole;

It was accepted.

The bill was then ordered to be engrossed for a third reading.

Mr. Freeborn moved that the Council do now adjourn until two o'clock, P. M.
 A division being called for and ordered,
 There were yeas 4, nays 2.
 So the Council adjourned until two o'clock, P. M.

AFTERNOON SESSION.

Two o'clock, P. M.

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

A quorum being present,

Mr. Kittson asked, and obtained leave, to introduce

No. 1, (C. F.) A memorial to Congress, praying for the erection of a fort at or near the Pembina river;

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

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

A memorial to Congress, asking for an appropriation for the purpose of building bridges across the Cannon river and Hay creek, at the places where the Wabashaw and Mendota military road crosses said streams.

Mr. Brown asked and obtained leave to introduce a petition, praying for the relief of Darwin C. Smith.

The petition being read,

Mr. Brown moved to refer the same to the Committee on Territorial Expenditures;
 Which motion prevailed.

Mr. Stearns moved that the Council do now adjourn;

Which motion was lost.

Mr. Freeborn moved a call of the Council,

And, on the roll being called,

All the members answered to their names, excepting Messrs. Murray and Van Etten.

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

Mr. Kittson moved that all proceedings, under the call, be dispensed with;

Which motion prevailed.

Mr. Stimson moved that the Council do now adjourn;

Which was decided in the affirmative.

The Council then adjourned until to-morrow morning, at 10 o'clock.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

WEDNESDAY, JANUARY 18, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kornis.

A quorum being present,

The Journal of yesterday was read, except that part containing the reports of the Warden and Inspectors of the Territorial Prison; which,

On motion of Mr. Brown,

The reading was dispensed with.

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, to wit:

The Committee on Engrossed Bills have examined and found correctly engrossed, the following:

No. 1, (C. F.) A bill relative to the county officers of Dakota county.

I. VAN ETTEN,
Chairman.

Bills ready for a third reading being now in order,

No. 1, (C. F.) A bill relative to the county officers of Dakota county,

Was read a third time.

The question recurring on the passage of said bill;

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

Mr. Brown moved that the joint resolution relative to the members and officers of the Legislature, contributing the amount of one day's salary to the Washington Monument fund, be now taken up.

The question being put,

And the President being unable to decide,

A division was called for and ordered,

And there were yeas 4, nays 3.

So the resolution was taken up.

Mr. Murray moved that said resolution be indefinitely postponed;

And the yeas and nays being called for and ordered, resulted as follows—yeas 6, nays 2.

Those who voted in the affirmative were,

Messrs. Freeborn, Kittson, Mower, Murray, Stearns and Stimson—6.

Those who voted in the negative were,

Messrs. Brown and Van Etten—2.

So the resolution was indefinitely postponed.

Mr. Murray asked and obtained leave to introduce the following bill:

No. 2, (C. F.) A bill to incorporate the St. Paul Water Company;

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

Mr. Brown asked and obtained leave to introduce the following resolution, viz:

Resolved, That the Secretary of the Council notify the Territorial officers, who are required, by Statute, to make annual reports to the Legislature, that it would be very acceptable to the Legislative Assembly to have said reports before them, at as early a day as possible;

Which was adopted.

Mr. Murray moved that the Council do now adjourn;

Which motion was lost.

Mr. Brown gave notice that, on to-morrow, or some future day, he would ask leave to introduce a bill prescribing the manner of contesting elections for members of the Council and House of Representatives; also,

A bill prescribing penalties for stealing saw logs, or other timber.

Mr. Stimson asked and obtained leave to introduce the following resolution, viz:

Resolved, (the House concurring) That the committee on Public Buildings be, and are hereby, instructed to visit and inspect the public buildings, and report to the Council and House of Representatives, as soon as convenient;

Which was adopted.

Mr. Murray moved that the Council do now adjourn;

Which was decided in the affirmative.

The Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD.

President of the Council.

Attest:

J. B. DIXON,

Secretary.-

THURSDAY, JANUARY 19, 1854.

The Council met pursuant to adjournment, and was called to order by the President. at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Mr. Murray asked and obtained leave to introduce the following bills, viz:

No. 3, (C. F.) A bill to provide for laying out a Territorial Road from St. Anthony and St. Paul to Taylor's Falls; also,

c. J. 8.

No. 4, (C. F.) A bill to amend the Revised Statutes, passed March 31, 1851;
Which were read a first and second time, and laid on the table to be printed.

Mr. Freeborn asked and obtained leave to introduce,

No. 5, (C. F.) A bill to incorporate the St. Paul Gas Light Company;

Which was read a first and second time,

And laid on the table to be printed.

Pending the reading of the above bill,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed the following memorials, in which the concurrence of the Council is respectfully requested:

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights and settlers on lands recently embraced in the Military Reservation of Fort Snelling; and

No. 2, (H. of R.) A memorial to Congress for an appropriation to construct a military road from Winona, on the Mississippi river, to Fort Ridgley, on the Minnesota river.

The Chief Clerk then withdrew.

Mr. Van Etten gave notice that, on to-morrow, or some future day, he would introduce a bill amending Chapter 11th of the Revised Statutes; also,

A bill prescribing the qualifications of petit jurors; also,

A bill modifying the Attachment Laws of this Territory; also,

A bill regulating the assessment and collecting of taxes, in this Territory; also,

A bill regulating the duties of auctioneers, in the town of St. Paul.

On motion of Mr. Brown,

The message from the House was taken up; and

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling,

Was read a first and second time; also,

No. 2, (H. of R.) A memorial to Congress to make an appropriation to construct a Military road from Winona, on the Mississippi river, to Fort Ridgley, on the Minnesota river;

Which was read a first and second time.

Mr. Brown, from the Committee on Roads, asked, and obtained leave, to introduce the following bill:

No. 6, (C. F.) A bill to provide for laying out a Territorial road from St. Paul, by Fort Ridgley, to the Missouri river;

Which was read a first and second time,

And laid on the table to be printed.

On motion of Mr. Kittson,

The Council resolved itself into a Committee of the Whole,

Mr. Murray in the Chair,

For the consideration of

No 1, (C. F.) A memorial to Congress for the erection of a fort at or near Pembina river.

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

The report of the committee was accepted,

And the memorial ordered to be engrossed for a third reading.

Mr. Murray moved that the Council resolve itself into a Committee of the Whole for the consideration of

No. 2, (C. F.) A bill to incorporate the St. Paul Water Company;

Which was agreed to.

The Council then resolved itself into a Committee of the Whole, Mr. Van Etten in the Chair, for the consideration of

No. 2, (C. F.) A bill to incorporate the St. Paul Water Company.

Pending the sitting of the Committee of the Whole,

A message from the House was announced,

And the President having taken the Chair,

A. J. Morgan, Esq., Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House of Representatives has passed, and insists upon the concurrence of the Council to House's joint resolution, and have appointed Messrs. Fletcher and Noot a committee of conference to meet a similar committee on the part of the Council:

Resolved, By the House of Representatives, (the Council concurring,) that the members and officers of this General Assembly contribute one day's salary towards the completion of the Washington National Monument.

The House has concurred in the following resolution:

Resolved, (the House concurring) That the committee on Public Buildings be, and are hereby, instructed to visit and inspect the public buildings, and report to the Council and House of Representatives, as soon as convenient.

The Chief Clerk having withdrawn,

The Committee of the Whole resumed its session;

And after some further time passed therein, the committee rose, and, by the Chairman, reported the bill back to the Council with amendment.

The question recurring as to the Council receiving the report of the Committee of the Whole;

It was decided in the affirmative.

The question then recurring on the adoption of the amendment, as passed in Committee of the Whole;

It was decided in the affirmative.

Mr. Van Etten offered the following amendment to said bill:

Strike out, in Sec. 1, the word "&c," and insert the words "plead and be impleaded, sue and be sued, prosecute and defend, answer and be answered, in any Court of Record, in this Territory;"

Which was adopted.

Mr. Freeborn then moved that the bill be referred to the Committee on the Judiciary;

Which motion prevailed.

Mr. Brown moved that the message from the House be now taken up;

Which motion prevailed.

The message being read by the Secretary;

Mr. Brown moved that the message from the House, with the exception of the last paragraph, be laid on the table;

Which motion prevailed.

Mr. Brown offered the following resolution, viz:

Resolved, That the Secretary of the Council be instructed to call the attention of the House of Representatives, by message, to the 8th of the Joint Rules and orders of the two Houses;

Which was adopted.

On motion of Mr. Murray,

The Council adjourned until to to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,

President of the Council.

Attest:

J. B. DIXON,

Secretary.

FRIDAY, JANUARY 20, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Mr. Brown, from the Committee on Printing, offered the following joint resolution, to wit:

No. 1, (C. F.) Joint Resolution relative to the Binding of the Session Laws;

Which was read a first and second time,

And laid on the table to be printed.

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, to wit:

The Committee on Engrossed Bills beg leave to report, that they have examined and found correctly engrossed, the following memorial, viz:

No. 2, (C. F.) A memorial entitled "a memorial for the erection of a Fort at or near Pembina river."

I. VAN ETTEN,

J. E. MOWER,

N. W. KITTSOX,

Committee.

Messages from the House being now in order,

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling,

Was taken up,

And read a first and second time; also,

No. 2, (H. of R.) A memorial to Congress to make an appropriation to construct a military road from Winona, on the Mississippi river, to Fort Ridgley, on the Minnesota river;

Which was read a first and second time.

On motion of Mr. Kittson,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, for the consideration of

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling, and

No. 2, (H. of R.) A memorial to Congress to make an appropriation to construct a military road from Winona, on the Mississippi river, to Fort Ridgley, on the Minnesota river.

Pending the sitting of the Committee of the Whole,

A message from the House was announced, and the President having taken the Chair for its reception,

A. J. Morgan, Esq., the Chief Clerk of the House appeared, and delivered the following message:

MR. PRESIDENT:—The House has passed,

No. 3, (H. of R.) A memorial to Congress for an appropriation of eighty thousand dollars, for the completion of the Point Douglass and St. Louis River Road.

In which the concurrence of the Council is respectfully requested.

The Chief Clerk having withdrawn,

The Committee of the Whole resumed its session;

And after some further time passed therein the Committee rose, and, by the Chairman, reported

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling,

Back to the Council with an amendment, and recommended the adoption of the same;

Which was agreed to;

And the Committee, by the Chairman, reported progress, and asked leave to sit again, on

No. 2, (H. of R.) A memorial to Congress to make an appropriation to construct a military road from Winona, on the Mississippi river, to Fort Ridgley, on the Minnesota river;

Which was agreed to.

Mr. Murray asked, and obtained leave, to introduce the following resolution, viz:

Resolved, That the Secretary of the Territory be requested to furnish the Council with a map of the Territory;

Which was adopted.

Mr. Stearns moved the reconsideration of the vote, by which the Council granted the Committee of the Whole leave to sit again, on

No. 2, (H. of R.) A memorial to Congress to make an appropriation to construct a military road from Winona, on the Mississippi river, to Fort Ridgley, on the Minnesota river;

Which motion prevailed.

The question then recurring on granting the Committee of the Whole leave to sit again on said memorial.

Mr. Van Etten moved that the memorial be laid on the table, and printed for the use of the Council;

Which was adopted.

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

A bill to incorporate the Minnesota Seminary.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

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

No. 1, (C. F.) A bill relative to the county officers of Dakota county.

The Chief Clerk then withdrew.

No. 1, (C. F.) A memorial to Congress for the erection of a Fort at or near Pembina river,

Was taken up, and read a third time.

The question recurring, "Shall the bill pass?"

It was passed.

The question then recurring on agreeing to the title of said memorial;

It was agreed to.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Kittson in the Chair, having under consideration,

No. 3, (C. F.) A bill to provide for laying out a Territorial road from St. Anthony and St. Paul to Taylor's Falls; and

No. 6, (C. F.) A bill to provide for laying out a Territorial road from St. Paul, by Fort Ridgley, to the Missouri river.

After some time passed therein, the Committee rose, and, by the Chairman, reported

No. 3, (C. F.) A bill to provide for laying out a Territorial road from St. Anthony and St. Paul to Taylor's Falls,

Back without amendment, and

No. 6, (C. F.) A bill to provide for laying out a Territorial road from St. Paul by Fort Ridgley to the Missouri river,

With amendment.

The report of the Committee of the Whole was accepted.

The question then recurring on the adoption of the amendment to

No. 6, (C. F.) A bill to provide for laying out a Territorial road from St. Paul by Fort Ridgley to the Missouri river.

And the amendment was read as follows, viz:

Strike out all after the word "paid," in the first line of Sec. 4, and insert the words—
"By the counties through which said road passes, in proportion to their population. The above named commissioners shall decide the proportion and amount of such expense, to be paid by each county through which said road may be located."

The yeas and nays being called for and ordered, on the adoption of the amendment—
there were yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Mower, Murray, Stearns, Stimson and President—5.

Those who voted in the negative were,

Messrs. Brown, Freeborn and Kittson—3.

So the amendment was adopted.

No. 3, (C. F.) A bill to provide for laying out a Territorial road from St. Anthony and St. Paul to Taylor's Falls,

Was ordered to be engrossed for a third reading; also,

No. 6, (C. F.) A bill to provide for laying out a Territorial road from St. Paul by Fort Ridgley to the Missouri river,

Was ordered to be engrossed for a third reading.

Mr. Murray asked and obtained leave to introduce the following resolution, viz:

Resolved, That the Secretary of the Council return to the House of Representatives, one of the messages, relative to No. 1, (C. F.,) with the thanks of the Council for duplicate favors.

On motion of Mr. Brown,

The resolution was ordered to lay on the table.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the Chair, for the consideration of

No. 4, (C. F.) A bill to amend the Revised Statutes.

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

In which the concurrence of the Council was asked.

The report was accepted.

The question then recurring as to the adoption, by the Council, of the amendments proposed by the Committee of the Whole;

It was decided in the affirmative.

On motion of Mr. Brown,

The bill was ordered to lay on the table.

Mr. Freeborn gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley.

On motion of Mr. Kittson,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the Chair, for the consideration of

No. 5, (C. F.) A bill to incorporate the St. Paul Gas Light Company.

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

The report of the Committee was accepted.

On motion of Mr. Van Etten,

The bill was referred to the Committee on Incorporations.

Mr. Brown moved that the Council do now adjourn until Monday next, at two o'clock, P. M.

And a division being called for and ordered,

And a majority of the members voting in the affirmative,

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

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

MONDAY, JANUARY 23, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 2 o'clock, P. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of Friday last was read and approved.

Mr. Van Etten gave notice that, on to-morrow, or some future day, he would introduce a bill to organize certain counties in this Territory, and for other purposes.

Messages from the House of Representatives being in order,

No 3, (H. of R.) Memorial to Congress for an appropriation of eighty thousand dollars, for the completion of the Point Douglas and St. Louis River Road,

Was taken up,

And read a first and second time.

Bills ready for a third reading being in order,

No. 3, (C. F.) A bill to provide for laying out a Territorial Road from St. Anthony and St. Paul to Taylor's Falls,

Was then taken up,

And read a third time.

The question recurring, "Shall the bill pass?"

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

No. 6, (C. F.) A bill to provide for laying out a Territorial road from St. Paul by Fort Ridgley to the Missouri river,

Was taken up,

And read a third time.

The question recurring, "Shall the bill pass?"

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

Mr. Van Etten asked, and obtained leave, to introduce

No. 7, (C. F.) A bill to incorporate the Minnesota Seminary.

Mr. Murray moved that the 37th rule be suspended, and the bill be read by its title only;

And a division being called for and ordered,

There were yeas 4, nays 3:

There not being two thirds of the members present who voted in favor of the motion;

It was not adopted.

The bill was then read a first and second time,

And laid on the table to be printed.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report:

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

No. 1, (C. F.) A bill entitled "An act relative to the County Officers of Dakota County."

WM. FREEBORN,
J. R. BROWN, Council,
H. S. PLUMER, House,
Committee.

Bills ready for a Committee of the Whole being now in order,

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration

No. 1, (C. F.) Joint Resolution relative to the binding of the Session Laws.

After some time passed therein, the committee rose, and, by the Chairman, reported said Joint Resolution back to the Council with amendment.

The question recurring on accepting the report of the committee.

It was accepted.

The question then recurring on the adoption of the amendment, as passed by the Committee of the Whole.

The question being put,

And the Chair being unable to decide,

A division was called for and ordered,

And a majority voting in favor of the amendment,

It was adopted.

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

It was decided in the affirmative.

C. J. 9.

Mr. Kittson asked, and obtained leave, to introduce a joint resolution, authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society;

Which was read a first and second time,

And laid on the table to be printed.

Mr. Murray moved that the Council do now adjourn until to-morrow, at two o'clock, P. M.

Which was negatived.

Mr. Van Etten moved that the Council do now adjourn.

The question being put,

And the President being unable to decide,

A division was called for and ordered,

And a majority of the members voting in the affirmative,

The motion prevailed.

So the Council adjourned until 10 o'clock, to-morrow morning, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

TUESDAY, JANUARY 24, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and corrected.

Mr. Freeborn asked, and obtained leave, to introduce

No. 2, C. F.) A memorial to Congress for a further appropriation for the construction of the Wabashaw and Mendota Road;

Which was read a first and second time,

And laid on the table to be printed.

Mr. Freeborn, on leave, introduced

No. 7, (C. F.) A bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley;

Which was read a first and second time,

And laid on the table to be printed.

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, to wit:

The Committee on Engrossed Bills have examined and found correctly engrossed, the following joint resolution, viz:

No. 1, (C. F.) Joint resolution relative to the binding of the Session Laws.

I. VAN ETTEN,
J. E. MOWER,
N. W. KITTSOON,

Committee.

On motion of Mr. Kittson,

No. 2, (H. of R.) A memorial to Congress to construct a military road from Winona to Fort Ridgley,

Was taken from the table.

Mr. Kittson moved that said memorial be referred to the Committee on Internal Improvements;

Which motion was negatived.

Mr. Murray moved that the memorial be referred to the Committee on Incorporations;

Which was decided in the affirmative.

Bills from the House ready for a third reading being in order,

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling,

Was taken up,

And read a third time.

The question recurring, "Shall the memorial pass?"

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

Mr. Brown asked, and obtained leave, to give notice that, on to-morrow, or some future day, he would ask leave to introduce a bill to charter the St. Paul Bridge Company.

Mr. Murray, on leave, (previous notice of which had been given) introduced

No. 9, (C. F.) A bill making an appropriation for the Territorial Library;

Which was read a first and second time,

And laid on the table to be printed.

Bills ready for a committee of the whole being in order; and

No. 7, (C. F.) A bill to incorporate the Minnesota Seminary, then coming up;

Mr. Murray moved said bill be referred to a select committee of three;

Which was agreed to.

The President appointed Messrs. Murray, Mower, and Freeborn, said committee.

On motion of Mr. Kittson,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the Chair, having under consideration

No. 3, (H. of R.) Memorial to Congress for an appropriation of eighty thousand dollars, for the completion of the Point Douglas and St. Louis River Road.

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

The report of the committee was accepted.

Mr. Brown moved that the memorial be referred to the Committee on Roads;
Which was adopted.

The memorial was so referred.

Mr. Kittson moved that rule forty be suspended, so far as relates to bills, memorials, resolutions, and amendments, laying over one day after being printed;

Which was agreed to.

On motion of Mr. Kittson,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration

No. 2, (C. F.) Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society.

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

The report of the committee was accepted.

The question then recurring on ordering the Joint Resolution to be engrossed for a third reading.

It was decided in the affirmative.

So the resolution was ordered to be engrossed.

Mr. Brown moved that the Council do now adjourn;

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 2.

Those who voted in the affirmative were,

Messrs. Brown, Kittson, Mower, Stearns and President—5.

Those who voted in the negative were,

Messrs. Freeborn and Murray—2.

So the motion prevailed.

The Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

WEDNESDAY, JANUARY 25, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Mr. Murray asked, and obtained leave, to introduce

No. 10, (C. F.) A bill to incorporate the Bank of Minnesota.

Mr. Murray moved that the Rule be suspended, so far as relates to bills being read at length, and that said bill be read by its title only;

Which motion prevailed.

So the bill was read a first and second time by its title, and laid on the table to be printed.

Mr. Murray moved that fifty additional copies of said bill be provided for the use of the Council;

Which was agreed to.

Mr. Murray asked, and obtained leave, to introduce

No. 11, (C. F.) A bill to authorize the Probate Judge of Ramsey county to transcribe the Records of the Probate Court;

Which was read a first and second time,

And laid on the table to be printed.

Mr. Brown asked, and obtained leave, to introduce

No. 12, (C. F.) A bill to amend an act entitled "an act to incorporate the Mississippi Boom Company," and an act amendatory thereto.

Mr. Brown moved that the rules, so far as relates to reading said bill at length, be suspended, and that said bill be read by its title only;

Which motion prevailed.

The bill was then read a first and second time by its title,

And laid on the table to be printed.

Bills ready for a third reading being now in order,

No. 1, (C. F.) Joint Resolution relative to the Binding of the Session Laws,

Was taken up.

The question recurring on ordering the Joint Resolution to a third reading;

It was decided in the affirmative.

The Joint Resolution was then read a third time.

The question then recurring on the passage of the resolution;

The question being put,

And the Chair being unable to decide,

A division was called for and ordered, and resulted as follows—yeas 4, nays 3.

So the resolution passed.

The question then recurring on agreeing to its title;

It was agreed to.

Mr. Van Etten moved that the Council do now adjourn;
 And the yeas and nays being called for and ordered, resulted as follows—yeas 4,
 nays 3.

So the motion prevailed.

The Council then adjourned until 10 o'clock to-morrow.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

THURSDAY, JANUARY 26, 1854.

The Council met pursuant to adjournment, and was called to order by the President,
 at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Mr. Murray asked, and obtained leave, to introduce

No. 13, (C. F.) A bill to provide for the establishment of a Commissioner of Emigrants, for the Territory of Minnesota, in the City of New York.

Pending the reading of said bill,

A message from the House was announced,

And A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following bill, viz:

No. 1, (C. F.) A bill relative to the County Officers of Dakota County.

The House of Representatives has received the third Annual Report of the Superintendent of Common Schools, for the Territory of Minnesota, and ordered one hundred copies thereof printed for the use of the two Houses.

The House has passed the following memorial, viz:

No. 5, (H. of R.) Memorial to Congress for an appropriation of ten thousand dollars for the building of the Territorial road from St. Anthony Falls to the western boundary of Sibley county.

In which the concurrence of the Council is respectfully requested.

The House has passed the following bill:

No. 8, (C. F.) A bill to provide for laying out a Territorial road from St. Anthony and St. Paul to Taylor's Falls,

With two amendments.

In which the concurrence of the Council is respectfully requested.

The Chief Clerk having withdrawn,

The reading of No. 13, (C. F.) being resumed;

It was read a first and second time,

And laid on the table to be printed.

The President of the Council then signed the following bill, viz:

No. 1, (C. F.) A bill entitled "An act relative to the County Officers of Dakota County."

Mr. Stearns gave notice that, on to-morrow, or some future day, he would ask leave to introduce a bill to amend Chapter 13 of the Revised Statutes.

Mr. Brown, pursuant to previous notice, asked and obtained leave to introduce No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company.

Mr. Brown moved to suspend the rule requiring bills to be read at length on their first reading, and that said bill be read by its title only;

Which was agreed to.

The bill was then read a first and second time, by its title,

And laid on the table to be printed.

Reports of committees being in order,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, to wit:

The Committee on Engrossed Bills have examined and found correctly engrossed, the following Joint Resolution, viz:

No. 2, (C. F.) A Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society.

I. VAN ETTEN,

J. E. MOWER,

N. W. KITTSOON,

Committee.

Mr. Van Etten, from the Committee on Incorporations, made the following report, to wit:

The Committee on Incorporations, to whom was referred a memorial to Congress to construct a Military road from Winona, on the Mississippi river, to Fort Ridgley, beg leave to report:

That they have had the same under consideration, and report the same back to the Council, recommending its passage, with the following amendments, to wit:

In the title of the memorial, after the word "river," insert the words "via. Traverse des Sioux;" also,

In line "3," of Section "1," after the words "Fillmore," insert the words "via Traverse des Sioux;" also,

In line "2," of Section "2," strike out the words "these points," and insert the words "Winona and Fort Ridgley;" also,

Strike out all in Section "2," after the word "unopened," in line "two."

I. VAN ETTEN,

WM. P. MURRAY,

J. E. MOWER,

Committee.

Mr. Brown moved that said memorial be laid on the table, to be ready for the action of the Committee of the Whole.

The question being put,
 And the President being unable to decide,
 A division was called for and ordered,
 And there were yeas 4, nays 4.
 So the motion was not adopted.

Mr. Murray gave notice that, on to-morrow, or some future day, he would ask leave to introduce a memorial to Congress, praying for an appropriation for the continuance of the Point Douglas and Fort Ripley Military road.

Messages from the House being now in order,

The message from the House was taken up, and the amendments to No. 3, (C. F.) as passed in the House, were read as follows:

In Section 1, third line, after the words "Joseph La Bonne," insert the words "Abram Lambert."

The question recurring on the Council concurring in the first amendment to said bill as proposed by the House;

It was decided in the affirmative.

So the amendment was concurred in.

The question then recurring on the Council concurring in the second amendment to said bill—it was read as follows:

In Section 2, fifth line, strike out the words "March next," and insert in lieu thereof "May next;"

Which was negatived.

So the amendment was not concurred in.

Bills, &c., ready for a third reading, being now in order,

No. 2, (C. F.) Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society,

Was taken up;

And the question recurring, "Shall the resolution be read a third time?"

It was decided in the affirmative.

The Joint Resolution was then read a third time.

The question then recurring, "Shall the Joint Resolution pass?"

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

Bills, memorials, &c., not yet in committee of the whole, being now in order,

Mr. Stearns moved that

No. 5, (H. of R.) A memorial to Congress for an appropriation of ten thousand dollars, for the building of the Territorial road from St. Anthony Falls to the western boundary of Sibley county,

Be now taken up;

Which was agreed to.

The said memorial was then taken up.

And read a first and second time.

On motion of Mr. Stearns,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the Chair, having under consideration

No. 5, (H. of R.) A memorial to Congress for an appropriation of ten thousand dollars, for the building of the Territorial road from St. Anthony Falls to the western boundary of Sibley county.

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

The report of the Committee of the Whole was accepted.

The question then recurring on adopting the amendments proposed in Committee of the Whole;

The amendments were adopted.

The question then recurring on the memorial going to the third reading;

It was decided in the affirmative.

Mr. Brown moved that the rules be suspended, so far as relates to bills laying over one day previous to being read a third time, and that said memorial be now read a third time as amended;

Which motion prevailed.

The memorial was then read a third time.

Mr. Brown asked, and obtained the unanimous consent of the Council, to introduce the following amendment to said memorial, viz:

Insert after the words "Transportation of the Mails," in the second paragraph, the words "Movement of Troops;"

Which was agreed to.

The question recurring on the passage of the memorial;

It was decided in the affirmative.

So the memorial passed.

The question then recurring as to the adoption of the title of the memorial;

It was adopted.

Mr. Stearns moved to reconsider the vote by which the title of the memorial was agreed to;

Which motion prevailed.

Mr. Stearns then moved to amend the title of the memorial, as follows:

Strike out, in the title, the words "Building of the Territorial," and insert, "Construction of a Military;" also, strike out "the western boundary of Sibley county," and insert "Fort Ridgley."

The question then recurring on agreeing to the title as amended;

It was decided in the affirmative.

So the title was agreed to.

Mr. Murray moved that the Council resolve itself into a Committee of the Whole, to take into consideration

No. 8, (C. F.) A bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley; also,

No. 2, (C. F.) A memorial to Congress for a further appropriation for the construction of the Wabashaw and Mendota road;

Which was agreed to.

c. j. 10.

The Council then resolved itself into a Committee of the Whole, Mr. Brown in the Chair, having under consideration

No. 8, (C. F.) A bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley; also,

No. 2, (C. F.) A memorial to Congress for a further appropriation for the construction of the Wabashaw and Mendota road.

After some time passed therein, the Committee rose, and, by their Chairman, reported that they have had under consideration,

No. 8, (C. F.) A bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley; also,

No. 2, (C. F.) A memorial to Congress for a further appropriation for the construction of the Wabashaw and Mendota road.

In which the Committee made progress, and ask leave to sit again.

The report of the Committee was received, and leave granted to sit again.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration

No. 9, (C. F.) A bill making an appropriation for the Territorial Library.

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

The report of the Committee of the Whole was accepted.

The question then recurring as to the Council adopting the amendments as proposed in the Committee of the Whole;

The amendments were adopted.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed the following bills and joint resolution, to wit:

No. 1, (H. of R.) A bill for an act to charter the Cataract Ferry Company;

No. 3, (H. of R.) A bill for the constructing of a road from Reed's Landing to the Iowa State line;

No. 4, (H. of R.) Memorial to Congress for a Military road to Oregon and California; Joint Resolution relative to printing the Laws, Memorials and Joint Resolutions.

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

The House has also passed,

No. 6, (C. F.) A bill to provide for laying out a Territorial road from St. Paul by Fort Ridgley to the Missouri river, with an amendment;

In which the concurrence of the Council is requested; and

No. 1, (C. F.) A memorial to Congress for the erection of a Fort at or near the Pembina river.

The Chief Clerk then withdrew.

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

Mr. Brown moved to amend the bill as follows:

Add to Section 3, the words, "and shall also correspond with our Delegate in Congress, relative to procuring public documents from the General Government;"

Which was adopted.

The bill was then ordered to be engrossed for a third reading.

Mr. Murray moved that

No. 4, (C. F.) A bill to amend the Revised Statutes,

Be now taken from the table;

Which was agreed to.

The bill was then taken from the table.

Mr. Brown moved to amend said bill as follows:

Insert after the words "per day," in the third line of Section 1, the words, "excepting in counties with a less number than one thousand inhabitants, and in such counties one dollar and fifty cents per day."

Which was adopted.

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

It was agreed to.

The bill was then ordered to be engrossed for a third reading.

Mr. Brown gave notice that, on to-morrow or some future day, he would ask leave to introduce a memorial to Congress, relative to the Half Breed Lands on Lake Pepin.

On motion of Mr. Murray,

The Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD

President of the Council

Attest:

J. B. DIXON,
Secretary.

FRIDAY, JANUARY 27, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The reading of the Journal of yesterday being commenced,

Mr. Van Etten moved that the further reading of the Journal be dispensed with;

Which was agreed to.

So the further reading was dispensed with.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report to wit:

The Joint Committee on Enrolled Bills did, on the 27th day of January, 1854, present to His Excellency, the Governor, for examination and approval, the following bill, viz:

A bill entitled "An act relative to the County Officers of Dakota County."

JOSEPH R. BROWN,

HENRY S. PLUMER,

Committee.

Mr. Murray moved that the Council do now adjourn until Monday next, at 10 o'clock, A. M.

The motion being put,

And the President being unable to decide,

A division was called for and ordered,

And a majority having voted in favor of the motion to adjourn,

The Council adjourned until Monday next, at 10 o'clock, A. M.

S. B. OLMSTEAD,

President of the Council.

Attest:

J. B. DIXON,

Secretary.

MONDAY, JANUARY 30, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of Friday last was then read and approved.

Mr. Van Etten, pursuant to previous notice, asked and obtained leave to introduce

No. 15, (C. F.) A bill to organize the County of Sibley;

Which was read a first and second time,

And laid on the table to be printed.

Mr. Van Etten asked, and obtained leave, (previous notice of which had been given) to introduce

No. 16, (C. F.) A bill to establish the terms of the Supreme Court and District Courts of the Territory, and for other purposes;

Which was read a first and second time,

And laid on the table to be printed.

A message from His Excellency, the Governor, being announced,

R. A. Smith, Esq., the Private Secretary of His Excellency, appeared and delivered the following message:

MR. PRESIDENT:—I am directed by the Governor to inform the Council, that he has this day approved and signed,

An act entitled "An act relative to the County Officers of Dakota County;"
Which originated in the Council.

The Governor's Private Secretary then withdrew.

Reports of committees being in order,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, to wit:

The Committee on Engrossed Bills have examined and found correctly engrossed, the following, viz:

No. 4, (C. F.) A bill to amend the Revised Statutes.

I. VAN ETTEN,
J. E. MOWER,
N. W. KITTSON,
Committee.

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, to wit:

The Committee on Engrossed Bills have examined and found correctly engrossed, the following, viz:

No. 9, (C. F.) A bill making appropriations for the Territorial Library.

I. VAN ETTEN,
J. E. MOWER,
N. W. KITTSON,
Committee.

Messages from the House being in order.

The following message was taken up and read:

MR. PRESIDENT:—The House has passed the following bills and joint resolution, to wit:

No. 1, (H. of R.) A bill for an act to charter the Cataract Ferry Company;

No. 3, (H. of R.) A bill for the construction of a road from Reed's Landing to the Iowa State line;

No. 4, (H. of R.) A memorial to Congress for a Military road to Oregon and California;

Joint Resolution relative to printing the Laws, Memorials and Joint Resolutions.

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

The House has passed

No. 6, (C. F.) A bill to provide for laying out a Territorial road from St. Paul, by Fort Ridgley, to the Missouri river,

With an amendment;

In which the concurrence of the Council is respectfully requested.

The House has, also, passed

No 1, (C. F.) A memorial to Congress for the erection of a fort at or near Pembina river.

After the reading of the above message,

No. 1, (H. of R.) A bill for an act to charter the Cataract Ferry Company,
Was taken up from the table,
And read a first and second time.

Mr. Murray moved that said bill be referred to the Committee on the Judiciary;
Which motion prevailed.
The bill was so referred.

Mr. Murray, on leave being granted, made the following report, to wit:
The Committee to whom was referred,
No 7, (C. F.) A bill to incorporate the Minnesota Seminary,
Have had the same under consideration, and have the honor to report a substitute
therefor.

All of which is respectfully submitted,

W. P. MURRAY,
J. E. MOWER,
WM. FREEBORN,
Committee.

The said substituted bill was then taken up, as follows:

No. 17, (C. F.) A bill to incorporate the Minnesota Hamline University;
Which was read a first and second time,
And laid on the table to be printed.

Messages from the House being in order,

No. 3, (H. of R.) A bill for the construction of a road from Reed's Landing to the
Iowa State line,
Was taken up.

Pending the reading of said bill,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the follow-
ing message:

MR. PRESIDENT:—The House has concurred in the Council amendments to
No. 5, (H. of R.) A memorial to Congress for an appropriation of ten thousand dol-
lars, for the building of the Territorial road from St. Anthony Falls to the western
boundary of Sibley county.

The House has, also, concurred in Council amendment to

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on
lands recently embraced in the Military Reservation of Fort Snelling.

The House has receded from its second amendment to

No. 3, (C. F.) A bill to provide for laying out a Territorial road from St. Anthony
and St. Paul to Taylor's Falls;

Which is herewith returned.

The House has indefinitely postponed

No. 2, (C. F.) Joint Resolution relative to the Binding of the Session Laws.

The House has passed

No. 4, (H. of R.) An act to amend the Revised Statutes;

In which the concurrence of the Council is requested.

The House has received the Annual Report of the Territorial Librarian, and ordered one hundred copies to be printed for the use of the two Houses.

A. J. Morgan, Esq., the Chief Clerk of the House, having withdrawn, the reading of

No. 3, (H. of R.) A bill for the construction of a road from Read's Landing to the Iowa State line,

Was resumed,

And said bill was read a first and second time.

No. 4, (H. of R.) A memorial to Congress for a Military road to Oregon and California,

Was taken up.

Pending the reading of the memorial,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

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

No. 2, (C. F.) Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society.

The Chief Clerk having withdrawn,

The reading of

No. 4, (H. of R.) A memorial to Congress for a Military road to Oregon and California, was resumed,

And the said memorial was then read a first and second time.

No. 6, (C. F.) A bill to provide for laying out a Territorial road from St. Paul by Fort Ridgley to the Missouri river,

Was taken up,

And read as amended by the House.

The question then recurring as to the Council adopting the amendments to said bill;

They were adopted.

Bills ready for a third reading being now in order,

No. 4, (C. F.) A bill to amend the Revised Statutes,

Was taken up,

And ordered to a third reading.

Said bill was then read a third time.

The question recurring, "Shall the bill pass?"

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

No. 9, (C. F.) A bill making an appropriation for the Territorial Library;

Was then taken up,

And ordered to a third reading.

Said bill was then read a third time.

The question recurring, "Shall the bill pass?"

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

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

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the Chair, having under further consideration,

No. 2, (C. F.) A memorial to Congress for a further appropriation for the construction of the Wabashaw and Mendota Road; also,

No. 8, (C. F.) A bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley.

After some time passed therein, the Committee rose, and, by the Chairman, reported said bills back to the Council;

No. 2, (C. F.) A memorial to Congress for a further appropriation for the construction of the Wabashaw and Mendota road, without amendment, and

No. 8, (C. F.) A bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley, with an amendment.

The report of the Committee of the Whole was accepted.

The question then recurring on the Council concurring in the amendment, as passed in Committee of the Whole, to

No. 8, (C. F.) A bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley;

It was agreed to.

Mr. Kittson moved that

No. 2, (C. F.) A memorial to Congress for a further appropriation for the construction of the Wabashaw and Mendota road,

Be referred to the Committee on Roads;

Which was agreed to.

The bill was so referred.

The question then recurring on ordering

No. 8, (C. F.) A bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley,

To be engrossed for a third reading;

It was decided in the affirmative.

So the bill was ordered to be engrossed for a third reading.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Kittson in the Chair, having under consideration,

No. 2, (H. of R.) A memorial to Congress for an appropriation to construct a Military road from Winona, on the Mississippi river, via Traverse des Sioux, to Fort Ridgley, on the Minnesota river.

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

The question recurring on the Council accepting the report of the Committee of the Whole;

It was accepted.

The question then recurring as to the Council concurring in the amendment as passed in the Committee of the Whole;

It was concurred in.

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

On motion of Mr. Brown,

The first section of said bill was ordered to be read;

And the first section of said bill being read by the Secretary,

Mr Brown moved to strike out the words "via Traverse des Sioux," from the memorial wherever they occur.

And the question being put from the Chair,

"Shall the words 'via Traverse des Sioux' be stricken out?"

It was decided in the negative—yeas 2, nays 4.

Mr. Brown moved to amend the bill, by inserting before the words "via Traverse des Sioux," the words "by Farribault;"

And the question being put by the Chair,

And a majority having voted in the affirmative,

The amendment was adopted.

Mr. Brown moved to insert, in said memorial, after "Farribault," the word Gorman-town."

Mr. Murray offered the following amendment to the amendment:

"Provided said town can be found."

Which was decided in the affirmative.

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

It was decided in the negative.

Mr. Brown moved to amend the bill as follows:

Insert before "Farribault," the words "along the valley of Straight river;"

Which was agreed to.

The memorial was then ordered to a third reading.

Mr. Murray moved that said memorial be read by its title only.

The question being put,

And the Chair being unable to decide,

A division was called for and ordered,

And there were yeas 3, nays 4.

So the motion did not prevail.

The memorial was then read a third time, as amended.

The question recurring on the passage of the memorial;

And the yeas and nays being called for and ordered, resulted as follows—yeas 6, nays 2.

Those who voted in the affirmative were,

Messrs. Freeborn, Mower, Murray, Stearns, Van Etten and President—6.

Those who voted in the negative were,

Messrs. Brown and Kittson—2.

So the memorial passed.

c. j. 11.

The question then recurring on agreeing to its title;

It was agreed to.

Mr. Van Etten asked, and obtained leave, to give notice that, on to-morrow or some future day, he would ask leave to introduce a bill to amend Chapter 71 of the Revised Statutes.

Mr. Murray gave notice that, on to-morrow or some future day, he would ask leave to introduce a bill to incorporate the Minnesota Bridge Company.

Mr. Brown asked, and obtained leave, to introduce the petition of Henrietta Goodhue and Nathaniel McLean, relative to balance due them for public printing.

On motion of Mr. Brown,

Said petition was referred to the Committee on Territorial Expenditures.

Mr. Brown asked, and obtained leave, to introduce

No. 3, (C. F.) A memorial to Congress relative to the Half Breed Lands in Minnesota.

On motion of Mr. Brown,

Said memorial was read a first and second time by its title only, and laid on the table to be printed.

On motion of Mr. Murray,

The Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

TUESDAY, JANUARY 31, 1854,

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The reading of the Journal of yesterday was commenced; and

A message from the House being announced,

A. J. Morgan, Esq., Chief Clerk of the House, appeared and delivered the following message:

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

No. 2, (H. of R.) Joint Resolution for the relief of Wm. B. Dodd; also,

No. 5, (H. of R.) A bill for an act to incorporate the St. Croix Bridge Company; also,

No. 6, (H. of R.) An act to locate a Territorial road from St. Paul to intersect the Territorial road from the Falls of St. Anthony to the Sibley county line.

In which the concurrence of the Council is respectfully requested.

The Chief Clerk having withdrawn,

The reading of the Journal was resumed and concluded.

Mr. Murray, pursuant to previous notice, asked and obtained leave to introduce

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company; and

On motion of Mr. Murray,

Said bill was read a first and second time by its title only, and laid on the table to be printed.

Reports of Committees being in order,

Mr. Kittson, from the Committee on Roads, to whom was referred

No. 2, (C. F.) A memorial for a further appropriation for the construction of the Wabashaw and Mendota road,

Made the following report, viz:

That they have had the same under consideration, and return said bill back to the Council, and recommend its passage.

The report of the committee was accepted.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, to wit:

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

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling.

J. R. BROWN, Council,
H. S. PLUMER, House,
Committee.

Messages from the House being in order.

The following message was taken up from the table, and read by the Secretary:

MR. PRESIDENT:—The House has concurred in the Council amendments to

No. 5, (H. of R.) A memorial to Congress for an appropriation of ten thousand dollars, for the building of the Territorial road from St. Anthony Falls to the western boundary of Sibley county.

The House has, also, concurred in Council amendment to

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling.

The House has receded from its second amendment to

No. 3, (C. F.) A bill to provide for laying out a Territorial Road from St. Anthony and St. Paul to Taylor's Falls;

Which is herewith returned.

The House has indefinitely postponed

No. 2, (C. F.) Joint Resolution relative to the binding of the Session Laws.

The House has passed

No. 4, (H. of R.) An act to amend the Revised Statutes.

In which the concurrence of the Council is requested.

The House has received the Annual Report of the Territorial Librarian, and ordered one hundred copies to be printed for the use of the two Houses.

After the reading of the above message,

No. 4, (H. of R.) A bill to amend the Revised Statutes,

Was taken up,

And read a first and second time.

No. 1, (H. of R.) Joint Resolution relative to printing the *Laws, Memorials, and Joint Resolutions,*

Was taken up,

And read the first and second time,

And laid on the table for the action of the Committee of the Whole.

Bills ready for a third reading being in order,

No. 2, (C. F.) A memorial to Congress for a further appropriation for the construction of the Wabashaw and Mendota Road,

Was taken up,

And the question recurring on ordering the said memorial to a third reading;

It was decided in the affirmative.

Said memorial was then read a third time.

The question recurring, "Shall the memorial pass?"

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

Bills, memorials, &c., not yet considered in Committee of the Whole, being now in order,

No. 10, (C. F.) A bill to incorporate the Bank of Minnesota,

Was taken up, and;

On motion of Mr. Murray,

Said bill was laid on the table, to be made the special order for Tuesday next, for the consideration of the Committee of the Whole.

Mr. Brown moved that the Council resolve itself into a Committee of the Whole, to take into consideration,

No. 12, (C. F.) A bill to amend an act entitled "An act to incorporate the Mississippi Boom Company," and an act amendatory thereto.

Mr. Murray moved that said bill be laid on the table;

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Freeborn, Mower, Murray, Stearns, and President—5.

Those who voted in the negative were,

Messrs. Brown, Kittson, and Van Etten—3.

So the bill was laid on the table.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Kittson in the Chair, having under consideration

No. 1, (C. F.) A bill to authorize the Probate Judge of Ramsey county to transcribe the Records of the Probate Court;

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

The report of the Committee of the Whole was accepted.

The question recurring on adopting the amendments, as proposed in Committee of the Whole;

They were adopted.

The bill was then ordered to be engrossed for a third reading.

Mr. Stearns moved the Council do now adjourn until two o'clock, P. M.

Mr. Brown moved to adjourn;

And the question recurring on the motion to adjourn;

It was decided in the negative.

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

It was decided in the affirmative.

So the Council adjourned until two o'clock, P. M.

AFTERNOON SESSION.

Two o'clock, P. M.

The Council met pursuant to adjournment, and was called to order by the President, at 2 o'clock, P. M.

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

Messrs. Mower, Stearns and President.

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

Pending the call Mr. Brown appeared and took his seat.

Mr. Stearns moved that all further proceedings, under the call, be dispensed with; Which was agreed to.

Mr. Mower moved that the Council do now adjourn;

Which was decided in the affirmative.

So the Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

WEDNESDAY, FEBRUARY 1, 1854.

The Secretary, in the absence of the President, called the Council to order pursuant to adjournment.

On motion of Mr. Murray,

Mr. Brown was appointed to take the Chair:

Prayer by the Rev. Mr. Kerr.

A quorum being present,

The Journal of yesterday was read and approved.

Mr. Murray asked, and obtained leave, to introduce

No. 4, (C. F.) A memorial to Congress for grant of lands for the construction of a Railroad from some point on Lake St. Croix, or St. Croix River, to St. Paul and St. Anthony, and thence to the Western boundary of the Territory, the Red river of the North, and the St. Louis river;

Which was read a first and second time,

And laid on the table to be printed.

Mr. Murray gave notice that, on to-morrow, or some future day, he would ask leave to introduce a bill amendatory of Chapter 5 of the Revised Statutes.

Mr. Stearns, from the Committee on Roads, to whom was referred

No. 3, (H. of R.) A memorial to Congress for an appropriation of eighty thousand dollars for the completion of the Point Douglass and St. Louis River Road,

Would respectfully submit to the Council, for their consideration, the following report:

That it is the opinion of your committee, that appropriations for all the surveyed Government roads, in this Territory, should be embodied in one memorial. The committee, after having a correspondence with Captain Simpson, on the subject of his report to the Government, would recommend to the Legislature of this Territory, that they memorialize Congress for an appropriation of ninety five thousand dollars for the further construction of the Point Douglas and St. Louis River Road; also,

The Point Douglas and Fort Ripley Road; also,

The Wabashaw and Mendota Road; also,

The Swan River and Long Prairie Road.

In accordance with the above report, we respectfully submit the following memorial:

C. T. STEARNS,

Chairman.

No. 5, (C. F.) Memorial to Congress for an appropriation of ninety five thousand dollars for the further construction of the Point Douglas and St. Louis River Road; also,

The Point Douglas and Fort Ripley Road; also,

The Wabashaw and Mendota Road; also,

The Swan River and Long Prairie Road.

The said memorial was then taken up,

And was read a first and second time,

And laid on the table to be printed.

Messages from the House being in order,

The following message was taken up and read :

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

No. 2, (H. of R.) Joint Resolution for the relief of Wm. B. Dodd; also,

No. 5, (H. of R.) A bill for an act to incorporate the St. Croix Bridge Company; also,

No. 6, (H. of R.) An act to locate a Territorial road from St. Paul to intersect the Territorial road from the Falls of St. Anthony to the Sibley County line.

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

After the reading of the above message,

No. 2, (H. of R.) A memorial to Congress for the relief of Wm. B. Dodd,

Was taken up.

Pending the reading of said memorial,

The President of the Council appeared and took the Chair.

The reading of said memorial being resumed;

It was read a first and second time,

And laid on the table.

No. 5, (H. of R.) A bill for an act to incorporate the St. Croix Bridge Company,

Was taken up,

And read a first and second time,

And laid on the table.

No. 6, (H. of R.) An act entitled "An act to locate a Territorial road from St. Paul to intersect the Territorial road from the Falls of St. Anthony to the Sibley County line,

Was taken up,

And read a first and second time.

Bills, memorials, &c., not yet considered in Committee of the Whole, being now in order.

On motion of Mr. Van Etten,

The Council resolved itself into a Committee of the Whole, Mr. Kittson in the Chair, having under consideration,

No. 16, (C. F.) A bill to establish the terms of the Supreme Court and District Courts of the Territory, and for other purposes.

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

The report of the Committee of the Whole was accepted.

The bill was then ordered to be engrossed for a third reading.

No. 4, (H. of R.) A bill for an act to amend the Revised Statutes.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole,

Mr. Brown in the Chair,

Having under consideration,

No. 4, (H. of R.) A bill to amend the Revised Statutes.

Pending the sitting of the Committee of the Whole,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message :

MR. PRESIDENT:—The House has concurred in the 2d, 3d, and 4th amendments to No. 2, (H. of R.) A memorial to Congress to make an appropriation to construct a military road from Winona, on the Mississippi river, to Fort Ridgley, on the Minnesota river;

And refused to concur in the 1st amendment, an amendment to the title.
The memorial is herewith returned.

The House has passed

No. 6, (H. of R.) A memorial to Congress for the establishment of a Military road from St. Paul by way of Little Canada to Rum river.

The Speaker of the House has signed

No. 2, (C. F.) Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society;

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling;

No. 5, (H. of R.) A memorial to Congress for an appropriation of ten thousand dollars, for the construction of a Military road from St. Anthony Falls to Fort Ridgley.

The Chief Clerk having withdrawn,
The committee resumed its sitting on

No. 4, (C. F.) A bill to amend the Revised Statutes;

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

The report of the Committee of the Whole was accepted.

Mr. Stearns moved that said bill be referred to the Committee on the Judiciary; Which motion prevailed.

The bill was so referred.

Mr. Brown, from the Committee on Enrolled Bills, reported they had examined and found correctly enrolled, the following joint resolution and memorial, viz:

No. 2, (C. F.) A Joint Resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society;

No. 5, (H. of R.) Memorial to Congress for an appropriation of ten thousand dollars for the construction of a Military road from the Falls of St. Anthony to Fort Ridgley.

JOSEPH R. BROWN, Council,

HENRY S. PLUMER, House,

Committee.

Mr. Brown gave notice that, on to-morrow, or some future day, he would ask leave to introduce a bill relative to auctioneers; also,

A bill providing for three additional Council Districts in this Territory.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the Chair having under consideration,

No. 4, (H. of R.) Memorial to Congress for a Military road to Oregon and California; also,

No. 3, (H. of R.) A bill for the construction of a road from Reed's Landing to the Iowa State line.

After some time passed therein, the committee rose, and, by the Chairman, reported said bills back to the Council.

No. 4, (H. of R.) A memorial to Congress for a Military road to Oregon and California,

Without amendment, and

No. 3, (H. of R.) A bill for the construction of a road from Reed's Landing to the Iowa State line,

With amendment.

The report of the Committee of the Whole was accepted.

And the amendment to

No. 3, (H. of R.) A bill for the construction of a road from Reed's Landing to the Iowa State line,

As passed in Committee of the Whole, was concurred in.

No. 4, (H. of R.) A memorial to Congress for a Military road to Oregon and California,

Was then ordered to a third reading.

On motion of Mr. Van Etten,

Said bill was ordered to be read a third time by its title.

The bill was then read a third time by its title.

The question recurring on the passage of said bill;

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

No. 3, (H. of R.) A bill for the construction of a road from Reed's Landing to the Iowa State line,

Was then ordered to a third reading, and,

On motion of Mr. Stearns,

Said bill was read a third time by its title.

The question recurring, "Shall the bill pass?"

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

No. 15, (C. F.) A bill to organize the County of Sibley,

Was then taken up, and,

On motion of Mr. Stearns,

Said bill was referred to the Committee on Territorial Affairs.

No 3, (C. F.) A memorial to Congress relative to the Half Breed Lands in Minnesota,

Was taken up, and,

On motion of Mr. Brown,

Ordered to lay on the table.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration,

No. 13, (C. F.) A bill to provide for the establishment of a Commissioner of Emigrants, for the Territory of Minnesota, in the City of New York.

c. j. 12.

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

The report of the Committee of the Whole was accepted.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the Chair, having under consideration,

No 17, (C. F.) A bill to incorporate the Minnesota Hamline University.

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

The report of the Committee of the Whole was accepted.

The question then recurring on the Council concurring in the amendments as passed in the Committee of the Whole;

It was decided in the affirmative.

The bill was then ordered to be engrossed for a third reading.

Mr. Murray moved that the Council do now adjourn;

Which was decided in the affirmative.

The Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD.

President of the Council.

Attest:

J. B. DIXON,

Secretary.

THURSDAY, FEBRUARY 2, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Messages, and other Executive communications, being in order, the following communications were taken from the President's desk, and read:

SECRETARY'S OFFICE, }
St. Paul, February 2, 1854. }

SIR:—In accordance with a resolution of the Council, I have the honor of enclosing to you the official vote for Delegate to Congress, at an election held in the Territory of Minnesota, October 11, 1853.

I am, Sir,

Very respectfully

Your obedient servant,

J. TRAVIS ROSSER,

Secretary of Min. Ter.

HON. S. B. OLMSTEAD,

President of the Council, present.

On motion of Mr. Stearns,

The reading of said returns was dispensed with.

The Auditor's Report was then taken up, and, during its reading, Mr. Brown moved that the further reading of said report be dispensed with, and that one hundred copies be printed for the use of the two Houses;

Which was agreed to.

AUDITOR'S REPORT.

OFFICE OF THE TERRITORIAL AUDITOR, }
St Paul, January 30, 1854 }

To the Honorable the Legislature of the Territory of Minnesota:

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

The amount of Territorial tax assessed, for the year ending Dec. 31, 1853, is two thousand four hundred and forty five dollars and forty three cents, for the details of which, see schedule marked A.

The salaries of the officers of the Territory, for the year 1853, amounts to twelve hundred dollars. This amount includes the sum of four hundred and fifty dollars, or three quarters salary of the Warden of the Penitentiary, which office was created since the making of the last annual report.

The amount of drafts drawn on the Treasury, during said year, is one thousand eight

hundred forty three dollars and sixty five cents, for a detail of which see schedule marked B.

The amount of taxes assessed for the year 1852, and applicable to the above liabilities, was one thousand six hundred seventy nine dollars and eighty two cents; to this sum might be added, as assets, the delinquent taxes, amounting, on the first day of January, 1852, to the sum of seven hundred eleven dollars and eighty seven cents.

Only five counties, to wit:

Ramsey, Washington, Benton, Chisago, and Hennepin, have made returns to this office of the taxable property of their respective counties, as required by law, and the last received was on the 28th of this instant. Whether further legislation is necessary to secure a more prompt discharge of duty, is respectfully submitted to the wisdom of the Legislature.

The taxable property of the above counties, for the year 1853, amounts, in aggregate, to \$2,445,437, showing an increase over the preceding year of \$850,311.

An estimate of the ordinary expenses, for the present year, will be found in schedule marked C.

All of which is most respectfully submitted.

A. VAN VORHES,
Territorial Auditor.

SCHEDULE A.

Amount of Territorial Tax for the year ending December 31st, 1853.

Counties.	Amount of Taxable Property.	Tax.
Ramsey	\$1,783,375	\$1,783 37
Washington	438,723	438 72
Benton	97,565	97 56
Chisago	66,412	66 41
Hennepin	59,363	59 36
Wabasha	no returns.	
Dakota	"	
Itasca	"	
Pembina	"	
Cass	"	
Scott	"	
La Sueur	"	
Blue Earth	"	
Nicollet	"	
Fillmore	"	
Sibley	"	
Pierce	"	
Rice	"	
Goodhue	"	
	\$2,445,437	\$2,445 43

SCHEDULE B.

Amount of drafts drawn on the Treasury, during the year ending December 31, 1853.

Attorney General, one quarter salary.....	\$ 62 50	
“ “ Exp. suit U. S. vs. Hatch.....	150 00	
“ “ “ U. S. vs. Fales.....	50 00	262 50
Superintendent of Common Schools, salary in part.....	50 00	
“ “ “ “ publishing school laws.....	52 15	102 15
W. G. LeDuc, Commissioner World's Fair.....	300 00	
“ “ Supreme C. Docket.....	4 50	
“ “ Stationery for Auditor's Office.....	9 50	314 00
Expenses Lake Pepin and St. Peter's road.....	626 00	
“ other roads.....	12 00	638 00
Warden Penitentiary, three quarters' salary.....	450 00	
Inspectors of “.....	27 00	477 00
Salary of Auditor, in part.....		50 00
		\$1,843 65

SCHEDULE C.

Drafts on the Treasury, for the year ending December 31, 1854.

1st. Salaries of officers.		
Territorial Treasurer.....	\$100 00	
“ Auditor.....	100 00	
Attorney General.....	250 00	
Adjutant General.....	150 00	
Warden of the Penitentiary.....	600 00	
Superintendent of Common Schools.....	100 00	\$1,900 00
2d. Miscellaneous.		
Inspectors of Prison, estimated.....	75 00	
Salary of Treasurer for 1853.....	100 00	
“ Auditor, in part, for 1853-4.....	75 00	
Attorney General for 1853, three quarters.....	187 00	
Adjutant General for 1853.....	150 00	
Superintendent of Common Schools, 1853.....	50 00	637 00
		\$1,937 00

REVENUE FOR 1854.

Estimated value of taxable property.....	\$3,000,000
Tax, one mill on the dollar.....	3,000

The third Annual Report of the Board of Regents of the University of Minnesota,
Was taken up, and,

On motion of Mr. Brown,

The reading of said report was dispensed with, and one hundred copies ordered to be printed for the use of the two Houses.

REPORT OF THE BOARD OF REGENTS OF THE UNIVERSITY OF
MINNESOTA.

To the Legislative Assembly of the Territory of Minnesota:

I have the honor to transmit herewith, to the Council and House of Representatives, the third Annual Report of the Board of Regents of the University of Minnesota.

The rapid progress of the Territory, in population and wealth, furnishes the most satisfactory evidence of the wisdom and propriety of the action of the Legislative Assembly, in providing for the establishment of an institution of learning, such as was incorporated by the act of February 25th, 1851. The necessity for a collegiate school, of a high order, is already felt by our citizens. Students are even now demanding better facilities for prosecuting their studies, in the higher branches of learning, than are afforded by common and select schools. Were the erection of a building for the University immediately commenced, and prosecuted with reasonable diligence, and the organization of the department effected without unnecessary delay, it is believed a considerable number of students, residing within the Territory, would be ready, at once, to avail themselves of its advantages. Were such an institution, as that contemplated by the act above referred to, in successful operation, it is reasonable to suppose, that it would not only receive the patronage and support of our own citizens, but, also, that of those from the States. The delightful location of the University, its convenience of access, and the unequalled salubrity of this climate, offer peculiar inducements to the student, and those engaged in literary pursuits.

The Preparatory Department continues under the Superintendence of Prof. Merrill, and is in a flourishing condition. Ninety four students have been in attendance during the past year. Classes in penmanship, and all the common English branches, have been taught. There have, also, been classes every quarter in the higher branches usually taught in Academies, including, Algebra, Astronomy, Latin, French, Physiology, Natural Philosophy, Chemistry, Analysis, and Book keeping. The mild, yet firm and decided system of government adopted by Prof. Merrill, evinces his thorough knowledge of the art of teaching, and has been productive of the most beneficial results. Good order

and harmony have prevailed in the school, and satisfactory progress has generally been made by the pupils in the different branches of study pursued. It is a subject of regret, however, that no adequate provision of apparatus has yet been made, for illustrating the natural sciences. Could this want be supplied, greatly increased advantages would be afforded to the student, and the usefulness of the school be much enhanced.

Several students, who have received instructions in this department of the University, have been engaged in teaching, and others are preparing for the work. As an institution eminently adapted to fit and prepare teachers to supply our rapidly increasing common schools, its importance cannot be over estimated.

Through the liberality of a few active friends of the University, the nucleus of a valuable library has been formed. Its increase must depend upon the generosity of those disposed to aid in providing this indispensable requisite to the proper endowment of the institution.

I beg leave to suggest to your Honorable body, the propriety of passing an act, donating to the library one or more copies of the Revised Statutes, Supreme Court Reports, Session Laws, and such public documents as may be deemed worthy of preservation. A complete collection of these works, commenced thus early, and carefully continued from year to year, would eventually constitute a most valuable and indispensable addition to the library of the University.

Your Honorable body is aware that an act of Congress was passed and approved Feb. 10, 1851, by which two townships of land, in Minnesota Territory, were granted to the use of the University of Minnesota.

At a meeting of the Board of Regents, held in 1852, a committee was appointed to obtain from the proper Department, authority to select and locate said land, or such amount of the same, as the Board of Regents might deem advisable. The Hon. H. H. Sibley, as Chairman of that Committee, accordingly, addressed a letter to the Secretary of the Interior on the subject. A letter was received by him in reply, and, also, one from the Commissioner of the General Land Office; copies of which, marked A and B, are hereto annexed, and respectfully submitted as a part of this report.

In accordance with the instructions of the Commissioner of the General Land Office, a committee was appointed, at a meeting of the Board held in St. Paul, January 27th, 1854, to select and locate lands for the use of the University. They will proceed immediately to the discharge of this duty, and such lands as shall be found valuable and available, will be located the present winter and the coming spring. It is proposed to locate a part in such situations as can be made presently available, should there be found a necessity for the disposal of any part of the same.

The Treasurer's Report shows an indebtedness of seventy dollars still existing against the Board. This is the balance still due on the erection of the building for the Preparatory Department, and completion of the same, so far as it has progressed. As stated in a former report, this work has been carried on entirely by private subscription, the University fund remaining as yet entirely intact.

It may be proper to state, in this connection, that the school has thus far received no assistance from the Board; the teachers receiving no other compensation than tuition fees from the pupils; nor do any of the officers of the Board receive any remuneration for their services.

It was stated, in my last Annual Report, that a proposition had been entertained by the Board of Regents, for selecting a more eligible location, as the permanent site for the University. The subject is still held under advisement, no definite action having yet been had upon it. No urgent necessity existing for immediate action in the premises, it was thought advisable that mature consideration, and full examination, should be had, before acting on a measure of such considerable importance. The committee to whom the subject was referred, has entered into negotiations, having in view the accomplishment of the object, and some decisive action will probably be had during the present winter, or ensuing spring.

Such, in brief, are the present condition and prospects of this infant Institution. The Board of Regents, believing that it is destined, at no distant day, to exert an important influence upon the educational interests of the Territory and future State of Minnesota, respectfully commend it to your favorable consideration, and would solicit, in its behalf the adoption of such measures for its aid and encouragement as your wisdom may suggest.

I. ATWATER,
Secretary of the Board of Regents.

(Copies of Correspondence.)

[A.]

DEPARTMENT OF THE INTERIOR, }
August 26th, 1853. . }

SIR:—Yours of the 15th inst., in relation to the selection of two townships of land for the use and support of a University in Minnesota Territory, under act of Feb. 19, 1851, has been received, and referred to the Commissioner of the General Land Office for appropriate action under the act referred to.

Very respectfully,

Your obedient servant,

R. McCLELLAND,

Secretary.

HON. H. H. SIBLEY,
Mendota, Min. Territory.

B.

GENERAL LAND OFFICE, }
September 2, 1853. }

Sir:—The Secretary of the Interior having referred to this office, your letter to him of the 15th ult., asking that authority may be given the Board of Regents of the University of Minnesota, to make selections for that Institution, under act of Congress, approved 19th of February, 1851; I have the honor to inform you, that, under his authority, instructions have been this day issued to the District Officers in Minnesota, at Stillwater and Sauk Rapids, to respect and report any selections, in accordance with said act, which may be made known to them, by the said Board of Regents.

The 2d Section of the Act referred to, authorizes and directs the Secretary of the Interior, "to set apart and reserve from sale, out of any of the public lands, within the Territory of Minnesota, to which the Indian title has been, or may be, extinguished, and not otherwise appropriated, a quantity of land, not exceeding two entire townships, for the use and support of a University in said Territory, and for no other use or purpose whatever, to be located by legal subdivisions of not less than one entire section."

In making these selections in bodies of land other than technical sections, no less a quantity than 640 acres, can be embraced in a section, and it would be advisable to make every such section, in the quantity of a section, by technical sections or subdivisions of four quarters, eight eighties, or sixteen forty acre tracts.

If otherwise, and a large body of land be taken and reported in one selection, it may result as we are about closing the grant, that a quantity less than a section, may then be due the Territory, which, under the terms of the Act, she could not obtain.

Upon the receipt of the reports from the District Offices, the selections therein will be submitted to the Secretary of the Interior for his action, under the said second section.

Very respectfully,

Your obedient servant,

JOHN WILSON,
Commissioner,

HON. H. H. SIBLEY,
Mendota, Min. Territory.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report :
The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following, viz :

No. 1, (C. F.) A memorial for the erection of a fort at or near Pembina river.

JOSEPH R. BROWN, Council,
HENRY S. PLUMER, House,
Committee.

Messages from the House being now in order,

The following message was taken up, viz :

MR. PRESIDENT—The House has concurred in the second, third, and fourth amendments to

No. 2, (H. of R.) A memorial to Congress to make an appropriation to construct a military road from Winona, on the Mississippi river, to Fort Ridgley, on the Minnesota river;

And refused to concur in the first amendment and the amendment to the title.

The memorial is herewith returned.

The House has passed

No. 6, (H. R.) A memorial to Congress for the establishment of a Military Road from Saint Paul, by way of Little Canada, to Rum river.

The Speaker of the House has signed

No. 2, (C. F.) Joint resolution authorising the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society ;

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling;

No. 5, (H. R.) Memorial to Congress for an appropriation of ten thousand dollars for the construction of a Military Road from St. Anthony Falls to Fort Ridgley.

After the reading of the above message,

The President of the Council signed the following joint resolutions and memorials, viz :

No. 2, (C. F.) Joint resolution authorising the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society ;

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling;

No. 5, (H. R.) Memorial to Congress for an appropriation of ten thousand dollars for the construction of a Military Road from St. Anthony Falls to Fort Ridgley.

No. 6, (H. R.) A memorial to Congress for the establishment of a Military Road from Saint Paul, by way of Little Canada, to Rum river,

Was taken up,

And read a first and second time.

No. 2, (H. of R.) A memorial to Congress to make an appropriation to construction Military road from Winona, on the Mississippi river, to Fort Ridgley, on the Minnesota river,

Was taken up.

The question recurring, Shall the Council recede from the first amendment to the title of said memorial,

It was decided in the affirmative.

So the Council receded from the first amendment to said memorial.

Bills ready for a third reading being in order,

No. 9, (C. F.) A bill making appropriation for the Territorial Library.

Was taken up,

And ordered to a third reading.

Said bill was then passed,

And the title thereof agreed to.

Bills on which a committee of the whole have set, and asked leave to sit again, being now in order,

No. 13, (C. F.) A bill for the establishment of a Commissioner of Emigrants for the Territory of Minnesota in the city of New York,

Was taken up, and,

On motion of Mr. Stearns,

Said bill was laid on the table.

Bills not yet in Committee of the Whole being now in order,

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, to take into consideration

No. 6, (H. of R.) An act entitled an act to locate a Territorial Road from Ft- Paul to intersect the Territorial Road from the Falls of St. Anthony to the Sibley county line,

And after sometime passed therein,

The Committee rose, and, by the chairman, reported the bill back to the Council,

Without amendment,

The report of the Committee was accepted, and

The bill was then ordered to a third reading.

Said bill was then read a third time and passed,

And the title thereof agreed to.

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, to wit:

The Committee on Engrossed Bills beg leave to report, that they have examined and found correctly engrossed, the following bill, viz:

No. 16, (C. F.) A bill entitled an act to establish the terms of the Supreme and District Courts, and for other purposes.

I. VAN ETTEN,

J. E. MOWER,

Committee.

On motion of Mr. Brown,

Said bill was taken up,

And read a third time.

The question then recurring upon the passage of the bill,

It was passed,

And the title thereof agreed to.

Mr. Brown moved to take up

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto.

Pending the question whether said bill be now taken up,

A message from the House was announced;

Whereupon, A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House has signed

No. 1, (C. F.) A memorial for the erection of a fort at or near Pembina river.

The House has passed

No. 4, (C. F.) A bill to amend the Revised Statutes,

With amendment to the title.

The Chief Clerk then withdrew.

The question recurring, shall

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto,

Be now taken up,

It was decided in the affirmative.

Said bill was then taken from the table:

The amendments to said bill being read,

On motion of Mr. Brown,

The amendments were adopted,

And said bill was then laid on the table to be printed.

Mr. Stearns moved to suspend the rule by which bills are required to lay over one day after being read a first and second time, and that No. 5 (C. F.) be now taken up;

Which was agreed to.

No. 5, (C. F.) Memorial to Congress for an appropriation of \$95,000 for the further construction of the Point Douglas and St. Louis River Road; also the Point Douglas and Fort Ripley Road; also the Wabashaw and Mendota Road; and the Swan River and Long Prairie Road,

Was taken up.

On motion of Mr. Stearns,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the chair, having under consideration

No. 5, (C. F.) Memorial to Congress for an appropriation of \$95,000 for the further construction of the Point Douglass and St. Louis River Road; also the Point Douglas and Fort Ripley Road; also the Wabashaw and Mendota Road; and the Swan River and Long Prairie Road.

After sometime passed therein,

The Committee rose, and, by the chairman, reported the memorial back to the Council, Without amendment.

The report of the Committee was accepted.

The question recurring on ordering the memorial to be engrossed and read a third time,

It was agreed to.

Said memorial was then ordered to be engrossed for third reading.

Mr. Murray moved that the fortieth rule be suspended, and

No. 4, (C. F.) A memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river,

Be now taken up;

Which was agreed to.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 4, (C. F.) A memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river.

After sometime passed therein;

The Committee rose, and, by the chairman, reported the memorial back to the Council, with amendments.

The report was accepted.

The question recurring on the Council concurring in the amendments as passed in Committee of the Whole,

It was decided in the affirmative.

The memorial was then ordered to be engrossed for a third reading.

On motion of Mr. Stearns,

The report of the Territorial Treasurer was taken up from the President's desk.

On motion of Mr. Stearns,

The reading was dispensed with,

And 100 copies ordered to be printed for the use of the two Houses.

TREASURER'S REPORT.

TREASURER'S OFFICE,
St. Paul, Feb. 1, 1854. }

To the Legislative Assembly of the Territory of Minnesota :

In compliance with the provisions of law, the Territorial Treasurer makes to your honorable body the following report for the fiscal year ending January 31, 1854:

Since the last report, there has been paid into the Treasury—

In Territorial Orders, (Auditor's Warrants)	\$116 81
in cash	00 00
There has been paid out of the Treasury during the same period	00 00
The cash balance in the Treasury is	00 00

The Auditor's Warrants above named were received of C. A. Tuttle, Esq., the former Treasurer, to balance the sum appearing by the books to be in his hands.

On my coming into office in August last, the former Treasurer turned over to me paid drafts on the County Treasurers of the several Counties, as follows:

On the Treasurer of Benton county, for the taxes of 1851	\$64 78
“ “ “ 1852	103 17
“ Ramsey county, “ 1852	250 85
“ Chisago county, “ 1852	40 89
“ Washington county, “ 1852	343 76
“ “ “ “ 1850	33 17

Total amount unpaid for the years 1850, 1851 and 1852..... \$848 62

There is charged on the Treasury books for Territorial taxes for the year 1852—

Against the county of Itasca	\$8 62
“ “ Hennepin	43 52
“ “ Dakota	36 53
“ “ Wabasha	9 50

Making a total of..... \$98 17

Adding the sum due on drafts..... 848 62

The total is..... \$946 79

The tax appearing to be due from Washington county for the year 1850, was assessed against the Territory without, but for certain purposes attached to, that county, and could not be collected.

Deducting that amount..... \$33 17

The balance due the Treasury is..... \$913 62

To what extent any of the taxes assessed against the counties of Itasca, Hennepin, Dakota, and Wabasha for 1852, can be reckoned as available funds, is left for the Auditor to estimate. The officers of that year were appointed by the Governor under a special provision of statute. The collector of each county, except Wabashaw, has filed his bond in this office, as required by law; but from Wabashaw only has any taxes ever been received. A bond is on file for Cass county, but no tax is charged against the county on the books.

The total amount of Auditor's Warrants now outstanding against the Treasury amounts to.....

\$1,754 88

Deduct the amount due from the several counties

913 62

And there is a balance of liabilities over assets of..... \$841 26

The foregoing estimates, it will be observed, do not include the taxes assessed for the past year, 1853. The statute requires the Clerk of the Board of Commissioners for each county to transmit the amount of assessment for his county to the Auditor instead of to the Treasurer, and it is made the duty of the former, instead of the latter, to keep an account current with the several organized counties.

The former practice has been for the Auditor to transmit to the Territorial Treasurer drafts upon each County Treasurer for the Territorial tax assessed against his county.— No such drafts for 1853 have, as yet, been received, nor has any statement of last year's tax been furnished from any source. The Auditor has informed me, as a reason, that the proper reports have not been made to him.

There is no provision of statute requiring the Treasurer to be informed of the Territorial tax assessed.

The law, as amended, does not make a draft from the Territorial upon the County Treasurer necessary. It says, "that the first moneys which may be returned by the collector from the duplicate of any year, shall be appropriated to the payment of the amount due the Territory for that year from the county, which amount shall be paid to the Territorial Treasurer on or before the first Monday of February, in each year, in gold and silver coin or Territorial Auditor's Warrants.

The only duties now required of the Treasurer are, to receive money as it shall be paid in to him, to pay it out upon the Auditor's Warrants, and to make a yearly report of the balance in the Treasury, with a summary of the receipts and payments. No way is provided by which he may know when the several counties have paid in the full amount due from them, and no provision is made for informing the Auditor, who is made the prosecutor of any delinquencies.

Most of the duties usually devolving upon a Treasurer are assigned to the Auditor, and I can therefore, with propriety, only suggest, generally, that there should be a revision of the whole system by which the financial affairs of the Territory are managed. I have ventured to lay before you a fuller statement than is prescribed by law, in order to show that unless *somebody* is clothed with more specific powers, and burthened with more arduous duties, the Treasury Department of Minnesota will yet be regarded with even less confidence than is now felt towards it.

All of which is respectfully submitted.

GEORGE W. PRESCOTT,
Territorial Treasurer.

On motion of Mr. Brown,

One hundred copies of the Secretary of the Territory's report of the official vote for Delegate to Congress, at an election held in the Territory of Minnesota, October 11, 1853, were ordered to be printed for the use of the two Houses.

SECRETARY'S OFFICE, ST. PAUL, MIN. TER., }
February 2, 1854. }

SIR:—In accordance with a resolution of the Council, I have the honor of enclosing to you the official vote for Delegate to Congress, at an election held in the Territory of Minnesota, October 11, 1853.

I am, sir, very respectfully,

Your obedient servant,

J. TRAVIS ROSSER,

Secretary of Minnesota Territory.

HON. S. B. OLMSTEAD,

President of the Council, present.

OFFICIAL VOTE FOR DELEGATE TO CONGRESS, AT AN ELECTION
HELD IN THE TERRITORY OF MINNESOTA, OCTOBER 11, 1853.

RAMSEY COUNTY.

	H. M. RICE.	A. WILKIN,
St. Paul, 1st Precinct	309	173
“ 2d “	205	73
Little Canada	46	14
St. Anthony	275	32
Manomin	24	00
Rum River	21	00
	<hr/>	<hr/>
	880	292

Rice's majority, 588.

BENTON COUNTY.

Sauk Rapids Precinct	36	10
Swan River	41	4
Crow Wing	25	00
Itasca	25	9
Big Lake	24	9

CASS COUNTY.

Long Prairie	20	4
Chippewa Agency	62	2
	<hr/>	<hr/>
	293	38

Rice's majority, 195.

HENNEPIN COUNTY.

	H. M. RICE.	A. WILKIN.
Different Precincts	160	30
Rice's majority, 130.		

SIBLEY COUNTY.

Henderson Precinct	13	2
Rice's majority, 11.		

WABASHAW COUNTY.

Wabashaw Precinct	10	24
Wilkin's majority, 14.		

DAKOTA COUNTY.

Mendota Precinct	66	11
Town of Hastings	13	17
Kaposia Precinct	35	18
	<hr/>	<hr/>
	114	46
Rice's majority, 68.		

SCOTT COUNTY.

Shakapee Precinct	51	9
Rice's majority, 42.		

BLUE EARTH COUNTY.

Mankato Precinct	7	11
Babcock's Mill Precinct	9	1
	<hr/>	<hr/>
	16	12
Rice's majority, 4.		

LE SUEUR COUNTY.

Le Sueur Precinct	23	8
Rice's majority, 15.		

FILLMORE COUNTY.

Different Precincts	161	12
Rice's majority, 149.		

NICOLLET COUNTY.

Traverse des Sioux	H. M. RICE.	A. WILKIN.
Rice's majority, 81.	81	00

CHISAGO COUNTY.

Rice's majority, 33.	41	8
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WASHINGTON COUNTY.

Point Douglas Precinct.....	30	13
Cottage Grove.....	64	14
Stillwater	106	98
Marine	19	22
	<hr/>	<hr/>
Rice's majority, 141.	288	147

ITASCA COUNTY.

Sandy Lake Precinct.....	No returns.	
Fond du Lac	18	00
Rice's majority, 18.		

PEMBINA COUNTY.

St. Joseph Precinct.....	55	38
Pembina	5	30
	<hr/>	<hr/>
Wilkin's majority, 8.	60	68

No official returns from Goodhue, Rice and Pierce counties.

Mr. Murray moved that the Council do now adjourn;
 Which was decided in the affirmative.
 So the Council adjourned until to-morrow at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:
 J. B. DIXON,
Secretary.

FRIDAY, FEBRUARY 3, 1854.

The Council met pursuant to adjournment, and was called to order by the President at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

And pending the reading of the Journal,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

Mr. PRESIDENT:—The House has passed

No. 16, (C. F.) A bill to establish the terms of the Supreme and District Courts of the Territory, and for other purposes,

With amendments;

In which the concurrence of the Council is respectfully requested.

The Chief Clerk having withdrawn,

The reading of the Journal was resumed.

Mr. Van Etten moved that the further reading of the Journal be dispensed with;

Which was decided in the negative.

The reading of the Journal was then resumed.

Pending the reading of the Journal,

Mr. Stearns moved the further reading of the Journal be dispensed with;

Which was not agreed to.

The reading of the Journal was again resumed and concluded.

Mr. Van Etten presented a petition from B. T. Baldwin and 64 other citizens of the Territory, asking the Legislature to cause to be surveyed, and laid out, a road commencing at a point where the St. Paul and Little Canada road is to intersect the Saint Anthony and Taylor's Falls road, and running to the head of Sunrise river, crossing Rice Lake at the old crossing at Baldwin's.

Mr. Van Etten moved the reading of said petition be dispensed with, and that it be laid on the table to be printed with the Journal;

Which was decided in the affirmative.

To the Honorable Legislature of the Territory of Minnesota:

We, the undersigned, most respectfully ask that your honorable body may cause to be surveyed, and laid out, a road commencing at a point where the St. Paul and Little Canada road is to intersect the Saint Anthony and Taylor's Falls road, and running to the head of Sunrise river, crossing Rice Lake at the old crossing at Baldwin's.

Your petitioners would represent to your honorable body, that this road, for which

they do petition, is about thirty-three miles shorter than the present travelled road from Saint Paul to the head of Sunrise river.

B. T. BALDWIN,
 T. TRAVIS,
 ERASTUS S. EDGERTON,
 A. BUSHENALL,
 BENJ. MERCHANT,
 GEORGE WIRTS,
 F. FARMER,
 JOHN G. TURNBULL,
 H. SCIELD,
 N. E. TYSON,
 C. S. CAVE,
 J. M. LAMB,
 A. WILLOUGHBY,
 S. POWERS,
 E. McLAGAN,
 M. S. WILKINSON,
 L. B. WAIT,
 J. W. SIMPSON,
 J. B. CULVER,
 F. LAMOTT,
 B. PRESLEY,
 JOHN ARSENEAU,
 A. GOODRICH,
 JOHN J. DEWEY,
 E. HOWITZ,
 J. M. MARSHALL,
 M. N. KELLOGG,
 GEORGE IRVINE,
 A. W. TULLIS,
 J. McCORMACK,
 C. P. V. LULL,
 A. G. FULLER,
 THOS. F. MASTERSON,
 J. MYRES,
 FULLER THOMPSON,
 WM. GODFREY,
 J. M. FARMER,
 R. M. SPENCER,
 P. HASKINS,
 L. C. DUNN,
 J. D. GOODRICH,
 THOMAS FAWCETT,
 JOHN FAWCETTE,

W. H. JARVIS,
 LORENZO HOYT,
 A. T. CHAMBLIN,
 CHAS. A. MORGAN,
 L. A. MITCHELL,
 J. W. BASS,
 A. L. LARPENTEUR,
 T. M. SMITH,
 D. L. TURPIN,
 H. A. LAMBERT,
 J. E. FULLERTON,
 T. T. MANN,
 J. BURGESS,
 THOMAS B. POTTS,
 J. C. TERRY,
 ANDREW WALSH,
 A. J. WHITNEY,
 C. T. WHITNEY,
 JOHN IRVINE,
 D. F. BRAWLEY,
 IRA S. KELLOGG,
 D. L. FULLER,

Mr. Van Etten asked, and obtained, leave (previous notice of which had been given) to introduce

No. 19, (C. F.) A bill relating to Auctioneers.

Mr. Van Etten moved that the rules be suspended, and said bill be read a first and second time by its title only;

Which motion being put,

It was agreed to.

Said bill was then read a first and second time,

And laid on the table to be printed.

Mr. Brown asked, and obtained, leave (previous notice of which had been given) to introduce

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes.

On motion of Mr. Brown,

Said bill was read a first and second time,

And laid on the table to be printed.

Reports of committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

The Joint Committee on Enrolled Bills did, on the third day of February, 1854, present to His Excellency, the Governor, for examination and approval, the following, viz:

Memorial to Congress for an appropriation of ten thousand dollars for the construction of a military road from from St. Anthony Falls to Fort Ridgley.

Joint resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society.

Memorial to Congress relative to pre-emption rights to settlers on land recently embraced in the Military Reservation of Fort Snelling.

JOS. R. BROWN, Council,
H. S. PLUMER, House,
Committee.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 10, (H. of R.) An act granting to Noah Armstrong the right to establish and maintain a ferry across the Minnesota river at Eureka;

No. 11, (H. of R.) An act entitled an act to establish a ferry across the Mississippi river.

In which the concurrence of the Council is respectfully requested.

The House has concurred in the Council amendment to

No. 3, (H. of R.) A bill for the construction of a road from Reed's Landing to the Iowa State line.

The Chief Clerk having withdrawn,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined, and found correctly engrossed, the following, viz:

No. 11, (C. F.) A bill to authorize the Probate Judge of Ramsey County to transcribe the records of the Probate Court.

No. 3, (C. F.) A bill to provide for laying out a Territorial Road from Red Wing to Fort Ridgley.

No. 2, (C. F.) A memorial for a further appropriation for the construction of the Wabashaw and Mendota road.

I. VAN ETTEN,
J. E. MOWER,
Committee.

Mr. Van Etten, from the Committee on Territorial Affairs, reported back to the Council,

No. 15, (C. F.) A bill to organize the county of Sibley,

With the following amendments proposed by said committee, viz:

SEC. 1. That the counties of Sibley and Goodhue be, and the same are hereby, declared to be organized counties, with all and singular the rights, privileges and immunities to which all organized counties in this Territory are entitled by law.

SEC. 2. That at the next general election, it shall be competent for the legal voters in said counties of Sibley and Goodhue, respectively, to elect all county officers, justices of the peace, and constables, as said counties may be entitled to by law, which officers shall qualify and enter upon the duties of their office at the time, and in the manner, prescribed by law.

Sec. 3. The southern boundary of Sibley county shall be so changed, that from the mouth of Rush river said line shall follow the middle of said stream, and the main branch thereof, to its source, and thence, on a direct line, to the point on Crow river designated by law as the boundary of said county.

Sec. 4. That the said county of Sibley is hereby attached to the county of Hennepin for judicial purposes, until the county officers of said county shall have been elected and qualified, as contemplated by this act.

Sec. 5. The county seat of said county of Sibley shall be, and is hereby, established at Henderson, in said county: *Provided*, that the Board of County Commissioners first elected in said county, or a majority of them, may, within six months after they shall have qualified, as herein provided, locate the county seat of said county permanently, and shall also have power to pre-empt, for said county, in accordance with the act of Congress, approved entitled one quarter section of land, on which the county buildings of said county shall be erected; *Provided*, that the said Commissioners shall not locate the county seat on land already occupied, unless with the consent of the person or persons claiming and occupying the same, and under such agreement as may be entered into by and between said Commissioners, or a majority of them, and the said claimant or claimants.

Sec. 6. It is hereby declared to be the duty of the Governor of this Territory, so soon as practicable after the passage of this act, to appoint all county officers, justices of the peace, and constables, as the county of Goodhue may be entitled by law; said officers to hold their offices until their successors are elected and qualified, as provided by this act. Such officers, so appointed, shall each qualify, as provided by law, within thirty days after being notified of such appointment, and immediately thereafter shall enter upon the discharge of their respective duties, as prescribed by law.

The county seat of said county of Goodhue is hereby established at Red Wing, in said county; *Provided*, that the Board of County Commissioners first elected in said county, or a majority of them, may, within six months after they shall have qualified, as herein provided, locate the county seat of said county permanently, and shall also have power to pre-empt for said county, in accordance with the act of Congress, approved entitled one quarter section of land, on which the county buildings of said county shall be erected; *Provided*, that the said Commissioners shall not locate the county seat on land already occupied, unless with the consent of the person or persons claiming and occupying the same, and under such agreement as may be entered into by and between said Commissioners, or a majority of them, and said claimant or claimants.

The amendments being read, and

The question recurring on their adoption,

They were adopted.

The bill was then read a second time, under the rules, by its title;

And laid on the table to be printed.

On motion of Mr. Van Etten,

No. 16, (C. F.) A bill to establish the terms of the Supreme Court and District Courts of the Territory, and for other purposes,

Was taken from the table;

And the following message from the House, accompanying said bill, was read, viz:

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

No. 16, (C. F.) A bill to establish the terms of the Supreme and District Courts of the Territory, and for other purposes,

With amendments;

In which the concurrence of the Council is requested.

The question then recurring on the Council concurring in the amendments to said bill, as passed in the House,

And the question being put from the Chair,

It was decided in the affirmative.

So the amendments to said bill were concurred in.

Messages from the House being in order,

The following message was taken up and read:

MR. PRESIDENT:—The Speaker of the House has signed

No. 1, (C. F.) A memorial to Congress for the erection of a fort at or near Pembina river;

No. 4, (C. F.) A bill to amend the Revised Statutes,

With an amendment to the title.

After the reading of the above message,

No. 4, (C. F.) A bill to amend the Revised Statutes,

Was taken up,

And the question recurring on the Council concurring in the amendment to the title, as passed in the House,

And the question being put,

It was decided in the affirmative.

So the amendment to the title was concurred in.

The following message was also taken up and read:

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

No. 10, (H. of R.) An act granting to Noah Armstrong the right to establish a ferry across the Minnesota river at Eureka;

No. 11, (H. of R.) An act entitled an act to establish a ferry across the Mississippi river.

In which the concurrence of the Council is respectfully requested.

The House has concurred in Council amendments to

No. 8, (H. of R.) A bill for the construction of a road from Reed's Landing to the Iowa State line.

After reading the above message,

No. 10, (H. of R.) An act granting to Noah Armstrong the right to establish and maintain a ferry across the Minnesota river, at Eureka, in Blue Earth county,

Was taken up,

And read a first and second time.

Mr. Murray moved that said bill be referred to the Committee on the Judiciary;

Which motion being put,

And a majority of the members voting in the affirmative,

The motion prevailed.

The bill was so referred.

No. 11, (H. of R.) An act entitled an act to establish a ferry across the Mississippi river,

Was taken up,

And read a first and second time.

Mr. Murray moved that said bill be referred to the Committee on the Judiciary;

Which motion being put,

And a majority having voted in the affirmative,

The motion prevailed.

The bill was so referred.

Mr. Brown gave notice that, on to-morrow or some future day, he would ask leave to introduce a memorial to Congress for the establishment of certain additional mail routes in this Territory.

Bills ready for a third reading being in order,

No. 6, (H. of R.) A memorial to Congress for the establishment of a Military road from St. Paul by way of Little Canada to Rum river,

Was taken up, and,

On motion of Mr. Murray,

Said memorial was laid on the table.

Bills, memorials, &c., not yet considered in Committee of the Whole, being now in order,

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the Chair, having under consideration,

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 3, (H. of R.) A bill for an act to establish the county seat of Hennepin county; In which the concurrence of the Council is requested.

The Chief Clerk having withdrawn,

The committee resumed its sitting, and,

After some time passed therein,

The committee rose, and, by the Chairman, reported the bill back to the Council, without amendment.

The report of the Committee of the Whole was accepted.

Mr. Van Etten moved said bill be referred to the committee on Incorporations.

A division was called for and ordered,

Ayes—3;

Nays—4.

A majority having voted against said reference,

15 c. j.

The motion did not prevail.

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

Mr. Brown moved to amend said bill as follows, viz:

Amend section 12 so that it shall read as follows, viz:

“The said bridge shall, after the period of thirty-five years, become the property of the county or counties, town or towns, aforesaid, and shall be kept in repair at the expense of said county or counties, town or towns, aforesaid, and said bridge shall thereafter be, and continue, a free bridge.”

Pending the consideration of said amendment;

On motion of Mr. Brown,

The Council adjourned until Monday, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

MONDAY, FEBRUARY 6, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of Friday last was read.

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

No. 21, (C. F.) A bill to repeal chapter 1 of the acts passed at the fourth session of the Legislative Assembly of this Territory;

Which was read a first and second time;

And laid on the table to be printed.

Reports of committees being in order,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, to wit:

The Committee on Engrossed Bills have examined and found correctly engrossed, the following joint memorial, viz:

No. 3, (C. F.) A memorial to Congress for an appropriation for the construction of the roads in the Territory of Minnesota.

I. VAN ETTEN,
Chairman of Committee.

Mr. Freeborn moved that
No. 2, (H. of R.) Joint Resolution for the relief of Wm. B. Dodd,
Be now taken up,
And the question being put by the Chair,
It was agreed to.

On motion of Mr. Murray,
The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the Chair,
having under consideration,

No. 2, (H. of R.) Joint Resolution for the relief of Wm. B. Dodd.

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

The report of the Committee of the Whole was accepted.

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

Mr. Van Etten moved that said joint resolution be referred to the Committee on Territorial Affairs.

The question being put,
It was decided in the affirmative.

The joint resolution was so referred.

Messages from the House being in order,

The following message was taken up from the table, and read by the Secretary:

MR. PRESIDENT:—The House has passed

No. 2, (H. of R.) A bill for an act to establish the county seat of Hennepin county;
In which the concurrence of the Council is requested.

After the reading of said message,

No. 2, (H. of R.) A bill for an act to establish the county seat of Hennepin county,
Was taken up,

And read the first and second time.

Mr. Murray moved that the rule be suspended, and that the Council do now resolve itself into a Committee of the Whole, for the consideration of

No. 2, (H. of R.) A bill for an act to establish the county seat of Hennepin county;
Which motion being put,

It was agreed to.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair,
having under consideration,

No. 2, (H. of R.) A bill for an act to establish the county seat of Hennepin county.

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

The report of the Committee of the Whole was accepted.

Mr. Murray moved that the rule be suspended, and said bill be read a third time;

The question recurring upon the adoption of said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 3, nays 3.

Those who voted in the affirmative were,

Messrs. Brown, Murray, and Van Etten—3.

Those who voted in the negative were,

Messrs. Freeborn, Stearns and President—3.

Two-thirds of the members not having voted in favor of the suspension of the rule,

The motion was not adopted.

Said bill was then ordered to a third reading to-morrow.

Mr. Murray moved that

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company,

Be taken up;

Which was agreed to.

And the question recurring on the adoption of the amendment to section twelve of said bill,

It was read, as follows :

Amend section twelve, so that it shall read as follows, viz :

“The said bridge shall, after the period of thirty-five years, become the property of the county or counties, town or towns, aforesaid, and shall be kept in repair at the expense of said county or counties, town or towns, aforesaid, and said bridge shall thereafter be, and continue, a free bridge.

The amendment to said bill was adopted.

Mr. Van Etten moved to amend said bill as follows, viz :

Strike out, in line two, the word “ten,” after the word “passage,” and insert “five” in lieu thereof;

Also, after the word “fifteen,” after the word “rider,” and insert “ten” in lieu thereof.

Also, after the word “carriage,” in line four, strike out the words “twenty-five,” and insert “fifteen” in lieu thereof.

The question recurring upon the adoption of the amendments,

A division was called for and ordered,

And a majority voting against the amendments,

They were not adopted.

Mr. Murray offered the following amendment to said bill, to wit :

Strike out the word fifteen, and insert ten, in section 15.

Mr. Brown offered the following amendment to the amendment :

Strike out the word ten and insert the word five in lieu thereof.

Mr. Van Etten moved said bill be referred to the Committee on Corporations;

Which motion being put,

It was negatived.

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

A division was called for and ordered,

And there were yeas 3, nays 1.

A majority having voted in the affirmative,

The amendment to the amendment was adopted.

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

It was decided in the affirmative.

So the amendment was adopted.

Mr. Van Eetten offered the following amendment to said bill, viz:

Insert after the word bridge, in section fifteen, the following:

“So far as to admit of passage over it;”

Upon the adoption of which,

A division was called for and ordered,

And a majority having voted in the affirmative,

The amendment was adopted.

The bill was then ordered to be engrossed for a third reading.

Bills ready for a third reading being in order,

No. 2, (C. F.) A memorial to Congress for a further appropriation for the construction of the Wabashaw and Mendota road,

Was taken up,

And ordered to a third reading.

Said memorial was then read a third time.

The question recurring, “Shall the memorial pass?”

It was passed.

The question then recurring on agreeing to its title,

It was agreed to.

No. 8, (C. F.) A bill to provide for laying out a Territorial Road from Red Wing to Fort Ridgley,

Was taken up,

And ordered to a third reading.

Said bill was then read a third time.

The question recurring upon the passage of the bill,

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

No. 11, (C. F.) A bill to authorize the Probate Judge of Ramsey County to transcribe the records of the Probate Court,

Was taken up,

And ordered to a third reading.

Said bill was then read a third time.

The question recurring on the passage of the bill,

It was passed.

The question then recurring on agreeing to its title,

It was agreed to.

No. 3, (C. F.) A memorial to Congress for an appropriation for the construction of roads in the Territory of Minnesota,

Was taken up,

And ordered to a third reading.

The bill was then read a third time by its title.

The question recurring on the passage of said bill;

It was passed.

The question being upon agreeing to its title,

It was agreed to.

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, to wit:

The Committee on Engrossed Bills beg leave to report, that they have examined and found correctly engrossed, the following, viz:

No. 4, (C. F.) A memorial to Congress for grant of lands for the construction of a Railroad from some point on Lake St. Croix, or St. Croix River, to St. Paul and St. Anthony, and thence to the Western boundary of the Territory, the Red river of the North, and the St. Louis river,

I. VAN ETTEN,

Chairman Committee.

A message from the Governor being announced,

R. A. Smith, Esq., the Private Secretary of his Excellency, appeared and handed in a message in writing:

The Private Secretary of his Excellency then withdrew.

No. 4, (C. F.) A memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river,

Was taken up,

And ordered to a third reading.

Pending the reading of said memorial,

Mr. Murray moved the reading of said memorial at length be dispensed with;

Which motion being put,

It was adopted.

Mr. Murray asked and obtained the unanimous consent of the Council to offer the following amendments to said memorial, viz:

Strike out the word factories, and insert the word fabrics, in the tenth section and fifteenth line.

The question being put,

The amendment was adopted.

The memorial was then read a third time.

The question recurring, "Shall the memorial pass?"

It was passed.

The question then being upon agreeing to its title,

Mr. Brown moved to strike out all after the word railroad;

Which motion being put,

It was negatived,

And the title of the memorial agreed to,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 16, (C. F.) A bill entitled an act to establish the terms of the Supreme and District Courts, and for other purposes.

No. 4, (C. F.) A bill entitled an act to amend chapter eight, article first, and chapter fifth and eleventh, of article tenth, of the Revised Statutes.

JOSEPH R. BROWN, Council,
R. M. RICHARDSON, House,
Committee.

Mr. Brown moved that the Council resolve itself into a Committee of the Whole, for the consideration of

No. 3, (C. F.) A memorial to Congress relative to the Half Breed Lands in Minnesota.

The question being put upon said motion,
It was not agreed to.

Mr. Murray moved that the Council do now adjourn;

Upon which motion,

A division was called for and ordered,
And a majority voting in the negative,
The motion was lost.

Mr. Brown moved that

No. 3, (C. F.) A memorial to Congress relative to the Half Breed Lands of Minnesota,

Be now taken up;

Which motion being put,

It was agreed to.

Said memorial was then taken up.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the Chair having under consideration

No. 3, (C. F.) A memorial to Congress relative to the Half Breed Lands in Minnesota.

After sometime passed therein,

The Committee rose, and, by the chairman, reported the memorial back to the Council, with amendments.

The report of the Committee of the Whole was accepted.

The question recurring on the Council concurring in the amendments, as proposed in Committee of the Whole,

And question being put from the chair,

It was decided in the affirmative.

So the amendments were agreed to.

The memorial was then ordered to be engrossed for a third reading.

On motion of Mr. Brown,

The Council resolved itself into Executive Session.

After sometime passed therein,

The doors were again opened.

Mr. Brown moved that the Council do now adjourn;

Which was decided in the affirmative.

So the Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

TUESDAY, FEBRUARY 7, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Letters, petitions, &c., being in order,

Mr. Stearns presented a petition from Edward Murphy, and twenty-seven others, citizens of the Territory,

Also, a petition from John Wass and nine others,

Also, a letter signed by Edward Murphy, one of the committee from the town of Minneapolis,

Praying for the location of the county seat of Hennepin county.

On motion of Mr. Murray,

The reading of the names of the signers to said petitions was dispensed with.

Mr. Stearns moved that the said letter and petitions be referred to a select committee

Mr. Murray moved said letter and petitions be laid on the table.

The question being put,

"Shall said letter and petitions be laid on the table?"

It was decided in the negative.

The question then recurring on referring the letter and petition to a select committee,

It was decided in the negative.

Mr. Murray moved said letter and petitions be laid on the table.

The question again recurring,

"Shall said letter and petitions be laid on the table?"

It was decided in the affirmative.

So they were laid on the table.

Reports of committees being in order,

Mr. Van ETTEN, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined and found correctly engrossed the following, viz:

No. 3, (C. F.) A memorial to Congress relative to the Half Breed Lands in Minnesota.

I. VAN ETTEN,
Chairman.

Mr. Murray moved that the Council do now resolve itself into Executive session.

Upon which motion,

A division was called for and ordered;

And there were yeas 3, nays 2.

So the motion was adopted.

The Council then resolved itself into Executive session.

After sometime passed therein, the doors were again opened.

A message from the House being announced,

A. J. Morgan, Esq., Chief Clerk of the House, appeared and delivered the following message:

The Governor has informed the House that he has approved and signed the following memorials:

No. 1, (H. of R.) A memorial to Congress relative to pre-emption rights to settlers on lands recently embraced in the Military Reservation of Fort Snelling;

No. 5, (H. of R.) A memorial to Congress relative to an appropriation for the construction of a Military road from St. Anthony Falls to Fort Ridgley.

The House has refused to pass

No. 9, (C. F.) A bill making appropriation for the Territorial Library.

The Chief Clerk then withdrew.

Messages from the House being now in order,

The following message was taken up and read, viz:

MR. PRESIDENT:—The Governor has informed the House that he has approved and signed the following memorials:

Mo. 1, (H. of R.) Memorial to Congress relative to pre-emption rights to settlers on land recently embraced in the Military Reservation of Fort Snelling.

No. 5, (H. of R.) Memorial to Congress relative to an appropriation for the construction of a Military road from the Falls of St. Anthony to Fort Ridgley.

The House has refused to pass

No. 9, (C. F.) A bill making appropriation for the Territorial Library.

It being in the special order of business,

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 10, (C. F.) A bill to incorporate the Bank of Minnesota.

Pending the sitting of the Committee of the Whole,

A message from the House was announced.

c. j. 16.

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House has signed the following bills:

An act to amend chapter 8, article 1st, and chapters 5th and 11th, of article 10th, of the Revised Statutes; and

An act to establish the terms of the Supreme and District Courts of the Territory, and for other purposes.

The Chief Clerk having withdrawn,

The committee resumed its sitting, having under further consideration

No. 10, (C. F.) A bill to incorporate the Bank of Minnesota.

Pending the sitting of the Committee of the Whole,

A message from his Excellency, the Governor, was announced,

And, the President having taken the chair for the reception thereof,

R. A. Smith, Esq., the Private Secretary of the Governor, appeared, and handed in a message in writing.

The Private Secretary having withdrawn,

The Committee resumed its sitting on said bill, and,

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

The report of the committee was accepted.

On motion of Mr. Murray,

The Council resolved itself into Executive session, and,

After sometime passed therein,

The doors were again opened.

Bills ready for a third reading being in order,

No. 2, (H. of R.) A bill for an act to establish the county seat of Hennepin county, Was taken from the table.

Mr. Stearns moved that the Council do now adjourn;

And the question recurring on the motion to adjourn;

It was decided in the negative.

Mr. Stearns asked, and obtained, leave to present a petition signed by W. Allen and 77 others, citizens of the Territory, praying for the location of the county seat of Hennepin county, opposite the Falls of St. Anthony, in the town of Minneapolis, at a point agreed upon by the citizens of said town, and if such be not determined upon by your body, that you refer to a direct vote of the people.

On motion of Mr. Stearns,

The reading of the names of the signers to said petition was dispensed with:

Pending the consideration of said petition,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared, and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 7, (H. of R.) A bill for the protection of school lands, and other purposes.

No. 8, (H. of R.) A memorial to Congress praying for pre-emption rights on unsurveyed lands.

In which the concurrence of the Council is requested.

The Chief Clerk then withdrew.

The consideration of said petition being resumed,

Mr. Freeborn moved that

No. 2, (H. of R.) A bill for an act to establish the county seat of Hennepin county,

Be referred to a select committee.

Mr. Brown moved to amend said motion by striking out the words "select committee," and inserting "Committee on Territorial Affairs," in lieu thereof;

Which motion being put,

It was decided in the negative.

The question then recurring on referring said bill to a select committee,

A division was called for and ordered,

And there were ayes 3, nays 3.

So the motion did not prevail.

Mr. Murray moved said bill be now read a third time;

Upon which motion,

A division was called for and ordered,

And there were ayes 3, nays 3.

The motion was not agreed to.

On motion of Mr. Stearns,

The Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council,

Attest:

J. B. DIXON,
Secretary.

WEDNESDAY, FEBRUARY 8, 1854.

The President called the Council to order, pursuant to adjournment, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved,

Letters, petitions, &c., being in order,

Mr. Brown presented petitions from C. Moffett, and nine others, and P. Prescott, and twelve others, praying for a prohibitory liquor law.

Mr. Brown moved the reading of said petitions be dispensed with;

Which motion being put,

It was agreed to.

Mr. Brown moved said petitions be referred to a select committee of three;

And the motion being put,

It was adopted.

Messrs. Brown, Murray, and Mower, were appointed said committee.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, to wit:

The Joint Committee on Enrolled Bills did, on the 6th day of February, 1854, present to his Excellency, the Governor, for examination and approval, the following bills, viz:

A bill entitled an act to amend chapter 8, article 1st, and chapters 5th and 11th, of article 10th, of the Revised Statutes; and

A bill entitled an act to establish the terms of the Supreme and District Courts of the Territory, and for other purposes.

J. R. BROWN, Council,
H. S. PLUMER, House,
Committee.

Mr. Murray asked and obtained leave to introduce

No. 22, (C. F.) A bill to amend the Revised Statutes.

Pending the reading of said bill,

A message from the Governor was announced;

Whereupon, Robert A. Smith, Esq., the Private Secretary, appeared, and delivered the following message:

EXECUTIVE OFFICE, ST. PAUL,
February 8, 1854.

SIR:—I am directed by the Governor to inform the Council that he did, on the 7th instant, approve and sign

An act entitled an act to establish the terms of the Supreme and District Courts of the Territory, and for other purposes;

Also an act entitled an act to amend chapter 8, article 1st, and chapters 5th and 11th, of article 10th, of the Revised States:

Each of which originated in the Council.

The Private Secretary then withdrew;

And the reading of

No. 22, (C. F.) An act to amend the Revised Statutes,

Was resumed.

Said bill was read a first and second time,

And laid on the table to be printed.

Mr. Brown asked and obtained leave to present a petition from R. P. Russell, and 118 others, relative to the Council Districts of this Territory.

Mr. Brown moved said petition be laid on the table;
 Which motion being put,
 It was decided in the negative.
 Pending the reading of said petition,
 On motion of Mr. Van Etten,
 The further reading of said petition was dispensed with.

On motion of Mr. Van Etten,
 Said petition was ordered to lay on the table.

On motion of Mr. Van Etten,
 The Council resolved itself into Executive session;
 And after sometime passed therein,
 The doors were again opened.

Messages from the House of Representatives being in order,
 The following message was taken up and read:

MR. PRESIDENT:—The House has passed

No. 7, (H. of R.) A bill for the protection of school lands, and for other purposes.

No. 8, (H. of R.) Memorial to Congress praying for pre-emption rights on unsurveyed lands.

In which the concurrence of the Council is requested.

After the reading of the above message,

No. 8, (H. of R.) A memorial to Congress praying for pre-emption rights on unsurveyed lands,

Was taken up,

And read a first and second time.

No. 7, (H. of R.) A bill for the protection of School Lands, and for other purposes,

Was taken up,

And read a first and second time.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 7, (H. of R.) Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids.

No. 12, (H. of R.) A bill for an act granting to E. Cole and H. R. Rathburne the right to establish and maintain a ferry across the Minnesota river at Mankato.

No. 9, (H. of R.) A memorial to Congress for grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river.

In which the concurrence of the Council is respectfully requested.

The Chief Clerk having withdrawn,

Mr. Murray moved that

No. 7, (H. of R.) A bill for the protection of School Lands, and for other purposes,

Be referred to the Committee on Schools;

And the question being put from the Chair,

It was decided in the affirmative.

Said bill was so referred.

Messages from the House being in order,

The following message was taken up and read:

MR. PRESIDENT:—The Speaker of the House has signed

An act to amend chapter 8, article 1st, and chapters 5th and 11th, of article 10th, of the Revised Statutes; and

An act to establish the terms of the Supreme and District Courts of the Territory, and for other purposes.

After reading the above message,

The President signed the following acts:

An act to amend chapter 8, article 1st, and chapters 5th and 11th, of article 10th, of the Revised Statutes; also

An act to establish the terms of the Supreme and District Courts of the Territory, and for other purposes.

Bills on which a Committee of the Whole has made progress, and asked leave to sit again, being now in order,

No. 10, (C. F.) A bill to incorporate the Bank of Minnesota,

Was taken up, and,

On motion of Mr. Brown,

Ordered to lay over.

Bills ready for a third reading being in order,

A memorial to Congress relative to the Half Breed Lands of Minnesota,

Was taken up,

And ordered to a third reading.

Pending the reading of the memorial,

Mr. Brown moved the reading of said memorial at length be dispensed with;

Which motion being put,

And a majority of the members voting in the affirmative,

The motion prevailed.

Mr. Brown asked and obtained the unanimous consent of the Council to strike out the word "chief," wherever it occurs in said memorial.

The memorial was then read a third time.

The question recurring upon the passage of said memorial,

It was passed.

The question then recurring on agreeing to its title,

It was agreed to.

No. 2, (H. of R.) A bill for an act to establish the county seat of Hennepin county,

Was taken up,

And ordered to a third reading.

Said bill was then read a third time.

The question recurring upon the passage of the bill,

And the yeas and nays being called for and ordered, resulted as follows—yeas 4, nays 3.

Those who voted in the affirmative were,

Messrs. Brown, Murray, Van Etten, and Mr. President.

Those who voted in the negative were,

Messrs. Freeborn, Mower, and Stearns.

A majority having voted in the affirmative;

Said bill was passed.

The question then recurring on agreeing to the title,

It was agreed to.

Mr. Van Etten moved that the Council do now adjourn;

Which motion being put,

It was not agreed to.

On motion of Mr. Murray,

Mr. Van Etten was excused from further attendance in the Council this day,

On motion of Mr. Murray,

The following message was taken up and read:

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

No. 7, (H. of R.) Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids.

No. 12, (H. of R.) A bill for an act granting to E. Cole and H. Rathburne the right to establish and maintain a ferry across the Minnesota river at Mankato.

No. 9, (H. of R.) Memorial to Congress for grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony; and thence to the western boundary of the Territory, the Red River of the North and the St. Louis river.

In which the concurrence of the Council is requested.

After the reading of the above message,

No. 9, (H. of R.) A memorial to Congress for grant of lands for the construction of a railroad from some point on Lake or River St. Croix to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river,

Was taken up.

Mr. Murray moved that the rule be suspended, and said memorial read a first and second time by its title only;

And the question being put,

It was decided in the affirmative.

Said memorial was then read a first and second time:

No. 12, (H. of R.) A bill for an act granting to E. Cole and H. Rathburne the right to establish and maintain a ferry across the Minnesota river at Mankato,

Was taken up.

Mr. Brown moved that the rule be suspended, and said bill be read a first and second time by its title only;

Which motion being put,

It was agreed to.

Said bill was then read a first and second time.

Mr. Stearns moved that said bill be referred to the Committee on the Judiciary;

Which motion being put,

It was agreed to.

Said bill was so referred.

No. 7, (H. of R.) Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids,

Was taken up, and,

On motion of Mr. Murray,

The rule was suspended and said memorial was read a first and second time by its title only:

On motion of Mr. Murray;

The Council resolved itself into a Committee of the Whole, Mr. Brown in the Chair, having under consideration,

Ho. 9, (H. of R.) Memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake or River St. Croix to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river.

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

The report of the Committee of the Whole was accepted.

Mr. Stearns moved the memorial be indefinitely postponed;

Upon which motion,

A division was called for and ordered,

And a majority having voted in the negative,

It was not agreed to.

Mr. Brown moved to amend the memorial as follows:

In the seventh line, third paragraph, add the words "now known."

And the question being put,

It was decided in the affirmative.

Mr. Stearns moved to amend said memorial as follows:

Insert after the last word in the last line of said memorial,

"Amen, so mote it be!"

And the question being put,

It was not adopted.

Mr. Brown moved to amend said memorial as follows:

In the fifth line and eighth paragraph, after "when," insert

"With the assistance of the proposed road, they will be enabled to run over them, and;"

Which motion being put,

It was adopted.

Mr. Brown offered the following amendment:

Insert, after the word "saws," "and thousand of men;"

Upon which motion,

A division was called for and ordered,

And a majority having voted against said amendment,

It was not adopted.

Mr. Brown moved to strike out the eleventh paragraph of the memorial;
Which motion being put,

It was agreed to.

Mr. Brown moved to amend said memorial as follows:

Strike out, in 18th paragraph, the word "branches," and insert "road," after proposed;
Which motion being put,

It was negatived.

Mr. Brown moved to amend said memorial as follows:

In thirteenth paragraph, strike out "Northwest," and insert "Continent of America;"
And the motion being put,

It was adopted.

Mr. Freeborn moved that the Council do now adjourn;

Which motion, on leave, was withdrawn.

Mr. Brown moved to amend said memorial as follows:

In fifteenth paragraph, strike out "and now estrayed;"

And the question being put,

It was agreed to.

Mr. Murray moved that the rule be suspended and that said memorial be read a third
time by its title;

Which motion being put,

It was agreed to.

Said memorial was then read a third time;

And the question recurring on its passage,

It was passed.

The question then recurring on agreeing to its title,

It was agreed to.

Mr. Freeborn moved the Council do now adjourn;

And the question being put,

It was decided in the affirmative.

The Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

THURSDAY, FEBRUARY 9, 1854.

The Council met pursuant to adjournment, and was called to order by the President at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Letters, petitions, &c., being in order,

Mr. Olmstead (Mr. Murray in the chair) presented a petition from Lucy M. Lewis, and 32 other women of Benton county, praying for a prohibitory liquor law.

On motion of Mr. Olmstead,

Said petition was referred to the select committee to whom petitions, &c., of a similar nature have been referred.

The President having resumed the chair,

Mr. Brown offered the following resolution:

Whereas, At a meeting in the Hall of the House of Representatives last evening, much valuable information was laid before said meeting by Hon. Wm. H. Nobles relative to an emigrant route from St. Paul, by Fort Ridgley, Fort Laramie, and Nobles' Pass, to Oregon and California; and

Whereas, the dissemination of the information thus obtained would be vastly beneficial to the interests of this Territory; therefore,

Resolved, That the Secretary of the Council be, and he is hereby, authorized to procure from Mr. Nobles the said information, and cause one thousand copies thereof to be printed, in connection with the proceedings of said meeting, for the use of the Council.

The question recurring upon the adoption of said resolution,

It was adopted.

Reports of committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 3, (H. of R.) A bill for the construction of a road from Reed's Landing to the Iowa State line.

No. 6, (H. of R.) An act entitled "An act to locate a Territorial road from St. Paul to intersect the Territorial road from the Falls of St. Anthony to the Sibley County line.

No. 6, (C. F.) A bill entitled an act to provide for laying out a Territorial Road from St. Paul, by Fort Ridgley, to the Missouri river.

No. 3, (C. F.) A bill to provide for laying out a Territorial Road from St. Anthony and St. Paul to Taylor's Falls.

No. 4, (H. of R.) A memorial to Congress for a Military road to Oregon and California.

J. R. BROWN, Council,
H. S. PLUMER, House,
Committee.

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

A bill to organize the Minneapolis and Little Falls Plank Road Company;
Also, a bill to organize the Minneapolis and Lake Minnetonka Plank Road Company.

Mr. Van Etten, from the Committee on Territorial Affairs, to whom was referred No. 2, (H. of R.) Joint resolution for the relief of Wm. B. Dodd,

Made the following report:

They have had the said resolution under consideration, and beg leave to return said Joint Resolution back to the Council, without amendment.

On motion of Mr. Brown,

Said resolution was taken up,

And ordered to a third reading.

Said resolution was then read a third time.

The question recurring upon the passage of the resolution,

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

On motion of Mr. Van Etten,

No. 6, (H. of R.) A memorial to Congress for the establishment of a Military Road from Saint Paul, by way of Little Canada, to Rum river,

Was taken up.

Mr. Van Etten moved that the Council do now resolve itself into a Committee of the Whole, to take into consideration said memorial;

Which motion being put,

It was negatived.

Mr. Van Etten moved the reconsideration of the vote by which the Council refused to go into Committee of the Whole on said memorial.

The question being put,

It was decided in the affirmative.

The question then recurring on the Council resolving itself into a Committee of the Whole, for the consideration of

No. 6, (H. of R.) A memorial to Congress for the establishment of a Military road from St. Paul by way of Little Canada to Rum river;

And the question being put by the Chair,

It was agreed to.

The Council then resolved itself into a Committee of the Whole, Mr. Brown in the chair, having under consideration

No. 6, (H. of R.) A memorial to Congress for the establishment of a Military Road from St. Paul, by way of Little Canada, to Rum River.

And after some time passed therein, the committee rose, and, by the Chairman, reported the memorial back to the Council, and recommended its passage.

The report of the Committee of the Whole was accepted.

The memorial was then ordered to a third reading.

Mr. Van Etten asked, and obtained, the unanimous consent of the Council to offer the following amendment to said memorial, viz:

Strike out the word "military" wherever it occurs in said memorial;

The question then recurring on the adoption of the amendment,

A division was called for and ordered,

A majority having voted in the affirmative,

The amendment was adopted.

Said memorial was then read a third time, as amended;

The question recurring, "Shall the memorial pass?"

It was passed,

The question then recurring on agreeing to its title,

Mr. Stearns moved to amend the title by striking out the word "military."

The question being put,

It was agreed to.

The title of said memorial, as amended, was then agreed to.

Mr. Brown moved to take up

No. 15, (C. F.) A bill to organize the county of Sibley;

Which motion being put,

It was agreed to.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration,

No. 15, (C. F.) A bill to organize the county of Sibley.

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

The report of the Committee of the Whole was accepted.

The question then recurring on the Council concurring in the amendments as proposed in the Committee of the Whole,

It was decided in the affirmative.

The bill was then ordered to be engrossed for a third reading.

Mr. Murray asked, and obtained, leave (previous notice having been given) to introduce

No. 23, (C. F.) A bill prescribing the qualifications of electors, and the mode of voting, and amending certain provisions of the Revised Statutes relating thereto;

Which was read the first and second time,

And laid on the table to be printed,

On motion of Mr. Brown,

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes,

Was taken up.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Mower in the Chair, having under consideration,

No. 20, (C. F.) A bill to establish three additional Council districts in this Territory, and for other purposes.

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

The report of the Committee of the Whole was accepted.

Mr. Brown moved that said bill be referred to the Committee on Territorial Affairs.

Mr. Van Etten moved to amend said motion by referring the bill to a select committee.

The amendment being accepted by the mover of the original motion,

And the question recurring upon the adoption of the amendment to refer said bill to a select committee,

It was decided in the affirmative.

The President appointed Messrs. Van Etten, Brown, and Stearns, said committee.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed

No. 4, (C. F.) A memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river.

No. 8, (C. F.) A bill to provide for laying out a Territorial road from Red Wing to Fort Ridgley;

No. 3, (C. F.) A memorial to Congress for an appropriation for the construction of the roads in the Territory of Minnesota.

The House has passed

No. 6, (H. of R.) An act granting to Zadock M. Brown the right to establish and maintain a ferry across the Mississippi river.

No. 14, (H. of R.) An act to incorporate the Grand Lodge of Minnesota I. O. O. F.

No. 15, (H. of R.) A bill to incorporate the German Reading Society of St. Paul.

No. 16, (H. of R.) A bill for an act to prohibit the circulation of unauthorized notes as currency.

In which the concurrence of the Council is respectfully requested.

The Chief Clerk having withdrawn,

On motion of Mr. Van Etten,

No. 19, (C. F.) A bill relating to Auctioneers,

Was taken up,

On motion of Mr. Van Etten,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the Chair, having under consideration

No. 19, (C. F.) A bill relating to Auctioneers.

After sometime passed therein,

The Committee rose, and, by the chairman, reported progress, and asked leave to sit again on said bill.

The report of the Committee of the Whole was accepted.

Mr. Van Etten moved said bill be referred to the Committee on Incorporations;

Which motion being put,

It was adopted.

Said bill was so referred.

Mr. Brown moved the message from the House be taken up.

Pending the consideration of which motion,

Mr. Murray moved that the Council do now adjourn;

A division was called for and ordered,

And there were yeas 4, nays 3.

And a majority having voted in the affirmative,

The Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

FRIDAY, FEBRUARY 10, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The reading of the Journal of yesterday was commenced;

Pending the reading thereof,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed

No. 6, (H. of R.) An act to locate a Territorial road from St. Paul to intersect the Territorial road from the Falls of St. Anthony to the Sibley County line.

No. 3, (H. of R.) A bill for the construction of a road from Reed's Landing to the Iowa State line.

No. 4, (H. of R.) Memorial to Congress for a Military road to Oregon and California.

No. 6, (C. F.) An act to provide for laying out a Territorial Road from St. Paul, by Fort Ridgley, to the Missouri river.

An act to provide for laying out a Territorial Road from St. Anthony and St. Paul to Taylor's Falls.

The Chief Clerk having withdrawn,

The reading of the Journal was resumed and concluded.

Letters, petitions, &c., being in order,

Mr. Murray presented a petition from Wm. L. Larned, and 90 others, praying for the formation of a new county from parts of the present counties of Benton and Ramsey.

Mr. Murray moved that said petition be referred to a select committee.

Which motion being put,

And a majority having voted in the affirmative,

The motion prevailed.

The President appointed Messrs. Murray, Freeborn and Stearns, said committee.

Mr. Freeborn presented a petition from C. R. Read, and 23 others, of Wabashaw county relative to the county line of said county.

Also, a petition from Wm. W. Sweeney, and 53 other citizens of Goodhue county, in relation to the organization of said county.

Mr. Freeborn moved that the above petitions be laid on the table and printed with the journal;

And the question being put from the chair,

It was decided in the affirmative.

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

The petition of the undersigned, citizens of Goodhue county, respectfully represents that the population of said county is now two hundred, and will before the next general election, or session of the Legislature, be quadrupled, imperatively demanding an organization of the county; and whereas, the standard parallel and meridian lines have been established by government surveyors, affording the means of, definitely and accurately defining the boundaries of the county: We respectfully pray you to amend the act by which said county was erected, by fixing its boundaries conformable to surveyed lines, and to organize the same by providing for the appointment or election of officers. Also, we respectfully ask that Red Wing may be declared the county seat.

And, as in duty bound, we will ever pray, &c.

WM. W. SWEENEY,
 B. T. DEGAMEN,
 THOMAS J. SMITH,
 W. K. CULBERTSON,
 A. T. CULBERTSON,
 W. HUNT,
 H. L. BEVINS,
 N. RANDALL,

JAS. MCGINNIS,
ANDRUS DURAND,
P. S. FISH,
WM. DODGE,
ED. STOUGHTON,
MATHIAS PENDERSON,
W. B. HANDCOCK,
WM. LAWVER,
WM. ADAMS,
S. M. ROUSE,
C. A. ROUSE,
R. SPATES,
JOHN DAY,
DAVID PACHETT,
C. POTTER,
N. NEVINS,
ABRAM PATTERSON,
PETER GRIN,
WM. FREEBORN,
HANS MATTSON,
S. J. WILEARD,
ALBERT OLSON,
ED L. ROUSE,
WM L. ROUSE,
JOSEPH MEDDAGH, Jr.
C. E. STEVENS,
W. D. CHILSON,
OLIVER OLSON,
CHARLES RUSE,
J. CHAMPY,
JOHN OLSON,
GEO. DEAVENPORT,
LEWIS SPARROW,
J. W. HANDCOCK,
M. SORIN,
E. A. HOYT,
CHAS. PARKS,
C. HUTTON,
J. SANDRESS,
JACOB CHUSERROWN,
JOHN ADDAMS,
JOHN CARY,
J. YOUNG,
JAMES ACRES,
CHARLES OLSON,

*To the Honorable Council and House of Representatives of the Legislative Assembly
of Minnesota Territory:*

The petition of the undersigned, citizens of Wabashaw county, respectfully represents that since the survey, in part, by the government, of the lands in said county, it is desirable that county lines, which are now indefinite and unascertained, should be accurately defined by township and range lines: We therefore pray you to readjust the boundaries of our county to conform with the surveys.

And whereas, the "Half Breed Tract," so called, embraces a large portion of Wabashaw county, preventing its speedy settlement, and our population being now small, we respectfully solicit to be attached, for the present, to Goodhue county for judicial purposes.

Respectfully, &c.,

C. R. READ,

F. S. RICHARDS,

L. RICHARDS,

B. H. LEVEY,

WM. R. MARSHALL,

WM. CAMPBELL,

JOHN CAMPBELL, Sr.,

JOHN CAMPBELL, Jr.,

JEREMIAH CAMPBELL,

ORRIN I. KERNER,

WM. RUSSECOTTE,

J. A. COULER,

DAVID CAMPBELL,

THOMAS SMITH,

WM. WHITMARSH,

SAMUEL A. KEMP,

CHAS. RAESTER,

— GOIN,

JOHN MCKENZIE,

DUNCAN MCKENZIE,

THOMAS MURPEY,

THOMAS TRULSON,

P. P. TUTTLE.

Mr. Brown, pursuant to previous notice, asked, and obtained, leave to introduce the following bills, viz:

No. 24, (C. F.) A bill to incorporate the Minneapolis and Lake Minnetonka Plank Road Company.

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road Company.

18 c. j.

Mr. Brown moved that the rule be suspended, and said bills be read a first and second time by their title only;

Which motion being put,

It was agreed to.

No. 24, (C. F.) A bill to incorporate the Minneapolis and Lake Minnetonka Plank Road Company.

Was taken up,

And read a first and second time,

And laid on the table to be printed.

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road Company.

Was taken up,

And read a first and second time,

And laid on the table to be printed.

Messages from the House being in order,

The following message was taken up from the table, and read by the Secretary:

MR. PRESIDENT:—The House has passed

No. 4, (C. F.) A memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river.

No. 8, (C. F.) A bill to provide for laying out a Territorial Road from Red Wing to Fort Ridgley.

No. 3, (C. F.) A memorial to Congress for an appropriation for the construction of roads in the Territory of Minnesota.

No. 6, (H. of R.) An act granting to Zadock M. Brown the right to establish a ferry across the Mississippi river.

No. 14, (H. of R.) An act to incorporate the Grand Lodge of Minnesota I. O. O. F.

No. 15, (H. of R.) A bill to incorporate the German Reading Society of St. Paul.

No. 16, (H. of R.) A bill for an act to prohibit the circulation of unauthorized notes as currency.

In which the concurrence of the Council is requested.

After the reading of the above message,

The following bills came up in the order of business, to wit:

No. 16, (H. of R.) A bill for an act to prohibit the circulation of unauthorized notes as currency.

Was taken up,

And read a first and second time.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 17, (H. of R.) A bill to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids.

The Chief Clerk having withdrawn,

Mr. Van Etten moved that

No. 16, (H. of R.) A bill for an act to prohibit the circulation of unauthorized notes as currency,

Be referred to the Committee on Territorial Affairs.

The question being put upon said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 2.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Stearns, and Van Etten—5.

Those who voted in the negative were,

Messrs. Murray and President—2.

A majority voting in the affirmative,

The bill was so referred.

No. 14, (H. of R.) An act to incorporate the Grand Lodge of Minnesota I. O. O. F.,

Was taken up,

And read a first and second time.

No. 6, (H. of R.) An act granting to Zadock M. Brown the right to establish a ferry across the Mississippi river,

Was taken up,

And read a first and second time.

Mr. Murray moved said bill be referred to the Committee on the Judiciary;

Which motion being put,

It was agreed to.

The bill was so referred.

No. 15, (H. of R.) A bill to incorporate the German Reading Society of St. Paul,

Was taken up,

And pending the reading of said bill,

Mr. Murray moved the rule be suspended, and the reading of the names in said bill be dispensed with.

The question being put,

It was agreed to.

So the reading of the names was dispensed with.

Said bill was then read a first and second time.

Messages from the House being order,

The following message was taken up and read:

MR. PRESIDENT:—The Speaker of the House has signed the following, viz:

An act to locate a Territorial Road from St. Paul to intersect the Territorial Road from the Falls of St. Anthony to the Sibley county line; also,

An act for the construction of a road from Reed's Landing to the Iowa State line; also,

A memorial to Congress for a Military road to Oregon and California.

An act to provide for laying out a Territorial road from St. Paul, by Fort Ridgley, to the Missouri river.

An act to provide for laying out a Territorial Road from St. Anthony and St. Paul to Taylor's Falls.

After reading the above message,

The President signed the following acts and memorials, viz :

An act to provide for laying out a Territorial Road from St. Paul, by Fort Ridgley, to the Missouri river.

An act to provide for laying out a Territorial Road from St. Anthony and St. Paul to Taylor's Falls.

An act to locate a Territorial road from St. Paul to intersect the Territorial road from the Falls of St. Anthony to the Sibley county line.

An act for the construction of a road from Reed's Landing to the Iowa State line.

A memorial to Congress for a Military Road to Oregon and California.

The above acts and memorials were then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, approval, and signature.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz :

The Joint Committee on Enrolled Bills did, on the 9th day of February, 1854, present to his Excellency, the Governor, for examination and approval, the following bills and memorials:

A bill entitled an act for the construction of a road from Reed's Landing to the Iowa State line.

A bill entitled an act to locate a Territorial Road from St. Paul to intersect the Territorial Road from the Falls of St. Anthony to the Sibley county line.

A bill entitled an act to provide for laying out a Territorial road from St. Paul, by Fort Ridgley, to the Missouri river.

A bill entitled an act to provide for laying out a Territorial Road from St. Anthony and St. Paul to Taylor's Falls.

A memorial to Congress for a Military Road to Oregon and California.

A memorial for the erection of a fort at or near Pembina river.

JOSEPH R. BROWN, Council,

WM. NOOT, House,

Committee.

Messages from the House being in order,

The following message was taken up and read:

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

No. 17, (H. of R.) A bill to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids.

In which the concurrence of the Council is requested.

After the reading of the above message,

No. 17, (H. of R.) A bill to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids,

Was taken up.

Said bill was then read a first and second time.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration,

No. 1, (H. of R.) Joint Resolution relative to printing the Laws, Memorials, and Joint Resolutions.

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

The report of the Committee of the Whole was accepted.

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

It was agreed to.

Said joint resolution was then read a third time.

The question recurring upon its passage,

It was passed.

The question then recurring on agreeing to its title,

It was agreed to.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the chair, having under consideration

No. 8, (H. of R.) Memorial to Congress praying for pre-emption rights on unsurveyed lands; also

No. 7, (H. of R.) Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids.

After some time passed therein,

The committee rose, and, by the Chairman, reported said memorials back to the Council, without amendment.

The report of the Committee of the Whole was accepted.

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

It was adopted.

No. 8, (H. of R.) A memorial to Congress praying for pre-emption rights on unsurveyed lands,

Was then read a third time.

The question recurring on the passage of the memorial,

It was passed.

The question then being upon agreeing to its title,

It was agreed to.

No. 7, (H. of R.) Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids,

Was then read a third time by its title.

The question recurring, "Shall the memorial pass?"

It was passed.

The question being upon agreeing to its title,

It was agreed to.

Bills, &c., ready for Committee of the Whole being in order,

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the chair, having under consideration,

No. 21, (C. F.) A bill entitled an act to repeal chapter 1 of the acts passed at the fourth session of the Legislative Assembly of this Territory; also

No. 22, (C. F.) A bill to amend the Revised Statutes.

After some time passed therein,

The Committee rose, and, by the chairman, reported

No. 21, (C. F.) A bill entitled an act to repeal chapter 1 of the acts passed at the 4th session of the Legislative Assembly of the Territory of Minnesota,

Back without amendment; and

No. 22, (C. F.) A bill to amend the Revised Statutes,

With amendments.

The report of the Committee was accepted.

The question recurring on the Council concurring in the amendments to said bill, as proposed in Committee of the Whole,

The amendments were agreed to.

The question then recurring on ordering

No. 21, (C. F.) A bill entitled an act to repeal chapter 1 of the acts passed at the 4th session of the Legislative Assembly of this Territory, and

No. 22, (C. F.) A bill to amend the Revised Statutes,

To be engrossed for a third reading;

And the question being put,

It was decided in the affirmative.

Said bills were then ordered to be engrossed for a third reading.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the chair having under consideration

No. 14, (H. of R.) A bill to incorporate the Grand Lodge of Minnesota I. O. O. F.

After some time passed therein,

The Committee rose, and, by the chairman, reported the bill back to the Council without amendment.

The report of the Committee was accepted.

Mr. Brown moved that the rule be suspended, and said bill be now read a third time;

Which motion being put,

It was decided in the affirmative.

Said bill was then read a third time.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring on agreeing to its title,

It was agreed to.

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

A bill to incorporate the Henderson and Fort Ridgley Plank Road Company.

Mr. Stearns moved that the Council do now adjourn until Monday next at 2 o'clock, P. M.;

Which motion being put,

It was decided in the affirmative.

So the Council adjourned until Monday next at 2 o'clock, P. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

MONDAY, FEBRUARY 13, 1854.

The Council met pursuant to adjournment, and was called to order by the President at 2 o'clock, P. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The reading of the Journal was commenced, and,

Pending the reading thereof,

On motion of Mr. Freeborn,

The reading of the names of the signers to the petition of Wm. Sweeney and 53 others, citizens of Goodhue county, relative to the organization of said county, was dispensed with.

Also, the reading of the names of the signers to the petition of C. R. Read and 23 others, of Wabashaw county, relative to the organization of said county, was dispensed with.

The reading of the Journal was then resumed and concluded.

Mr. Murray presented a petition from S. M. Cook and 30 others, praying for a Territorial Road from the ferry opposite St. Paul to the northern line of Iowa.

On motion of Mr. Murray,

The reading of said petition was dispensed with.

Mr. Murray moved said petition be referred to the Committee on Roads;

And the question being put,

It was adopted.

Mr. Brown presented a petition, on the same subject, from J. H. Heyanew and 25 others.

On motion of Mr. Brown,

The reading of said petition was dispensed with, and referred to the Committee on Roads.

Mr. Brown, on leave, offered the following resolution:

Resolved, That the memorials to Congress relative to an appropriation for an emigrant

route, together with the act for laying out an emigrant road from St. Paul, by Fort Ridgley, to the Missouri river, be printed with the proceedings of the meeting on that subject already ordered.

The question being put upon the adoption of said resolution,

It was agreed to.

Mr. Brown asked, and obtained leave, previous notice of which had been given, to introduce

No. 26, (C. F.) A bill to incorporate the Henderson and Fort Ridgley Plank Road Company.

Mr. Brown moved that the rule be suspended, and said bill be read a first and second time by its title only;

Which motion being put,

It was agreed to.

Said bill was then read a first and second time,

And laid on the table to be printed.

Reports from committees being in order,

Mr. Van Etten, from the select committee to whom was referred

No. 20, (C. F.) A bill to organize three additional Council Districts in the Territory, and for other purposes,

Would respectfully report:

That the Committee has carefully examined the report of the votes polled at the last general election in this Territory, and believe that the proposed increase in the representation in the Legislative Assembly is imperatively demanded as an act of justice to a numerous class of our citizens, and to secure a fair and equal representation in the next Legislature, when a new apportionment of representation throughout the Territory will doubtless be made.

Your committee, in computing the present representation of the Territory in the old Council Districts, find that the second district is unrepresented to the number of 832 votes, and 244 votes being the basis of representation, would recommend that the second Council District be entitled to elect, at the next general election, one member of the Council and six members of the House of Representatives, which will still leave 88 votes over the number included in this representation. That there are also 108 votes in the third Council district over the ratio of representation; and your committee would recommend that the third district be authorized to elect three members of the House of Representatives at the next general election.

Your committee, therefore, propose to the said bill the amendments necessary to carry out the recommendations above mentioned, and respectfully recommend the concurrence of the Council therein.

I. VAN ETTEN,

JOSEPH R. BROWN,

C. T. STEARNS,

Committee.

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined and found correctly engrossed the following, viz:

No. 21, (C. F.) A bill entitled an act to repeal chapter 1 of the acts passed at the 4th session of Legislative Assembly of this Territory.

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company.

No. 17, (C. F.) A bill to incorporate the Minnesota Hamline University.

I. VAN ETTEN,

J. E. MOWER,

Committee.

Mr. Van Etten, from the Committee on the Judiciary, made the following report, viz:

The Judiciary Committee, to whom was referred

No. 2, (C. F.) A bill to incorporate the St. Paul Gas Light Company,

Having had the same under consideration, have the honor to report the same back to the Council, and, with the following amendments, would recommend its passage, viz:

In section one strike out all after the words,

"The St. Paul Water Company,"

And insert,

"With power to contract and be contracted with, sue and be sued, plead and be impleaded, prosecute and defend, answer and be answered in court of record or elsewhere, and to enjoy all the privileges and franchises incident to a corporation."

Amend section nine to read as follows:

That if the city of St. Paul, by the corporate authorities thereof, shall desire reservoirs of water in the same, for the extinguishment of fires, said company shall furnish the same: *Provided*, said city shall pay said company for said reservoirs so erected for said purpose, and the extra pipes and a just proportion of the cost of conveying said water to the city.

Add one section, which shall read as follows:

Sec. 10. The Legislature may, at any time, alter or amend this act.

All of which is respectfully submitted.

WM. P. MURRAY,

I. VAN ETTEN,

WM. FREEBORN,

Committee.

Mr. Van Etten, from the Committee on the Judiciary, to whom was referred

No. 2, (C. F.) A bill to incorporate the St. Paul Gas Light Company,

Reported that they have had the same under consideration, and recommend its rejection by the Council.

Mr. Murray moved the report be laid on the table;

Which motion being put,

It was decided in the affirmative.

So the report was laid on the table.

Mr. Murray, from the Committee on the Judiciary, made the following report:

The Committee on the Judiciary, to whom was referred

v. j. 19.

- No. 1, (H. of R.) A bill to incorporate the Cataract Ferry Company;
- No. 8, (H. of R.) A bill granting to Zadock M. Brown the right to establish and maintain a ferry across the Mississippi river;
- No. 10, (H. of R.) An act granting to Noah Armstrong the right to establish and maintain a ferry across the Minnesota river at Eureka;
- No. 11, (H. of R.) An act entitled an act to establish a ferry across the Mississippi river;
- No. 12, (H. of R.) A bill for an act granting to E. Cole and H. Rathburne the right to establish and maintain a ferry across the Minnesota river at Mankato;

Having had the same under consideration, have the honor to report a substitute therefor.

The committee believe that the bill they report as a substitute for the bills referred to them will fully meet every case that may arise in this Territory, where a ferry charter may be demanded by the wants of its different communities and settlements.

All of which is respectfully submitted.

WM. P. MURRAY,
I. VAN ETTEN,
WM. FREEBORN,

Committee.

Said substituted bill;

No. 26, (C. F.) A bill in relation to ferries.

Was taken up,

And read a first and second time;

And laid on the table to be printed.

Mr. Brown, on leave, presented the following petitions:

From Robert Kent and other lumbermen of the St. Croix valley, praying for an alteration of the charter of the St. Croix Boom Company;

Also, from John Dobney, and twenty-seven other lumbermen, on the same subject;

Also, from the directors of the St. Croix Boom Company.

Mr. Murray asked; and obtained, leave to introduce

No. 27, (C. F.) A bill to establish the county of Sherburne.

Mr. Murray moved the rule be suspended and said be read a first and second time by its title only;

And the motion being put,

It was adopted.

Said bill was then read a first and second time;

And laid on the table to be printed.

Mr. Brown moved the rule, requiring one day's notice previous to introducing bills, be suspended;

Which motion being put,

It was agreed to.

Mr. Brown, on leave, introduced

No. 28, (C. F.) A bill to amend an act to incorporate the St. Croix Boom Company.

Mr. Brown moved the rule be suspended, and said bill be read a first and second time by its title only;

Which motion being put,

It was decided in the affirmative.

Said bill was then read a first and second time,

And laid on the table to be printed.

Mr. Van Etten moved said amended bill be printed together with the original charter of the Saint Croix Boom Company;

Which motion being put,

It was agreed to.

Mr. Van Etten asked, and obtained, leave to introduce a document addressed to the Judiciary Committee.

Mr. Van Etten moved the reading of the same be dispensed with;

Upon which motion,

A division was called for and ordered,

And a majority having voted in the affirmative,

The motion prevailed.

Mr. Brown moved the said document be printed with the journal;

Which motion being put,

It was negatived.

Reports from committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, to wit:

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

No. 2, (H. of R.) Joint Resolution for the relief of Wm. B. Dodd.

JOS. R. BROWN, Council,

H. S. PLUMER, House,

Committee.

Bills, &c., ready for a third reading being in order,

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company,

Was taken up,

And ordered to a third reading.

Pending the reading of said bill,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The Governor has informed the House that he has this day approved and signed,

A memorial to Congress for a Military Road to Oregon and California;

An act entitled an act to locate a Territorial Road from St. Paul to intersect the Territorial Road from the Falls of St. Anthony to the Sibley county line;

An act for the construction of a road from Reed's Landing to the Iowa State line;

The Speaker of the House has signed the following joint resolution:

Joint Resolution for the relief of Wm. B. Dodd.

The Chief Clerk having withdrawn,

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company,

Was then read a third time.

Pending the consideration of the bill,

A message from the House being announced,
A. J. Morgan, Esq., the Chief Clerk thereof, appeared, and delivered the following message:

Mr. President:—The House has passed
No. 19, (H. of R.) A bill for an act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota; also,

No. 20, (H. of R.) A bill relative to the county officers of Wabashaw county.

The Chief Clerk having withdrawn,

The consideration of

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company,

Being resumed,

Mr. Murray asked and obtained leave to offer the following amendment to said bill,
viz:

Strike out the word "twenty," and insert the word "thirty" in lieu thereof, wherever it occurs in said bill;

Which motion being put,

It was decided in the affirmative.

Mr. Van Etten asked the unanimous consent of the Council to offer the following amendment to said bill:

In section fifteen, line one, after the word "Legislature," insert the words, "shall have the right to alter or amend this charter at any time after the expiration of ten years from the date of its passage, and;"

And the motion being put,

It was negatived.

Mr. Brown moved that said bill be referred back to the Committee of the Whole;

And the motion being put,

It was not agreed to.

Mr. Brown moved said bill be laid on the table;

Which motion being put,

It was decided in the affirmative.

So the bill was laid on the table.

Mr. Murray asked, and obtained, leave to introduce the following resolutions:

Resolved, 1st. That the Committee on Territorial Affairs be instructed to report a bill for the apportionment of this Territory into Council and Representative districts.

2d. That said bill shall provide for the election of fifteen Councillors and thirty-nine Representatives.

3d. And that the votes polled in the different counties of this Territory at the last general election, be taken as the basis therefor.

The question being upon the adoption of said resolutions,

It was decided in the affirmative.

No. 17, (C. F.) A bill to incorporate the Minnesota Hamline University,

Was taken up.

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

Mr. Van Etten moved to refer said bill to the Committee on the Judiciary;

And the question being put,

It was decided in the affirmative.

Said bill was so referred.

No. 21, (C. F.) A bill entitled an act to repeal chapter 1 of the acts passed at the 4th session of the Legislative Assembly of this Territory,

Was taken up.

Mr. Stearns moved said bill be laid on the table;

Upon the adoption of which motion,

A division was called for and ordered,

And there were ayes 6, nays 2.

A majority having voted in the affirmative,

Said bill was laid on the table.

Mr. Van Etten moved that the Council do now adjourn;

Which motion being put,

It was adopted.

The Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

TUESDAY, FEBRUARY 14, 1854.

The Council met pursuant to adjournment, and in the absence of the President, was called to order by Mr. Murray, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Mr. Brown gave notice that, on to-morrow or some future day, he would ask leave to introduce a bill to incorporate the La Crosse and Minnesota Railroad Company;

Also, a joint resolution relative to the Sioux Annuity Payment in this Territory.

Reports from committees being in order,

Mr. Van Etten, from the Committee on Incorporations, to whom was referred

No. 19, (C. F.) A bill relating to Auctioneers,

Reported that they have had the bill under consideration, and beg leave to return said bill back to the Council with an amendment.

Mr. Murray, from the Judiciary Committee, made the following report:

The Judiciary Committee, to whom was referred.

No. 7, (H. of R.) A bill for the protection of School Lands, and for other purposes, Have had the same under consideration, and would recommend its indefinite postponement.

The reasons for this recommendation are so apparent upon the face of the bill, that the committee deem it useless to go into details.

The paramount objection, however, in regard to the bill, with the committee, is that it creates an additional tax in each of the counties of this Territory of from five hundred to one thousand dollars. But aside from this, the Legislative Assembly of this Territory, at its session in 1852, by an act approved March 6, 1852, has made ample provision in regard to the protection of School Lands in this Territory.

All of which is respectfully submitted.

WM. P. MURRAY,
WM. FREEBORN,
L. VAN ETTEN,

Committee.

Mr. Brown moved that

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto; also

No. 28, (C. F.) A bill to amend an act to incorporate the St. Croix Boom Company,

Be taken from the table;

Which motion being put,

It was decided in the affirmative.

Mr. Brown moved said bills be referred to a select committee of three;

And the question recurring upon said motion,

It decided in the affirmative.

The chair appointed Messrs. Brown, Stimson, and Stearns, said select committee.

On motion of Mr. Van Etten,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the chair, having under consideration

No. 19, (C. F.) A bill relating to Auctioneers.

Pending the sitting of the Committee of the Whole,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House of Representatives has concurred in the Council amendments to

No. 6, (H. of R.) Memorial to Congress for the establishment of a road from St. Paul, by way of Little Canada, to Rum river.

The Chief Clerk having withdrawn,

A message from his Excellency, the Governor, being announced,

Robert A. Smith, Esq., Private Secretary to his Excellency, appeared, and delivered the following message:

MR. PRESIDENT:—I am directed by the Governor to inform the Council that he has this day approved, and signed,

An act to provide for laying out a Territorial Road from St. Paul, by Fort Ridgley, to the Missouri river;

And also an act to provide for laying out a Territorial Road from St. Anthony and St. Paul to Taylor's Falls;

And also that he has approved, and signed, a memorial to Congress for the erection of a fort at or near Pembina.

The Private Secretary of his Excellency having withdrawn,

The committee resumed its sitting, having under further consideration,

No. 19, (C. F.) A bill relating to Auctioneers,

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

The report of the Committee of the Whole was accepted.

Mr. Van Etten moved said bill be referred to a select committee;

Which motion being put,

It was adopted.

Said bill was so referred.

The President appointed Messrs. Brown, Van Etten, and Stimson, said select committee.

Reports of committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 2, (H. of R.) A bill for an act to establish the county seat of Hennepin county;

No. 1, (H. of R.) Joint resolution relative to the printing of the laws, memorials, and joint resolutions;

No. 7, (H. of R.) Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids;

No. 8, (H. of R.) A memorial to Congress praying for pre-emption rights on unsurveyed lands.

J. R. BROWN, Council,

HENRY S. PLUMER, House,

R. M. RICHARDSON, "

Committee.

On motion of **Mr. Murray**,

The Council then resolved itself into a Committee of the Whole, **Mr. Stearns** in the chair, to take into consideration

No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company.

Pending the sitting of the Committee of the Whole,

A message from the House being announced,

And the President having taken the chair for the reception thereof,
A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed

No. 21, (H. of R.) A bill to provide for laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river; also,

No. 22, (H. of R.) A bill for an act providing for the distribution of copies of the Declaration of Independence and the Constitution of the United States, to be used in schools; also,

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota;

In which the concurrence of the Council is respectfully requested.

The Chief Clerk having withdrawn,

The committee resumed its sitting, having under further consideration,

No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company.

Pending the sitting of the Committee of the Whole,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed the following bills, memorials and joint resolutions, viz:

An act to establish the county seat of Hennepin county;

A memorial to Congress for pre-emption rights on unsurveyed lands;

Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Fall of St. Anthony to Sauk Rapids;

Joint resolution relative to printing the laws, memorials, and joint resolutions of the Legislative Assembly.

The Chief Clerk having withdrawn,

The Committee of the Whole resumed its sitting on

No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company;

And after some further time passed therein, the committee rose, and, by the Chairman, reported said bill back to the Council, with amendments.

The report of the Committee of the Whole was accepted.

The question then recurring on the Council concurring in the amendments as proposed in the Committee of the Whole;

It was decided in the affirmative.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Murray,

The Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

WEDNESDAY, FEBRUARY 15, 1854.

The Council met pursuant to adjournment, and was called to order by the President at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Notices of leave to introduce bills, &c., being in order,

Mr. Murray gave notice that, on to-morrow or some future day, he would ask leave to introduce a bill to incorporate the St. Paul and Little Canada Plank Road Company.

Mr. Freeborn gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill to amend section sixteen, article eight, of the Revised Statutes.

Mr. Van Etten gave notice that, on to-morrow or some future day, he would introduce a bill to amend the act incorporating the town of Mendota.

Reports of committees being in order,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined, and found correctly engrossed, the following, viz:

No. 22, (C. F.) An act to amend the Revised Statutes.

No. 15, (C. F.) A bill to organize the county of Sibley.

I. VAN ETTEN,

J. E. MOWER,

Committee.

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

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto, and

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the St. Croix Boom Company,

Would respectfully report that the committee have unanimously adopted certain amendments to

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the St. Croix Boom Company,

And recommend their adoption by the Council, viz:

In the fourth line of section 11, strike out the words,

"Not to be retained in such Boom by the said company for a longer period than thirty,"

And insert in lieu thereof, the words,

"Be sorted, rafted in rigging, and delivered, as hereinafter provided, by said company, within a period of twenty."

In 7th, 8th, and 9th lines of same section, strike out the words,

"Be retained there for a longer period than thirty days, without an agreement or consent of the owners, as aforesaid, or if such logs shall be used or taken by said company

they shall be liable to, and pay the owner or owners thereof, on demand, the highest market price per thousand feet, at that place, for the same,"

And insert, in lieu thereof, the words,

"Not be delivered within a period of twenty days, as before provided, the said Boom Company shall be liable to pay the owner or owners thereof such damages as the said owner or owners may suffer in consequence of such failure to deliver said logs or timber."

In fifth line of 12th section, strike out the word "thirty," and insert, in lieu thereof, the word "three."

All of which is respectfully submitted.

JOSEPH R. BROWN,

ALBERT STIMSON,

CHAS. T. STEARNS,

Committee.

Said bill was then read a second time as amended by the select committee;

And laid on the table to be printed.

Messages from the House being now in order,

The following message was taken up and read, viz:

Mr. President:—The House has passed

No. 21, (H. of R.) A bill to provide for laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river; also,

No. 22, (H. of R.) A bill for an act providing for the distribution of copies of the Declaration of Independence and the Constitution of the United States, to be used in schools; and

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory;

In which the concurrence of the Council is respectfully requested.

After the reading of the above message,

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory;

Was taken up,

And read a first and second time.

No. 21, (H. of R.) A bill to provide for laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river;

Was taken up,

And read a first and second time.

No. 22, (H. of R.) A bill for an act providing for the distribution of copies of the Declaration of Independence and the Constitution of the United States, to be used in schools,

Was taken up,

And read a first and second time.

Mr. Murray moved said bill be referred to the Committee on Schools;

And the question being put from the chair,

It was decided in the affirmative.

Said bill was so referred

The following messages were also taken up and read:

MR. PRESIDENT:—The Speaker of the House has signed the following bill, memorial, and joint resolution:

- An act to establish the county seat of Hennepin county;
- A memorial to Congress for pre-emption rights on unsurveyed lands;
- Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids;
- Joint resolution relative to printing the laws, memorials, and joint resolutions of the Legislative Assembly.

After the reading of the above message,
The President signed the following act, memorials, and joint resolutions:

- An act to establish the county seat of Hennepin county;
- A memorial to Congress praying for pre-emption rights on unsurveyed lands;
- Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids;
- Joint resolution relative to printing the laws, memorials and joint resolutions.

MR. PRESIDENT:—The House has concurred in the Council amendments to
No. 6, (H. of R.) A memorial to Congress for the establishment of a Military Road from St. Paul, by way of Little Canada, to Rum River.

The House has passed the following bills:

- No. 19, (H. of R.) A bill for an act to amend section 23, article 6, chapter 8, of the Revised Statutes of Minnesota;
- No. 20, (H. of R.) A bill relative to the county officers of Wabashaw county.

After the reading of the above message,

No. 20, (H. of R.) A bill relative to the county officers of Wabashaw county,

Was taken up,

And read a first and second time.
No. 19, (H. of R.) A bill for an act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota,

Was taken up,

And read a first and second time.

The following message from the House was also taken up, and read:

MR. PRESIDENT:—The Governor has informed the House that he has this day approved and signed,

- A memorial to Congress for a Military road to Oregon and California;
- An act entitled an act to locate a Territorial road from St. Paul to intersect the Territorial road from the Falls of St. Anthony to the Sibley County line;
- An act for the construction of a road from Reed's Landing to the Iowa State line.

The Speaker of the House has signed the following joint resolution:

Joint resolution for the relief of William B. Dodd.

After the reading of the above message,

The President of the Council signed the following joint resolution:

Joint resolution for the relief of William B. Dodd.

Bills ready for a third reading being in order,

Mr. Brown asked, and obtained, the unanimous consent of the Council to introduce the following amendments to

No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company;

Said amendments to be inserted in the engrossed copy of said bill, as follows:

SEC. 12. Said bridge shall be of such material as the stockholders may deem expedient, and shall be so constructed as to cover the main navigable channel of the river by a span of at least 300 feet from pier to pier, the lowest part of which said span shall be at least 60 feet above high water mark; and said company may construct such other abutments, piers, and guards to said bridge, at such distances from each other, and at such places, as may be deemed necessary, either on the street from which said bridge shall lead, on the island opposite said street, in said river, or on the main land on the opposite side of said river: *Provided*, that nothing in this section shall be so construed as to warrant the obstruction of any public street, or the navigable channel of the said river.

SEC. 13. Said company shall have power to bridge, grade, or embank a road in connection with said bridge, across the bottom land opposite the town of St. Paul, or may construct said bridge from bluff to bluff.

Mr. Murray moved that

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company,

Be taken from the table;

Which motion being put,

It was agreed to.

Said bill was then taken up, and ordered to a third reading.

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company,

Was then read a third time.

The question recurring upon the passage of the bill,

Mr. Brown asked, and obtained, the unanimous consent of the Council to add the following to the 10th section of said bill:

Provided, that nothing herein contained shall be so construed as to authorize the said company, in any manner, to obstruct the free passage of all water craft, rafts or timber, or in any manner to interfere with any sluice for logs or timber, or to obstruct the points in the river now or hereafter to be used for the construction of rafts of logs or lumber: *Provided, also*, that said company, or their agents, shall be obliged, upon the tender of toll, as prescribed by law, by any person or persons, at all times permit said person or persons to pass, with or without teams, or cattle, at the option of said person or persons, under the penalty of twenty dollars for every such refusal, and such damages as may be sustained by such person or persons in consequence of such refusal; said penalty to be recovered by any person suing therefor before any court having jurisdiction of the same.

Said bill was then passed, as amended.

The question then recurring on agreeing to its title,

It was agreed to.

No. 22, (C. F.) A bill to amend the Revised Statutes,

Was then taken up,

And ordered to a third reading.

Said bill was then read a third time;
 And the question recurring on its passage,
 Mr. Brown moved said bill be laid upon the table;
 Which motion being put,
 It was negatived.

Mr. Brown then moved said bill be referred back to a Committee of the Whole;
 Which motion, on leave, was withdrawn.

Mr. Brown moved said bill be referred to a select committee;
 And the motion being put,
 It was adopted.

The President appointed Messrs. Brown, Murray, and Mower said select committee.
 Said bill was so referred.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed the following joint resolution:

No. 4, (H. of R.) Joint resolution relative to an Emigrant Route from St. Paul to Oregon and California.

Also, the following bill:

No. 25, (H. of R.) A bill for an act to establish certain counties, and for other purposes.

In which the concurrence of the Council is requested.

The Chief Clerk then withdrew.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration

No. 2, (C. F.) A bill to incorporate the St. Paul Water Company.

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

The report of the committee was accepted.

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory and for other purposes,

Was then taken up, and,

On motion of Mr. Murray,

Said bill was laid upon the table.

On motion of Mr. Stearns,

The Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,

President of the Council.

Attest:

J. B. DIXON,

Secretary.

THURSDAY, FEBRUARY 16, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present;

The journal of yesterday was read and approved.

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

A bill to incorporate the St. Paul and Point Douglas Plank Road Company.

Mr. Murray asked, and obtained, leave (previous notice of which had been given) to introduce

No. 30, (C. F.) A bill to incorporate the St. Paul and Little Canada Plank Road Company.

Mr. Murray moved the rule be suspended, and said bill read a first and second time by its title only;

Which motion being put,

It was agreed to.

Said bill was then read a first and second time,

And laid on the table to be printed:

Mr. Murray, from the Judiciary Committee, to whom was referred

No. 17, (C. F.) A bill to incorporate the Minnesota Hamline University,

Made the following report:

They have had said bill under consideration, and beg leave to return said bill back to Council without amendment, and recommend its passage:

Mr. Van Etten, from the select committee to whom was referred

No. 10, (C. F.) A bill relating to Auctioneers,

Made the following report:

Your committee have had said bill under consideration, and report the same back to the Council with sundry amendments, in which amendments the concurrence of the Council is respectfully requested.

In line 1, section 1, strike out the words,

"The Board of County Commissioners of each organized county may,"

And insert, in lieu thereof, the words,

"The Governor of this Territory shall."

In line 2, same section, strike out the words,

"The board's license,"

And insert, in lieu thereof, the words,

"His hand appoint."

In the same line, after the word "one," insert the words,

"Or more."

In the same line, after the word "Territory," insert the words,

"Who shall be citizens and voters of this Territory."

- In the same line, strike out the words,
 "An auctioneer,"
 And insert, in lieu, the word "auctioneer."
 In line 3, same section, strike out the word "license," and insert the word "appoint."
 In same line, strike out the words,
 "Said board,"
 And insert the words,
 "The Board of County Commissioners of said county."
 In the same line, strike out the word "ten," and insert, in lieu thereof, the word
 "city."
 In line 1, section 2, strike out the words,
 "Appointments so made."
 In line 2, same section, strike out the word "license," and insert the word "appoint."
 In line 2, section 3, strike out the words,
 "License so granted,"
 And insert the words,
 "Said Board of Commissioners,"
 And insert, in lieu thereof, the words,
 "Treasurer of this Territory."
 In line 3, same section, strike out the words,
 "Said board,"
 And insert the words,
 "Said Treasurer."
 In lines 5 and 6, same section, strike out the words,
 "Be taken by the said Board of Commissioners, and be by them duly transmitted to
 the Treasurer of the Territory,"
 And insert the words,
 "File in the office of the said Treasurer."
 In second line, after the word "with," insert the word "the."
 In same line, strike out the word "their," and insert, in lieu thereof, the word "his."
 In line 1, section 8, strike out the word "license," and insert, in lieu thereof, the word
 "appointment."
 In line 3, section 11, strike out the word "license," and insert the word "appointed."

T. VAN ETTEN,
 ALBERT STIMSON,
 JOSEPH R. BROWN,

Committee.

Mr. Freeborn, on leave, previous notice of which had been given, introduced
 No. 31, (C. F.) A bill to amend section 16, article 8, of the Revised Statutes.
 Said bill was then read a first and second time,
 And laid on the table to be printed.
 Mr. Murray, on leave, presented the following remonstrances:
 "From Joshua Raine, and 30 others, and Jacob Fisher, and 40 others, against any
 further powers being granted to the St. Croix Boom Company.
 Mr. Murray moved said remonstrances be laid on the table;

Which motion being put,

It was agreed to.

Said remonstrances were then laid on the table.

Reports from committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 14, (H. of R.) An act to incorporate the Grand Lodge of Minnesota I. O. O. F.

No. 6, (H. of R.) A memorial to Congress for the establishment of a Military Road from Saint Paul, by way of Little Canada, to Rum river.

JOSEPH R. BROWN, Council,

HENRY S. PLUMER,

R. M. RICHARDSON, House,

Committee.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

The Joint Committee on Enrolled Bills did, on the 15th day of February, 1854, present to his Excellency, the Governor, for examination and approval, the following joint resolution, to-wit:

Joint resolution for the relief of William B. Dodd.

JOSEPH R. BROWN, Council,

HENRY S. PLUMER,

R. M. RICHARDSON, House,

Committee.

Mr. Brown, from a select committee, made the following report:

The select committee to which was referred

No. 12, (C. F.) A bill to amend an act entitled "an act to incorporate the Mississippi Boom Company, and an act amendatory thereto,"

Would respectfully report that they have examined the bill referred to, and have also solicited its examination by a number of the principal lumbermen at St. Anthony, and, after deliberation, would respectfully recommend the passage of the bill with the following amendments:

In the second section, 9th line, after the words,

"St. Anthony,"

Strike out the words,

"Or an unusual freshet."

In section 8, line 3, after the words,

"St. Croix Pine Scale,"

Insert the following:

"Or such other scale as may be provided by law."

In same section, in line 6, strike out,

"Four and one-half dollars,"

And insert the words,

"The highest cash market price at said boom."

In the same section, strike out all between "property of said company," in ninth line, and the words "and said company," in the 11th line.

All of which is respectfully submitted.

JOSEPH R. BROWN,
ALBERT STIMSON,
CHAS. T. STEARNS.

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

No. 22, (C. F.) A bill to amend the Revised Statutes,

Reported that they have had said bill under consideration, and return said bill back to the Council, and recommend its passage.

The question recurring on the passage of said bill,

It was passed.

The question then recurring on agreeing to its title,

It was agreed to.

Messages from the House being in order,

The following message was taken up and read:

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

No. 4, (H. of R.) Joint resolution relative to an Emigrant Route from St. Paul to Oregon and California; also,

No. 25, (H. of R.) A bill for an act to establish certain counties, and for other purposes.

In which the concurrence of the Council is requested.

After the reading of the above message,

No. 25, (H. of R.) A bill for an act to establish certain counties, and for other purposes,

Was taken up, and,

Pending the reading of said bill,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The Governor has informed the House that he has this day approved and signed a joint resolution for the relief of William B. Dodd.

The Chief Clerk having withdrawn,

The reading of No. 25 (H. of R.) was resumed.

Said bill was then read a first and second time.

No. 4, (H. of R.) Joint resolution relative to an Emigrant route from St. Paul to Oregon and California,

Was taken up,

And read a first and second time.

Mr. Brown moved that the rule be suspended, and that said joint resolution be now read a third time;

Which motion being put,

It was agreed to.

The said joint resolution was then read a third time.

The question recurring on the passage of the resolution,

It was passed.

The question then being upon agreeing to its title,
It was agreed to.

On motion of Mr. Brown,

The Secretary of the Council was ordered to furnish copies of said joint resolution to be printed with other documents in relation to the overland route from this Territory to Oregon and California.

Bills ready for a third reading being in order,

No. 15, (C. F.) A bill to organize the county of Sibley,

Was taken up,

And ordered to a third reading.

Said bill was then read a third time.

On motion of Mr. Van Etten,

Said bill was ordered to lay upon the table.

Bills on which a Committee of the Whole has made progress, and asked leave to sit again, being now in order,

No. 2, (C. F.) A bill to incorporate the St. Paul Water Company,

Was taken up, and,

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the Chair, having under consideration,

No. 2, (C. F.) A bill to incorporate the St. Paul Water Company.

After some time passed therein,

The committee rose, and, by the Chairman, reported progress, and asked leave to sit again.

The report of the Committee of the Whole was accepted.

Mr. Van Etten moved said bill be referred to the Committee on Incorporations;

And the question being put,

It was decided in the affirmative.

Said bill was so referred.

On motion of Mr. Brown,

No. 15, (C. F.) A bill to incorporate the county of Sibley,

Was taken up, and,

The question recurring, "Shall the bill now pass?"

It was decided in the affirmative.

So the bill was passed.

The question being upon agreeing to its title,

It was agreed to.

No. 7, (H. of R.) A bill for the protection of School Lands, and other purposes,

Was taken up.

Mr. Murray moved said bill be indefinitely postponed;

Which motion being put,

It was agreed to.

So said bill was indefinitely postponed.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, having under consideration the following bills from the House:

No. 19, (H. of R.) A bill for an act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota; also,

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory; also,

No. 21, (H. of R.) A bill to provide for laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river; also,

No. 17, (H. of R.) A bill to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids; also,

No. 20, (H. of R.) A bill relative to the county officers of Wabashaw county; also,

No. 15, (H. of R.) A bill to incorporate the German Reading Society of St. Paul.

After some time passed therein, the committee rose, and, by the Chairman, reported that they have had under consideration the following House bills:

No. 19, (H. of R.) A bill for an act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota,

And beg leave to return said bill back to the Council, with amendments; also,

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory,

And return said bill back to the Council, with amendments; also,

No. 21, (H. of R.) A bill to provide for the laying out of a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river,

And return said bill back to the Council, without amendment; also,

No. 17, (H. of R.) A bill to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids,

Without amendment; also,

No. 20, (H. of R.) A bill relative to the county officers of Wabashaw county,

And return said bill back to the Council, without amendment; also,

No. 15, (H. of R.) A bill to incorporate the German Reading Society of St. Paul,

And return said bill back to the Council, without amendment.

The report of the Committee of the Whole was accepted.

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory,

Was then taken up,

And the amendments, as proposed in the Committee of the Whole, were concurred in.

Mr. Murray moved the rule be suspended, and that said bill be read a third time by its title only;

The question being put,

It was agreed to.

Said bill was then read a third time.

The question recurring, "Shall the bill pass?"

It was passed.

The question then recurring on agreeing to its title;

It was agreed to.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed the following act and memorial:

An act to incorporate the Grand Lodge of Minnesota I. O. O. F.

A memorial to Congress for the establishment of a road from St. Paul, by way of Little Canada, to Rum river.

The Chief Clerk having withdrawn,

The House bills reported from the Committee of the Whole were taken up, and No. 17, (H. of R.) A bill to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids,

Was taken up.

Mr. Van Etten moved the rule be suspended, and that said bill be read a third time by its title only;

Which motion being put,

It was decided in the affirmative.

Said bill was then read a third time.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring on agreeing to its title,

Mr. Murray moved to amend the title of said bill as follows:

Strike out the words, "the village," and insert the words, "the city;"

And the question being put by the Chair,

It was agreed to.

Mr. Brown moved the title to said bill be further amended, as follows:

Insert the word "village" before the word "Minneapolis;"

And the question being put,

It was agreed to.

Mr. Van Etten moved to reconsider the vote by which the word "city" was added to the title of said bill;

And the question being put,

It was decided in the affirmative.

The question then recurring on the adoption of the amendment to the title of said bill, as proposed by Mr. Murray,

A division was called for and ordered;

And a majority having voted in the negative,

It was not adopted.

Mr. Murray moved the reconsideration of the vote by which the Council adopted the amendment to the title of said bill, by inserting the word "village" before the word "Minneapolis;"

Which motion being put,

And a majority having voted in the affirmative,

It was agreed to.

The question then recurring on the adoption of the amendment to said bill, as proposed by Mr. Brown,

A division was called for and ordered,

And there were yeas 4, nays 2.

So the amendment was not adopted.

The title to said bill was then agreed to.

No. 19, (H. of R.) A bill for an act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota,

Was taken up,

And the amendments, as proposed in Committee of the Whole, were concurred in.

Mr. Murray moved the rule be suspended, and that said bill be read a third time by its title only;

Which motion being put,

It was decided in the affirmative.

Said bill was then read a third time.

The question recurring, "Shall the bill pass?"

It was decided in the affirmative.

So said bill was passed.

The question then recurring on agreeing to its title,

Mr. Murray moved to amend said title by striking out, after the word "bill," the words "for an act;"

Which motion being put,

It was agreed to.

The title of said bill, as amended, was then agreed to.

No. 21, (H. of R.) A bill to provide for laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river,

Was taken up.

Mr. Stearns moved the rule be suspended, and that said bill be read a third time by its title only;

Which motion being put,

It was adopted.

Said bill was then read a third time.

The question recurring upon its passage,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

No. 15, (H. of R.) A bill to incorporate the German Reading Society of St. Paul,

Was taken up, and,

On motion of Mr. Murray,

The rule was suspended and said bill was read a third time.

The question being upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

No. 20, (H. of R.) A bill relative to the county officers of Wabashaw county,

Was taken up, and,

On motion of Mr. Murray,

The rule was suspended and said bill read a third time.

The question being upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the chair, having under consideration

No. 25, (H. of R.) A bill for an act to establish certain counties, and for other purposes;

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

The report of the Committee of the Whole was accepted.

Mr. Brown moved said bill be laid on the table.

The question being put upon said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 2, nays 5.

Those who voted in the affirmative were,

Messrs. Brown and Van Etten—2.

Those who voted in the negative were,

Messrs. Freeborn, Mower, Murray, Stimson and President—5.

A majority voting in the negative,

The motion was not adopted.

Mr. Van Etten moved said bill be referred to a select committee.

The question being put upon said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 2, nays 5.

Those who voted in the affirmative were,

Messrs. Brown and Van Etten—2.

Those who voted in the negative were,

Messrs. Freeborn, Mower, Murray, Stimson, and President—5.

A majority having voted in the negative,

The motion was not adopted.

Mr. Murray moved the rule be suspended, and that said bill be now read a third time.

Mr. Brown moved to amend said bill as follows:

Strike out of the fifth line of section four the words,

“Six miles thence north,”

Where they occur the second time.

The question being put upon said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 2, nays 5.

Those who voted in the affirmative were,

Messrs. Brown and Van Etten—2.

Those who voted in the negative were,

Messrs. Freeborn, Mower, Murray, Stimson, and President—5.

A majority having voted in the negative,

The amendment was not adopted.

Mr. Brown moved that the bill be indefinitely postponed.

The question being put upon said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 1,
nays 5.

Those who voted in the affirmative were,

Mr. Brown—1.

Those who voted in the negative were,

Messrs. Freeborn, Mower, Murray, Stimson, and President—5.

A majority having voted in the negative,

The motion was not adopted.

Mr. Van Etten moved said bill be laid upon the table.

The question being put upon the adoption of said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 2,
nays 5.

Those who voted in the affirmative were,

Messrs. Brown and Van Etten—2.

Those in the negative were,

Messrs. Freeborn, Mower, Murray, Stimson, and President—5.

A majority having voted in the negative,

The motion was not adopted.

Mr. Brown moved a call of the Council;

And the roll being called,

Messrs. Kittson and Stearns were reported absent.

The President requested the Sergeant-at-Arms to notify the absent members to appear
in their seats.

Mr. Murray moved the previous question;

Which was withdrawn.

Mr. Brown moved the Council adjourn;

And the motion being put,

It was negatived.

The question then recurring on a suspension of the rule, as moved by Mr. Murray,

Mr. Brown moved a call of the Council;

And the roll being called,

Messrs. Kittson and Stearns were reported absent.

The President requested the Sergeant-at-Arms to notify the absent members to appear
in their seats.

Mr. Murray moved all further proceedings under the call be dispensed with;

Which motion being put,
It was agreed to.

The question again recurring on the suspension of the rule, as moved by Mr. Murray,
Mr. Brown moved the Council adjourn;

Which motion being put,
It was negatived.

The question again recurring on the suspension of the rule,
And the yeas and nays being called for and ordered, resulted as follows—yeas 5,
nays 1.

Those who voted in the affirmative were,
Messrs. Freeborn, Mower, Murray, Stimson, and President—5.

Those who voted in the negative were,
Mr. Brown—1.

A majority having voted in the affirmative,
The motion to suspend the rule was adopted.

Mr. Murray moved the rule be suspended and that the bill be now read a third time
by its title only.

The question recurring upon said motion,
And the yeas and nays being called for and ordered, resulted as follows—yeas 5,
nays 2.

Those who voted in the affirmative were,
Messrs. Freeborn, Mower, Murray, Stimson and President—5.

Those who voted in the negative were,
Messrs. Brown and Van Etten—2.

A majority having voted in the affirmative,
The motion prevailed.

Said bill was then read a third time by its title only.

The question then recurring upon the passage of said bill,
And the yeas and nays being called for and ordered, resulted as follows—yeas 5,
nays 1.

Those who voted in the affirmative were,
Messrs. Freeborn, Mower, Murray, Stimson, and President—5.

Those who voted in the negative were,
Mr. Brown—1.

A majority having voted in the affirmative,
The bill was passed.

The question then recurring on agreeing to the title of said bill,
Mr. Brown moved to amend the title as follows:

Strike out all after the word "certain," and insert,
"County seat for the benefit of certain individuals;"

And the motion being put,
It was not agreed to.

The title of said bill was then agreed to.

Mr. Murray moved the Council do now adjourn;

Which motion being put,

It was decided in the negative.

Mr. Mewer moved a call of the Council;

Which was ordered,

And on the roll being called,

Messrs. Kittson, Stearns, and Van Etten were reported absent.

The President requested the Sergeant-at-Arms to notify the absent members to appear in their seats.

Mr. Murray moved that all farther proceedings under the call be dispensed with;

Which motion being put,

It was adopted.

On motion of Mr. Murray,

The Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,

President of the Council.

Attest:

J. B. DIXON,

Secretary.

FRIDAY, FEBRUARY 17, 1884.

The Council met pursuant to adjournment, and was called to order by the President, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The reading of the Journal of yesterday being in order,

On motion of Mr. Murray,

The reading of the Journal was dispensed with.

Messages from the House of Representatives being in order,

The following message was taken up and read:

MR. PRESIDENT:—The Governor has informed the House that he has this day approved, and signed, a joint resolution relative to the relief of Wm. B. Dodd.

The following message was also taken up and read:

MR. PRESIDENT:—The Speaker of the House has signed the following act and memorial, viz:

An act to incorporate the Grand Lodge of Minnesota I. O. O. F.

A memorial to Congress for the establishment of a road from St. Paul, by way of Little Canada, to Rum river.

C. J. 22.

After the reading of the above message,
 The President signed the following memorial and act.
 A memorial to Congress for the establishment of a road from St. Paul, by way of Little Canada, to Rum river.

An act to incorporate the Grand Lodge of Minnesota.
 The above act and memorial were then placed in the hands of the Chairman of the Joint Committee on Enrolled Bills for presentation to his Excellency, the Governor, for his examination and approval.

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

A bill to incorporate a company to construct a railroad from St. Paul to the Iowa State line.

Bills ready for a third reading being in order,
 No. 14, (C. F.) A bill to incorporate the Minnesota Hamline University,
 Was taken up,

And ordered to a third reading.

Mr. Murray moved to suspend the rule, and that said bill be read a third time by its title only;

Which motion being put,
 It was decided in the affirmative.
 Said bill was then read a third time.

The question then recurring upon the passage of the bill,
 Mr. Murray asked, and obtained, the unanimous consent of the Council to introduce the following amendments to said bill:

In section 7, add, after the word "Treasurer," the words, "their office," and strike out the word "sixty," and insert the word "twenty" in lieu thereof.
 Said bill was then passed.

The question then recurring on agreeing to the title,
 Mr. Murray moved to amend said title as follows:

"The Hamline University of Minnesota;"

Which motion being put,
 It was decided in the affirmative.
 The title of said bill, as amended, was then agreed to.

Mr. Brown, on leave, previous notice of which had been given, introduced
 No. 32, (C. F.) A bill for the protection of owners of saw logs in Minnesota Territory.

On motion of Mr. Brown,
 The rule was suspended, and said bill was read a first and second time by its title only,

And laid on the table to be printed.

On motion of Mr. Brown,
 The Council then resolved itself into a Committee of the Whole, Mr. Murray in the chair, having under consideration

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto; also,

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the **St. Croix Boom Company**,

After some time passed therein,

The Committee rose, and, by the chairman, reported back to the Council,

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the **Mississippi Company**, and an act amendatory thereto,"

Without amendment; also,

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the **St. Croix Boom Company**,

Without amendment.

The report of the Committee of the Whole was accepted.

The question then recurring on the Council concurring in the amendments, as proposed in the Committee of the Whole to

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the **Mississippi Boom Company**, and an act amendatory thereto;

Mr. Murray moved to amend the bill as follows:

Strike out, in section 3, 4th line, all after the word "Company."

The question recurring upon which action,

And the yeas and nays being called for and ordered, resulted as follows—yeas 4, nays 4.

Those who voted in the affirmative were,

Messrs. Freeborn, Murray, Stimson, and President—4.

Those who voted in the negative were,

Messrs. Brown, Mower, Stearns, and Van Etten—4.

So the motion did not prevail.

The question then recurring on adopting the amendments, as proposed in Committee of the Whole,

They were concurred in.

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

And the yeas and nays being called for and ordered, resulted as follows—yeas 6, nays 2.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Stearns, Stimson, and Van Etten—6.

Those who voted in the negative were,

Messrs. Murray and President—2.

A majority having voted in the affirmative,

The motion prevailed.

Pending the further consideration of said bill,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared, and delivered the following message:

MR. PRESIDENT:—The House has passed
No. 3, (C. F.) A memorial to Congress relative to the Half Breed Lands in Minnesota;

In which the concurrence of the Council is respectfully requested.

The Chief Clerk having withdrawn,

The question recurred on ordering

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the St. Croix Boom Company,

To be engrossed for a third reading;

Mr. Murray moved to amend said bill as follows:

Strike out the fifteenth section;

Which motion being put,

It was decided in the negative.

Mr. Murray moved to amend section sixteen in said bill as follows:

Strike out all after the word "time," in the first line.

Mr. Van Etten offered the following amendment to said bill:

Strike out the word "tan," in section sixteen;

And the yeas and nays being called for and ordered, resulted as follows—yeas 4,
nays 4.

Those who voted in the affirmative were,

Messrs. Brown, Mower, Stearns, and Van Etten—4.

Those who voted in the negative were,

Messrs. Freeborn, Murray, Stimson, and President—4.

So the amendment to the amendment was not adopted.

The question then recurring on the amendment as proposed by Mr. Murray,

And the yeas and nays being called for and ordered, resulted as follows—yeas 5,
nays 3.

Those who voted in the affirmative were,

Messrs. Freeborn, Murray, Stimson, Van Etten, and President—5.

Those who voted in the negative were,

Messrs. Brown, Mower, and Stearns—3.

A majority having voted in the affirmative,

The amendment was adopted.

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

Messages from the House being order,

On motion of Mr. Brown,

The following message was taken up and read:

MR. PRESIDENT:—The House has passed

No. 2, (C. F.) Memorial to Congress relative to the Half Breeds in Minnesota,
With an amendment;

In which the concurrence of the Council is requested.

No. 3, (C. F.) A memorial to Congress relative to the Half Breed Lands in Minnesota,

Was taken up,

And the amendment to said bill, as passed in the House, was read and concurred in by the Council.

Mr. Van Etten, on leave, introduced

No. 23, (C. F.) A bill to incorporate the St. Paul and Point Douglas Plank Road Company.

Mr. Van Etten moved that the rule be suspended and said bill be read a first and second time by its title only;

Which motion being put,

It was agreed to.

Said bill was then read a first and second time,

And laid on the table to be printed.

Reports from committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 15, (H. of R.) A bill to incorporate the German Reading Society of St. Paul;

No. 21, (H. of R.) A bill to provide for laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river;

No. — (H. of R.) Memorial to Congress to make an appropriation to construct a Military Road from Winona, on the Mississippi river, to Fort Ridgley.

JOSEPH R. BROWN, Council,

HENRY S. PLUMER, House,

Committee.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Mower in the chair, having under consideration,

No. 27, (C. F.) A bill to establish the county of Sherburne;

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

The report of the Committee of the Whole was accepted.

Mr. Van Etten moved said bill be indefinitely postponed.

The question recurring upon which motion,

And the yeas and nays being called for and ordered,

Mr. Murray moved a call of the Council;

And the roll being called,

All the members were found to be present except Mr. Kittson.

Mr. Brown moved all further proceedings under the call be dispensed with;

Which motion being put,

It was adopted.

The question recurring on the motion to indefinitely postpone said bill;

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 2.

Those who voted in the affirmative were,

Messrs. Brown, Mower, Stimson, Van Etten, and President—5.

Those who voted in the negative were,

Messrs. Freeborn and Murray—2.

A majority having voted in the affirmative,

The bill was indefinitely postponed.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road Company; also,

No. 24, (C. F.) A bill to incorporate the Minneapolis and Lake Minnetonka Plank Road Company; also,

No. 29, (C. F.) A bill to incorporate the Henderson and Fort Ridgley Plank Road Company.

Pending the sitting of the Committee of the Whole,

A message from his Excellency, the Governor, being announced,

And the President having taken the chair for the reception thereof,

R. A. Smith, Esq., the Private Secretary of his Excellency, appeared and handed in a message in writing.

The Private Secretary of the Governor having withdrawn,

The committee resumed its sitting on said bills.

Pending the further sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed

No. 10, (H. of R.) Memorial to Congress for the extinguishment of the Indian title to lands on the north shore of Lake Superior, in Minnesota Territory;

In which the concurrence of the Council is requested.

The Speaker has signed

An act to provide for laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river; also,

An act to incorporate the German Reading Society of St. Paul; also,

A memorial to Congress to make an appropriation to construct a Military Road from Winona, on the Mississippi river, to Fort Ridgley.

The Chief Clerk having withdrawn,

The committee again resumed its sitting on said bills,

And after some further time passed therein the Committee rose, and, by the chairman, reported said bills back to the Council, without amendment.

The report of the committee was accepted.

No. 24, (C. F.) A bill to incorporate the Minneapolis and Lake Minnetonka Plank Company,

Was then ordered to be engrossed for a third reading.

Said bill was then read a third time.

No. 29, (C. F.) A bill to incorporate the Henderson and Fort Ridgley Plank Road Company,

Was then ordered to be engrossed for a third reading.

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road Company, and to provide for the construction and maintenance of said road.
Was then taken up.

Mr. Brown moved said bill be referred to the Committee on Roads; and the motion being put,

It was adopted.

Said bill was so referred.

Mr. Brown moved the rule be suspended, and

No. 29, (C. F.) A bill to incorporate the Henderson and Fort Ridgley Plank Road Company, and

No. 24, (C. F.) A bill to incorporate the Minneapolis and Lake Minnetonka Plank Road Company,

Be taken up,

And that the Secretary be instructed to report said bills as having been engrossed and ready for a third reading;

Upon which motion,

A division was called for and ordered,

And a majority having voted in favor of said motion,

Said bills were then considered as engrossed bills.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the Chair, having under consideration,

No. 26, (C. F.) A bill in relation to ferries.

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

The report of the Committee of the Whole was accepted.

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

Mr. Brown offered the following amendment to said bill:

Amend section 4, so as to read,

"The County Commissioners may grant licenses, under the provisions of this act, for any period not exceeding ten years, at the discretion of the board;"

Which motion being put,

It was agreed to.

Said bill was then ordered to be engrossed and read a third time.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 23, (C. F.) A bill prescribing the qualifications of electors and the mode of voting, and amending certain provisions of the Revised Statutes in relation thereto.

After sometime passed therein, the Committee rose, and, by the chairman, reported said bill back to the Council, with amendments.

The report of the Committee was accepted.

The question then recurring on the adoption of the following amendment to said bill, as passed in Committee of the Whole, viz:

Strike out, in section two, all after the word "that," and insert,

"No person elected or appointed to any office in pursuance of any law of this Territory, shall be entitled to hold said office unless he is a legal voter, as prescribed in the first section of this act."

The question being upon the adoption of said amendment,

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Stearns, and Van Etten—5.

Those who voted in the negative were,

Messrs. Murray, Stimson, and President—3.

A majority having voted in the affirmative,

The amendment was concurred in.

Mr. Brown moved to amend section 3, as follows:

Strike out all after the words "shall be," and insert,

"Opened in the several counties in this Territory on the day provided by the act to which this is amendatory;"

Which motion being put,

It was agreed to.

Mr. Murray moved said bill be referred to the Committee on the Judiciary;

Which motion being put,

It was negatived.

Mr. Stearns moved said bill be indefinitely postponed;

The question being put upon which motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 4, nays 4.

Those who voted in the affirmative were,

Messrs. Brown, Mower, Stearns, and Van Etten—4.

Those who voted in the negative were,

Messrs. Freeborn, Murray, Stimson, and President—4.

There being a tie vote,

The motion was lost.

On motion of Mr. Brown,

Said bill was laid on the table.

Mr. Brown, from the Committee on Roads, asked and obtained leave to make the following report:

The Committee on Roads, to whom was referred the petition of sundry persons for a road from St. Paul to the Iowa State line, beg leave to report by bill;

Which report was accepted, and

No. 34, (C. F.) A bill to provide for laying out a Territorial Road from St. Paul to the Iowa State line,

Was then taken up.

On motion of Mr. Brown,

Said bill was read a first and second time by its title,

And laid on the table to be printed.

On motion of Mr. Murray,

The Council resolved itself into Executive session;

And after some time passed therein,

The doors were again opened.

On motion of Mr. Van Etten,

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

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,

Secretary.

MONDAY, FEBRUARY 20, 1854.

The Council met pursuant to adjournment, and was called to order by the President at 2 o'clock, P. M.

Prayer by the Rev. Mr. Kerna.

A quorum being present;

The Journal of Friday last was read and approved.

Mr. Murray asked, and obtained, leave to introduce

No. 85, (C. F.) A bill to amend an act to prevent trespassers on school lands in Minnesota Territory, approved March 6, 1852.

On motion of Mr. Murray,

The rule was suspended, and said bill was read a first and second time by its title, and laid on the table to be printed.

Mr. Murray asked, and obtained, leave to introduce

No. 86, (C. F.) A bill amendatory of an act for the support of Common Schools.

On motion of Mr. Murray,

The rule was suspended, and said bill was read a first and second time by its title, and laid on the table to be printed.

Mr. Brown asked, and obtained, leave to introduce

No. 87, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company.

On motion of Mr. Brown,

The rule was suspended and said bill read a first and second time by its title only, and laid on the table to be printed.

c. j. 23.

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

A bill to amend section 12, and chapter 49, of the Revised Statutes, entitled an act to incorporate the Rum River Boom Company;

Also, an additional section to said Boom charter.

Reports from committees being in order,

Mr. Brown, from the Committee on Roads, to whom was referred

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road Company,

Reported that they have had the same under consideration, and beg leave to return said bill back to the Council, without amendment.

On motion of Mr. Murray,

The Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

TUESDAY, FEBRUARY 21, 1854.

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

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The journal of yesterday was read and approved.

Letters, petitions, &c., being in order,

Mr. Murray presented the following petitions:

From W. W. Hitchcox and 41 others; also,

From J. McCloud and Brother and 51 others; also,

From Cyrus Gray and 20 others;

Praying for the passage of an act to prohibit the circulation of unauthorized currency.

The petition of J. McCloud & Brother, and 51 others,

Was taken up.

Pending the reading of said petition,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has concurred in the Council amendment to No. 19, (H. of R.) A bill for an act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota.

The House has concurred in the second, third, and fourth amendments to No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory,

And refused to concur in the first and fifth amendments thereto.

The bill is herewith returned to the Council.

The Chief Clerk having withdrawn,

The reading of the petition was resumed.

Mr. Van Etten moved the reading of the petition signed by McCloud and others be dispensed with;

Which motion being put,

It was decided in the negative.

The reading of said petition was then concluded.

On motion of Mr. Murray,

The further reading of said petitions was dispensed with.

Said petitions were then ordered to be printed with the journal of to-morrow, with the exception of the names of the signers to said petitions.

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

We, the undersigned, citizens and business men of St. Paul, learning there is a bill before your honorable bodies, entitled "A bill to prevent the circulation of unauthorized currency," and that the same is now awaiting your action, would respectfully ask that the same be passed as a law of this Territory. The experience of the whole West, for years past, has demonstrated that the circulation of an unauthorized currency is productive of the most serious evils to a community, abstracting, as it does, from the pockets of the industrious poor the proceeds of their hard labor, and placing the same in the coffers of any and every one who has the boldness and assurance to come forward and thrust his issues upon the community. It is too often the case that these issues are put in circulation by unprincipled and designing men, merely for the purpose of drawing the life blood from the masses; and the financial history of this country, for years past, affords but too many examples of this truth. Men, by this species of financial manœuvring, have too often sprung from a state of meagre poverty to a condition of immense wealth; and labor, the only true foundation of the prosperity of a community, has in every case been obliged to pay the tribute. For these reasons, and many others which might be adduced, we would respectfully ask your honorable bodies, who have it in your power to throw around this community the protection of law, to pass the bill above named, and thus secure the industrious and hard working, in some measure, against the attempts of the unprincipled and designing.

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

We, the undersigned, citizens and business men of St. Paul, learning there is a bill before you entitled "A bill to prevent the circulation of unauthorized currency," and that the same is now awaiting your action, would respectfully ask that the same be passed as a law of this Territory.

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

A bill to conciliate the discrepancies in the bill to organize Sibley county, the bill to organize certain counties, and the bill relating to officers of Wabashaw county.

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

A bill to incorporate the Red Wing and Henderson Plank Road Company; also,

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

Reports of committees being in order,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined, and found correctly engrossed, the following, viz:

No. 21, (C. F.) A bill in relation to ferries;

No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company;

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto;

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the St. Croix Boom Company.

I. VAN ETTEN,

J. E. MOWER,

Committee.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 8, (C. F.) A memorial to Congress relative to the Half Breed Lands in Minnesota;

No. 4, (C. F.) A memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North and the St. Louis River;

No. 5, (C. F.) A memorial to Congress for the construction of roads in the Territory of Minnesota.

JOS. R. BROWN, Council,

H. S. FLUMER, House,

Committee.

Messages from the House being now in order,
The following message was taken up and read, viz :

MR. PRESIDENT:—The House has passed

No. 10, (H. of R.) Memorial to Congress for the extinguishment of the Indian title to lands on the north shore of Lake Superior, Minnesota Territory ;

In which the concurrence of the Council is respectfully requested.

The Speaker has signed

An act for laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river; also,

An act to incorporate the German Reading Society of St. Paul; also,

A memorial to Congress to make an appropriation to construct a Military Road from Winona, on the Mississippi river, to Fort Ridgley.

After the reading of the above message,

The President of the Council signed the following acts and memorial :

An act to provide for laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river;

An act to incorporate the German Reading Society of St. Paul;

Memorial to Congress to make an appropriation to construct a Military Road from Winona, on the Mississippi river, to Fort Ridgley.

After the signing of said acts and memorial,

No. 10, (H. of R.) A memorial to Congress for the extinguishment of the Indian title to the lands on the north shore of Lake Superior,

Was taken up,

And read a first and second time.

Mr. Van Etten moved said memorial be referred to a select committee;

Which motion being put,

And a majority having voted in the affirmative,

It was agreed to.

The memorial was so referred.

The President appointed Messrs. Van Etten, Stearns, and Stimson said committee.

Messages from the House being in order,

The following message was taken up and read :

MR. PRESIDENT:—The House of Representatives has concurred in the Council amendment to

No. 19, (H. of R.) A bill for an act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota.

The House has concurred in the second, third, fourth, and sixth amendments to

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory;

And refused to concur in the first and fifth amendments thereto.

The bill is herewith returned to the Council.

Mr. Van Etten moved a committee of conference be appointed to confer with a similar committee on the part of the House relative to the House disagreeing to the Council amendments to

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory;

Which motion being put,

It was agreed to.

The President named Messrs. Stearns, Mower, and Freeborn
ference.

Bills ready for a third reading being in order,

No. 29, (C. F.) A bill to incorporate the Henderson and Fort Ridgley Plank Road
Company,

Was taken up,

And ordered to a third reading.

Said bill was then read a third time.

The question being upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

No. 24, (C. F.) A bill to incorporate the Minneapolis and Lake Minnetonka Plank
Road Company,

Was then taken up,

And ordered to a third reading.

On motion of Mr. Van Etten,

Said bill was then read a third time by its title.

The question recurring on the passage of said bill,

It was passed.

The question then recurring on agreeing to its title,

It was agreed to.

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi
Boom Company, and an act amendatory thereto,

Was taken up,

And ordered to a third reading.

On motion of Mr. Murray,

The rule was suspended and said bill was read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the St. Croix
Boom Company,

Was taken up,

And ordered to a third reading.

Mr. Murray moved the rule be suspended, and that said bill be read a third time by
its title only;

Which motion being put,

It was decided in the affirmative.

Said bill was then read a third time.

The question recurring, "Shall the bill pass?"

It was decided in the affirmative.

So said bill was passed.

The question then recurring on agreeing to its title,
It was agreed to.

No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company,
Was taken up,

And ordered a third reading.

On motion of Mr. Van Etten,

The rule was suspended and said bill was read a third time by its title.

The question recurring upon its passage,

It was passed.

The question then being upon agreeing to its title,

It was agreed to.

No. 26, (C. F.) A bill in relation to ferries,

Was taken up.

Mr. Van Etten moved the rule be suspended, and that said bill be read a third time by its title only;

Which motion being put,

It was adopted.

Said bill was then read a third time.

The question being upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

On motion of Mr. Van Etten,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the chair having under consideration

No. 19, (C. F.) A bill relating to Auctioneers;

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

The report of the Committee of the Whole was accepted.

The question recurring on the Council concurring in the amendments as passed in Committee of the Whole;

And the question being put,

It was decided in the affirmative.

Said bill was then ordered to be engrossed for a third reading.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 33, (C. F.) A bill to incorporate the St. Paul and Point Douglas Plank Road Company; also,

No. 30, (C. F.) A bill to incorporate the St. Paul and Little Canada Plank Road Company.

Pending the sitting of the committee on said bills,

A quorum not being present,

And the President having taken the chair,

Mr. Stearns moved a call of the Council;

And the roll being called,

Messrs. Brown, Stimson, and Kittson were reported absent.

The President requested the Sergeant-at-Arms to notify the absent members to appear in their seats.

On motion of Mr. Stearns,

All further proceedings under the call were dispensed with;

And the committee resumed its sitting on said bills.

After some time passed therein,

The committee rose, and, by the Chairman, reported said bill back to the Council, without amendment.

The report of the Committee of the Whole was accepted.

Said bills were then ordered to be engrossed and read a third time.

Reports from committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, to wit:

The Committee on Enrolled Bills did, on the 20th day of February, 1854, present to his Excellency, the Governor, for examination and approval, the following, viz:

A bill entitled an act to establish the county seat of Hennepin county;

A bill entitled an act to incorporate the Grand Lodge of Minnesota I. O. O. F.;

Joint resolution relative to printing the laws, memorials, and joint resolutions;

Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids;

Memorial to Congress praying for pre-emption rights on unsurveyed lands;

Memorial to Congress for the establishment of a road from St. Paul, by way of Little Canada, to Rum River.

J. R. BROWN, Council,

HENRY S. PLUMER, House,

Committee.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report viz:

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

No. 20, (H. of R.) A bill entitled an act relative to the county officers of Wabashaw county;

No. 17, (H. of R.) A bill to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids;

No. 25, (H. of R.) A bill for an act to establish certain counties, and for other purposes;

No. 19, (H. of R.) A bill for an act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota;

No. 4, (H. of R.) Joint resolution relative to an Emigrant Route from St. Paul to Oregon and California.

JOS. R. BROWN, Council,

HENRY S. PLUMER,

R. M. RICHARDSON, House,

Committee.

On motion of Mr. Freeborn,

The Council resolved itself into a Committee of the Whole, Mr. Mower in the Chair, having under consideration,

No. 31, (C. F.) A bill to amend section 16, article 8, of the Revised Statutes.

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

The report of the Committee was accepted.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration,

No. 5, (C. F.) A bill to incorporate the St. Paul Gas Light Company.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken his seat for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed the following bills and joint resolution:

An act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota;

An act to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids;

An act relative to the county officers of Wabashaw county;

An act to establish certain counties, and for other purposes;

Joint resolution relative to an Emigrant Route from St. Paul to Oregon and California.

The Chief Clerk having withdrawn,

The committee resumed its sitting on

No. 5, (C. F.) A bill to incorporate the St. Paul Gas Light Company.

And after some further time passed therein the Committee rose, and, by the chairman, reported said bill back to the Council, with amendments.

The report of the committee was accepted.

The question then recurring on the Council concurring in the amendments made in Committee of the Whole;

And the question being put by the Chair;

It was decided in the affirmative.

Said bill then ordered to be engrossed for a third reading.

Mr. Stearns moved the Council resolve itself into a Committee of the Whole, to take into consideration

No. 32, (C. F.) A bill for the protection of owners of saw logs in this Territory.

Mr. Murray moved the Council do now adjourn;

Which motion being put,

It was decided in the negative.

The question then recurring on the Council resolving itself into a Committee of the Whole on

No. 32, (C. F.) A bill for the protection of owners of saw logs in this Territory;

And the question being put,
It was decided in the affirmative.

The Council then resolved itself into a Committee of the Whole, Mr. Murray in the Chair, having under consideration

No. 32, (C. F.) A bill for the protection of owners of saw logs in this Territory.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House has appointed Messrs. McKusick, Fletcher, and Gardner, a committee of conference, to act in conjunction with a committee appointed by the Council, to take into consideration the disagreeing vote of the House to Council amendment to

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory.

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bill;

And after some further time passed therein, the committee rose, and, by the chairman, reported said bill back to the Council, with amendments.

The report of the Committee of the Whole was accepted.

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

Mr. Murray moved said bill be referred to a select committee, Mr. Brown to be chairman of said committee;

Which motion being put,

It was negatived.

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

Mr. Brown moved the rule be suspended and the engrossment of said bill be dispensed with, and that said bill be read a third time by its title;

Which motion being put,

It was agreed to.

Said bill was then read a third time.

The question recurring, "Shall the bill pass?"

And the yeas and nays being called for and ordered, resulted as follows—yeas, 6, nays 1.

Those who voted in the affirmative were;

Messrs. Brown, Freeborn, Mower, Stearns, Stinson and President—6.

Those who voted in the negative were,

Mr. Murray—1.

A majority having voted in the affirmative,

The bill was passed.

Reports from committees being in order,

Mr. Brown, from the committee to whom was referred sundry petitions praying for a prohibitory liquor law, asked leave to report by bill.

Said bill,

No. 38, (C. F.) A bill to regulate the sale of spirituous liquors in this Territory;

Was then taken up.

Mr. Murray moved that the rule be suspended and said bill be read a first and second time by its title only;

Which motion being put,

It was agreed to.

Said bill was then read a first and second time,

And laid on the table to be printed.

Mr. Stearns moved the Council do now adjourn;

Which motion being put,

And the yeas and nays being called for and ordered, resulted as follows—yeas 3, nays 4.

Those who voted in the affirmative were,

Messrs. Mower, Stearns, and Stimson—3,

Those who voted in the negative were,

Messrs. Brown, Freeborn, Murray, and President—4.

A majority having voted in the negative,

The Council refused to adjourn.

Mr. Freeborn asked, and obtained, leave to give notice that he would, on to-morrow or some future day, ask leave to introduce

A memorial to Congress for a further appropriation for the completion of the Capitol of the Territory and Territorial Prison.

Mr. Brown moved the Council resolve itself into a Committee of the Whole to take into consideration the file of House bills;

And the motion being put,

It was agreed to.

Mr. Brown moved to reconsider the vote by which the Council resolved itself into a Committee of the Whole for the consideration of the file of House bills;

Which motion being put,

It was agreed to.

Mr. Brown moved the messages from the House be now taken up;

Mr. Murray moved the Council do now adjourn;

Which motion being put,

It was not agreed to.

The question then recurring on taking up the messages from the House,

It was decided in the affirmative.

The following messages were taken up, and read by the Secretary:

MR. PRESIDENT:—The Speaker of the House has appointed Messrs. McKusick, Fletcher, and Gardner, a committee of conference, to act in conjunction with the committee appointed by the Council, to take into consideration the disagreeing vote of the House to Council amendment to

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory.

MR. PRESIDENT:—The Speaker of the House has signed the following acts and joint resolutions, viz:

An act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota;

An act to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids;

An act relative to the county officers of Wabashaw county;

An act to establish certain counties, and for other purposes;

Joint resolution relative to the establishment of an Emigrant Route from St. Paul to Oregon and California.

After the reading of the above messages,

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Mower in the chair, having under consideration,

No. 34, (C. F.) A bill to provide for laying out a Territorial Road from St. Paul to the Iowa State line;

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

The report of the Committee of the Whole was accepted.

On motion of Mr. Brown,

The rule was suspended, the engrossment dispensed with, and said bill read a third time by its title.

The question recurring, "Shall the bill now pass?"

It was decided in the affirmative.

So the bill was passed.

The question being upon agreeing to its title,

It was agreed to.

On motion of Mr. Mower,

The Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

WEDNESDAY, FEBRUARY 22, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerna.

A quorum being present,

The reading of the Journal of yesterday was commenced.

Pending the reading of the Journal,

On motion of Mr. Murray,

The further reading of the Journal was dispensed with.

Mr. Murray offered the following resolution:

Resolved, That the Committee on Territorial Affairs, to whom was referred

No. 16, (H. of R.) A bill for an act to prohibit the circulation of unauthorized notes as currency,

Be instructed to report the same back to the Council immediately;

And the yeas and nays being called for and ordered, resulted as follows—yeas 4, nays 4.

Those who voted in the affirmative were,

Messrs. Freeborn, Mower, Murray, and President—4.

Those who voted in the negative were,

Messrs. Brown, Stearns, Stimson, and Van Etten—4.

There being a tie vote,

The resolution was not adopted.

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

A bill for an act to incorporate the St. Paul and Lake Superior Plank Road Company.

A message from his Excellency, the Governor, being announced,

R. A. Smith, Esq., the Private Secretary of his Excellency, appeared and delivered the following message:

MR. PRESIDENT:—I am directed by the Governor to inform the Council that he has approved and signed,

A joint resolution authorizing the Secretary of the Territory to purchase copies of the Annals of the Minnesota Historical Society.

The Private Secretary of the Governor having withdrawn,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined and found correctly engrossed the following, viz:

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road Company;

No. 5, (C. F.) A bill to incorporate the St. Paul Gas Light Company;

No. 33, (C. F.) A bill to incorporate the St. Paul and Point Douglas Plank Road Company;

No. 30, (C. F.) A bill to incorporate the St. Paul and Little Canada Plank Road Company.

J. VAN ETTEN,

J. E. MOWER,

Committee.

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

A bill regulating the currency of this Territory, and for other purposes.

Mr. Freeborn asked and obtained leave, previous notice having been given, to introduce

No. 39, (C. F.) A bill to incorporate the Red Wing and Henderson Plank Road Company.

Pending the consideration of said bill,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed the following memorials:

A memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix River, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis River;

Memorial to Congress relative to the Half Breed Lands in Minnesota;

Memorial to Congress for the construction of Roads in the Territory of Minnesota.

The House has passed

No. 33, (H. of R.) An act to amend the Revised Statutes;

In which the concurrence of the Council is requested.

The Chief Clerk having withdrawn;

The consideration of

No. 39, (C. F.) A bill to incorporate the Red Wing and Henderson Plank Road Company;

Was resumed.

On motion of Mr. Brown,

The rule was suspended, and said bill read a first and second time by its title only,

And laid on the table to be printed.

Messages from the House of Representatives being in order,

The following message was taken up and read:

MR. PRESIDENT:—The Speaker of the House has signed the following memorials, viz:

Memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis River;

Memorial to Congress relative to the Half Breed Lands in Minnesota.

The House has passed No. 33, (H. of R.) An act to amend the Revised Statutes; In which the concurrence of the Council is requested.

After the reading of the above message,

The President of the Council signed the following acts, joint resolution, and memorials:

An act to establish certain counties, and for other purposes;

An act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota;

An act relative to the county officers of Wabashaw county;

An act to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids;

Joint resolution relative to an Emigrant Route from St. Paul to Oregon and California;

A memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river;

A memorial to Congress relative to the Half Breed Lands in Minnesota;

A memorial to Congress for the construction of Roads in the Territory of Minnesota.

The above acts, joint resolution, and memorials, were then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his approval and signature.

No. 33, (H. of R.) An act to amend the Revised Statutes, Was taken up,

And read a first and second time.

No. 5, (C. F.) A bill to incorporate the St. Paul Gas Light Company, Was taken up,

And ordered to a third reading;

Mr. Van Etten moved the rule be suspended and that said bill be now read a third time by its title;

Which motion being put,

It was decided in the affirmative.

Said bill was then read a third time.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring on agreeing to its title,

It was agreed to.

Mr. Freeborn moved to reconsider the vote by which the title to said bill was agreed to;

Which motion being put,

It was decided in the affirmative.

Mr. Freeborn moved to amend the title so as to read the St. Paul Gas Light Company.

The question being put,

It was agreed to.

Said title, as amended, was then agreed to.

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road Company,

Was then taken up,

And ordered to a third reading.

Mr. Freeborn moved the rule be suspended and that said bill be read a third time by its title only;

Which motion being put,

It was agreed to.

Said bill was then read a third time.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

No. 33, (C. F.) A bill to incorporate the St. Paul and Point Douglas Plank Road Company,

Was taken up,

And ordered to a third reading.

On motion of Mr. Freeborn,

The rule was suspended and said bill read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question then being on agreeing to its title,

It was agreed to.

No. 30, (C. F.) A bill to incorporate the St. Paul and Little Canada Plank Road Company,

Was taken up,

And ordered to a third reading.

Mr. Brown moved the rule be suspended and said bill be read a third time by its title only;

Which motion being put,

It was adopted.

Said bill was then read a third time.

The question recurring, "Shall said bill pass?"

It was passed.

The question then recurring upon agreeing to the title,

It was agreed to.

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

A bill relative to certain counties.

Reports from committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 8, (C. F.) A bill entitled an act to provide for laying out a Territorial Road from Red Wing to Fort Ridgley.

JOSEPH R. BROWN, Council,
HENRY S. PLUMER, House,
Committee.

Bills ready for a Committee of the Whole being in order,

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the Chair, having under consideration

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Governor has informed the House that he has this day approved and signed,

A memorial to Congress praying for pre-emption rights on unsurveyed lands; also,

Joint resolution relative to printing the laws, memorials, and joint resolutions; also,

Memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids; also,

Memorial to Congress for the establishment of a road from St. Paul, by way of Little Canada to Rum River; also,

An act to establish the county seat of Hennepin county; also,

An act to incorporate the Grand Lodge of Minnesota I. O. O. F.

The Chief Clerk having withdrawn,

The committee resumed its sitting on

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared, and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company; also,

No. 22, (C. F.) A bill to amend the Revised Statutes.

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bill;

And after some further time passed therein,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed
No. 27, (H. of R.) A bill to prevent the traffic in intoxicating drinks within this Territory;

In which the concurrence of the Council is respectfully requested.

The Chief Clerk having withdrawn,

The committee again resumed its sitting on said bill;

And after some further time passed therein,

A message from the House being announced,

A. J. Morgan, Esq., Chief Clerk of the House, appeared and delivered the following message to the Chairman of the Committee of the Whole, who acted as President, pro tem., during the temporary absence of the President, viz:

MR. PRESIDENT:—The House has concurred in the 8th Council amendment to
No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory.

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bill.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed
No. 28, (H. of R.) A bill to dissolve the marriage contract now existing between Narcissus Leroy and his wife, Ann Leroy;

In which the concurrence of the Council is requested.

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bill.

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

The report of the Committee was accepted.

Mr. Murray moved said bill be referred to a select committee of three;

Which motion being put,

It was agreed to.

The President appointed Messrs. Murray, Stearns, and Stimson said select committee.

Messages from the House being in order,

On motion of Mr. Murray,

The following message was taken up and read:

MR. PRESIDENT:—The House has passed
No. 27, (H. of R.) A bill to prevent the traffic in intoxicating drinks within this Territory;

In which the concurrence of the Council is respectfully requested.

After the reading of the above message,

No. 27, (H. of R.) A bill to prevent the traffic in intoxicating drinks within this Territory,

Was taken up.

Pending the reading of said bill,

Mr. Murray moved the rule be suspended and said bill read a first and second time by its title only.

Mr. Stearns moved the Council do now adjourn;

Which motion being put,

It was decided in the negative.

The question then recurring on suspending the rule and reading said bill a first and second time by its title;

And the question being put,

It was decided in the affirmative.

Said bill was then read a first and second time.

Mr. Murray moved the bill be referred to a select committee of three.

The question being put upon the adoption of said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Freeborn, Mower, Murray, Van Etten, and President—5.

Those who voted in the negative were,

Messrs. Brown, Stearns, and Stimson—3.

And a majority having voted in the affirmative,

The motion was adopted.

Messrs. Murray, Freeborn, and Stimson were appointed said select committee.

On motion of Mr. Van Etten,

The Council adjourned until to-morrow at 10 o'clock, A. M.

S. B. OLMSTEAD.

President of the Council.

Attest:

J. B. DIXON,

Secretary.

THURSDAY, FEBRUARY 23, 1854.

The President called the Council to order, pursuant to adjournment, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Mr. Brown asked, and obtained, leave, previous notice of which had been given, to introduce

No. 40, (C. F.) A bill to incorporate the La Crosse and Minnesota Railroad Company.

On motion of Mr. Brown,

The rule was suspended and said bill read a first and second time by its title,

And laid on the table to be printed.

Mr. Brown asked, and obtained, leave, previous notice of which had been given, to introduce

No. 6, (C. F.) A memorial to Congress for certain mail routes therein named.

On motion of Mr. Brown,

The rule was suspended, and said memorial was read a first and second time,

And laid on the table to be printed.

Mr. Van Etten, on leave, introduced the Annual Report of the Building Commissioners.

On motion of Mr. Murray,

The reading of said report was dispensed with.

THIRD ANNUAL REPORT OF THE BUILDING COMMISSIONERS.

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

The Board of Building Commissioners for the Territory of Minnesota transmit to the honorable, the Legislative Assembly of this Territory, their third annual report, together with a copy of the Journal of their Proceedings, and the report of the Treasurer of the Capitol Fund.

At the date of the last annual report of the Commissioners, the Superintendency of the Territorial Prison was included in the duties of the Building Commissioners. The last Legislative Assembly, however, passed an act, approved March 5th, 1853, transferring the superintending of the prison, and the improvements thereto being made, to the Warden of the Prison. The action of the Board, therefore, since the approval of said act, has been confined to the superintending and completion of the Capitol.

There was a balance of \$420 16 in the treasury of the building fund at the date of the last report, and by an act of Congress, passed at its last session, a further sum of \$12,500 was appropriated by the government for the completion of the Capitol, which sum of \$12,500 was received by the Treasurer of the Capitol Fund in August last.

There has been expended in and about the Capitol, in completing the same, and for an out house, and in levelling the Capitol grounds, draining the basement of the Capitol building, and furnishing the Legislative halls and rooms for the federal officers, since the

last annual report, the sum of \$11,642 81, leaving a balance of \$1,277 35 now in the hands of the treasurer, as appears by his report, hereto annexed.

At the date of said last annual report, the contract, originally taken and entered into by J. Daniels, Esq., for constructing certain portions of the Capitol, as per specifications, was not completed. The cost of the work, included in his contract then remaining unperformed, was \$2,150 00, as estimated by C. P. V. Lull, the then superintendent of the Capitol. In order to complete said work, and also to complete the Capitol, at as early a day as possible, the Commissioners, at their meeting held March 11, 1853, instructed, by resolution, the superintendent to invite sealed proposals for the completion of the Capitol building, which proposals were to be received until May 2, 1853. For the advantage of government, and an economical expenditure of the Capitol Fund, the board resolved to receive separate proposals for the different kinds of work to be performed. A number of proposals were received, and at a meeting of the board held May 10, 1853, the Commissioners proceeded to open the proposals and to award the contracts to the lowest responsible bidders. To Messrs. Downer & Mason they awarded the contract of completing the Capitol, excepting the lathing and plastering and the painting, at the price of \$4,454. The contract for lathing and plastering the Capitol, and furnishing the material therefor, was awarded to Messrs. Stephens & Wallace; and the painting, and furnishing material therefor, was given to J. P. Wright. All of whom immediately entered into bond for the completing of their several contracts, and have finished the same to the entire satisfaction of the Commissioners.

At a later period, proposals were issued for grading the grounds about the Capitol. Difficulties arising, however, in procuring Mr. Kneer to perform the work under a contract by the job, the board, by resolution, instructed the Superintendent to have the grading done by laborers employed by the day. Under said resolution, the work was done satisfactorily to the board, and at a pecuniary advantage to the government.

The Capitol building is now completed, with the exception of fitting up the Supreme Court room, which is being done. It is necessary for the protection of the Capitol grounds that they should be enclosed with a good and substantial fence, for which improvement a further appropriation will be required from Congress.

The Commissioners would, therefore, recommend that a memorial be addressed to Congress, asking an appropriation for constructing a fence, enclosing the Capitol grounds, and also for defraying the incidental expenses of the Capitol.

For further information concerning the transactions of the Board, the Commissioners would respectfully refer your honorable body to their Journal, a copy of which is hereto annexed.

By order of the Board,

L. VAN ETTEN,
Secretary.

JOURNAL OF PROCEEDINGS.

St. PAUL, January 28th, 1853.

Board met.

Present—Alexander Ramsey and Alex. Wilkin.

A communication from Daniel F. Brawley, late Superintendent of the Capitol Building, was presented and read, as follows, to-wit:

Report of the Building Commissioner to the Board of Building Commissioners of Territorial Buildings for Minnesota Territory.

GENTLEMEN:—As ex-Building Commissioner, I have the honor to submit the following report of my stewardship while in office:

On the 12th day of October, 1852, I endorsed the bill of J. Daniels, Esq., for \$7,000 for the payment of materials for the Capitol, as follows:

For brick from the commencement of the second story to the completion of the building, (231,120 brick) laid in the wall, - - -	\$2,311 20
The remainder of the bill was for 75,000 shingles, at \$3 per thousand, -	225 00
And putting on roof, partitions, flooring, cornice, window casings, doors, and frames, and columns for porticos, including the lumber therefor, -	4,440 00
	<hr/>
	\$6,976 20

The above sums are according to my own estimates, in the making of which, I underestimated the carpenter's estimate thereof.

At this date, (October 12th, 1852,) Mr. Daniel's contract is completed, with the exception of about ten days' work for a carpenter, the lathing and plastering, and putting in the window glass and sash.

Respectfully submitted,

D. F. BRAWLEY,
Ex-Building Commissioner.

Oct. 12th, 1852.

Which report,

On motion of Alex. Wilkin,

Was endorsed and ordered to be filed.

The following resolution and preamble was then offered, to-wit.

Whereas, Joseph Daniels has given an order, dated November 2d, 1852, on this board for \$400, in favor of Haus & Lewry, sub-contractors for work done on the Capitol, under the contract of the said Daniels;

And whereas, said Haus & Lewry have presented a bill of \$400, properly certified to:

On motion of A. Wilkin,

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for \$400 in favor of said Haus & Lewry, upon said account and order.

Ayes—Ramsey and Wilkin.

On motion of A. Wilkin,

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for \$1,000, in favor of Joseph Daniels, upon account of bill for lumber presented this day by W. R. Marshall, to whom the same was assigned.

Dec. 1st, 1852.

On motion of Alex. Wilkin,

Ordered, That a warrant for \$79 be drawn on the Treasurer of Capitol Fund, in favor of J. P. Wright, on account of bill for painting, presented this day.

Ayes—Ramsey and Wilkin.

On motion of Alex. Wilkin,

The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

ST. PAUL, Feb. 2, 1853.

Board met.

Present—Alex. Ramsey and Alex. Wilkin.

A. Wilkin offered the following preamble and resolution, to-wit:

Whereas, M. Wise & Co. had contracted with J. Daniels, late contractor on Capitol buildings, to supply sash for said building, but had not delivered the same on account of non-payment, by said Daniels, for the same, until the indebtedness was assumed by this Board;

And whereas, the same have been delivered in consequence of such assumption, and such delivery has been properly certified to by the Superintendent, and said Daniels has authorized this Board to pay said bill to M. Wise & Co.;

On motion of Alex. Wilkin,

Resolved, That a warrant for \$141 02 be issued by the Secretary on the Treasurer of the Capitol Fund in favor of M. Wise & Co., in payment of their bill, dated November 15th, 1852.

Ayes—Ramsey and Wilkin.

There being no further business before the Board,

On motion of Alex. Wilkin,

The Board adjourned.

Ayes—Ramsey and Wilkin,

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, Feb. 5th, 1853.

Board of Building Commissioners met.

Present—Alex. Ramsey and Alex. Wilkin.

The report of the Superintendent of the Capitol Building was presented by Alex. Wilkin, and read, as follows:

To the Honorable Board of Building Commissioners for the Territory of Minnesota :

The undersigned, Superintendent of the Capitol, respectfully begs leave to report :

That he has examined said building, and estimated the cost of completing the same, and finds that there remains to complete said building, according to the plans and specifications, to the best of my knowledge—

Finishing dome and turning column, and floor in front, casing windows, sash and glass, and setting same, setting partitions and base and doors, stairs, and filling front opening, and completing the plastering in the building. That the above work will cost, to the best of my knowledge, about \$2,150 00.

Most respectfully yours,

C. P. V. LULL,
Superintendent of Capitol Building.

Dated Feb. 2, 1853.

On motion of Alex. Wilkin,

Ordered, That said report of the Superintendent of the Capitol be recorded by the Secretary in the of proceedings of the Board.

Ayes—Ramsey and Wilkin.

There being no further business before the Board,

A. Wilkin moved that the meeting do now adjourn.

Carried.

Ayes—Ramsey and Wilkin.

ALEX. RAMSEY,
President.

Attest:

L. VAN ETTEN,
Secretary.

St. PAUL, Feb. 14th, 1858.

Board met.

Present—Alex. Ramsey and Alex. Wilkin.

Messrs. Willoughby & Powers presented a bill for livery expense in going to Stillwater to visit Territorial Prison; and,

On motion of Alex. Wilkin,

Resolved, That said bill be allowed, and that a warrant be drawn by the Secretary on the Treasurer of the Prison Fund, in favor of Willoughby & Powers, for \$20, the amount of said bill mentioned.

Carried.

Ayes—Ramsey and Wilkin.

On motion of A. Wilkin,

Resolved, That a warrant be drawn by the Secretary on the Treasurer of the Prison Fund, in favor of Alden Bryant, Superintendent of Territorial Prison, for \$37 50, balance of salary for quarter ending this day, as appears by account rendered.

Carried.

Ayes—Ramsey and Wilkin.

On motion of A. Wilkin,

Resolved, That a warrant be drawn by the Secretary on the Treasurer of the Capitol Fund, in favor of C. P. V. Lull, Superintendent of Capitol, for \$62 50, for one quarter salary ending this day, as appears by account rendered and dated this day.

Carried.

Ayes—Ramsey and Wilkin.

On motion of Alex. Wilkin,

c. j. 26.

Resolved, That this meeting do now adjourn.

Carried.

Ayes—Ramsey and Wilkin.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, March 8th, 1853.

Board met.

Present—Alex. Ramsey and Alex. Wilkin.

On motion of A. Wilkin,

Ordered, That a warrant be drawn on Treasurer of the Prison Fund, in favor of Jesse Taylor & Co., for \$400, on account of their contract.

Carried.

Ayes—Ramsey and Wilkin.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, March 14th, 1853.

Board met.

Present—Alex. Ramsey and B. W. Brunson.

On motion of B. W. Brunson,

Resolved, That this Board proceed to invite proposals for the completion of the Capitol building; proposals to be received until May 2d, 1853.

Carried.

Ayes—Ramsey and Brunson.

There being no further business,
The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. Paul, April 11th, 1853.

Board met.

Present—Alex. Ramsey and B. W. Brunson.

Plan for an out building to the Capitol, presented by the Superintendent, and,

On motion,

Resolved, That said plan for said building be accepted by the Board.

Carried.

Ayes—Ramsey and Brunson.

The Superintendent then presented the following report, to-wit:

The undersigned would respectfully report, that on the 29th day of March, he caused the following advertisement to be published in the "Minnesota Pioneer" and "Minnesotian," for four weeks, to-wit:

CAPITOL BUILDINGS.

Sealed proposals will be received by the Board of Building Commissioners of the Territory of Minnesota, until Monday, the 2d day of May next, at 12 o'clock, M., for the full completion of the Capitol Buildings, at St. Paul, according to the plan and specifications on file in the office of the Secretary of the Board.

Separate proposals will be considered for the completion of the whole, or in part, as follows, to-wit:

1st. For furnishing material and doing the carpenter's and joiner's work, laying balance of flooring, putting up partitions, casing doors and windows, fitting sash, setting glass, hanging the windows with weights and pulleys, erecting columns in front, and finishing portico, making and hanging doors, running stairs with walnut hand rail and turned banisters, putting down base boards, finishing the dome, and erecting steps, and the end and back doors, and every thing necessary to a complete finish of the building; also, for erecting but houses.

2d. For furnishing material, lathing, plastering the whole, to be three coats with white finish.

3d. For furnishing material and painting the interior of the building, doors, windows, &c., with pure white lead and linseed oil, three coats.

4th. For furnishing material and erecting steps, and flagging the portico in front of building, and erecting nine brick piers in the basement, to support the floor timbers; the steps and flagging to be of cut stone.

5th. For furnishing material and covering the dome with tin.

All bids must specify for what price per square yard the plastering and painting will be done.

All materials to be of the best quality, and work done in the best manner.

Contractors will be required to give security for the completion of their contract. To be completed on or before the first of September, 1853.

BENJ. W. BRUNSON,
Building Commissioner.

St. Paul, March 20th, 1853.

On motion,

The report was accepted.

The Building Commissioner then presented his specifications of work to be done in the Capitol, which,

On motion,

Was ordered to be filed by the Secretary.

On motion of B. W. Brunson,

Resolved, That this Board do now adjourn.

Carried.

Ayes—Ramsey and Brunson.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. Paul, April 12, 1853.

Board met.

Present—Alex. Ramsey and B. W. Brunson.

B. W. Brunson presented the following resolutions, to-wit:

Resolved, That the original plan of the Capitol Building be so changed that the upper

room in the wing be finished for the use of the Supreme Court, and that the office in plan be finished on ground floor, the same as appears in the plans.

Carried.

Ayes—Ramsey and Brunson.

The Board then took up the account of Messrs. Haus & Lewry, and,

On motion of B. W. Brunson,

Resolved, That said account of Haus & Lewry be suspended for the present.

Carried.

Ayes—Ramsey and Brunson.

The bill of Alden Bryant for services as Superintendent of Territorial Prison, up to April 4th, inst., was then presented to the Board.

On motion of B. W. Brunson,

Resolved, That said account be allowed, and that a warrant be drawn on the Treasurer of the Prison Fund, by the Secretary, for \$36 45.

Carried.

Ayes—Ramsey and Brunson.

B. W. Brunson then presented the account of I. Van Etten, for services as Secretary to the Board from Nov. 12th, 1852, up to April 12th, inst., inclusive, and for extra services in copying journal and preparing report of Board of Commissioners for the Legislature.

On motion of B. W. Brunson,

Resolved, That an order in favor of I. Van Etten, for \$204 15, be drawn by the Secretary on the Treasurer of the Capitol Fund.

Carried.

Ayes—Ramsey and Brunson.

On motion,

The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, April 15th, 1853.

Board met.

Present—Alex. Ramsey and B. W. Brunson.

Bill of Haus & Lewry for \$459 was presented to the Board, and was duly certified by the Building Commissioner.

On motion of B. W. Brunson,

Ordered, That an order be drawn, in favor of Haus & Lewry, for \$489, by the Secretary, on the Treasurer of the Capitol Fund.

Ayes—Ramsey and Brunson.

The bill of Ard. Godfrey, for lumber furnished to the Capitol, duly certified, for \$72 59, was presented.

On motion of B. W. Brunson,

Ordered, That a warrant be drawn by the Secretary on the Treasurer of the Capitol Fund for \$72 59, in favor of Ard. Godfrey.

Ayes—Ramsey and Brunson.

Bills of Hyland for \$81 61, and of Ard. Godfrey for \$72 59, and of Haus & Lewry for \$100, for materials furnished for the Capitol, were then presented.

On motion of B. W. Brunson,

Resolved, That said bills of Hyland, Ard. Godfrey, and Haus & Lewry, be suspended for the present.

Carried.

Ayes—Ramsey and Brunson.

On motion,

The Board then adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. Paul, May 3d, 1853.

Board met.

Present—Ramsey, Wilkin, and Brunson.

The bids for the completion of the Capitol building were opened.

On motion of A. Wilkin,

Ordered, That the Building Commissioner, B. W. Brunson, examine the various bids, and report to the Board which he deems the lowest.

Ayes—Ramsey and Wilkin.

On motion,

Ordered, That a warrant be drawn on the Treasurer of Capitol Fund, in favor of Owens & Moore, for \$19 00, for bill of printing blanks.

Carried.

Ayes—Ramsey and Wilkin.

On motion,

Adjourned.

ALEX. RAMSEY,

President.

Attest:

I. VAN ETEN,

Secretary.

ST. PAUL, May 10th, 1853.

Board met.

Present—Ramsey and Wilkin.

A communication from the Building Commissioner, B. W. Brunson, was received in reference to bids for completion of Capitol; which,

On motion of A. Wilkin,

Was ordered to be filed.

Ayes—Ramsey and Wilkin.

On motion of Alex. Wilkin,

Ordered, That the contract for the completion of the Capitol, excepting the lathing, plastering and materials therefor, and the painting and materials therefor, be given to Downer & Mason, on complying with terms required, and giving security, at price of \$4,454.

Ayes—Ramsey and Wilkin.

On like motion,

Ordered, That the lathing and plastering and furnishing materials therefor, be given to Stephens & Wallace, and contract entered into with them.

Ayes—Ramsey and Wilkin.

On motion of Alex. Ramsey,

Ordered, That a warrant for \$154 48 be drawn on Treasurer of Prison Fund, for services as Treasurer of Prison and Capitol Fund, from Oct. 13th, 1852, to May 13th, 1853, being two per cent. on \$7,723 26, received by him from late Treasurer.

Carried.

Ayes—Ramsey and Wilkin.

ALEX. RAMSEY,

President.

Attest:

I. VAN ETEN,

Secretary.

St. PAUL, May 13th, 1853.

Board met.

Present—Alex. Ramsey and Alex. Wilkin.

On motion of A. Wilkin,

Ordered, That the contract for painting the interior of Capitol, out buildings, &c, be given to _____ upon his giving security.

Carried.

Ayes—Ramsey and Wilkin.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETEN,
Secretary.

SECRETARY'S OFFICE, St. PAUL, July 18, 1853.

Board met pursuant to call.

Present—Gov. Gorman, Secretary Rosser, and B. W. Brunson.

Memorials of Downer & Mason, and of the Stone Cutters, were presented, and,

On motion,

Were suspended for the present.

The bill of Joseph Daniels, assigned to W. R. Marshall, was then taken up, and,

On motion of B. W. Brunson,

Was suspended for the present.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

The Board then adjourned until July 19th, 1853.

Ayes—Gorman, Rosser, and Brunson.

W. A. GORMAN,
President.

Attest:

I. VAN ETEN,
Secretary.

SECRETARY'S OFFICE, July 19th, 1853.

Board met pursuant to adjournment.

Present—Gorman, Rosser, and B. W. Brunson.

On motion of B. W. Brunson,

The Board proceeded to the consideration of the memorial of Downer & Mason.

B. W. Brunson moved that the memorial be indefinitely postponed.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of Mr. Brunson,

The following resolution was adopted:

Ayes—Rosser and Brunson.

Nays—Gorman.

Resolved, That the Board of Commissioners of the Capitol Buildings will hereafter pay to the contractors seventy-five per cent. on the amount of labor performed and material furnished on said buildings, upon the estimate of the acting Building Commissioner, provided their securities assent in writing to such payment and to the above variance of the original contract.

On motion of B. W. Brunson,

The following resolution was adopted:

Resolved, That the Building Commissioner be, and he is hereby, authorized to have eave troughs, or conductors and spouts, placed upon the Capitol; also, to have zinc placed in the valleys or gutters upon the roof and next the chimneys.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

The following resolution was adopted:

Resolved, That the Building Commissioner be, and he is hereby, authorized to have erected two columns in the main hall, and two in the hall of the wing of the Capitol, to support the floor above.

Ayes—Gorman, Rosser, and Brunson.

On motion,

The memorial of the Stone Cutter was taken up and indefinitely postponed.

Ayes—Gorman, Rosser, and Brunson.

On motion of Mr. Rosser,

The bill of B. W. Brunson was passed, and warrant for the amount of \$166 86 was ordered to be drawn on the Treasurer for the amount.

Carried.

Ayes—Gorman and Rosser.

On motion of B. W. Brunson,

The bill of Byres & Comstock was then taken up, and warrant ordered to be drawn by the Secretary on the Treasurer for the amount of \$348.

Ayes—Gorman, Rosser, and Brunson.

The order of Downer & Mason to Byres & Comstock was then taken up, and

On motion of Mr. Brunson,

c. J. 27.

It was laid on the table.

Ayes—Gorman, Rosser, and Brunson.

The bill of I. Van Etten for services as Secretary was then taken up, and,

On motion of B. W. Brunson,

Ordered, That a warrant for \$62 49 be drawn on the Treasurer.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of Mr. Brunson,

The Board adjourned.

Ayes—Gorman, Rosser, and Brunson.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, August 20th, 1853.

Board of Commissioners met.

Present—Gorman, Rosser, and Brunson.

Board proceeded to business.

On motion of B. W. Brunson,

The bill of Downer & Mason, this day presented, be allowed, and that a warrant for twelve hundred dollars be drawn by the Secretary, upon the Treasurer of the Capitol Fund, for that amount.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Resolved, That there be allowed, on the bill of Stevens & Wallace, this day presented, six hundred dollars, and that a warrant be issued to them, for that amount, on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of J. T. Rosser,

Resolved, That there be allowed on the bill of Martin Godfrey, this day presented to the Board, one hundred and fifty dollars, and a warrant for that amount be ordered to issue by the Secretary on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Resolved, That there be allowed on the bill of Isaac Wright, this day presented, for painting on the Capitol Building, the sum of one hundred and fifty dollars, and that a warrant for that amount be drawn on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Ordered, That there be allowed to J. R. Brown, for printing proposals for work on Capitol, on his bills this day presented, the amount of \$7 50, and that a warrant for that amount be drawn on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion,

The Board adjourned, sine die.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, August 18th, 1853.

Board met.

Present—Gorman, Rosser, and Brunson.

On motion of J. T. Rosser,

Resolved, That the Building Commissioner, B. W. Brunson, be requested to inquire into the expediency of heating the Capitol with heated air.

Carried.

Ayes—Gorman and Rosser.

On motion of B. W. Brunson,

Resolved, That the bill of Byres & Comstock, this day presented, for extra work on the Capitol, be allowed, and that a warrant for one hundred and 68-100 dollars issue to them on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Resolved, That the bill of Cavender & Mathers, this day presented for work finished

by them, be allowed, and that a warrant issue to them on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Resolved, That the bill of Daffely & Hendrick, for cleaning in and about the Capitol, this day presented, be allowed, and that a warrant for thirty-nine dollars each issue to them on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Resolved, That the bill of Daffely & Hendrick, for cleaning Supreme Court room, this day presented, be allowed, and that a warrant for six dollars be issued to them on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion,

Board adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETEN,
Secretary.

St. PAUL, Sept. 2d, 1853.

Board of Building Commissioners met.

Present—Gorman and Rosser.

Board proceeded to business.

On motion of J. T. Rosser,

Resolved, That the bill of D. Olmsted, for printing blank vouchers for the use of the Board, this day presented, be allowed, and that a warrant for eleven dollars issue to him on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That there be allowed on the bill of Downer & Mason, for work on contract,

this day presented, the sum of seven hundred and fifty dollars, and that a warrant issue to them for that amount on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That there be allowed on the bill of Downer & Mason, this day presented, for extra work, the sum of one hundred and ten and 25-100 dollars, and that a warrant issue to them for that amount drawn on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

There being no further business before the Board,

On motion of J. T. Rosser,

The Board adjourned.

W. A. GORMAN,
President.

Attest:

L. VAN ETTEN,
Secretary.

St. Paul, Sept. 7th, 1853.

Board of Building Commissioners met.

Present—Gorman and Rosser.

Board proceeded to business, and,

On motion of J. T. Rosser,

Resolved, That the sum of eight hundred and twenty-four dollars be allowed to Downer & Mason, as per bill this day presented, and that the Secretary issue a warrant for that amount, on the Treasurer of Building Fund, in favor of Downer & Mason.

Carried.

Ayes—Gorman and Rosser.

The Board then,

On motion of Mr. Rosser,

Adjourned.

W. A. GORMAN,
President.

Attest:

L. VAN ETTEN,
Secretary.

St. Paul, Sept. 19th, 1853

Board met.

Present—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That the sum of four hundred dollars, be allowed to Downer & Mason for work done on their contract, and that the Secretary draw a warrant for that amount in their favor, on the treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That this board do now adjourn sine die.

Carried.

Ayes—Gorman and Rosser.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. Paul, Sept. 10, 1853.

Board met.

Present—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That the sum of four hundred dollars be allowed to Downer & Mason, for work done on their contract, and that the Secretary draw a warrant for that amount, in their favor, on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That this Board do now adjourn, sine die.

Carried.

Ayes—Gorman and Rosser.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

ST. PAUL, September 28th, 1853.

Board of Building Commissioners met.

Present—Gorman, Rosser and Brunson,

Board proceeded to business.

The proposals for grading Capitol Ground, and building culvert and steps, &c., having been examined, Daffery & Hendrick were found to be the lowest bidders to do the work.

Whereas, on motion, it was

Ordered, that the contract therefor be awarded to Daffery & Hendrick, and that they be required to enter into bonds for the performance of the contract.

Ayes—Gorman, Rosser and Brunson.

The proposal for heating the Capitol with heated or rarified air, being taken up for consideration,

It was, on motion of——

Resolved, That the plan for heating the Capitol with heated or rarified air, be abandoned.

Ayes—Gorman, Rosser and Brunson.

On motion, it was ordered,

That the building commissioner advertise for proposals (in the Democrat and Pioneer) to build a fence around the Capitol; also for erecting desks for the President of the Council and Speaker of the House of Representatives, and bench for the Supreme Court room, and desks for clerks.

Ayes—Gorman, Rosser and Brunson.

The contract of Stephens & Wallace for plastering the Capitol, having been reported by the building commissioner as complete, and their work having been received by said Commissioner, it was

Resolved, That a warrant be drawn by the Secretary on the Treasurer of Building Fund in favor of Stephens & Wallace for the sum of \$1438 89-100 for said work.

Ayes—Gorman, Rosser and Brunson.

The contract of Isaac P. Wright, for painting the outside of the Capitol, having been reported by the building commissioner as completed, and the work having been by him received, it was

Resolved, That a warrant be drawn by the Secretary on the Treasurer of Capitol Fund, in favor of Isaac P. Wright, for three hundred and twenty-three and 50-100 dollars, for said work.

Ayes—Gorman, Rosser and Brunson.

On motion of B. W. Brunson,

Ordered, that the Secretary issue to Cavender & Mathews, a warrant in their favor, on the Treasurer of Capitol Fund, for five dollars for nails furnished to Capitol Building.

Ayes—Gorman, Rosser and Brunson.

On motion of B. W. Brunson,

Ordered, that a warrant issue by the Secretary to J. R. Brown, in his favor, on the Treasurer of Capitol Fund for seven dollars and fifty cents, for printing proposals.

Ayes—Gorman, Rosser and Brunson.

On motion,
The board adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, October 8th, 1858.

Board met.

Present—Gorman, Rosser, and Brunson.

Board proceeded to business.

On motion of B. W. Brunson,

Resolved, That the superintendent be, and he is hereby, instructed to procure laborers at the cheapest possible rate per day, to grade the Capitol grounds, build a culvert and fill the ditch to drain the basement, and erect cut steps to the back door of the same.

Carried.

Ayes—Gorman, Rosser and Brunson.

On motion,

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for twenty dollars in favor of Thomas Doherty for work.

Ayes—Gorman, Rosser, and Brunson.

On motion,

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for twelve and 70-100 dollars in favor of Grovis & Buckfield for work done.

Ayes—Gorman, Rosser and Brunson.

On motion,

Ordered, That a warrant issue to the Treasurer of the Capitol Fund for sixty-two and 50-100 dollars in favor of I. Van Etten, for services as Secretary.

Ayes—Gorman, Rosser and Brunson.

On motion,

Ordered, That a warrant be drawn on the Treasurer of Capitol Fund for one hundred and twenty-five dollars, in favor of B. W. Brunson, for services as Superintendent.

Ayes—Gorman and Rosser.

On motion,

Ordered, That a warrant be drawn on the Treasurer of Capitol Fund for thirty-five dollars in favor of M. L. Olds, for going to Dubuque to get drafts cashed.

Ayes—Gorman, Rosser and Brunson.
The board then, on motion, adjourned.

W. A. GORMAN,
President.

Attest:

J. VAN ETTEN,
Secretary.

St. PAUL, October 20th, 1853.

Board met.

Present—Gorman, Rosser and Brunson.

Board proceeded to business.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund in favor of J. P. Wright, for one hundred and fifty dollars.

Ayes—Gorman, Rosser and Brunson.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of Downer & Mason, for the sum of five hundred and seventy eight and 75-100 dollars.

Ayes—Gorman, Rosser and Brunson.

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of M. Groff, for one hundred and ninety-one dollars and twenty-six cents.

Ayes—Gorman, Rosser and Brunson.

On motion,

The board then adjourned.

W. A. GORMAN,
President.

Attest:

J. VAN ETTEN,
Secretary.

SAINT PAUL, Nov. 7th, 1853.

Board met

Board proceeded to business.

On motion,

Resolved, That a warrant be drawn on Treasurer of the Capitol Fund, in favor of Thomas Thomas, for eighty dollars.

Ayes—Gorman, Rosser and Brunson.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund for two hundred and forty-five dollars and eighty-two cents.

Ayes—Gorman, Rosser and Brunson.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of John Bollen for two hundred dollars.

On motion,

The Board then adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETEN,
Secretary.

SAINT PAUL, Nov. 14th, 1853.

Board met pursuant to adjournment.

Present—Gorman, Rosser and Brunson.

Board proceeded to business.

On motion,

Resolved That a warrant issue in favor of B. W. Brunson for forty-one dollars and sixty-six cents.

Ayes—Gorman and Rosser.

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, for three hundred dollars, in favor of John Holland.

On motion, the Board adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETEN,
Secretary.

SAINT PAUL, Dec. 24th, 1853.

The Board met.

Present—Gorman, Rosser, and Brunson.

The Board then proceeded to business, and,

On motion,

Resolved, that a warrant be drawn on the Treasurer of the Capitol Fund, in favor of Mr. Mason, for four hundred dollars.

Ayes—Gorman Rosser and Brunson.

Resolved, That the board do now adjourn.

Ayes—Gorman, Rosser and Brunson.

W. A. GORMAN,
President.

Attest:

L. VAN ETTEN,
Secretary.

SAINT PAUL, January 5th, 1854.

Board met.

Present—Gorman, Rosser, and Brunson.

Board proceeded to business.

And, on motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of J. P. Wright, for one hundred and eighty-nine dollars and eighty cents.

Ayes—Gorman, Rosser and Brunson.

On motion,

It was also

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of Warren & Wakefield for thirty dollars;

And also a warrant in favor of Mr. Messer, for nine hundred and eighty dollars.

Ayes—Gorman, Rosser and Brunson.

The Board then adjourned.

W. A. GORMAN,
President.

Attest:

L. VAN ETTEN,
Secretary.

SAINT PAUL, January 10th, 1854.

Board met in Secretary's Office.

Present—Gorman, Rosser and Brunson.

The Commissioners proceeded to business.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the building Fund, for eighty three dollars and thirty three cents, in favor of B. W. Brunson.

Ayes—Gorman and Rosser.

The Board then adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

SAINT PAUL, February 15, 1854.

Board met.

Present—Gorman, Rosser and Brunson.

Board proceeded to business.

On motion, it was

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, for fifteen dollars, in favor of J. H. Mason.

Ayes—Gorman, Rosser and Brunson.

On motion, it was

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of J. P. Wright, for nine dollars.

There being no other business before the Board, the Commissioners then adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

On motion of Mr. Stearns,

One hundred copies of said report were ordered to be printed for the use of the two Houses.

Mr. Freeborn, on leave, previous notice of which had been given, introduced No. 41, (C. F.) A bill to incorporate the St. Paul and Lake Superior Plank Road Company.

On motion of Mr. Brown,

The rule was suspended, and said bill was read a first and second time by its title, And laid on the table to be printed.

Reports from committees being in order,

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

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,

Made the following report:

The select committee to whom was referred

No. 87, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,

Respectfully report that they have endeavored to give to the bill all the consideration which its importance demands; that, from a careful estimate, the amount of lands that will probably be donated to aid in the construction of the road, will exceed but a trifle, if any, over a million of acres, which are worth nominally one million two hundred and fifty thousand dollars, which, by the expenditure of ten or twelve millions of dollars in the construction of the road along the line of which, from alternate sections, the lands are to be selected, will make them quadruple in value; but the rapid influx of population, capital, increase of agricultural and all other industrial pursuits, which the building of this railway will draw along with it, will increase the prosperity of the Territory to a degree, in comparison with which the emoluments of the company will be but a mere trifle, and it is hardly reasonable to suppose capitalists would enlist in an undertaking so vast unless it provided an adequate reward for the funds invested.

The committee deem it of great importance, therefore, to hold out the most liberal inducements, not inconsistent with the interests of the people, to such capitalists as will be most likely to complete the road in the shortest possible time. It will advance the growth of our population and wealth as much in ten years, with a railway, as the country would advance in thirty without a railroad leading in this Territory.

From the well known reputation of the individual corporators' enterprise, command of capital, and their ability to negotiate for iron and other materials, the committee hope, and believe, that the whole of the road will be in running order within three years from the passage of the act; but some financial revolution might arise, and continue so as to embarrass the company, and possibly prevent them from wholly completing the road within the time prescribed by this bill, and the committee therefore believe, that after the completion of fifty miles of the main trunk of the road within the Territory from the State line of Iowa, within three years, which would of necessity involve the building of a road from Dubuque to connect therewith, the company should not be restrained to a less period than five years for the final completion of the remainder.

The interests of the company will require a most speedy completion of the road, and it may be fairly presumed, therefore, that the time above specified, is asked for only from such prudential motives as would suggest themselves to any one who should engage in an enterprise requiring so much money, and who, acting in good faith, would desire to

guard against financial disasters. The company recommend that the word three be stricken out, and the word five inserted.

The committee think it desirable that a majority of the corporators should be present at the first meeting, and understanding that it will not probably be convenient for Alexander Ramsey to be present, they recommend that his name be inserted in line four of section one.

With these two amendments, the committee unanimously recommend the passage of the bill without further amendments.

W. P. MURRAY,
ALB. STIMSON,
C. T. STEARNS,
Committee.

Dated February 23, 1854.

Pending the reading of the report,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 28, (H. of R.) An act to authorize J. D. Trumble to establish a ferry across Lake St. Croix; also.

No. 31, (C. F.) An act to retrench the expenditures of certain counties;

In which the concurrence of the Council is requested.

The Chief Clerk having withdrawn,

The reading of the report was resumed and concluded.

The report of the select committee was accepted,

And the amendments to said bill, as recommended by the select committee, were read, and ordered to be printed with the bill.

Mr. Brown, from the committee to whom was referred sundry petitions in relation to a Territorial road from Henderson and Le Sueur to Cannon river, asked leave to report by bill.

Leave being granted,

No. 42, (C. F.) A bill to authorize a Territorial road from Henderson and Le Sueur to Cannon river,

Was taken up.

On motion of Mr. Brown,

The rule was suspended and said bill read a first and second time,

And laid on the table to be printed.

Mr. Brown, from the select committee to whom was referred sundry petitions relative to a prohibitory law, asked and obtained leave to report by bill.

No. 43, (C. F.) A bill to prohibit the introduction of liquor into the Territory purchased from the Sioux Indians,

Was taken up, and,

On motion of Mr. Brown,

The rule was suspended, and said bill was read a first and second time,

And laid upon the table to be printed.

Mr. Stearns, from the committee of conference, to whom was submitted

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory,

Reported as follows:

To the Honorable Council of the Territory of Minnesota :

Your Committee of Conference, appointed to confer with a committee of the House of Representatives, upon a disagreement between the two Houses in reference to

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory,

Would respectfully report that first disagreement was in section 4, line 3, and your committee would recommend that the same may be read as follows:

"Of the second district at the town of St. Anthony and St. Paul."

The second and last disagreement was in section 15, lines 4, 5, and 6, and your committee would recommend as follows:

That all of section fifteen, after the word length, in the fourth line, be stricken out.

All of which is respectfully submitted.

CHAS. T. STEARNS,
J. E. MOWER,
WM. FREEBORN, Council,
WM. McKUSICK,
C. GARDNER,
H. FLETCHER, House,
Committee.

Mr. Brown offered the following resolution:

Resolved, That 1,000 copies of the message of his Excellency, the Governor, together with the various reports from the Territorial officers laid before the two Houses of the Legislative Assembly, be printed for the use of the Council.

And the question being put,

It was decided in the affirmative.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report viz:

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

No. 22, (C. F.) A bill to amend the Revised Statutes;

No. 8, (C. F.) A bill entitled an act to provide for laying out a Territorial Road from Red Wing to Fort Ridgley.

J. R. BROWN, Council,
R. M. RICHARDSON, House,
Committee.

Messages from the House of Representatives being in order,

The following message was taken up and read:

Mr. President:—The House has passed

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company; and

guard against financial disasters. The company recommend that the word three be stricken out, and the word five inserted.

The committee think it desirable that a majority of the corporators should be present at the first meeting, and understanding that it will not probably be convenient for Alexander Ramsey to be present, they recommend that his name be inserted in line four of section one.

With these two amendments, the committee unanimously recommend the passage of the bill without further amendments.

W. P. MURRAY,
ALB. STIMSON,
C. T. STEARNS,
Committee.

Dated February 23, 1854.

Pending the reading of the report,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 28, (H. of R.) An act to authorize J. D. Trumble to establish a ferry across Lake St. Croix; also.

No. 31, (C. F.) An act to retrench the expenditures of certain counties;

In which the concurrence of the Council is requested.

The Chief Clerk having withdrawn,

The reading of the report was resumed and concluded.

The report of the select committee was accepted,

And the amendments to said bill, as recommended by the select committee, were read, and ordered to be printed with the bill.

Mr. Brown, from the committee to whom was referred sundry petitions in relation to a Territorial road from Henderson and Le Sueur to Cannon river, asked leave to report by bill.

Leave being granted,

No. 42, (C. F.) A bill to authorize a Territorial road from Henderson and Le Sueur to Cannon river,

Was taken up.

On motion of Mr. Brown,

The rule was suspended and said bill read a first and second time,

And laid on the table to be printed.

Mr. Brown, from the select committee to whom was referred sundry petitions relative to a prohibitory law, asked and obtained leave to report by bill.

No. 43, (C. F.) A bill to prohibit the introduction of liquor into the Territory purchased from the Sioux Indians,

Was taken up, and,

On motion of Mr. Brown,

The rule was suspended, and said bill was read a first and second time,

And laid upon the table to be printed.

Mr. Stearns, from the committee of conference, to whom was submitted

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory,

Reported as follows:

To the Honorable Council of the Territory of Minnesota :

Your Committee of Conference, appointed to confer with a committee of the House of Representatives, upon a disagreement between the two Houses in reference to

No. 23, (H. of R.) A bill to provide for the survey of logs and lumber in Minnesota Territory,

Would respectfully report that first disagreement was in section 4, line 3, and your committee would recommend that the same may be read as follows:

"Of the second district at the town of St. Anthony and St. Paul."

The second and last disagreement was in section 15, lines 4, 5, and 6, and your committee would recommend as follows:

That all of section fifteen, after the word length, in the fourth line, be stricken out.

All of which is respectfully submitted.

CHAS. T. STEARNS,
J. E. MOWER,
WM. FREEBORN, Council,
WM. MCKUSICK,
C. GARDNER,
H. FLETCHER, House,
Committee.

Mr. Brown offered the following resolution:

Resolved, That 1,000 copies of the message of his Excellency, the Governor, together with the various reports from the Territorial officers laid before the two Houses of the Legislative Assembly, be printed for the use of the Council.

And the question being put,

It was decided in the affirmative.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report viz:

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

No. 22, (C. F.) A bill to amend the Revised Statutes;

No. 8, (C. F.) A bill entitled an act to provide for laying out a Territorial Road from Red Wing to Fort Ridgley.

J. R. BROWN, Council,
R. M. RICHARDSON, House,
Committee.

Messages from the House of Representatives being in order,

The following message was taken up and read:

Mr. President:—The House has passed

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company; and

No. 22, (C. F.) A bill to amend the Revised Statutes;
In which the concurrence of the Council is requested.

The following message was also taken up and read, as follows:

MR. PRESIDENT:—The House has concurred in the 5th Council amendment to

No. 23, (H. of R.) A bill to provide for the sale of logs and lumber in Minnesota Territory.

The following message was also taken up and read:

MR. PRESIDENT:—The Governor has informed the House that he has approved and signed,

A memorial to Congress praying for pre-emption rights on unsurveyed lands; also,

A joint resolution relative to printing the laws, memorials, and joint resolutions; also,

A memorial to Congress for an appropriation of \$25,000 for the improvement of the Mississippi river from the Falls of St. Anthony to Sauk Rapids; also,

A memorial to Congress for the establishment of a road from St. Paul, by way of Little Canada, to Rum River; also,

An act to establish the county seat of Hennepin county; also,

An act to incorporate the Grand Lodge of Minnesota I. O. O. F.

The following message was also taken up and read, as follows:

MR. PRESIDENT:—The House has passed

No. 28, (H. of R.) A bill to dissolve the marriage contract now existing between Narcissus Leroy and his wife, Ann Leroy;

In which the concurrence of the Council is requested.

Mr. Murray moved said bill be referred to the Committee on the Judiciary;

Which motion being put,

It was agreed to.

Said bill was so referred.

The following message was also taken up and read:

MR. PRESIDENT:—The House has passed

No. 29, (H. of R.) An act to authorize J. D. Trumble to establish a ferry across Lake St. Croix; also,

No. 30, (H. of R.) An act to retrench the expenditures of counties;

In which the concurrence of the Council is requested.

After the reading of said message,

No. 30, (H. of R.) A bill for an act to retrench the expenditures of counties,

Was taken up,

And read a first and second time.

No. 28, (H. of R.) An act to authorize J. D. Trumble to establish a ferry across Lake St. Croix,

Was taken up,

And read a first and second time.

Mr. Murray moved said bills be referred to the Committee on the Judiciary;

Which motion being put,

It was negatived.

Bills on which a Committee of the Whole have made progress, and asked leave to sit again, being in order,

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under consideration

No. 31, (C. F.) A bill to amend section sixteen, article eight, of the Revised Statutes; And after some further time passed therein, the committee rose, and, by the chairman, reported progress, and asked leave to sit again.

The report of the Committee of the Whole was accepted.

On motion of Mr. Van Etten,

Said bill was referred to a select committee of three.

The President, pro tem., appointed Messrs. Van Etten, Brown, and Freeborn, said select committee.

Bills, &c., not yet in Committee of the Whole being in order,

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the Chair, to take into consideration

No. 38, (C. F.) A bill to regulate the sale of spirituous liquors in this Territory.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared, and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed the following bills:

An act to provide for laying out a Territorial Road from Red Wing to Fort Ridgely,

And an act amendatory thereto,

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bill.

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

The report of the Committee was accepted.

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

Mr. Van Etten moved said bill be referred to the Committee on the Judiciary;

Which motion being put,

It was agreed to.

Said bill was so referred.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Mower in the chair, having under consideration

No. 55, (C. F.) A bill to amend an act to punish trespassers on school lands in Minnesota Territory, approved March 6, 1852; also,

No. 36, (C. F.) A bill amendatory of an act for the support of common schools.

After some time passed therein, the committee rose, and, by the chairman, reported

No. 65, (C. F.) A bill to amend an act to punish trespassers on school lands in Minnesota Territory, approved March 6, 1852,

Back to the Council, with amendments; also,

c. j. 29.

No. 36, (C. F.) A bill amendatory of an act for the support of common schools,
Without amendment.

The report of the committee was accepted.

The question recurring on the Council concurring in the amendments made in Committee of the Whole to

No. 35, (C. F.) A bill to amend an act to punish trespassers on school lands in Minnesota Territory, approved March 6, 1852;

Which question being put,

It was decided in the affirmative.

The bill was then ordered to be engrossed for a third reading.

No. 36, (C. F.) A bill amendatory of an act for the support of common schools,
Was also ordered to be engrossed for a third reading.

Mr. Van Etten moved that the committee to whom was referred

No. 27, (H. of R.) A bill for an act to prevent the traffic in intoxicating drinks within this Territory,

Be instructed to have 50 copies printed of said bill, as amended, for the use of the Council;

Which motion being put,

It was negatived.

Mr. Freeborn moved a reconsideration of the vote by which the Council refused to have 50 copies of said bill printed;

Which motion being put,

It was agreed to.

The question then recurring on the motion of Mr. Van Etten to have 50 copies of said bill, with the amendments, printed for the use of the Council;

And the motion being put,

It was agreed to.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

The Committee on Enrolled Bills did, on the 23d day of February, 1854, present to his Excellency, the Governor, for examination and approval, the following, viz:

An act entitled an act for the laying out of a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river;

An act entitled an act to incorporate the German Reading Society of St. Paul;

An act to provide for laying out a Territorial Road from Minneapolis to a point opposite the present village of Sauk Rapids;

An act entitled an act relative to the county officers of Wabashaw county;

Joint resolution relative to the establishment of an Emigrant Route to Oregon and California;

Memorial to Congress to make an appropriation to construct a Military Road from Winona, on the Mississippi river, to Fort Ridgley.

JOS. R. BROWN, Council,

HENRY S. PLUMER,

R. M. RICHARDSON, House,

Committee.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, to wit:

The Joint Committee on Enrolled Bills did, on the 23d day of February, 1854, present to his Excellency, the Governor, for examination and approval, the following:

An act to amend section 23, article 1, chapter 8, of the Revised Statutes of Minnesota;

An act entitled an act to establish certain counties, and for other purposes;

A memorial to Congress for grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis river;

A memorial to Congress relative to the Half Breed Lands of Minnesota;

A memorial to Congress for the construction of roads in the Territory of Minnesota.

JOSEPH R. BROWN, Council,
R. M. RICHARDSON, House,

Committee.

On motion of Mr. Van Etten,

The Council adjourned until to-morrow at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

FRIDAY, FEBRUARY 24, 1854.

The President called the Council to order, pursuant to adjournment, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The reading of the Journal of yesterday being in order,

Mr. Van Etten moved the reading of the report of the Building Commissioners be dispensed with;

Which motion being put,

It was agreed to.

On motion of Mr. Stearns,

The further reading of the Journal was dispensed with.

Mr. Stearns asked, and obtained, leave to introduce
No. 44, (C. F.) A bill for an act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, in the Mississippi river.

On motion of Mr. Stearns,

The rule was suspended, and said bill read a first and second time by its title only,
And laid on the table to be printed.

Mr. Van Etten offered the following resolution:

Resolved, That the Secretary of the Council be instructed to purchase 100 letter envelopes for each officer and member of the Council;

Which motion being put,

It was negatived.

Mr. Freeborn, on leave, introduced

No. 45, (C. F.) A bill for an act to incorporate the Minnesota Life, Fire, and Marine Insurance Company.

On motion of Mr. Van Etten,

The rule was suspended and said bill read a first and second time by its title,
And laid on the table to be printed.

Reports from committees being in order,

Mr. Van Etten, from the Committee on the Judiciary, to whom was referred

No. 38, (C. F.) A bill to regulate the sale of spirituous liquors in this Territory,
Made the following report, which was read:

The Committee on the Judiciary, to whom was referred

No. 38, (C. F.) A bill to regulate the sale of spirituous liquors in this Territory,

Would report that the committee examined said bill, and recommend that it be passed with the following amendments:

In section 4, line 4, after the word "judgment," insert—

"Unless the sureties on said bond shall have justified, before some judge of the district court, or justice of the peace, in double the amount mentioned in the bond, above all debts and liabilities incurred to them. The said judge, or justice of the peace shall interrogate them, under oath, as to the value of their property, whether real or personal, the amount and value, and the incumbrances, if any; and said judge or justice, satisfied of the sufficiency of the sureties, shall have endorsed on said bond his certificate of approval thereof."

The report of the committee was accepted.

Mr. Van Etten, from the Committee on Territorial Affairs, to whom was referred a resolution of the Council as to the expediency of establishing additional Council Districts in this Territory, reported that they have had the resolution under consideration, and respectfully decline proposing any action in reference thereto, and ask to be discharged therefrom.

The committee was then discharged.

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined, and found correctly engrossed, the following, viz:

No. 19, (C. F.) A bill relating to Auctioneers;

No. 35, (C. F.) A bill to amend an act to prevent trespassers on school lands in Minnesota Territory, approved March 6, 1852.

No. 22, (C. F.) A bill amendatory of an act for the support of common schools.

I. VAN ETTEN,

J. E. MOWER,

Committee.

Bills ready for a third reading being in order,

No. 36, (C. F.) A bill amendatory of an act for the support of common schools,

was taken up,

And ordered to a third reading.

Said bill was then read a third time.

The question recurring, "Shall the bill pass?"

It was passed.

The question then recurring upon agreeing to the title,

It was agreed to.

No. 35, (C. F.) A bill to amend an act to punish trespassers on school lands in Minnesota Territory, approved March 6, 1852,

Was taken up,

And ordered to a third reading.

On motion of Mr. Van Etten,

The rule was suspended, and said bill read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

No. 19, (C. F.) A bill relating to Auctioneers,

Was taken up, and,

On motion of Mr. Van Etten,

The rule was suspended, and said bill read a third time by its title only.

The question being, "Shall said bill pass?"

It was passed.

The question recurring upon agreeing to the title,

It was agreed to.

On motion of Mr. Brown,

No. 20, (C. F.) A bill to organize three additional Council Districts in the Territory, and for other purposes,

Was taken from the table.

Pending the consideration of said bill,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed the following bills:

No. 17, (C. F.) A bill to incorporate the Hamline University of Minnesota;

No. 34, (C. F.) A bill to provide for laying out a Territorial Road from St. Paul to the Iowa State line;

No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company;

No. 24, (C. F.) A bill to incorporate the Minneapolis and Lake Minnetonka Plank Road Company;

No. 29, (C. F.) A bill to incorporate the Henderson and Fort Ridgley Plank Road Company.

The Chief Clerk having withdrawn,

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the chair, having under consideration

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes.

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

The report of the Committee of the Whole was accepted.

Mr. Murray offered to amend said bill as follows:

In section two, after the word "population," insert the words,

"Except Indians;"

Which motion being put,

It was decided in the affirmative.

The President having resumed the chair,

The amendments, as passed in Committee of the Whole were concurred in.

Mr. Stearns moved to add the following section to said bill:

Sec. 8. And the county of Benton shall be entitled to one additional member of the House of Representatives;

Which was adopted.

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

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Stearns, and Van Etten—5.

Those who voted in the negative were,

Messrs. Murray, Stimson, and President—3.

A majority having voted in the affirmative,

The bill was then ordered to be engrossed for a third reading.

Mr. Murray handed in the following communication in writing, which was read, as follows:

A CRISIS HAS ARRIVED!

The friends of free trade and prohibition in the liquor business, are invited to meet at the Court House, Friday evening, February 24th, to discuss the prohibitory liquor law, now before the Legislature.

Mr. Day, of Milwaukee, whose remarks on Monday evening last elicited bursts of applause, has been invited to be present, and, with others, will address the meeting.

Come one! Come all!!

Ladies and members of the Legislature are particularly invited to attend.

B. F. HOYT,
L. MARVIN,
NATHANIEL McLEAN,
W. H. TINKER,
NORRIS HOBART.

Mr. Van Etten moved said communication be laid on the table.

Mr. Brown moved to amend as follows:

That the members of the Council be requested to attend said meeting.

Mr. Van Etten moved to amend the amendment, as follows:

That Joseph, the Juggler, be requested to address the meeting.

The question recurring on the amendment to the amendment,

It was adopted.

The question then recurring on the amendment as amended,

It was decided in the affirmative.

The question then recurring on ordering said document to lay on the table,

It was decided in the affirmative.

Mr. Van Etten moved the communication be taken from the table;

Which motion being put,

It was decided in the affirmative.

Mr. Murray moved that, in the absence of the members of the Council at said meeting, Joseph, the Juggler, be instructed to resolve himself into a Committee of the Whole for the consideration of that important document.

Mr. Brown moved to amend said motion as follows:

That the Council shall be bound by the acts of Joseph, the Juggler, as said Committee of the Whole.

The question being put upon the adoption of said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Brown, Fraeborn, Mower, Stearns, and President—5.

Those who voted in the negative were,

Messrs. Murray, Stimson, and Van Etten—3.

And a majority having voted in the affirmative,

The amendment was adopted.

The question then recurring on the motion as amended,

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Mower, Murray, Stearns, Van Etten, and President—5.

Those who voted in the negative were,
Messrs. Brown, Freeborn, and Stimson—3.

A majority having voted in the affirmative,
The motion was adopted.

Mr. Stearns moved that said document be referred to the Committee on Roads.

Mr. Murray moved, as an amendment, that said document be referred to the Committee on the Judiciary;

Which motion being put,

It was negatived.

The question recurring on referring said document to the Committee on Roads,

It was decided in the affirmative.

Said document was so referred.

Mr. Brown moved the rule be suspended, and

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,

Be taken up;

Which motion being put,

It was negatived.

Mr. Brown, on leave, previous notice of which had been given, introduced

No. 46, (C. F.) A bill in relation to certain counties.

On motion of Mr. Brown,

The rule was suspended, and said bill was read a first and second time,

And laid on the table to be printed.

Bills, &c., not yet considered in Committee of the Whole being in order,

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 39, (C. F.) A bill to incorporate the Red Wing and Henderson Plank Road Company.

After some time passed therein, the Committee rose, and, by the chairman, reported said bill back to the Council, and recommended its passage,

The report of the committee was accepted.

On motion of Mr. Brown,

The rule was suspended, and the engrossment dispensed with.

Mr. Stearns moved the bill be referred to the Committee on Incorporations;

And said motion being put,

It was negatived.

On motion of Mr. Brown,

The rule was dispensed with, and said bill was read a third time by its title.

The question then being, "Shall said bill pass?"

It was passed.

The question recurring on agreeing to its title,

It was agreed to.

On motion of Mr. Brown,

The Council resolved itself into Executive session.

After some time passed therein,
The doors were again opened.

On motion of Mr. Brown,

The Council then resolved itself into a Committee of the Whole, Mr. Van Etten in the chair, having under consideration

No. 33, (H. of R.) A bill to amend the Revised Statutes; also,

No. 29, (H. of R.) An act to authorize J. D. Trumble to establish a ferry across Lake St. Croix; also,

No. 30, (H. of R.) An act to retrench the expenditures of counties.

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

The report of the committee was accepted.

No. 33, (H. of R.) A bill for an act to amend the Revised Statutes,

Was then ordered to a third reading.

Said bill was then read a third time.

The question recurring on the passage of the bill,

It was decided in the negative.

So said bill did not pass.

No. 29, (H. of R.) An act to authorize J. D. Trumble to establish a ferry across Lake St. Croix,

Was taken up.

Mr. Stearns moved said bill be referred to the Committee on the Judiciary;

Which motion being put,

It was agreed to.

Said bill was so referred.

No. 30, (H. of R.) A bill for an act to retrench the expenditures of counties,

Was taken up,

And ordered to a third reading.

Mr. Van Etten moved to amend said bill as follows:

Amend section two, so as to read as follows:

No Sheriff shall be eligible to office for two terms in succession; but at the expiration of his first term, he shall settle up all business pertaining to his said office of Sheriff, in the manner as now provided by the Statutes of this Territory;

And the question being put,

It was decided in the affirmative.

Said bill was then read a third time as amended.

The question recurring upon the passage of said bill,

It was passed.

The question then being upon agreeing to the title,

It was agreed to.

Mr. Van Etten moved the Council adjourn until Monday next at 2 o'clock, P. M.

Mr. Murray moved the Council do now adjourn.

Which motion being put,

It was negatived.

c. j. 30.

The question then recurring on the Council adjourning until Monday next at 2 o'clock, P. M.,

It was decided in the affirmative.

So the Council adjourned until Monday next, at 2 o'clock, P. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

MONDAY, FEBRUARY 27, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 2 o'clock, P. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The reading of the journal of Friday was in order.

Pending the reading of the journal,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed

No. 32, (C. F.) A bill for the protection of owners of saw logs in this Territory; also,

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road Company; also,

No. 33, (C. F.) A bill to incorporate the St. Paul and Point Douglas Plank Road Company; also,

No. 30, (C. F.) A bill to incorporate the St. Paul and Little Canada Plank Road Company; also,

No. 26, (C. F.) A bill in relation to ferries; also.

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the St. Croix Boom Company,

With amendments; also,

No. 15, (C. F.) A bill to organize the county of Sibley,

With amendments.

The House has passed

No. 35, (H. of R.) A bill to amend chapters twelve and twenty-nine of the Revised Statutes; also,

No. 41, (H. of R.) A bill to incorporate the Chapter of Royal Arch Masons of Saint Paul; also,

No. 37, (H. of R.) A bill to abolish Indian testimony in all courts of justice in this Territory; also,

No. 18, (H. of R.) A bill to incorporate the City of St. Paul, Ramsey county, Minnesota Territory.

The Chief Clerk having withdrawn,

The reading of the journal was resumed.

Mr. Van Etten moved to strike out all that part of the journal commencing from that part of the third column, where Mr. Murray handed in an important document, down to the reference of said document to the Committee on Roads;

Which motion being put,

And the yeas and nays being called for and ordered, resulted as follows—yeas 3, nays 4.

Those who voted in the affirmative were,

Messrs. Mower, Stearns, and Van Etten—3.

Those who voted in the negative were,

Messrs. Brown, Freeborn, Murray, and President—4.

A majority having voted in the negative,

The motion to strike out was rejected.

The reading of the Journal was then resumed and concluded.

Mr. Stearns, on leave, previous notice of which had been given, introduced

No. 46, (C. F.) A bill to amend an act entitled an act to incorporate the Rum River Boom Company.

On motion of Mr. Stearns,

The rule was suspended, and said bill was read a first and second time by its title,

And laid upon the table to be printed.

Reports from committees being in order,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined and found correctly engrossed the following, viz:

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes.

I. VAN ETTEN,

J. E. MOWER,

Committee.

Mr. Van Etten, from the Committee on the Judiciary, to whom was referred

No. 4, (H. of R.) A bill for an act to amend the Revised Statutes,

Made the following report:

The Committee on the Judiciary, to whom was referred

No. 4, (H. of R.) A bill for an act to amend the Revised Statutes,

Ask to report:

Your committee have examined said bill, and find its provisions propose to increase the the fees of the Clerks of the District Courts, and of the Supreme Court, to a just and reasonable compensation for their services, in cases now unprovided for by law.

Your committee, therefore, report the bill back to the Council without amendment, and recommend its passage.

I. VAN ETTEN,

W. P. MURRAY,

Committee.

The report of the committee was accepted.

Mr. Van Etten, from the select committee to whom was referred

No. 21, (C. F.) A bill to amend section sixteen, article eight, of the Revised Statutes,

Reported as follows:

They have had the said bill under consideration, and have added sundry amendments to it, as follows:

SEC. 4. Section 5, of article 2, page 63, of Revised Statutes, is hereby amended so as to read as follows:

SEC. 5. The Registers of Deeds of the several counties of this Territory shall keep suitable books, and shall record at large, and in full, word for word, and all instruments left with him for record, keeping separate books for deeds, mortgages, and other instruments. He shall also keep separate books for an alphabetical index, wherein he shall record, in alphabetical order, under the proper letter of the alphabet, the names of each grantor and grantee in any deed, mortgage, or other instrument, left with him for record.

SEC. 5. Section 14, of article 3, page 38, of the Revised Statutes, is hereby repealed.

Subdivision 1, of section 26, chapter 95, page 475, of Revised Statutes, is hereby amended to read as follows:

1. Whenever issue has been joined in a civil action in a county record, or in a justice's court in this Territory.

And recommend they be printed with said bill, and recommend its passage.

The report of the committee was accepted.

Mr. Brown, on leave, presented the following proceedings of a meeting in St. Paul:

At a large and enthusiastic meeting of the citizens of St. Paul, at the Court House, on the evening of Friday, the 24th of February, 1854, convened for the purpose of giving an expression of opinion in reference to the bill now before the Legislature of the Territory for the suppression of the traffic in intoxicating drinks;

On motion,

Nathaniel McLean, Esq., was appointed chairman, and R. Marvin Secretary, of the meeting.

The hand-bill calling the meeting having been read by the chairman,

On motion,

Rev. Mr. Ames, of St. Anthony, Rev. J. G. Rhieldaffer and Mr. Luke Marvin, of St. Paul, were appointed a committee to draft resolutions expressive of the sense of the meeting.

After eloquent addresses from Rev. Mr. Ames, of St. Anthony, and — Day, Esq., of Milwaukee, Wis., demonstrating the urgent necessity for a stringent prohibitory liquor law, and the utter futility of a license law to stay the evils of intemperance, the committee presented the following preamble and resolutions, which were unanimously adopted by the meeting:

Whereas, the past experience of our Territory has abundantly shown that the traffic in intoxicating drinks is a fruitful source of vice, frequently resulting in disturbance of the peace, street rowdyism, domestic suffering, and horrible murder, working immense evil and no good to society; and

Whereas, License laws have been shown to be insufficient to abate these evils, while the experience of several States exhibits evidence entirely satisfactory that a prohibitory law is the most successful means yet resorted to for accomplishing that object; and

Whereas, the Supreme Courts of Maine, Vermont, and Michigan, have affirmed the constitutionality of the liquor laws of those several States, while the highest judicial authority in the nation has declared the right of any State to suppress entirely this detestible traffic; and

Whereas, a large majority of the people of this Territory have repeatedly expressed, at the ballot box, and through their petitions, their earnest desire for adequate legal protection from said traffic: therefore,

Resolved, That as citizens of Minnesota, we respectfully ask of the Territorial Council and of his Excellency, the Governor, their sanction for the anti-liquor law bill which has recently passed the House of Representatives.

Resolved, That we cordially exhort our fellow citizens who are engaged in the liquor trade, and those who are their habitual patrons, to consider whether they will not do great honor to their own manhood, and contribute most effectually to the highest glory and prosperity of our young commonwealth, by co-operating with us in the effort to remove the gigantic evils resulting from the sale of intoxicating drinks. It was further

Resolved, That a copy of the proceedings of this meeting be respectfully presented to the Council of this Territory, and also to the papers of St. Paul, with a request for their publication.

NATHANIEL McLEAN,

Chairman.

R. MARVIN,

Secretary.

No. 31, (C. F.) A bill to amend section 16, article 8. of the Revised Statutes,

Was then taken up,

And the amendments proposed by the select committee were read.

Said bill, as amended, was then read a second time,

And laid on the table to be printed.

The documents presented by Mr. Brown, relating to a meeting in St. Paul,

Was then taken up, and,

On motion of Mr. Murray,

The reading was dispensed with, and 100 copies thereof ordered to be printed for the use of the two Houses.

Reports from committees being in order,
 Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report
 viz:

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

No. 23, (H. of R.) A bill entitled an act to provide for the survey of logs and lumber
 in Minnesota Territory.

J. R. BROWN, Council,

HENRY S. PLUMER,

B. M. RICHARDSON, House,

Committee.

Mr. Murray moved the reconsideration of the vote by which the Council passed

No. 30, (H. of R.) A bill for an act to retrench the expenditures of counties;

Which motion being put,

It was agreed to.

On motion of Mr. Murray,

Said bill was referred to the Committee on the Judiciary.

Messages from the House of Representatives being in order,

The following message was taken up and read:

MR. PRESIDENT:—The House has passed the following bills:

No. 17, (C. F.) A bill to incorporate the Hamline University of Minnesota;

No. 34, (C. F.) A bill to provide for laying out a Territorial Road from St. Paul to
 the Iowa State line;

No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company,

With an amendment;

No. 24, (C. F.) A bill to incorporate the Minneapolis and Lake Minnetonka Plank
 Road Company;

No. 29, (C. F.) A bill to incorporate the Henderson and Fort Ridgley Plank Road
 Company.

After the reading of said message,

No. 14, (C. F.) A bill to incorporate the St. Paul Bridge Company,

Was taken up,

And the amendment, as passed in the House, was then concurred in.

The following message was also taken up and read:

MR. PRESIDENT:—The House has passed

No. 32, (C. F.) A bill for the protection of owners of saw logs in this Territory;

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road
 Company;

No. 33, (C. F.) A bill to incorporate the St. Paul and Point Douglas Plank Road
 Company;

No. 30, (C. F.) A bill to incorporate the St. Paul and Little Canada Plank Road
 Company;

No. 28, (C. F.) A bill in relation to ferries;

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the St. Croix
 Boom Company,

With amendments.

No. 15, (C. F.) A bill to organize Sibley county,

With amendments.

The House has passed

No. 35, (H. of R.) A bill to amend chapters twelve and twenty-nine of the Revised Statutes;

No. 41, (H. of R.) A bill to incorporate a Chapter of the Royal Arch Masons in St. Paul;

No. 37, (H. of R.) A bill to abolish Indian testimony in all courts of justice in this Territory;

No. 13, (H. of R.) A bill to incorporate the city of St. Paul, Ramsey county, Minnesota Territory.

After the reading of said message,

No. 13, (H. of R.) A bill to incorporate the city of St. Paul, Ramsey county, Minnesota Territory,

Was taken up, and,

On motion of Mr. Van Etten,

The rule was suspended, and said bill was read a first and second time by its title.

No. 41, (H. of R.) A bill to incorporate a Chapter of Royal Arch Masons in Saint Paul,

Was taken up,

And read a first and second time.

No. 37, (H. of R.) A bill to abolish Indian testimony in all courts of justice in this Territory,

Was taken up,

And read a first and second time.

On motion of Mr. Murray,

Said bill was referred to the Committee on the Judiciary.

No. 35, (H. of R.) A bill to amend chapters twelve and twenty-nine of the Revised Statutes,

Was taken up,

And read a first and second time.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed

No. 42, (H. of R.) An act to incorporate the Transit Railroad Company;

In which the concurrence of the Council is requested.

The Chief Clerk having withdrawn,

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the St. Croix Boom Company,

Was taken up,

And the amendments to said bill, as proposed in the House, were then read and concurred in by the Council.

No. 15, (C. F.) A bill to organize the county of Sibley,

Was taken up,

And the amendments, as passed in the House, were concurred in.

The following message was also taken up and read:

MR. PRESIDENT:—The House has passed

No. 42, (H. of R.) An act to incorporate the Transit Railroad Company;

In which the concurrence of the Council is requested.

After the reading of the above message,

No. 42, (H. of R.) A bill to incorporate the Transit Railroad Company,

Was taken up.

On motion of Mr. Murray,

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

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes,

Was taken up.

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

And the yeas and nays being called for and ordered, resulted as follows—yeas 4, nays 4.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Stearns, and Van Etten—4.

Those who voted in the negative were,

Messrs. Mower, Murray, Stimson and President—4.

There being a tie vote,

The motion was not adopted.

Mr. Brown moved

No. 20, (C. F.) A bill to organize three additional Council Districts in this Territory, and for other purposes,

Be referred to a select committee;

Upon which motion,

A division was called for and ordered,

And there were yeas 4—nays 4.

There being a tie vote,

The Council refused to refer said bill.

Mr. Brown moved said bill be laid upon the table;

Which motion being put,

It was decided in the affirmative.

Said bill was then laid upon the table.

On motion of Mr. Murray,

The Council resolved itself into Committee of the Whole, Mr. Brown in the chair, having under consideration

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company.

After some time passed therein, the committee rose, and, by the chairman, reported progress on said bill, and asked leave to sit again.

The report of the committee was accepted.

Mr. Van Etten moved said bill be referred to a select committee, with instructions to report thereon to-morrow morning.

Mr. Murray moved to amend as follows:

That said bill be referred to the Committee on the Judiciary;
The question being put upon said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 3,
nays 5.

Those who voted in the affirmative were,
Messrs. Brown, Murray, and Freeborn—3.

Those who voted in the negative were,
Messrs. Mower, Stearns, Stimson, Van Etten, and President—5.

A majority voting in the negative,
The amendment was not adopted.

The question then recurring on referring said bill to a select committee,
It was decided in the affirmative.

Said bill was so referred:

The President appointed Messrs. Van Etten, Brown, and Stimson, said select committee.

No. 41, (C. F.) A bill to incorporate the St. Paul and Lake Superior Plank Road Company,

Was then taken up.

Mr. Murray moved said bill be laid on the table;

Which motion being put,

It was agreed to.

Messages from the House being in order,

The following message was taken up and read:

MR. PRESIDENT:—The Speaker of the House has signed the following bills:

An act to provide for laying out a Territorial Road from Red Wing to Fort Ridgley;
and

An act to amend the Revised Statutes.

After the reading of said message,

The President of the Council signed the following bills:

An act to provide for laying out a Territorial Road from Red Wing to Fort Ridgley;
and

An act to amend the Revised Statutes.

The above acts were then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination and approval.

Mr. Brown moved the rule be suspended, and that

No. 40, (C. F.) A bill to incorporate the La Crosse and Minnesota Railroad Company,

Be now taken up;

Which motion being put,

It was decided in the affirmative.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 40, (C. F.) A bill to incorporate the La. Crosse and Minnesota Railroad Company;

And after some time passed therein, the committee rose, and, by the chairman, reported progress, and asked leave to sit again.

The report of the committee was accepted.

Mr. Murray, from the Judiciary Committee, to whom was referred

No. 29, (H. of R.) A bill authorizing J. D. Trumble to establish a ferry across Lake St. Croix,

Made the following report:

The Judiciary Committee, to whom was referred

No. 29, (H. of R.) A bill authorizing J. D. Trumble to establish a ferry across Lake St. Croix,

Have had the same under consideration, and have the honor to report the same back to the Council, and, with the following as an amendment, after the enacting clause, would recommend its passage:

SEC. 1. That there be, and is hereby, appropriated towards the increase of the Territorial Library, the sum of five hundred dollars, out of any money in the Territorial Treasury not otherwise appropriated.

SEC. 2. That said appropriation shall be expended in purchasing books for supplying and enlarging the Law Library, under the superintendence of R. A. Smith, C. L. Willes and W. P. Murray; provided, that no compensation shall be allowed for such superintendence.

SEC. 3. It shall be the duty of the Librarian of this Territory to open a correspondence with the Secretary of State, or State Librarian, of the several States, for the purpose of obtaining the Statutes and Reports of the several States for the Library of this Territory, and shall also correspond with our Delegate in Congress relative to procuring public documents from the General Government.

All of which is respectfully submitted.

W. P. MURRAY,
Chairman.

Mr. Murray moved that

No. 13, (C. F.) A bill to provide for the establishment of a Commissioner of Emigrants for the Territory of Minnesota in the city of New York.

Be taken from the table.

The question being put upon said motion,

And the yeas and nays being called for, and ordered, resulted as follows—yeas 3, nays 4,

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, and Murray—3.

Those who voted in the negative were,

Messrs. Mower, Stearns, Stimson, and President—4.

A majority having voted in the negative,

The motion was lost.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the chair, having under consideration

No. 13, (H. of R.) A bill to incorporate the City of St. Paul, Ramsey county, Minnesota Territory; also,

No. 42, (H. of R.) A bill to incorporate the Transit Railroad Company.

Pending the sitting of the committee,

A quorum not being present,

The roll was called,

And Messrs. Brown, Kittson, Mower, Stearns, and Van Etten, were reported absent.

A quorum not then appearing in their seats, the committee rose.

Mr. Murray moved that, in consequence of a quorum not being present, the Council do now adjourn;

And the motion being put by the Secretary,

It was decided in the affirmative.

So the Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,

President of the Council.

Attest:

J. B. DIXON,

Secretary.

TUESDAY, FEBRUARY 28, 1854.

The Council met pursuant to adjournment, and was called to order by the President at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Bills ready for a third reading being in order,

No. 4, (H. of R.) A bill for an act to amend the Revised Statutes,

Was taken up,

And ordered to a third reading.

On motion of Mr. Van Etten,

The rule was suspended, and said bill read a third time by its title only.

The question recurring, "Shall said bill pass?"

It was passed.

The question then being upon agreeing to its title,
It was agreed to.

Reports from committees being in order,

Mr. Van Etten, on leave, made the following report:

The Select Committee, to whom was referred

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,

Have had said bill under consideration, and herewith return the bill back to the Council, without amendment.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 4, (H. of R.) A bill to provide for laying out a Territorial Road from St. Paul, by way of Little Canada, to Lake Superior;

In which the concurrence of the Council is requested.

The Speaker of the House has signed

An act to provide for the survey of logs and lumber in Minnesota Territory.

The Chief Clerk having withdrawn,

On motion of Mr. Murray.

The Council then resolved itself into a Committee of the Whole, Mr. Mower in the chair, having under consideration

No. 37, (C. F.) A bill to incorporate the Minnesota and North-Western Railroad Company.

After some time passed therein, the committee rose, and, by the chairman, reported progress on said bill, and asked leave to sit again.

The report of the committee was accepted.

The President of the Council then signed the following act:

An act to provide for the survey of logs and lumber in Minnesota Territory.

Said act was then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, approval, and signature.

Mr. Murray moved the Council do now adjourn until 2 o'clock, P. M.

Mr. Van Etten moved the Council do now adjourn;

Which motion being put,

It was negatived.

Mr. Van Etten moved the Council adjourn until to-morrow at 2 o'clock, P. M.

And the question being put,

It was negatived.

The question the recurring on the Council adjourning until 2 o'clock this afternoon,

It was decided in the affirmative.

So 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 at 2 o'clock, P. M.

A quorum being present,

Mr. Van Etten moved the Council do now adjourn;

Which motion being put,

It was decided in the affirmative.

The Council then adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,

President of the Council.

Attest:

J. B. DIXON,

Secretary.

WEDNESDAY, MARCH 1, 1854.

The Council met pursuant to adjournment, and was called to order by the President at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday was read and approved.

Mr. Van Etten, on leave, introduced

No. 47, (C. F.) A bill to incorporate the Central Minnesota Railroad.

On motion of Mr. Van Etten,

The rule was suspended, and said bill was read a first and second time by its title,

And laid on the table to be printed.

Mr. Brown, on leave, introduced joint resolutions relative to an appropriation from Congress, which was read, as follows:

Whereas, the Hon. W. H. Nobles, of this Territory, while in California, expended much valuable time and money in searching for and discovering a pass through the Sierra Nevada Mountains; and

Whereas, the pass so discovered has been of much importance to the emigrants to California and Oregon, and will much facilitate the survey and location of a railroad route to the Pacific: therefore.

Resolved, by the Council and House of Representatives of the Territory of Minneso-

ta, that our Delegate in Congress be, and he is hereby, requested to urge upon Congress the propriety and justice of such a remuneration as may be deemed proper for the important services Mr. Nobles has rendered the General Government by the discovery aforesaid.

Resolved, that his Excellency, the Governor, be requested to forward a true copy of the above to the President of the Senate and to the Speaker of the House of Representatives of the United States, and also to our Delegate in Congress.

The question being put upon the adoption of said joint resolutions,

It was decided in the affirmative.

Reports from committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report viz:

The Joint Committee on Enrolled Bills did, on the 1st day of March, 1854, present to his Excellency, the Governor, for examination and approval, the following bills, viz:

A bill entitled an act to provide for laying out a Territorial Road from Red Wing to Fort Ridgley.

A bill entitled an act to amend the Revised Statutes.

An act to provide for the survey of logs and lumber in Minnesota Territory.

JOS. R. BROWN, Council,
R. M. RICHARDSON, House,
Committee.

Mr. Brown moved to take from the table

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes;

Which motion being put,

It was decided in the affirmative.

Said bill was then ordered to a third reading.

On motion of Mr. Murray,

The rule was suspended, and said bill read a third time by its title.

The question recurring upon the passage of said bill,

And the yeas and nays being called for and ordered, resulted as follows—yeas 6, nays 2.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Stearns, Stimson, and Van Etten—6.

Those who voted in the negative were,

Messrs. Murray and President—2.

A majority having voted in the affirmative,

The bill was passed.

The question then recurring upon agreeing to its title,

Mr. Murray moved to amend the title as follows:

A bill to provide for sculduggery on the west side of the Mississippi river;

And said motion being put,

It was negatived.

The title was then agreed to.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

Mr. President:—The House has passed the following bills:

No. 48, (H. of R.) A bill to prevent stallions, and certain other animals, from running at large;

No. 50, (H. of R.) An act to incorporate the Minnesota Central College;

No. 39, (H. of R.) An act relative to sheep and swine;

No. 46, (H. of R.) An act to incorporate the city of Stillwater, in Washington county;

In which the concurrence of the Council is requested.

The House has passed

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto,

With amendment.

No. 19, (C. F.) A bill relating to Auctioneers,

With amendments;

In which the concurrence of the Council is requested.

The House has passed

No. 29, (C. F.) A bill to incorporate the Henderson and Fort Ridgley Plank Road Company; also,

No. 35, (C. F.) A bill to amend an act to prevent trespassers on school lands in Minnesota Territory, approved March 6, 1852; also,

No. 5, (H. of R.) Joint resolution relative to Capt. Ingraham;

In which the concurrence of the Council is requested.

The Chief Clerk having withdrawn,

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Mower in the chair, having under consideration

No. 37, (C. F.) A bill to incorporate the Minnesota and North-Western Railroad Company; also,

No. 42, (H. of R.) A bill to incorporate the Transit Railroad Company.

Pending the sitting of the committee,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message to the Chairman of the Committee of the Whole, who acted as President, pro tem, during the temporary absence of the President of the Council:

Mr. President:—The House has passed,

No. 52, (H. of R.) An act to prescribe the times and places of holding the terms of the district court in the several judicial districts of the Territory;

No. 48, (H. of R.) An act to provide for laying out a Territorial Road from Cottage Grove, in the county of Washington, to St. Paul, in the county of Ramsey;

The Chief Clerk having withdrawn,

The committee resumed its sitting.

Pending the further sitting of the Committee of the Whole,

A message from his Excellency, the Governor, being announced,
 And the President having taken the chair for the reception thereof,
 Robert A. Smith, Esq., his Excellency's Private Secretary, appeared and handed in a message in writing.

The Private Secretary of the Governor having withdrawn,

The committee resumed its sitting on said bills.

Pending the further sitting of the committee,

A message from his Excellency, the Governor, being announced,

And the President having taken the chair for the reception thereof,

Robert A. Smith, Esq., the Private Secretary of his Excellency, appeared and delivered the following message:

EXECUTIVE OFFICE, March 1st, 1854.

MR. PRESIDENT:—I am directed by the Governor to inform the Council that he has approved and signed,

An act to amend the Revised Statutes; also,

An act to provide for laying out a Territorial Road from Red Wing to Fort Ridgley; also,

A memorial to Congress relative to the Half Breed Lands in Minnesota; also,

A memorial to Congress for a grant of lands for the construction of a railroad from some point on Lake St. Croix, or St. Croix river, to St. Paul and St. Anthony, and thence to the western boundary of the Territory, the Red River of the North, and the St. Louis River; also,

A memorial to Congress for the construction of roads in the Territory of Minnesota.

The Private Secretary of his Excellency having withdrawn,

The committee resumed its sitting on said bills.

Pending the further sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Governor has informed the House that he has approved and signed,

An act to provide for the survey of logs and lumber in Minnesota Territory; also,

Joint resolution relative to the establishment of an Emigrant Route to Oregon and California.

The Chief Clerk having withdrawn,

The committee again resumed its sitting on said bills;

And after some further time passed therein, the committee rose, and, by the chairman, reported progress, and asked leave to sit again on said bills.

The report of the Committee of the Whole was accepted.

On motion of Mr. Van Etten,

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

AFTERNOON SESSION.

The President called the Council to order, pursuant to adjournment, at 2 o'clock P. M.

A quorum being present,

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the chair, having under consideration

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company; also,

No. 42, (H. of R.) A bill for an act to incorporate the Transit Railroad Company.

After some time passed therein, the committee rose, and, by the chairman, reported

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,

Back to the Council, with amendments; also,

No. 42, (H. of R.) A bill for an act to incorporate the Transit Railroad Company, With amendments.

The report of the Committee of the Whole was accepted.

The question then recurring on the amendments as proposed in Committee of the Whole to

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company;

Which question being put,

It was decided in the affirmative.

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

Mr. Brown moved the bill be laid on the table, and that the Secretary be instructed to have the bill printed with the amendments, as proposed in the Committee of the Whole, to be ready for the use of the Council to-morrow morning;

Which motion being put,

It was agreed to.

The question then recurring on the Council concurring in the amendments to No. 42, (H. of R.) A bill for an act to incorporate the Transit Railroad Company;

Which question being put,

It was decided in the affirmative.

Mr. Brown moved said bill be laid upon the table;

Which motion being put,

It was agreed to.

Said bill was then laid on the table.

No. — (H. of R.) An act to incorporate the Stillwater Boom Company,

Was taken up.

On motion of Mr. Murray,

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

c. j. 32.

No. 47, (H. of R.) A bill to provide for laying out a Territorial Road from St. Paul, by way of Little Canada, to Lake Superior,

Was taken up, and,

On motion of Mr. Van Etten,

The rule was suspended, and said bill read a first and second time by its title only.

No. 49, (H. of R.) A bill to prevent stallions, and certain other animals, from running at large,

Was taken up.

On motion of Mr. Brown,

The rule was suspended, and said bill was read a first and second time by its title.

No. 46, (H. of R.) A bill for an act to incorporate the City of Stillwater, in the county of Washington,

Was taken up.

On motion of Mr. Brown,

The rule was suspended, and said bill read a first and second time by its title only.

No. 50, (H. of R.) A bill to incorporate the Minnesota Central University,

Was taken up.

On motion of Mr. Brown,

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

No. 39, (H. of R.) A bill for an act relative to sheep and swine,

Was taken up.

On motion of Mr. Brown,

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

No. 48, (H. of R.) A bill to provide for laying out a Territorial Road from Cottage Grove, in the county of Washington, to St. Paul, in the county of Ramsey,

Was taken up, and,

On motion of Mr. Stearns,

The rule was suspended, and said bill was read a first and second time by its title.

No. 52, (H. of R.) A bill to provide for holding terms of the district courts in the various judicial districts of Minnesota,

Was taken up.

Mr. Van Etten moved said bill be laid upon the table;

And the motion being put,

It was agreed to.

Said bill was then laid upon the table.

No. 5, (H. of R.) Joint resolution relative to Capt. Ingraham,

Was taken up.

Mr. Murray moved said resolution be laid upon the table;

Which motion being put,

It was negatived.

Said resolution was then read.

Mr. Van Etten moved said resolution be laid upon the table;

Which motion being put,

It was negatived.

Mr. Brown offered the following amendment to said resolution, which was read:

That whenever an officer or citizen of a State, by a patriotic or philanthropic disregard

of self, devotes his energies to that most laudable and commendable of all pursuits, the alleviation of the wants and sufferings of his fellow creatures, his name should be enrolled in the catalogue of those who are known to future generations as the pillars of the State, the helmsmen on the ark of public safety. Kings and rulers of empires sink into insignificance when placed alongside of the man whose life has been passed in acts destined to elevate the character of man by the encouragement of moral and religious virtues, and Legislative bodies, who, to a great extent, write and perpetuate the history of their time and the people for whom they legislate, should never allow an opportunity to escape of encouraging the progress and permanency of those sublime and exalted principles which contribute so largely to the formation of the character of those who are, at all times, prepared to devote their wealth and energies to the relief of suffering humanity.

The Legislature of Minnesota, impressed with the belief that duty requires an expression of the unqualified gratification entertained for the public spirit recently displayed by one of the prominent and highly respected citizens of this Territory, whose labors for the alleviation of the wants of his fellow creatures have been so frequently made manifest to the members of this body: Under a slight tribute of the deep regard entertained by the Legislature of this Territory for all self-sacrificing acts of genuine and undoubted devotion of man to the alleviation of the wants of his fellow man; therefore,

Resolved, That the Secretary of the Council and Chief Clerk of the House of Representatives of this Territory, be, and they are hereby, instructed to enter upon the journal of their respective Houses, in a conspicuous position, the name of "Pop-Corn Johnson's Confidential Clerk."

Mr. Van Etten moved that the resolution and amendment be laid upon the table;

Which motion being put,

It was agreed to.

No. 19, (C. F.) A bill in relation to Auctioneers,

Was taken up, and,

On motion of Mr. Van Etten,

Said bill was laid upon the table.

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto,

Was then taken up,

And the amendment, as passed in the House, was read.

The question then recurring on the Council concurring in said amendment, as passed in the House;

Which question being put,

It was negatived.

On motion of Mr. Brown,

A Committee of Conference was appointed to confer with a similar committee on the part of the House, relative to the disagreeing vote to the House amendment to

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto.

The President appointed Messrs. Brown, Stearns and Freeborn, said Committee of Conference.

No. 35, (C. F.) A bill to punish trespassers on school lands in Minnesota Territory, approved March 6, 1852,

Was taken up,

And the amendment, as passed in the House, was concurred in.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the Chair, having under consideration

No. 41, (H. of R.) A bill to incorporate the Chapter of Royal Arch Masons of St. Paul; and

No. 35, (H. of R.) A bill to amend chapters twelve and twenty-nine of the Revised Statutes.

After some further time passed therein, the committee rose, and, by the Chairman, reported said bills back to the Council, without amendment,

And recommend their passage.

The report of the Committee was accepted.

On motion of Mr. Murray,

No. 41, (H. of R.) A bill to incorporate the Chapter of Royal Arch Masons of Saint Paul,

Was then read a third time.

The question being, "Shall said bill pass?"

It was passed.

The question recurring upon agreeing to the title,

It was agreed to.

No. 35, (H. of R.) A bill to amend chapters twelve and twenty-nine of the Revised Statutes,

Was taken up.

On motion of Mr. Murray,

Said bill was laid on the table.

On motion of Mr. Brown,

The Council resolved itself into Executive Session.

After some time passed therein, the doors were again opened.

Reports from committees being in order,

Mr. Van Etten, from the Committee on Territorial Affairs, made the following report:

The Committee on Territorial Affairs, to whom was referred

No. 16, (H. of R.) A bill for an act to prohibit the circulation of unauthorized notes as currency,

Ask to report.

Your committee have had the same under consideration, and report the same back to the Council, recommending striking from the bill all of section one, for reasons apparent on the face of said section.

I. VAN ETTEN,
ALBERT STIMSON,

Committee.

The report of the committee was accepted.

Mr. Van Etten moved said bill be indefinitely postponed;

Which motion being put,

It was negatived.

Mr. Brown moved said bill be laid on the table;

Which motion being put,

It was decided in the affirmative.

Said bill was then laid upon the table.

Mr. Murray moved the Council do now adjourn;

Which motion being put,

It was agreed to.

So the Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

THURSDAY, MARCH 2, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The journal of yesterday was read and approved.

A message from his Excellency, the Governor, being announced,

Robert A. Smith, Esq., the Private Secretary of his Excellency, appeared and handed in a message in writing.

The Private Secretary of the Governor having withdrawn, and

Reports from committees being in order,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report,
viz:

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

No. 25, (C. F.) A bill to incorporate the Minneapolis and Little Falls Plank Road Company;

No. 15, (C. F.) A bill to organize the county of Sibley;

No. 18, (C. F.) A bill to incorporate the Minnesota Bridge Company;

No. 34, (C. F.) A bill to provide for laying out a Territorial Road from St. Paul to the Iowa State line.

JOSEPH R. BROWN, Council,
R. M. RICHARDSON, House,
Committee.

On motion of Mr. Murray,

No. 52, (H. of R.) A bill to provide for holding terms of the District Courts in the various Judicial Districts in Minnesota Territory,

Was taken up.

Mr. Murray moved said bill be indefinitely postponed;

Which motion being put,

It was agreed to.

So said bill was indefinitely postponed.

On motion of Mr. Van Etten,

The Council resolved itself into Executive Session.

After some time passed therein, the doors were again opened.

No. 40, (C. F.) A bill to incorporate the La Crosse and Minnesota Railroad Company,

Was taken up, and,

On motion of Mr. Brown,

Said bill was laid upon the table.

On motion of Mr. Brown,

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,

Was taken from the table.

Pending the consideration of said bill,

Mr. Freeborn, on leave, introduced

No. 48, (C. F.) A bill granting to Wm. Hood, Peter Burns, C. K. Lord, and Robert Looney, the right to establish and maintain a ferry across the Mississippi river,

On motion of Mr. Stearns,

The rule was suspended and said bill read a first and second time by its title,

And laid on the table to be printed.

The consideration of

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,

Being resumed,

Mr. Murray moved the bill be laid upon the table, and made the special order of business for Monday next;

Which motion being put,

It was negatived.

Mr. Brown moved to amend the 10th section as follows:

"In case the persons incorporated by this act shall fail or neglect to accept the provisions of the same, and comply with its conditions, within the time and in the manner herein prescribed, then the same may be accepted by any other company which shall be approved of the Governor, Auditor, and Treasurer of this Territory; who, upon complying with the terms and conditions of this act, shall be vested with all the rights, pow-

ers, and immunities conferred upon the corporators herein named, and shall be subject to all the liabilities in the said act set forth, in as full and complete a manner as if their names were inserted as corporators in this act."

The question being upon the adoption of said amendment,

It was decided in the affirmative.

Mr. Murray moved the previous question;

And the question being put,

It was decided in the affirmative.

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

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Murray, and Stearns—5.

Those who voted in the negative were,

Messrs. Stimson, Van Etten, and President—3.

A majority having voted in the affirmative,

The bill was ordered to be engrossed for a third reading.

On motion of Mr. Stearns,

No. 42, (H. of R.) An act to incorporate the Transit Railroad Company,

Was taken up,

And ordered to a third reading.

Mr. Murray moved the rule be suspended and said bill be read a third time by its title only;

Which motion being put,

It was decided in the affirmative.

Said bill was then read a third time.

The question recurring, "Shall the bill pass?"

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Freeborn, Mower, Murray, Stearns, and Stimson—5.

Those who voted in the negative were,

Messrs. Brown, Van Etten, and President—3.

And a majority having voted in the affirmative,

The bill was passed.

The question then recurring upon agreeing to the title,

It was agreed to.

Reports from committees being in order,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined, and found correctly engrossed, the following, viz:

No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,

I. VAN ETTEN,
J. E. MOWER,

Committee.

The question then recurring on ordering
No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,

To be read a third time;

And the yeas and nays being called for and ordered, resulted as follows—yeas 5,
nays 3.

Those who voted in the affirmative were,
Messrs. Brown, Freeborn, Mower, Murray, and Stearns—5.

Those who voted in the negative were,
Messrs. Stimson, Van Etten, and President—3.

A majority having voted in the affirmative,
The bill was ordered to a third reading.
Said bill was then read a third time.

The question then being, "Shall said bill pass?"

And the yeas and nays being called for and ordered, resulted as follows—yeas 5,
nays 3.

Those who voted in the affirmative were,
Messrs. Brown, Freeborn, Mower, Murray, and Stearns—5.

Those who voted in the negative were,
Messrs. Stimson, Van Etten, and President—3.

A majority having voted in the affirmative,
The bill was passed.

The question recurring on agreeing to its title,

Mr. Van Etten moved to amend the title so as to read as follows:

A bill to incorporate the Minnesota and North Western Railroad Monopoly Company;
Which motion being put,

It was negatived.

The title of the bill was then agreed to.

On motion of Mr. Van Etten,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the chair,
having under consideration

No. 31, (C. F.) A bill to amend section sixteen, article eight, of the Revised Statutes;
also,

No. 44, (C. F.) A bill for an act granting to Franklin Steele the right to construct
and maintain a lumber sluice at the Falls of St. Anthony, on the Mississippi river.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House has signed the following acts:

An act to incorporate the Minneapolis and Little Falls Plank Road Company;

An act to provide for laying out a Territorial Road from St. Paul to the Iowa State line;

An act to incorporate the Minnesota Bridge Company.

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bills;

And after some time passed therein, the committee rose, and, by the chairman, reported

No. 44, (C. F.) A bill for an act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, on the Mississippi river,

Back to the Council with amendments; also,

No. 31, (C. F.) A bill to amend section sixteen, article eight, of the Revised Statutes, With amendments.

The report of the Committee of the Whole was accepted,

And the amendments to

No. 31, (C. F.) A bill to amend section sixteen, article eight, of the Revised Statutes, As passed in Committee of the Whole, were concurred in.

Said bill was then ordered to be engrossed for a third reading.

The amendments, as passed in Committee of the Whole, to

No. 44, (C. F.) A bill for an act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, in the Mississippi river,

Were also concurred in,

And the bill was ordered to be engrossed for a third reading.

On motion of Mr. Brown,

No. 19, (C. F.) A bill relating to Auctioneers,

Was taken from the table,

And the amendments to said bill, as passed in the House, were read.

The question then recurring upon the Council concurring in the amendments to said bill;

Pending the consideration of which question,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 51, (H. of R.) A bill to defray the expenses of the Legislative Assembly, and for other purposes;

In which the concurrence of the Council is requested.

The Chief Clerk having withdrawn,

The consideration of said bill was resumed,

(Mr. Murray in the chair.)

And the Council refused to concur in the first amendment, as passed in the House.
The question recurring on the Council concurring in the second amendment, as passed in the House;

Which question being put,

It was not agreed to,

On motion of Mr. Brown,

A Committee of Conference was appointed to confer with a similar committee on the part of the House relative to the disagreeing vote to the House amendment to No. 19, (C. F.) A bill relating to Auctioneers.

The chairman appointed Messrs. Brown, Stearns, and Mower, said Committee of Conference.

The President having resumed the chair,

Mr. Murray moved the Council do now adjourn;

Which motion being put,

It was decided in the negative.

On motion of Mr. Brown,

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 at 2 o'clock, P. M.

A quorum being present,

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the Chair, for the consideration of the following file of House bills:

No. 46, (H. of R.) A bill for an act to incorporate the City of Stillwater, in the county of Washington;

No. 49, (H. of R.) A bill to prevent stallions, and certain other animals, from running at large;

No. 39, (H. of R.) An act relative to sheep and swine;

No. 48, (H. of R.) An act to provide for laying out a Territorial Road from Cottage Grove, in the county of Washington, to St. Paul, in the county of Ramsey;

No. 47, (H. of R.) A bill to provide for laying out a Territorial Road from St. Paul, by way of Little Canada, to Lake Superior;

No. 28, (H. of R.) An act to authorize J. D. Trumble to establish a ferry across Lake St. Croix;

No. 50, (H. of R.) An act to incorporate the Minnesota Central College;

No. 29, (H. of R.) An act to incorporate the Stillwater Boom Company.

And after some time passed therein, the committee rose, and, by the chairman, reported

No. 50, (H. of R.) An act to incorporate the Minnesota Central University,
Back to the Council, with amendments.

No. 28, (H. of R.) A bill for an act authorizing J. D. Trumble to establish a ferry
across Lake St. Croix; also,

No. 47, (H. of R.) A bill for an act to provide for laying out a Territorial Road from
St. Paul, by way of Little Canada, to Lake Superior; also,

No. 48, (H. of R.) A bill to provide for laying out a Territorial Road from Cottage
Grove, in the county of Washington, to St. Paul, in the county of Ramsey; also,

No. 39, (H. of R.) A bill for an act relative to sheep and swine; also,

No. 49, (H. of R.) A bill to prevent stallions, and certain other animals, from run-
ning at large; also,

No. 29, (H. of R.) An act to incorporate the Stillwater Boom Company; also,

No. 46, (H. of R.) An act to incorporate the city of Stillwater, in Washington coun-
ty;

Back to the Council, without amendments.

The amendments, as passed in Committee of the Whole, to

No. 50, (H. of R.) An act to incorporate the Minnesota Central University,
Were then concurred in.

Said bill was then ordered to a third reading.

On motion of Mr. Murray,

The rule was suspended, and said bill read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

No. 47, (H. of R.) A bill for an act to provide for laying out a Territorial Road from
St. Paul, by way of Little Canada, to Lake Superior,

Was then taken up.

Mr. Murray moved said bill be indefinitely postponed;

And said motion being put,

It was negatived.

Said bill was then ordered to a third reading.

On motion of Mr. Murray,

Said bill was indefinitely postponed.

No. 28, (H. of R.) A bill for an act authorizing J. D. Trumble to establish a ferry
across Lake St. Croix,

Was taken up,

And ordered to a third reading.

On motion of Mr. Stearns,

Said bill was indefinitely postponed.

No. 29, (H. of R.) An act to incorporate the Stillwater Boom Company,

Was then taken up.

Mr. Van Etten moved said bill be referred to the Committee on Incorporations;

And the question being put,

It was decided in the affirmative.

Said bill was so referred.

No. 48, (H. of R.) A bill for an act to provide for laying out a Territorial Road from Cottage Grove, in the county of Washington, to St. Paul, in the county of Ramsey,
Was taken up.

Mr. Van Etten moved said bill be referred to the Committee on the Judiciary, with instructions to report thereon to-morrow morning.

Pending the consideration of said motion,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

Mr. President:—The House has passed
Joint resolution relative to an appropriation from Congress.

The Chief Clerk having withdrawn,

And the question recurring on referring said bill to the Committee on the Judiciary,
It was decided in the affirmative.

Said bill was so referred.

No. 39, (H. of R.) A bill for an act relative to sheep and swine,
Was taken up.

On motion of Mr. Murray,

Said bill was indefinitely postponed.

No. 49, (H. of R.) A bill for an act to incorporate the City of Stillwater, in the county of Washington,

Was taken up.

On motion of Mr. Van Etten,

The rule was suspended with, and said bill was read a third time by its title.

The question recurring, "Shall said bill pass?"

It was passed.

The question recurring upon agreeing to the title,

It was agreed to.

No. 46, (H. of R.) A bill to prevent stallions, and certain other animals, from running at large,

Was taken up, and,

On motion of Mr. Murray,

Said bill was referred to the Committee on Legislative Expenditures.

On motion of Mr. Van Etten,

The Council then resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 45, (C. F.) A bill for an act to incorporate Minnesota Life, Fire, and Marine Insurance Company.

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

The report of the committee was accepted,

And the amendments, as passed in Committee of the Whole were concurred in.

On motion of Mr. Murray,

The rule was dispensed with as to the engrossment of said bill.

The bill was then ordered to a third reading.

On motion of Mr. Van Etten,

The rule was suspended, and said bill was then read the third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question then being upon agreeing to its title,

It was agreed to.

Reports from committees being in order,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report,
viz:

The Committee on Engrossed Bills have examined, and found correctly engrossed, the following:

No. 44, (C. F.) A bill for an act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, on the Mississippi river.

I. VAN ETTEN,

J. E. MOWER,

Committee.

The report of the committee was accepted.

Mr. Van Etten moved to amend said bill as follows:

Strike out of line 3, section 5, the word "piquets," and insert "pickets."

In line 4, section 5, after the word "sluices," insert the words,

"Beyond the removal, from the lower terminus of the sluice aforesaid, of any such lumber, timber, shingles, pickets, and lath."

The question being put upon the adoption of said amendments,

It was decided in the affirmative.

So the amendments were adopted.

Said bill was then ordered to a third reading.

On motion of Mr. Stearns.

The rule was suspended, and said bill was read a third time by its title.

The question recurring, "Shall said bill pass?"

It was passed.

The question then recurring upon agreeing to the title,

It was agreed to.

On motion of Mr. Stearns,

The Council resolved itself into a Committee of the Whole, Mr. Mower in the chair, having under consideration

No. 47, (C. F.) A bill to amend an act entitled an act to incorporate the Rum River Boom Company.

And after some time passed therein, the committee rose, and, by the chairman, reported said bill back to the Council, and recommended its passage.

The report of the committee was accepted.

Said bill was then ordered to be engrossed for a third reading.

Mr. Freeborn obtained the unanimous consent of the Council to introduce

No. 7, (C. F.) Memorial to Congress relative to town sites.

On motion of Mr. Freeborn,

The rule was suspended and said bill was read a first and second time by its title,

And laid on the table to be printed.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Murray in the chair, having under consideration

No. 6, (C. F.) Memorial to Congress for certain mail routes therein named; also,

No. 42, (C. F.) A bill to authorize the location of a Territorial Road from Henderson and Le Sueur to Cannon river.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes.

The Speaker has appointed Messrs. Day, Fletcher, and Davis to meet a similar committee on the disagreeing vote of the two Houses on

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company.

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bills;

And after some further time passed therein, the committee rose, and, by the chairman, reported

No. 42, (C. F.) A bill to authorize the location of a Territorial Road from Henderson and Le Sueur to Cannon river,

Back to the Council, without amendment; also,

No. 6, (C. F.) Memorial to Congress for certain mail routes therein named,

Back to the Council, with amendments.

The report of the committee was accepted.

The amendments to

No. 6, (C. F.) Memorial to Congress for certain mail routes therein named,

Were concurred in.

No. 42, (C. F.) A bill to authorize the location of a Territorial Road from Henderson and Le Sueur to Cannon river,

Was taken up.

On motion of Mr. Brown,

The rule was suspended and said bill was read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to the title,

It was agreed to.

No. 6, (C. F.) A memorial to Congress for certain mail routes therein named,

Was taken up.

On motion of Mr. Brown,

The rule was suspended, and said memorial was read a third time by its title.

The question recurring, " Shall said memorial pass ?"

It was passed.

The question recurring upon agreeing to the title,

It was agreed to.

Messages from the House being in order,

The following message was taken up and read :

MR. PRESIDENT:—The Speaker of the House has signed,

An act to organize the county of Sibley ;

An act to incorporate the Minneapolis and Little Falls Plank Road Company ;

An act to provide for laying out a Territorial Road from St. Paul to the Iowa State line ;

An act to incorporate the Minnesota Bridge Company.

After the reading of the above message,

The President of the Council signed the following acts, viz :

An act to organize the county of Sibley ;

An act to incorporate the Minneapolis and Little Falls Plank Road Company ;

An act to provide for laying out a Territorial Road from St. Paul to the Iowa State line ;

An act to incorporate the Minnesota Bridge Company.

The above acts were then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, approval and signature.

Mr. Brown moved the Secretary of the Council be requested to call on his Excellency, the Governor, and request him to return to the Council the act authorizing the appointment of Surveyors of logs and lumber in this Territory ;

Which motion being put,

It was agreed to.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the chair, having under consideration

No. 13, (H. of R.) A bill to incorporate the City of St. Paul, Ramsey county, Minnesota Territory.

After some time passed therein, the committee rose, and, by the chairman, reported said bill back to the Council, and recommended its passage.

The report of the committee was accepted.

Said bill was then ordered to a third reading.

On motion of Mr. Brown,

The rule was suspended and said bill was then read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

Reports from committees being in order,

Mr. Van Etten, from the Committee on Engrossed Bills, made the following report, viz :

The Committee on Engrossed Bills have examined, and found correctly engrossed, the following:

No. 47, (C. F.) A bill to amend an act entitled an act to incorporate the Rum River Boom Company.

L. VAN ETTEN,
J. E. MOWER,
Committee.

Said bill was then ordered to a third reading.

Mr. Van Etten moved the rule be suspended and said bill be read a third time by its title;

Which motion being put,

It was agreed to.

Said bill was then read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question recurring upon agreeing to the title,

It was agreed to.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the chair, having under consideration

No. 46, (C. F.) A bill relative to certain counties.

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

The report of the committee was accepted.

The question then recurring on adopting the first amendment, as proposed in Committee of the Whole, viz: "Strike out all of section 1, in said bill;"

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 2.

Those who voted in the affirmative were,

Messrs. Freeborn, Mower, Murray, Starns, and President—5.

Those who voted in the negative were,

Messrs. Brown and Van Etten—2.

A majority voting in the affirmative,

The amendment was adopted.

The question then recurring on the Council concurring in the second amendment to said bill,

It was concurred in.

The question then recurring on the Council concurring in the third amendment to said bill,

It was concurred in.

Said bill was then ordered to be engrossed for a third reading.

Mr. Brown moved the rule be suspended and said bill be considered an engrossed bill, and read a third time by its title;

Which motion being put,

It was decided in the affirmative.

On motion of Mr. Freshborn,

The rule was suspended, and said bill was then read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question then being upon agreeing to its title,

It was agreed to.

Messages from the House being in order,

On motion of Mr. Stearns,

The following message was taken up and read:

MR. PRESIDENT:—The House has passed

No. 51, (H. of R.) A bill to defray the expenses of the Legislative Assembly, and for other purposes;

In which the concurrence of the Council is requested.

After the reading of the said message,

No. 51, (H. of R.) A bill to defray the expenses of the Legislative Assembly, and for other purposes,

Was then taken up.

On motion of Mr. Stearns,

The rule was suspended and said bill was read a first and second time.

On motion of Mr. Van Etten,

The rule was suspended, and the Council resolved into a Committee of the Whole, Mr. Murray in the chair, to take into consideration

No. 51, (H. of R.) A bill to defray the expenses of the Legislative Assembly, and for other purposes.

After some time passed therein, the committee rose, and, by the chairman, reported progress, and asked leave to sit again on said bill.

The report of the committee was accepted.

On motion of Mr. Van Etten,

The Council adjourned until to-morrow at 10 o'clock, A. M.

S. B. OLMSTEAD.

President of the Council.

Attest:

J. B. Dixon,

Secretary.

FRIDAY, MARCH 3, 1854.

The Council met pursuant to adjournment, and was called to order by the President, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The journal of yesterday was read and approved.

On motion of Mr. Freeborn,

The following messages from the House were taken up and read:

MR. PRESIDENT:—The House has passed

Joint resolution relative to an appropriation from Congress.

The message of yesterday, relative to

No. 20, (C. F.) A bill to create three additional Council Districts, and for other purposes,

Should be so amended as to read, "has passed the House with an amendment."

The House has passed

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes.

The Speaker has appointed Messrs. Day, Fletcher, and Davis, to meet a similar committee on the disagreeing vote of the two Houses, on

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company.

The House has passed the following resolution:

Resolved, That the Chief Clerk of the House, and Secretary of the Council, be instructed to procure such assistance as they may deem necessary to enroll the bills yet to be enrolled.

After the reading of said messages,

The question recurring upon the adoption of said resolution,

It was adopted.

A message from his Excellency, the Governor, being announced,

Robert A. Smith, Esq., the Private Secretary of his Excellency, appeared and delivered the following message:

EXECUTIVE OFFICE, March 3d, 1854.

MR. PRESIDENT:—I am directed by the Governor to inform the Council that he has approved and signed,

An act to provide for laying out a Territorial Road from St. Paul to the Iowa State line; also,

An act to incorporate the Minneapolis and Little Falls Plank Road Company; also,

An act to organize the county of Sibley; also,

An act to incorporate the Minnesota Bridge Company.

The Private Secretary of his Excellency having withdrawn,

The question recurred on the Council concurring in the House amendment to

No. 20, (C. F.) A bill to organize three additional Council Districts in this Territory, and for other purposes;

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 1.

Those who voted in the affirmative were,
Messrs. Brown, Freeborn, Mower, Stearns, and Van Etten—5.

Those who voted in the negative were,
Mr. Murray—1.

A majority having voted in the affirmative,
Said amendment was adopted.

Mr. Stearns, on leave, introduced the following resolution:

Resolved, That the select committee, to whom was referred

• No. 27, (H. of R.) A bill for an act to prevent the traffic in intoxicating drinks within this Territory,

Be instructed to report the same to the Council immediately.

Mr. Murray moved said resolution be laid on the table;

Which motion being put,

It was agreed to.

Mr. Murray, from the Committee on the Judiciary, to whom was referred

No. 48, (H. of R.) An act to provide for laying out a Territorial Road from Cottage Grove, in the county of Washington, to St. Paul, in the county of Ramsey,

Reported said bill back to the Council, without amendment, and recommended its indefinite postponement.

The report of the Committee was accepted.

Mr. Murray, from the Committee on Incorporations, to whom was referred:

No. 29, (H. of R.) An act to incorporate the Stillwater Boom Company,

Reported said bill back, with an amendment, as follows:

In the proviso, in section 2, after the word "individually," insert the word "liable."

On motion of Mr. Brown,

Said bill was laid upon the table for the action of the Committee of the Whole thereon.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 4, (H. of R.) A bill entitled an act to amend the Revised Statutes;

No. 41, (H. of R.) A bill entitled an act to incorporate the Chapter of Royal Arch Masons of St. Paul;

No. 32, (C. F.) A bill for the protection of owners of saw logs in this Territory;

No. 24, (C. F.) A bill to incorporate the Minneapolis and Lake Minnetonka Plank Road Company;

No. 28, (C. F.) A bill entitled an act relative to ferries;

No. 29, (C. F.) A bill entitled an act to incorporate the Henderson and Fort Ridgely Plank Road Company;

No. 17, (C. F.) A bill entitled an act to incorporate the Hamline University of Minnesota;

No. 28, (C. F.) A bill to amend an act entitled an act to incorporate the St. Croix Boom Company.

JOS. R. BROWN, Council,
HENRY S. PLUMER, House,
Committee.

A message from his Excellency, the Governor, being announced,
Robert A. Smith, Esq., the Private Secretary of his Excellency, appeared and delivered the following message:

EXECUTIVE OFFICE, ST. PAUL,
March 3, 1854.

To the President of the Council:

SIR:—I have the honor to return to the Council, in pursuance of a resolution thereof, an act to provide for the survey of logs and lumber in Minnesota Territory.

Respectfully,

W. A. GORMAN.

The Private Secretary of the Governor having withdrawn,

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the Chair, having under-consideration

No. 40, (C. F.) A bill to incorporate the La Crosse and Minnesota Railroad Company.

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

The report of the committee was accepted.

Mr. Murray moved the reconsideration of the vote by which the Council indefinitely postponed

No. 39, (H. of R.) A bill for an act relative to sheep and swine;

Which motion being put,

It was agreed to.

Said bill was then read a third time.

The question recurring, "Shall the bill pass?"

And the yeas and nays being called for and ordered, resulted as follows—yeas 3, nays 4.

Those who voted in the affirmative were,

Messrs. Brown, Murray, and Stimson—3.

Those who voted in the negative were,

Messrs. Freeborn, Mower, Stearns, and President—4.

And a majority having voted in the negative,

The bill was not passed.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has receded from its amendment to No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company.

The Chief Clerk having withdrawn.

On motion of Mr. Van Etten,
No. 21, (C. F.) A bill to repeal chap. 1 of the acts passed at the fourth session of the Legislative Assembly of the Territory of Minnesota,

Was taken from the table.

Mr. Van Etten asked, and obtained, the unanimous consent of the Council to offer the following amendment to said bill:

Add the following section to said bill:

SEC. 3. The passage of this act shall not affect any suit or action heretofore commenced under the provisions of the act hereby repealed.

Which motion being put,

It was decided in the affirmative.

So the amendment was adopted.

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

Mr. Murray moved said bill be laid upon the table;

Which motion being put,

It was agreed to.

Said bill was then laid upon the table.

Mr. Van Etten moved said bill be taken from the table.

Mr. Murray moved the Council do now adjourn;

Which motion being put,

It was negatived.

The question recurring on taking said bill from the table,

It was decided in the affirmative.

The question recurring on ordering said bill to a third reading;

Which question being put,

It was negatived.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Van Etten in the chair, having under consideration

No. 38, (C. F.) A bill to regulate the sale of spirituous liquors in this Territory; also,

No. 43, (C. F.) A bill to prohibit the introduction of liquors into the Territory purchased from the Sioux Indians.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has concurred in Council amendments to

No. 50, (H. of R.) A bill to incorporate the Minnesota Central University.

The House has indefinitely postponed
 No. 42, (C. F.) A bill to authorize the location of a Territorial Road from Henderson and Le Sueur to Cannon river; and
 No. 46, (C. F.) A bill in relation to certain counties.
 The Chief Clerk having withdrawn,
 The committee resumed its sitting on said bills;
 And after some further time passed therein, the committee rose, and, by the chairman, reported said bills back to the Council, without amendment.

The report of the committee was accepted.
 Said bills were then ordered to be engrossed for a third reading.

On motion of Mr. Murray,
 No. 5, (C. F.) A bill to incorporate the St. Croix Bridge Company,
 Was taken from the table.

On motion of Mr. Murray,
 The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 5, (C. F.) A bill to incorporate the St. Croix Bridge Company.
 After some time passed therein, the committee rose, and, by the chairman, reported said bill back to the Council, and recommended its passage.

The report of the committee was accepted.
 On motion of Mr. Stearns,
 The rule was suspended and said bill read a third time by its title.
 The question being, "Shall said bill pass?"
 It was passed.
 The question recurring upon agreeing to the title,
 It was agreed to.

Reports from committees being in order,
 Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 20, (C. F.) A bill entitled an act to establish certain Council Districts in this Territory, and for other purposes.

JOS. R. BROWN, Council,
 HENRY S. PLUMER,
 W. A. DAVIS,
 J. H. DAY, House,
 Committee.

On motion of Mr. Stearns,
 No. 35, (H. of R.) A bill to amend chapters twelve and twenty nine of the Revised Statutes,
 Was taken from the table.

On motion of Mr. Stearns,
 The Council resolved itself into Committee of the Whole, Mr. Brown in the chair, having under consideration -

No. 35, (H. of R.) A bill to amend chapters twelve and twenty-nine of the Revised Statutes.

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

The report of the committee was accepted.

On motion of Mr. Murray,

Said bill was laid on the table.

Reports from committees being in order,

Mr. Brown, from the Committee of Conference, made the following report :

The Joint Committee of Conference, to whom was referred

No. 12, (C. F.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto,

Would respectfully report that the committee have conferred thereon, and recommend that the House recede from the amendment proposed to said bill.

All of which is respectfully submitted.

JOSEPH R. BROWN,
C. T. STEARNS,
WM. FREEBORN, Council,
H. FLETCHER,
WM. A. DAVIS,
J. H. DAY, House,
Committee.

The report of the Committee of Conference was accepted.

Mr. Murray moved to take from the table

No. 13, (C. F.) A bill to provide for the establishment of a Commissioner of Emigrants for the Territory of Minnesota in the city of New York;

Which motion being put,

It was negatived.

On motion of Mr. Murray,

The Council then resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 41, (C. F.) A bill to incorporate the St. Paul and Lake Superior Plank Road Company.

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

The report of the Committee of the Whole was accepted.

The question then recurring on ordering said bill to be engrossed,

It was decided in the negative.

Mr. Van Etten moved the Council do now adjourn;

Which motion being put,

It was negatived.

On motion of Mr. Brown,

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

AFTERNOON SESSION.

The President called the Council to order, pursuant to adjournment, at 2 o'clock, P. M.

The roll being called,

Messrs. Brown, Kittson, and Van Etten, were reported absent.

The Sergeant-at-Arms being absent,

The Fireman was requested to notify the absent members to appear in their seats.

Mr. Murray asked, and obtained, the unanimous consent of the Council to introduce the following bill:

No. 49, (C. F.) A bill relative to the records,

Said bill was read a first and second time.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 49, (C. F.) A bill relative to the records.

After some time passed therein, the committee rose, and, by the chairman, reported said bill back to the Council, and recommended its passage.

The report of the committee was accepted.

On motion of Mr. Murray,

The rule was suspended, and said bill was read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question then being upon agreeing to the title,

It was agreed to.

Mr. Brown, on leave, introduced the following joint resolution relative to the Sioux Indians:

Whereas, by the Senate amendments to the Treaty of Traverse des Sioux, between the United States and the Warpeton and Sisseton Sioux Indians, it is provided that the President be authorized, with the assent of said Indians, parties to this treaty, and as soon after as they shall have given their assent to the foregoing article, as may be, set apart by appropriate land marks and boundaries, such tracts of country without the limits of the cession made by the second article of the treaty, as may be satisfactory, for their future occupation and home; provided, that the President may, with the consent of these Indians, vary the conditions aforesaid, if deemed expedient,

And whereas, the treaty referred to provides for the expenditure of large sums for the opening of farms, building mills, opening schools, &c.

And whereas, the expenditure of those sums on lands not intended to be the permanent homes of these Indians would be doing a great injustice to them,

And whereas, the present location of the Sioux is probably the best adapted to the wants of said Indians that could be selected, without interfering with the wants of the settlements of the whites in this Territory: therefore,

Resolved, by the Council and House of Representatives, that our Delegate in Congress be, and he is hereby, requested to urge upon the government the necessity of an early

location of the country to be occupied by said Indians as their permanent homes, and also to endeavor to have the country now occupied by said Indians to be confirmed to them for their permanent location.

Resolved, That his Excellency, the Governor, be requested to forward one copy of the above preamble and resolution to the Secretary of the Interior, one to Commissioner of Indian Affairs, and one to our Delegate in Congress from this Territory.

Pending the reading of said resolution,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed the following:

An act to amend an act entitled an act to incorporate the St. Croix Boom Company;

An act to amend the Revised Statutes;

An act to incorporate the Hamline University of Minnesota;

An act in relation to ferries;

An act for the protection of owners of saw logs in this Territory;

An act to incorporate the Minneapolis and Lake Minnetonka Plank Road Company;

An act to incorporate the Henderson and Fort Ridgley Plank Road Company;

An act to incorporate the Chapter of Royal Arch Masons of St. Paul.

The House has reconsidered the vote by which

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes,

Was passed yesterday,

And said bill has been laid upon the table.

The House has instructed me to inform the Council that they would be ready to meet the Council in joint convention, at 11 o'clock to-morrow morning, to elect Surveyors General under the provisions of

An act to provide for the survey of logs and lumber in Minnesota Territory.

The House has passed the following resolution:

Resolved, That the Chief Clerk of the House be instructed to call upon the Council for

No. 20, (C. F.) An act to create three additional Council Districts, and for other purposes.

The Chief Clerk having withdrawn,

The reading of said resolution was then concluded.

The question recurring upon the adoption of the resolution,

It was decided in the affirmative.

Mr. Murray, from the committee to whom was referred

No. 22, (H. of R.) A bill for an act providing for the distribution of copies of the Declaration of Independence and of the Constitution of the United States, to be used in schools,

Reported that they had had the same under consideration, and recommended its indefinite postponement.

Mr. Murray, from the Committee to whom was referred

No. 28, (H. of R.) A bill to dissolve the marriage contract now existing between Narcissus Leroy and his wife, Ann Leroy.

Reported that they had had said bill under consideration, and recommended its indefinite postponement.

On motion of Mr. Brown,

Said bills were then laid on the table.

Mr. Murray, from the committee to whom was referred.

No. 37, (H. of R.) A bill to abolish Indian testimony in all courts of justice in this Territory.

Reported said bill back to the Council, and recommended its indefinite postponement.

On motion of Mr. Stearns,

No. 35, (C. F.) A bill to amend chapters twelve and twenty-nine of the Revised Statutes,

Was taken up,

And ordered to a third reading.

On motion of Mr. Murray,

The rule was suspended and said bill read a third time by its title only.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to the title,

It was agreed to.

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 51, (H. of R.) A bill to defray the expenses of the Legislative Assembly, and for other purposes.

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has appointed Messrs. Noble, Day, and Fletcher a committee to confer with a similar committee on the part of the Council, in reference to the disagreement on

No. 19, (C. F.) A bill relating to Auctioneers.

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bill.

Pending the further consideration of said bill,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed the following resolution:

Resolved, that the Chief Clerk of the House be instructed to call upon the Council for

No. 20, (C. F.) An act to create three additional Council Districts, and for other purposes.

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bill.

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

The report of the committee was accepted.

The amendments to said bill, as passed in Committee of the Whole, were then concurred in.

On motion of Mr. Murray,

Said bill was laid on the table.

The President of the Council then signed the following acts:

An act to incorporate the Hamline University of Minnesota;

An act to incorporate the Minneapolis and Lake Minnetonka Plank Road Company;

An act for the protection of owners of saw logs in this Territory;

An act to incorporate the Henderson and Fort Ridgley Plank Road Company;

An act in relation to ferries;

An act to amend an act entitled an act to incorporate the St. Croix Boom Company;

An act to amend the Revised Statutes;

An act to incorporate the Chapter of Royal Arch Masons of St. Paul.

The above acts were then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, approval, and signature.

Messages from the House being in order,

The following message was taken up and read:

MR. PRESIDENT:—The House has receded from its amendment to

No. 12, (C. F.) An act to amend an act entitled an act to incorporate Mississippi Boom Company.

The House has concurred in the Council amendments to

No. 50, (H. of R.) A bill to incorporate the Minnesota Central University.

The House has indefinitely postponed

No. 42, (C. F.) A bill to authorize the location of a Territorial Road from Henderson and Le Sueur to Cannon river; and

No. 46, (C. F.) A bill in relation to certain counties.

Mr. Murray moved the Secretary be instructed to return

No. 20, (C. F.) A bill to establish three additional Council Districts, and for other purposes,

To the House of Representatives;

Which question being put,

And the yeas and nays being called for and ordered, resulted as follows—yeas 4, nays 3.

Those who voted in the affirmative were,

Messrs. Mower, Murray, Stimson, and President—4.

Those who voted in the negative were,

Messrs. Brown, Freeborn, and Stearns—3.

A majority having voted in the affirmative,
The motion was adopted.

Said bill was then returned to the House.

The following joint resolution was taken up and read:

MR. PRESIDENT:—The House has instructed me to inform the Council that they would be ready to meet the Council in joint convention, this afternoon, at 6 o'clock, to elect Surveyors General, under the provisions of

No. 23, (H. of R.) An act to provide for the survey of logs and lumber in this Territory.

Mr. Brown moved to amend said joint resolution as follows:

Strike out the words,

"This afternoon at 6 o'clock,"

And insert the words,

"At 11 o'clock to-morrow morning;"

And the question being put,

It was decided in the affirmative.

Mr. Stearns moved the Council do now adjourn;

Which motion being put,

It was agreed to.

So the Council adjourned until to-morrow, at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

SATURDAY, MARCH 4, 1854.

The Council met pursuant to adjournment, and was called to order by the President at 10 o'clock, A. M.

Prayer by the Rev. Mr. Kerns.

A quorum being present,

The Journal of yesterday having been partly read,

On motion of Mr. Murray,

The further reading of the Journal was dispensed with.

Mr. Murray moved to expunge that portion of the journal which relates to the Committee on Enrolled Bills reporting

No. 20, (C. F.) A bill to establish three additional Council Districts in this Territory, and for other purposes,

As correctly enrolled.

Pending the consideration of said motion,

A message from his Excellency, the Governor, being announced,

Robert A. Smith, Esq., his Excellency's Private Secretary, appeared and delivered the following message:

EXECUTIVE OFFICE, March 4, 1854.

MR. PRESIDENT:—I am directed by the Governor to inform the Council that he has approved and signed,

An act to incorporate the Hamline University of Minnesota; also,

An act to incorporate the Minneapolis and Lake Minnetonka Plank Road Company; also,

An act for the protection of owners of saw logs in this Territory; also,

An act to incorporate the Henderson and Fort Ridgley Plank Road Company; also,

An act in relation to ferries; also,

An act to amend an act entitled an act to incorporate the St. Croix Boom Company.

The Private Secretary of the Governor having withdrawn,

The question then recurring on expunging said part of the journal of yesterday,

It was decided in the negative.

Reports from committees being in order,

Mr. Murray, from the committee to whom was referred

No. 27, (H. of R.) A bill to prevent the traffic in intoxicating drinks within this Territory,

Made the following report:

The committee to whom was referred

No. 27, (H. of R.) A bill to prevent the traffic in intoxicating drinks within this Territory,

Having had the same under consideration, most respectfully report a substitute therefor.

All of which is respectfully submitted.

W. P. MURRAY,

Chairman.

Mr. Mower, from the Committee on Engrossed Bills, made the following report, viz:

The Committee on Engrossed Bills have examined, and found correctly engrossed, the following, viz:

A bill entitled an act to amend section 18, article 8, of the Revised Statutes; also,

A bill entitled an act to prohibit the introduction of liquor into the territory purchased from the Sioux Indians; also,

A bill entitled act to regulate the sale of spirituous liquors in this Territory.

J. E. MOWER,

Committee.

The report of the committee was accepted.

Said substituted bill (No. 50, C. F.) was then taken up.

Mr. Murray moved the rule be suspended, and said bill read by its title only;

Which question being put,

It was not agreed to.

Said bill was then read a first and second time.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has concurred in Council amendment to the joint resolution of the two Houses relative to meeting the House in joint convention to elect Surveyors General of logs and lumber.

The Chief Clerk having withdrawn,

Mr. Stearns moved the Secretary of the Council be instructed to deposit

An act to provide for the survey of logs and lumber in this Territory,

With the Secretary of the Territory;

Which motion being put,

It was decided in the affirmative.

Mr. Mower, from the committee of conference, to whom was referred

No. 19, (C. F.) A bill relating to Auctioneers,

Made the following report:

The committee of conference, to whom was referred the disagreeing vote of the Council to House amendments to

No. 19, (C. F.) A bill relating to Auctioneers,

Ask leave to report, and recommend that the Council adhere to its vote on the first amendment and recede and concur with the House in the second amendment.

J. E. MOWER, Council,

H. FLETCHER,

W. H. NOBLES,

J. H. DAY,

Committee.

Mr. Brown, from the minority of said committee of conference, made the following report:

The minority of the committee of conference, to which was referred the disagreeing vote of the two Houses on

No. 19, (C. F.) A bill relating to Auctioneers,

Would respectfully report that the committee have conferred on said bill, and the committee agreed to recommend to the House of Representatives to recede from their first amendment; and a majority of the committee propose to the Council to adopt the second amendment of the House to said bill. But the minority of your committee would respectfully protest against the adoption of said amendment, for the reason that it is, to say the least, discourteous to this body that the House should at-

such to a Council bill a bill which had been once passed by that House, and is now in its proper course on the table of the Council.

All of which is respectfully submitted.

JOSEPH R. BROWN,

WM. FREEBORN,

Committee,

The report of the majority of the committee of conference was then concurred in.

Mr. Brown, on leave, introduced the bill for printing.

Said bill was referred to the Committee on Printing.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, to wit:

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

No. 14, (C. F.) A bill entitled an act to incorporate the St. Paul Bridge Company; also,

No. 35, (C. F.) A bill entitled an act to amend an act to punish trespassers on school lands in Minnesota Territory, approved March 6, 1852.

J. R. BROWN, Council,

R. M. RICHARDSON, House,

Committee.

Pending the reading of said report,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed the following acts:

An act to incorporate the St. Paul Bridge Company; also,

An act to amend an act to punish trespassers on school lands in Minnesota Territory.

The Chief Clerk having withdrawn,

No. 31, (C. F.) A bill to amend section sixteen, article eight, of the Revised Statutes, Was taken up,

And ordered to a third reading.

Said bill was then read a third time by its title.

The question recurring upon the passage of said bill,

It was passed.

The question recurring upon agreeing to the title,

It was agreed to.

No. 38, (C. F.) A bill to regulate the sale of spirituous liquors in this Territory,

Was then taken up,

And ordered to a third reading.

On motion of Mr. Murray,

The rule was suspended and said bill was read a third time.

The question recurring, "Shall said bill pass?"

It was passed.

The question recurring upon agreeing to the title,

It was agreed to.

No. 43, (C. E.) A bill to prohibit the introduction of liquor into the Territory purchased from the Sioux Indians,

Was taken up,

And ordered to a third reading.

Said bill was then read a third time.

The question recurring upon the passage of said bill,

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 2.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Stearns, and Stimson—5.

Those who voted in the negative were,

Messrs. Murray and President—2.

A majority having voted in the affirmative,

The bill was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

No. 48, (H. of R.) A bill for an act to provide for laying out a Territorial Road from Cottage Grove, in the county of Washington, to St. Paul, in the county of Ramsey,

Was taken up, and,

On motion of Mr. Murray,

Referred to the Committee on the Judiciary.

Mr. Stearns moved the rule be suspended, and

No. 27, (H. of R.) A bill for an act to prevent the traffic in intoxicating drinks within this Territory,

Be now taken up;

Which motion being put,

It was agreed to.

Said bill was then taken up, and,

On motion of Mr. Stearns,

The Council resolved itself into a Committee of the Whole, Mr. Brown in the chair, having under consideration

No. 27, (H. of R.) A bill for an act to prevent the traffic in intoxicating drinks within this Territory.

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

The report of the committee was accepted.

Mr. Murray moved

No. 27, (H. of R.) A bill for an act to prevent the traffic in intoxicating drinks within this Territory,

Be laid on the table.

The question being put upon said motion,

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 2.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Murray, and President—1.

Those who voted in the negative were,

Messrs. Stearns and Stimson—2.

A majority voting in the affirmative,

The motion was adopted.

Mr. Murray, from the committee to whom was referred

No. 48, (H. of R.) A bill for an act to provide for laying out a Territorial Road from Cottage Grove, in the county of Washington, to St. Paul, in the county of Ramsey,

Reported that they have had said bill under consideration, and, by leave, reported a substitute therefor.

Said bill,

No. 50, (C. F.) A bill relative to sheep and swine,

Was then taken up.

Mr. Murray moved the rule be suspended and said bill ordered to a third reading;

Which motion being put,

It was agreed to.

Pending the consideration of the bill,

Mr. Brown obtained the unanimous consent of the Council to add the following new section to said bill:

SEC. 3. That no person shall be eligible to hold office under the laws of this Territory who has not been a resident of this Territory for six months preceding his election or appointment.

The question being upon the adoption of said motion,

It was agreed to.

Said bill was then read a third time.

The question recurring, "Shall said bill pass?"

It was passed.

The question recurring upon agreeing to the title,

It was agreed to.

Mr. Murray moved to reconsider the vote by which the Council refused to pass

No. 37, (H. of R.) A bill to abolish Indian testimony in all courts of justice in this Territory;

Which motion being put,

It was negatived.

On motion of Mr. Brown,

The Council resolved itself into a Committee of the Whole, Mr. Stearns in the chair, having under consideration

No. 7, (C. F.) A memorial to Congress relative to town sites; also,

No. 40, (C. F.) A bill to incorporate the La Crosse and Minnesota Railroad Company;

And after some time passed therein, the committee rose, and, by the chairman, reported

No. 7, (C. F.) A memorial to Congress relative to town sites,

Back to the Council, with amendments; also,

C. J. 36.

No. 40, (C. F.) A bill to incorporate the La Crosse and Minnesota Railroad Company,

Without amendment.

The report of the committee was accepted,

And the amendments to

No. 7, (C. F.) Memorial to Congress relative to town sites,

As passed in Committee of the Whole, were then concurred in.

Mr. Murray moved the rule be suspended, and said memorial read a third time by its title;

And the motion being put,

It was agreed to.

Said bill was then read a third time.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to its title,

It was agreed to.

On motion of Mr. Murray,

No. 40, (C. F.) A bill to incorporate the La Crosse and Minnesota Railroad Company,
Was laid on the table.

No. 48, (C. F.) A bill to incorporate the Central Minnesota Railroad Company,
Was then taken up, and,

On motion of Mr. Murray,

Said bill was laid upon the table.

On motion of Mr. Murray,

No. 29, (H. of R.) An act to incorporate the Stillwater Boom Company,
Was taken up.

The rule was suspended, and said bill was read a third time by its title.

The question recurring, "Shall said bill pass?"

It was passed.

The question then recurring upon agreeing to the title,

It was agreed to.

A committee from the House being announced,

Messrs. Plumer and Richardson appeared and informed the Council that the House were now ready to receive the Council in joint convention, to elect Surveyors General of logs and lumber in this Territory.

Said committee having withdrawn,

On motion of Mr. Murray,

No. 10, (C. F.) A bill to incorporate the Bank of Minnesota,

Was referred to the Committee on the Judiciary.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has passed

No. 37, (H. of R.) An act to incorporate the Minnesota and North Western Railroad Company,

With amendments;
 In which the concurrence of the Council is requested.
 The Chief Clerk having withdrawn,
 Mr. Murray moved the message be taken up;
 Which question being put,
 It was decided in the affirmative.
 Said message was again read.
 Mr. Stimson moved a call of the Council;
 And the roll being called,
 Messrs. Van Etten and Kittson were reported absent.
 The Sergeant-at-Arms was requested to notify the absent members to appear in their seats.
 Mr. Murray moved all further proceeding under the call be dispensed with;
 Which motion being put,
 It was decided in the affirmative.
 On motion of Mr. Murray,
 The message was again taken up and read.
 No. 37, (C. F.) A bill to incorporate the Minnesota and North Western Railroad Company,
 Was then taken up,
 And the first, second, and third amendments to said bill were then concurred in by the Council.
 Mr. Murray moved the Council do concur in all of the House amendments to said bill, without any further reading of the same;
 And the question being put,
 It was decided in the affirmative.
 Said bill was then ordered to be enrolled.
 The Council then proceeded to the Hall of Representatives, to meet in joint convention to elect Surveyors General of Logs and Lumber in this Territory.

JOURNAL OF THE JOINT CONVENTION.

The rolls of the two Houses being called,
 A quorum of each answered to their names.
 Mr. Stimson nominated Robert Hastie as a candidate for Surveyor General of the First District.
 Mr. Fisher nominated H. N. Setzer.
 The Convention then proceeded to vote, viva voce, for Surveyor General of the First District;
 And on the first vote,
 Mr. Brown voted for Mr. Hastie,
 Freeborn " Setzer,
 Mower " Hastie,
 Murray " Hastie,
 Stearns " Hastie,
 Stimson " Hastie,

Mr. President voted for Mr. Hastie,

Bartlette	"	Hastie,
Davis	"	Setzer,
Day	"	Setzer,
Fisher	"	Setzer,
Fletcher	"	Hastie,
Gardner	"	Setzer,
McKusick	"	Setzer,
Morrison	"	Hastie,
Noot	"	Hastie,
Nobles	"	Setzer,
Plumer	"	Setzer,
Rolette	"	Hastie,
Richardson	"	Hastie,
Roy	"	Hastie,
Sloan	"	Setzer,
Watson	"	Setzer,
Speaker	"	Hastie.

The result of the vote was then declared, as follows:

Mr. Hastie received 14 votes,

Mr. Setzer " 10 "

Mr. Hastie having received a majority of all the votes,

Was declared duly elected.

On motion of Mr. Noot,

The Convention then proceeded to vote for Surveyor General of the Second District.

Mr. Murray nominated Daniel Stanchfield, of St. Anthony, for that office, and in support thereof, presented the petition of sundry citizens of said district.

On the first ballot,

Mr. Brown	voted for	Mr. Stanchfield,
Freeborn	"	Collins.
Mower	"	Stanchfield,
Murray	"	Stanchfield,
Stearns	"	Stanchfield,
Stimson	"	Stanchfield,
President	"	Stanchfield,
Bartlette	"	Stanchfield,
Davis	"	Stanchfield,
Day	"	Collins,
Fisher	"	Stanchfield,
Fletcher	"	Stanchfield,
Gardner	"	Stanchfield,
McKusick,	"	Stanchfield,
Morrison	"	Collins,
Noot	"	Stanchfield,
Nobles	"	Collins,

Mr. Plumer	voted for	Mr. Stanchfield,
Rolette	"	Collins,
Richardson	"	Collins,
Roy	"	Stanchfield,
Sloan	"	Stanchfield,
Watson	"	Stanchfield,
Speaker	"	Stanchfield.

The result of the vote was then declared, as follows:

Mr. Stanchfield received 18 votes,

Mr. Collins " 6 "

Mr. Stanchfield having received a majority of all the votes cast,
Was declared duly elected.

On motion of Mr. Stearns,

The Convention then proceeded to vote for Surveyor General of the Third District.

Mr. Freeborn nominated William Lauver.

On the first ballot,

Mr. Brown	voted for	Mr. Lauver,
Freeborn	"	Lauver,
Mower	"	Lauver,
Murray	"	Lauver,
Stearns	"	Lauver,
Stimson	"	Lauver,
President	"	Lauver,
Bartlette	"	Lauver,
Davis	"	Lauver,
Day	"	Bailey,
Fisher	"	Freeborn,
Fletcher	"	Lauver,
Gardner	"	O. M. Lord,
McKusick	"	Lauver,
Morrison	"	Bailey,
Noot	"	Freeborn,
Nobles	"	Kit Carson,
Plumer	"	Bailey,
Rolette	"	Bailey,
Richardson	"	Bailey,
Roy	"	Bailey,
Sloan	"	Lauver,
Watson	"	Lord,
Speaker	"	Lauver.

The result of the vote was then declared, as follows:

Mr. Lauver received 13 votes,

Mr. Bailey " 6 "

Mr. Freeborn " 2 "

Mr. Lord " 2 "

Mr. Kit Carson " 1 "

Mr. Lauver having received a majority of the votes cast,
Was declared duly elected.

Mr. Watson moved the Convention adjourn;
Which was agreed to.

The Joint Convention then adjourned.

After some time passed in joint convention, the Council returned to the Council Chamber, and,

On motion of Mr. Murray,

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 at 2 o'clock, P. M.

A quorum being present,

On motion of Mr. Murray,

The Council resolved itself into a Committee of the Whole, Mr. Mower in the chair, having under consideration

No. 51, (H. of R.) A bill to defray the expenses of the Legislative Assembly, and for other purposes.

After some time passed therein,

Pending the sitting of the committee,

A message from the House being announced,

And the President having taken the chair for the reception thereof,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has receded from its first amendment to

No. 19, (C. F.) A bill relative to Auctioneers;

And concurred in the second amendment thereto, as recommended by the report of the joint committee of conference.

The Chief Clerk having withdrawn,

The committee resumed its sitting on said bill.

After some further time passed therein, the committee rose, and, by the chairman, reported said bill back to the Council, with amendments, and recommended its passage.

The report the Committee of the Whole was accepted,

And the amendments, as passed in Committee of the Whole, were concurred in.

Said bill was then read a third time.

The question recurring upon the passage of said bill,

It was passed.

The question then recurring upon agreeing to the title,

It was agreed to.

The President of the Council then signed the following acts;

An act to amend an act to punish trespassers on school lands in Minnesota Territory, approved March 6, 1852; also,

An act to incorporate the St. Paul Bridge Company.

The above acts were then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, approval and signature.

Messages from the House being in order,

The following message was taken up and read:

MR. PRESIDENT:—The House receded from its first amendment to

No. 19, (C. F.) A bill relating to Auctioneers,

and concurred with the joint committee of conference in the second amendment thereto.

After the reading of said message,

On motion of Mr. Murray,

No. 49, (C. F.) A bill granting to William Hood, Peter Burns, C. K. Lord, and Robert Looney, the right to establish and maintain a ferry across the Mississippi river,

was laid on the table.

Mr. Brown, on leave, introduced

No. 51, (C. F.) A bill to amend the Revised Statutes, and for other purposes.

On motion of Mr. Brown,

The rule was suspended, and said bill read a first and second time by its title.

On motion of Mr. Brown,

The rule was suspended, and the printing and engrossment dispensed with, and said bill read a third time by its title.

The question recurring upon the passage of said bill,

Mr. Brown offered the following amendment to said bill:

Strike out the words,

“Make such alterations as the Secretary of the Council may deem proper,”

And insert the words,

“The Journals of the two Houses shall be bound in one volume;”

Which motion being put,

It was decided in the affirmative.

Said bill was then passed.

The question then being upon agreeing to its title,

It was agreed to.

Mr. Van Etten moved the Council adjourn, *sine die*;

Which question being put,

It was negatived.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House has signed the following bills:

A bill to incorporate the St. Paul and Point Douglas Plank Road Company; also,

A bill entitled an act to incorporate the St. Paul and Little Canada Plank Road Company; also,

A bill entitled an act to amend chapters 12 and 29 of the Revised Statutes;

A bill entitled an act to amend an act to incorporate the Mississippi Boom Company, and an act amendatory thereto; also,

A bill entitled an act to incorporate the Minnesota Central University; also,

A bill for an act to incorporate the Transit Railroad Company.

The House has rejected

No. 43, (C. F.) A bill to prohibit the introduction of liquor into the territory purchased from the Sioux Indians.

The House has indefinitely postponed

Joint resolution in relation to the Sioux Indians.

The Chief Clerk having withdrawn.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 12, (C. F.) A bill entitled an act to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto; also,

No. 30, (C. F.) A bill entitled an act to incorporate the St. Paul and Little Canada Plank Road Company; also,

No. 25, (H. of R.) A bill entitled an act to amend chapters 12 and 29 of the Revised Statutes; also,

No. 38, (H. of R.) A bill entitled an act to incorporate the Minnesota Central University; also,

No. 33, (C. F.) A bill entitled an act to incorporate the St. Paul and Point Douglas Plank Road Company; also,

A bill entitled an act to incorporate the Transit Railroad Company.

JOSEPH R. BROWN, Council,

R. M. RICHARDSON, House,

Committee.

The President of the Council then signed the following acts:

An act to incorporate the Transit Railroad Company;

An act to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto;

An act to incorporate the St. Paul and Point Douglas Plank Road Company;

An act to incorporate the St. Paul and Little Canada Plank Road Company;

An act to amend chapters twelve and twenty-nine of the Revised Statutes;

An act to incorporate the Minnesota Central University,

The above acts were then placed in the hands of the Chairman of the Committee on Enrolled bills, for presentation to his Excellency, the Governor, for his examination, approval, and signature.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has concurred in Council amendments to

No. 51, (H. of R.) A bill to defray the expenses of the Legislative Assembly, and for other purposes.

The Chief Clerk having withdrawn,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

The Committee on Enrolled Bills did, on the 4th day of March, 1854, present to his Excellency, the Governor, for examination and approval, the following, viz:

A bill entitled an act to amend an act to punish trespassers on school lands in Minnesota Territory;

A bill entitled an act to incorporate the St. Paul Bridge Company;

A bill entitled an act to incorporate the St. Paul and Point Douglas Plank Road Company;

A bill entitled an act to incorporate the St. Paul and Little Canada Plank Road Company;

A bill entitled an act to amend chapters 12 and 29 of the Revised Statutes;

A bill entitled an act to amend an act entitled an act to incorporate the Mississippi Boom Company, and an act amendatory thereto;

A bill entitled an act to incorporate the Minnesota Central University;

A bill entitled an act to incorporate the Transit Railroad Company.

JOS. R. BROWN, Council,

HENRY S. PLUMER, House,

Committee.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

The Joint Committee on Enrolled Bills did, on the 4th day of March, 1854, present to his Excellency, the Governor, the following for his examination and approval:

A bill entitled an act to amend the Revised Statutes;

A bill entitled an act for the protection of owners of saw logs in this Territory;

A bill entitled an act to incorporate the Minneapolis and Lake Minnetonka Plank Road Company;

A bill entitled an act to incorporate the Henderson and Fort Ridgley Plank Road Company;

A bill entitled an act to incorporate the Hamline University of Minnesota;

A bill entitled an act relative to ferries.

A bill entitled an act to incorporate a Chapter of Royal Arch Masons in St. Paul;

A bill entitled an act to amend an act entitled an act to incorporate the St. Croix Boom Company;

A bill entitled an act to create three additional Council Districts in this Territory.

JOS. R. BROWN, Council,

H. S. PLUMER, House,

Committee.

Mr. Van Etten moved a call of the Council;

And the roll being called,

Messrs. Brown, Kittson, Mower, Murray, and Stearns, were reported absent.

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

On motion of Mr. Van Etten,

All further proceedings under the call were dispensed with.

Mr. Van Etten, on leave, introduced the following resolution:

Resolved, That the Secretary of the Council be instructed to procure an order, from

c. j. 37.

the Secretary of the Territory, to purchase, when they are at the post office, 100 letter envelopes for each member and officer of the Council;

Which motion being put,

It was agreed to.

On motion of Mr. Van Etten,

The Council adjourned until 5 o'clock, P. M.

The Council met pursuant to adjournment, and was called to order by the President at 5 o'clock, P. M.

A quorum being present,

On motion of Mr. Murray,

The Council adjourned until 7 o'clock, P. M.

EVENING SESSION.

The Council met pursuant to adjournment, and was called to order by the President at 7 o'clock, P. M.

A quorum being present,

A message from his Excellency, the Governor, being announced,

Robert A. Smith, Esq., the Private Secretary of his Excellency, appeared and delivered the following message:

EXECUTIVE OFFICE, March 4th, 1854.

MR. PRESIDENT:—I am directed by the Governor to inform the Council that he has this day approved and signed,

An act to incorporate the St. Paul and Little Canada Plank Road Company; also,

An act to incorporate the St. Paul and Point Douglas Plank Road Company; also,

An act to incorporate the St. Paul Bridge Company; also,

An act to amend an act to punish trespassers on school lands in Minnesota Territory; also,

An act to amend an act to incorporate the Mississippi Boom Company, and an act amendatory thereto.

The Private Secretary of his Excellency having withdrawn,

Mr. Brown offered the following resolution:

Resolved, That the Secretary of the Council be requested to apply to the House for

A bill entitled a bill to provide for laying out a Territorial Road from St. Paul, by way of Little Canada, to Lake Superior;

Which motion being put,

It was decided in the affirmative.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has concurred in

No. 44, (C. F.) A bill for an act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, in the Mississippi river; also,

No. 38, (C. F.) A bill to regulate the sale of spirituous liquors in this Territory; also,

No. 7, (C. F.) Memorial to Congress relative to town sites; also,

No. 50, (C. F.) A bill relative to sheep and swine; also,

No. 6, (C. F.) A memorial to Congress for certain mail routes therein named; also,

No. 49, (C. F.) A bill relative to records; also,

No. 47, (C. F.) A bill to amend an act entitled an act to incorporate the Rum River Boom Company; also,

No. 43, (C. F.) A bill to prohibit the introduction of liquor into the territory purchased from the Sioux Indians;

Without amendment; and

No. 51, (C. F.) A bill to amend the Revised Statutes, and for other purposes,

With an amendment;

In which the concurrence of the Council is requested.

The House has passed

No. 53, (H. of R.) A bill for an act to amend section thirty, chapter ninety-five, of the Revised Statutes of Minnesota Territory;

In which the concurrence of the Council is requested.

The Chief Clerk then withdrew.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The House has reconsidered the vote by which

No. 43, (C. F.) A bill to prohibit the introduction of liquors into the territory purchased from the Sioux Indians,

Was rejected.

The House has concurred in amendments to the appropriation bill.

The House has indefinitely postponed

No. 45, (C. F.) A bill for an act to incorporate the Minnesota Life, Fire, and Marine Insurance Company.

The House has passed the following resolution:

Resolved, That the Chief Clerk be directed to return No. 47, (H. of R.) back to the Council.

The Chief Clerk having withdrawn,

Mr. Murray asked, and obtained, the unanimous consent of the Council to amend

No. 49, (C. F.) A bill relative to the records,

As follows:

Insert, in said bill, the enacting clause.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed the following acts and memorial:

An act to incorporate the Red Wing and Henderson Plank Road Company;

An act to incorporate the Stillwater Boom Company;

Memorial to Congress for certain mail routes therein named.

The Chief Clerk having withdrawn,

Mr. Murray, on leave, introduced

No. 52, (C. F.) A bill for an act to provide for laying out a Territorial Road from St. Paul, by way of Little Canada, to Lake Superior.

On motion of Mr. Murray,

The rule was suspended, and said bill was read a first and second time.

Mr. Murray moved the rule be suspended and said bill be now read a third time by its title;

Which motion being put,

It was negatived.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 39, (C. F.) A bill entitled an act to incorporate the Red Wing and Henderson Plank Road Company; also,

No. 29, (H. of R.) A bill entitled an act to incorporate the Stillwater Boom Company; also,

No. 49, (C. F.) A bill entitled an act relative to records; also,

No. 6, (C. F.) Memorial to Congress for certain mail route therein named.

JOSEPH R. BROWN, Council,

H. S. PLUMER, House,

Committee.

The President of the Council signed the following acts and memorial:

An act to incorporate the Red Wing and Henderson Plank Road Company;

An act to incorporate the Stillwater Boom Company;

Memorial to Congress for certain mail routes therein named.

The above acts and memorial were then placed in the hands of the Chairman of the Committee on Enrolled Bills for presentation to his Excellency, the Governor, for his examination, approval, and signature.

No. 51, (C. F.) A bill to amend the Revised Statutes,

Was then taken up,

And the question recurring on the Council concurring in the House amendment to said bill,

It was concurred in.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message :

MR. PRESIDENT:—The House has passed

No. 31, (C. F.) An act to amend section 16, article 8, of the Revised Statutes,
With amendments;

In which the concurrence of the Council is requested.

The Chief Clerk having withdrawn,

The question then recurring on the Council concurring in the first amendment to
No. 31, (C. F.) A bill to amend section 16, article 8, of the Revised Statutes, as passed
in the House,

It was decided in the affirmative.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report,
viz :

The Joint Committee on Enrolled Bills did, on the 4th day of March, 1854, present
to his Excellency, the Governor, for examination and approval, the following :

A bill entitled an act to incorporate the Red Wing and Henderson Plank Road Com-
pany;

An act to incorporate the Stillwater Boom Company.

Memorial to Congress for certain mail routes therein named.

JOS. R. BROWN, Council,
HENRY S. PLUMER, House,
Committee.

Mr. Van Etten moved to reconsider the vote by which the Council concurred in the
House amendments to

No. 31, (C. F.) A bill to amend section 16, article 8, of the Revised Statutes;

Which motion being put,

It was negatived.

Mr. Van Etten moved a call of the Council;

Which motion being put,

It was agreed to.

The roll being called,

And all the members appearing in their seats,

All further proceedings under the call were dispensed with.

A message from his Excellency, the Governor, being announced,

Robert A. Smith, Esq., the Private Secretary of his Excellency, appeared and delivered
the following message :

EXECUTIVE OFFICE, March 4, 1854.

MR. PRESIDENT:—I am directed by the Governor to inform the Council that he has
this day approved and signed,

An act to incorporate the Red Wing and Henderson Plank Road Company; also,

A memorial to Congress for certain mail routes therein named.

The Private Secretary of his Excellency having withdrawn,
 A message from the House being announced,
 A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has concurred in the enacting clause to
 No. 49, (C. F.) A bill relative to the records.

The Speaker of the House has signed the following acts:

An act relating to Auctioneers;

An act to incorporate the Minnesota and North Western Railroad Company;

An act relative to the records;

An act to amend chapter 41 of the Revised Statutes, and for other purposes;

An act to regulate the sale of spirituous liquors in this Territory.

The Chief Clerk having withdrawn,

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report,
 viz:

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

No. 19, (C. F.) A bill relating to Auctioneers;

No. 37, (C. F.) A bill entitled an act to incorporate the Minnesota and North Western
 Railroad Company;

No. 51, (C. F.) A bill entitled an act to amend chapter 41 of the Revised Statutes,
 and for other purposes;

No. 38, (C. F.) A bill entitled an act to regulate the sale of spirituous liquors in this
 Territory.

JOSEPH R. BROWN, Council,
 H. S. PLUMER, House,
 Committee.

The President of the Council then signed the following acts:

An act relating to the Revised Statutes;

An act relating to Auctioneers;

An act to regulate the sale of spirituous liquors in this Territory;

An act to incorporate the Minnesota and North Western Railroad Company.

The above bills were then placed in the hands of the Chairman of the Committee on
 Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, ap-
 proval, and signature.

A message from his Excellency, the Governor, being announced,

Robert A. Smith, Esq., his Excellency's Private Secretary, appeared and delivered the
 following message:

EXECUTIVE OFFICE, March 4th, 1854.

MR. PRESIDENT:—I am directed by the Governor to inform the Council that he has
 this day approved and signed,

An act relative to the records; also,

An act relating to Auctioneers; also,

An act to regulate the sale of spirituous liquors in this Territory; also,
 An act to amend chapter 41 of the Revised Statutes, and for other purposes.
 The Governor's Private Secretary having withdrawn,

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker has signed the following acts:

No. 51, (H. of R.) An act to defray the expenses of the Legislative Assembly, and for other purposes;

An act to amend an act to incorporate the Rum River Boom Company.

The Chief Clerk having withdrawn,

The President of the Council then signed the following acts:

An act to defray the expenses of the Legislative Assembly, and for other purposes;

An act to amend an act to incorporate the Rum River Boom Company.

The above acts were then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, approval, and signature.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed the following:

An act to incorporate the city of St. Paul;

An act to incorporate the city of Stillwater.

The Chief Clerk having withdrawn,

The President of the Council then signed the following acts:

An act to incorporate the city of Stillwater; also,

An act to incorporate the city of St. Paul.

The above acts were then placed in the hands of the chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, approval, and signature.

Mr. Brown asked leave to introduce the following resolution relative to

A bill entitled an act to incorporate the Minnesota and North Western Railroad Company:

Resolved, by the Legislative Assembly of the Territory of Minnesota, That the enrolling committee of the two Houses be instructed to add the following words to the enrolled copy of a bill entitled an act to incorporate the Minnesota and North Western Railroad Company, viz:

SEC. 20. The Legislature may alter or amend this act at any time after expiration of five years from and after the completion of said railroad.

Mr. Brown moved the rule requiring resolutions eliciting debate to lay over one day be suspended;

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Van Etten and President—5.

Those who voted in the negative were,
Messrs. Murray, Stearns, and Stimson—3.

Two thirds not having voted for the suspension of the rule,
The motion was lost.

A message from the House being announced,

A. J. Morgan, Esq., Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed
An act to amend section 16, article 8, of the Revised Statutes.
The Chief Clerk having withdrawn,

The President of the Council then signed the following act:

An act to amend section 16, article 8, of the Revised Statutes;

The above act was then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, approval, and signature.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed

An act to incorporate the St. Croix Boom Company.

The Chief Clerk having withdrawn,

The President of the Council signed the following act:

An act to incorporate the St. Croix Boom Company.

The above act was then placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination, approval, and signature.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has signed

An act relative to sheep and swine; also,

An act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, in the Mississippi river.

The Chief Clerk having withdrawn,

The President of the Council signed the following act:

An act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, in the Mississippi river.

The above act was then placed in the hands of the Chairman of the Committee on Engrossed Bills, for presentation to his Excellency, the Governor, for his examination, approval, and signature.

Mr. Murray moved the Council adjourn until Monday next at 10 o'clock, A. M.;

Which question being put,

And the yeas and nays being called for and ordered, resulted as follows—yeas 1, nays 7.

Those who voted in the affirmative were,

Mr. Murray—1.

Those who voted in the negative were,

Messrs. Brown, Freeborn, Mower, Stearns, Stimson, Van Etten, and President—7.

And a majority having voted in the negative,

The motion was rejected.

Mr. Murray moved that

No. 27, (H. of R.) A bill for an act to prevent the traffic in intoxicating drinks within this Territory,

Be now taken from the table.

The President ruled the motion out of order.

Mr. Murray appealed from the decision of the chair;

And the yeas and nays being called for and ordered, resulted as follows—yeas 7, nays 0.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Murray, Stearns, Stimson, and Van Etten—7.

Those who voted in the negative were,

None.

So the Council sustained the decision of the chair.

Mr. Murray moved the Council adjourn until Monday next at 10 o'clock, A. M.

The President ruled the motion out of order.

Mr. Murray appealed from the decision of the chair;

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 2.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Stimson, and Van Etten—5.

Those who voted in the negative were,

Messrs. Murray and Stearns—2.

A majority having voted in the affirmative,

The decision of the Chair was sustained.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

Mr. President:—The Governor has informed the House that he has approved and signed,

An act to incorporate the Transit Railroad Company;

An act to incorporate the Minnesota Central University;

An act to amend chapters 12 and 29 of the Revised Statutes;

An act to incorporate the Stillwater Boom Company.

The Speaker of the House has signed

An act to prohibit the introduction of liquor into the territory purchased from the Sioux Indians.

The Chief Clerk having withdrawn,

The President of the Council then signed

An act to prohibit the introduction of liquors into the territory purchased from the Sioux Indians.

The above act was then placed in the hands of the Chairman of the Committee on Enrolled Bills, for the presentation to his Excellency, the Governor, for his examination, approval, and signature.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report to wit:

The Joint Committee on Enrolled Bills did, on the 4th day of March, 1854, present to his Excellency, the Governor, for his examination and approval, the following:

- A bill entitled an act relating to Auctioneers;
- A bill entitled an act to incorporate the Minnesota and North Western Railroad Company;
- A bill entitled an act relative to the records;
- A bill entitled an act to amend chapter 41 of the Revised Statutes, and for other purposes;
- A bill entitled an act to regulate the sale of spirituous liquors in this Territory.

J. R. BROWN, Council,

H. S. PLUMER, House,

Committee.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

The Joint Committee on Enrolled Bills did, on the 4th day of March, 1854, present to his Excellency, the Governor, for examination and approval, the following:

- A bill entitled an act to prohibit the introduction of liquors into the territory purchased from the Sioux Indians;
- A bill entitled an act to incorporate the Rum River Boom Company;
- A bill entitled an act to defray the expenses of the Legislative Assembly of the Territory;
- A bill entitled an act to amend section 16, article 8, of the Revised Statutes;
- A bill entitled an act to incorporate the city of Stillwater;
- A bill entitled an act to incorporate the St. Croix Bridge Company;
- A bill entitled an act to incorporate the city of St. Paul, Ramsey county, Territory of Minnesota;
- A bill entitled an act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, in the Mississippi river;
- A bill entitled an act relative to sheep.

JOS. R. BROWN, Council,

H. S. PLUMER, House,

Committee.

Mr. Brown, from the Joint Committee on Enrolled Bills, made the following report, viz:

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

No. 48, (C. F.) A bill entitled an act to prohibit the introduction of liquors into the territory purchased from the Sioux Indians;

No. 51, (H. of R.) A bill entitled an act to defray the expenses of the Legislative Assembly of this Territory, and for other purposes;

No. 47, (H. of R.) A bill entitled an act to amend an act to incorporate the Rum River Boom Company;

A bill entitled an act to incorporate the city of St. Paul, Ramsey county, Territory of Minnesota;

A bill entitled an act to incorporate the city of Stillwater;

A bill entitled an act to incorporate the St. Croix Bridge Company;

A bill entitled an act to amend section 16, article 8, of the Revised Statutes;

A bill entitled on act relative to sheep;

A bill entitled an act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, in the Mississippi river.

JOS. R. BROWN, Council,

H. S. PLUMER, House,

Committee.

On motion of Mr. Van Etten,

Messrs. Van Etten, Brown, and Stimson were appointed a committee to act in conjunction with a similar committee on the part of the House, to wait on his Excellency, the Governor, and ask him if he has any further communication to make to the Legislative Assembly.

A message from his Excellency, the Governor, being announced,

Robert A. Smith, Esq., his Excellency's Private Secretary, appeared and delivered the following message:

EXECUTIVE OFFICE, March 4, 1854.

MR. PRESIDENT:—I am directed by the Governor to inform the Council that he has approved and signed,

An act to prohibit the introduction of liquors into the territory purchased from the Sioux Indians; also,

An act to amend an act entitled an act to incorporate the Rum River Boom Company; also,

An act to amend section 16, article 8, of the Revised Statutes; also,

An act granting to Franklin Steele the right to construct and maintain a lumber sluice at the Falls of St. Anthony, in the Mississippi river; also,

An act relative to sheep and swine.

The Private Secretary of the Governor having withdrawn,

Mr. Stimson, from the committee appointed to wait on his Excellency, the Governor, reported that they had had an interview with the Governor relative thereto, and wished to inform the Council that he has some further communication to make.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk of the House, appeared and delivered the following message:

MR. PRESIDENT:—The House has appointed Messrs. Noot, Fletcher, and Rolette, a committee to act in conjunction with a similar committee on the part of the Council, to wait on the Governor and ask him if he has any further communication to make to the Legislative Assembly.

The Governor has informed the House that he has approved and signed

An act to incorporate the city of St. Paul, Ramsey county, Territory of Minnesota;

An act to incorporate the St. Croix Bridge Company;

An act to incorporate the city of Stillwater;

An act to defray the expenses of the Legislative Assembly, and for other purposes.

The Chief Clerk having withdrawn,

Mr. Brown, on leave, offered the following resolution:

Resolved, That the thanks of this Council be tendered to Hon. S. B. Olmstead for the fair, impartial, and dignified manner with which he has presided over the deliberations of the Council;

Which was unanimously adopted.

Mr. Murray, on leave, offered the following resolution:

Resolved, That the thanks of this Council be tendered to the Secretary and other officers of the Council, for the attentive and correct manner in which the duties of their respective offices have been performed during the present session;

Which was unanimously adopted.

Mr. Brown, on leave, introduced the following resolution:

Resolved, (the House concurring) That the Joint Committee on Enrollment have authority to make an amendment to the enrolled copy of the bill entitled an act to incorporate the Minnesota and North-Western Railroad, in such manner that the present percentage to be paid by the corporation shall be stricken out, and words inserted which will require the corporation to pay, for ten years, ten per cent. of all the net proceeds of the road, and ever thereafter four per cent., and the Legislature to have the power, after twelve years from the completion of the road, to levy a tax upon the property of said road, or company, in no case exceeding the amount levied in said Territory for Territorial purposes in addition to the county tax.

The question being upon the adoption of said resolution,

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Brown, Freeborn, Mower, Murray, and Stearns—5.

Those who voted in the negative were,

Messrs. Stimson, Van Etten, and President—3.

The unanimous vote of the Council not being cast in favor of the resolution,

It was not adopted.

Mr. Murray appealed from the decision of the chair;

Which was over-ruled.

Mr. Brown moved a committee of two be appointed, in conjunction with a similar committee on the part of the House, to wait on his Excellency, the Governor, and inform

him the Legislature is now ready to adjourn, *sine die*, and wish to know if he has any further communication to make to the Legislative Assembly;

Which motion being put,

It was adopted.

The President appointed Messrs. Brown and Van Etten said committee.

A message from the House being announced,

A. J. Morgan, Esq., the Chief Clerk thereof, appeared and delivered the following message:

MR. PRESIDENT:—The Speaker of the House has appointed Messrs. Noot and Nobles, a committee, to act in conjunction with the committee which has been appointed on the part of the Council, to inform the Governor that the two Houses are now ready to adjourn, *sine die*, and wish to know if he has any further communication to make to the Legislative Assembly.

The Chief Clerk then withdrew.

Mr. Brown, from the committee appointed to wait on the Governor, reported that they had fulfilled the instructions of the two Houses, and the Governor informed the committee that he had one more communication to make, which would be delivered speedily.

A message from the Governor being announced,

R. A. Smith, Esq., the Private Secretary of the Governor, appeared and delivered the following message:

EXECUTIVE OFFICE, SAINT PAUL,
March 4, 1854.

To the President of the Council:

I have this day approved and signed a bill entitled an act to incorporate the Minnesota and North Western Railroad Company.

Although I have thus approved and signed it, yet I beg leave to say to you, and through you to the people of the Territory, that it was presented to me by your committee but one hour and five minutes before the time fixed by law for your adjournment, *sine die*; thus giving me no time to examine its details. It contains provisions of great importance to the future interests of Minnesota, provided Congress should pass the bill now pending before the U. S. House of Representatives, donating alternate sections of land for six miles on each side of a road from the mouth of Left Hand River, on Lake Superior, by way of St. Paul, to the Iowa State line, in the direction of Dubuque. I do not feel at liberty to withhold my signature when I cannot have time to give my reasons at length. I have, therefore, yielded whatever objections may justly exist to the charter to the will of the majority of the Legislative Assembly.

There being no violation of the organic act in the charter, and the whole question being purely one of expediency, I have given it my assent, believing, however, that the Territory might have made a far better bargain. But I leave the responsibility upon those who passed it.

W. A. GORMAN.

The Private Secretary of his Excellency having withdrawn,
On motion of Mr. Van Etten,
The Council then adjourned, *sine die*.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

EXECUTIVE JOURNAL OF THE COUNCIL

OF THE

TERRITORY OF MINNESOTA,

DURING THE FIFTH SESSION OF THE LEGISLATIVE ASSEMBLY,

Begun and held at St. Paul, Wednesday, the 4th day of January, 1854, and published, by authority of the rules of the Council, separate from the Legislative proceedings.

MONDAY, FEBRUARY 6, 1854.

The lobby being cleared, and none but the members and sworn officers of the Council being present,

On motion of Mr. Brown,

The following message, on executive business, from his Excellency, the Governor, was then read, viz:

EXECUTIVE DEPARTMENT, ST. PAUL,
January 23, 1854.

PRESIDENT OF THE COUNCIL—

SIR: I nominate, for your advice and consent, Lafayette Emmett, Esq., to be Attorney General of the Territory of Minnesota.

I also nominate, for your advice and consent, Robert A. Smith, Esq., to be Territorial Librarian for Minnesota.

I also nominate, for your advice and consent, Prof. E. W. Merrell, to be Superintendent of Common Schools for Minnesota Territory.

I also nominate, for your advice and consent, Julius Georgii, Esq., to be Auditor of the Territory of Minnesota.

To each of which I most respectfully ask your concurrence.

Your obedient servant,

W. A. GORMAN.

Mr. Brown moved the nomination of Lafayette Emmett, Esq., for the office of Attorney General of the Territory, be laid on the table;

Which motion being put,

It was decided in the affirmative.

Mr. Freeborn moved that the nomination of Robert A. Smith, Esq., for the office of Territorial Librarian, be laid on the table;

Which motion being put,

It was agreed to.

Mr. Murray moved that the nomination of Prof. E. W. Merrell, for the office of Superintendent of Common Schools for Minnesota Territory, be laid on the table;

And the motion being put,

It was agreed to.

Mr. Freeborn moved that the nomination of Julius Georgii, for the office of Auditor of the Territory of Minnesota, be laid on the table;

And the motion being put,

It was decided in the affirmative.

On motion of Mr. Brown,
The Executive session closed.

S. B. OLMSTEAD.
President of the Council.

Attest:

J. B. DIXON,
Secretary.

TUESDAY, FEBRUARY 7, 1854.

The lobby being cleared, and none but members and sworn officers of the Council being present,

The Journal of February 6th was read.

Mr. Brown moved that the nomination of Robert A. Smith, Esq., as Territorial Librarian, be taken from the table;

And the motion being put,

It was agreed to.

The question then recurring, "Will the Council advise and consent to the appointment of Robert A. Smith, Esq., as Territorial Librarian?"

It was decided in the affirmative.

On motion of Mr. Brown,

The following resolution was adopted:

Resolved, That the Secretary of the Council be instructed to inform his Excellency, the Governor, that the Council has advised and consented to the appointment of Robert A. Smith, as Librarian of this Territory.

On motion of Murray,
The Executive session closed.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

TUESDAY, FEBRUARY 7, 1854.

The lobby being cleared, and none but the members and sworn officers being present, the following message from his Excellency, the Governor, was read, viz:

EXECUTIVE OFFICE, ST. PAUL,
February 7, 1854.

TO THE PRESIDENT OF THE COUNCIL—

SIR: I have the honor to ask the advice and consent of the Council to the following nominations for Notaries Public, viz:

- A. R. Dodge, Esq., Ramsey county, June 10, 1853;
- Silah Mathaws, Esq., Nicollet county, June 30, 1853;
- J. McMahon Holland, Esq., Blue Earth county, July 12, 1853;
- Chas. H. Parker, Esq., Ramsey county, July 30, 1853;
- James Starkey, Esq., Ramsey county, October 3, 1853;
- Edward L. Hall, Esq., October 10, 1853;
- Luther M. Brown, Esq., Scott county, October 13, 1853;
- Freeman C. Tyler, Esq., Scott county, November 23, 1853;
- Benjamin H. Connor, Esq., Itasca county, November 26, 1853;
- Louis M. Olivier, Esq., Ramsey county, January 4, 1854;
- David A. Secomb, Esq., Ramsey county, January 5, 1854;
- Charles Gardner, Esq., Goodhue county, January 31, 1854;
- H. H. Humphrey, Blue Earth county, February 3, 1854;
- John C. Terry, Esq., Ramsey county, February 2, 1854.

Respectfully, your obedient servant,

W. A. GORMAN.

On motion of Mr. Murray,
The nominations were laid on the table.

On motion of Mr. Murray,
The Executive session closed.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

WEDNESDAY, FEBRUARY 8, 1854.

The lobby being cleared, and none but the members and sworn officers being present,
The Journal of Tuesday, February 7, was read.

Mr. Murray moved that the nominations of Notaries Public, by his Excellency, the
Governor, be now taken from the table;

Which motion being put,

It was agreed to.

The question then recurring,

"Will the Council advise and consent to the appointment of A. R. Dodge, of Ramsey
county, as Notary Public?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of Silah Matthews, as Nota-
ry Public for Nicollet county?"

It was decided in the affirmative.

The question recurring,

"Will the Council advise and consent to the appointment of J. McMahon Holland, as
Notary Public for Blue Earth county?"

Mr. Brown moved to strike out the words "Blue Earth," and insert "Scott" in lieu
thereof.

Mr. Van Etten moved that the nomination of J. McMahon Holland lay on the table;

And the motion being put,

It was not adopted.

The question then recurring on the motion to strike out Blue Earth and insert Scott,
in lieu thereof,

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of J. McMahon Holland, as Notary Public for Scott county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of Charles H. Parker, as Notary Public for Ramsey county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of James Starkey, as Notary Public for Ramsey county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of Edward L. Hall, as Notary Public for Ramsey county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of Luther M. Brown, as Notary Public for Scott county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of Freeman C. Tyler, as Notary Public for Scott county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of Benj. H. Connor, as Notary Public for Itasca county?"

It was decided in the affirmative.

The question recurring,

"Will the Council advise and consent to the appointment of Louis M. Olivier, as Notary Public for Ramsey county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of David A. Secomb, as Notary Public for Ramsey county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of Charles Gardner, as Notary Public for Goodhue county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of H. H. Humphrey, as Notary Public for Blue Earth county?"

It was decided in the affirmative.

The question recurring,

"Will the Council advise and consent to the appointment of John C. Terry, as Notary Public for Ramsey county?"

It was decided in the affirmative.

Mr. Van Etten moved that the nomination of Lafayette Emmett, Esq., as Attorney General of the Territory, be now taken from the table;

Which motion being put,

It was agreed to.

The question then recurring,

"Will the Council advise and consent to the appointment of Lafayette Emmett, Esq., as Attorney General of the Territory?"

And the yeas and nays being called for and ordered, resulted as follows—yeas 4, nays 3.

Those who voted in the affirmative were,

Messrs. Mower, Stearns, Van Etten, and President—4.

Those who voted in the negative were,

Messrs. Brown, Freeborn, and Murray—3.

So the Council advised and consented to the nomination of Mr. Emmett.

On motion of Mr. Stearns,

The nomination of E. W. Merrell, as Superintendent of Common Schools of the Territory, was taken up.

The question then recurring,

"Will the Council advise and consent to the appointment of Prof. E. W. Merrell, as Superintendent of Common Schools of this Territory?"

And the yeas and nays being called for and ordered, resulted as follows—yeas 2, nays 5.

Those who voted in the affirmative were,

Messrs. Freeborn and Stearns—2.

Those who voted in the negative were,

Messrs. Brown, Mower, Murray, Van Etten, and President—5.

So the Council refused to advise and consent to the nomination of Mr. Merrell.

On motion of Mr. Murray,

The nomination of Julius Georgii, as Territorial Auditor, was taken from the table.

The question then recurring,

"Will the Council advise and consent to the appointment of Julius Georgii, Esq., as Territorial Auditor?"

It was decided in the affirmative.

Mr. Brown asked, and obtained, leave to introduce the following resolution, viz:

Resolved, That the Secretary of the Council be instructed to inform his Excellency, the Governor, that the Council has advised and consented to the appointment of the following Notaries Public, to-wit:

A. R. Dodge, Ramsey county;

Silah Matthews, Nicollet county;

J. McMahon Holland, Scott county;

Charles H. Parker, Ramsey county;

James Starkey, Ramsey county;
 Edward L. Hall, Ramsey county;
 Luther M. Brown, Scott county;
 Freeman C. Tyler, Scott county;
 Benj. H. Connor, Itasca county;
 Louis M. Olivier, Ramsey county;
 David A. Secomb, Ramsey county;
 Charles Gardner, Goodhue county;
 H. H. Humphrey, Blue Earth county;
 John C. Terry, Ramsey county;

And, also, that the Council has advised and consented to the appointment of Lafayette Emmett, as Attorney General of the Territory;

And also to the appointment of Julius Georgii, as Territorial Auditor of the Territory;

And also that the Council has refused to advise and consent to the appointment of Prof. E. W. Merrell, as Superintendent of Common Schools in this Territory.

The resolution was adopted.

On motion of Mr. Brown,

The Executive session closed.

S. B. OLMSTEAD.

President of the Council.

Attest:

J. B. DIXON,
Secretary.

FRIDAY, FEBRUARY 17, 1854.

The lobby being cleared, and none but members and sworn officers being present,

On motion of Mr. Murray,

The reading of the last journal was dispensed with.

On motion of Mr. Murray,

The following message from his Excellency, the Governor, was taken up and read:

EXECUTIVE DEPARTMENT, ST. PAUL,

February 17th, 1854.

PRESIDENT OF THE COUNCIL—

Sir: I nominate, for the advice and consent of the Council, I. Van Etten, Esq., to be Adjutant General of the Militia of Minnesota Territory.

I also nominate Charles E. Leonard, Esq., for the office of Treasurer of Minnesota Territory.

Respectfully, your obedient servant,

W. A. GORMAN.

The question then recurring, *

“Will the Council advise and consent to the appointment of I. Van Etten, Esq., as Adjutant General of the Militia of Minnesota?”

It was decided in the affirmative.

The question then recurring,

“Will the Council advise and consent to the appointment of Charles E. Leonard, as Treasurer of Minnesota Territory?”

Mr. Brown moved that said nomination be laid on the table;

Which motion being put,

It was negatived.

The question again recurring,

“Will the Council advise and consent to the appointment of Charles E. Leonard, as Treasurer of the Territory of Minnesota?”

And the yeas and nays being called for and ordered, resulted as follows—yeas 5, nays 3.

Those who voted in the affirmative were,

Messrs. Mower, Murray, Stimson, Van Etten, and President—5.

Those who voted in the negative were,

Messrs. Brown, Freeborn, and Stearns—3.

So the appointment of Charles E. Leonard, as Treasurer of Minnesota Territory, was advised and consented to.

On motion of Mr. Van Etten,

The Executive session closed.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

FRIDAY, FEBRUARY 24, 1854.

The lobby being cleared, and none but members and sworn officers being present,
The Journal of Friday, February 17th, was read.

Mr. Brown offered the following resolution, viz:

Resolved, That the Secretary of the Council be instructed to inform his Excellency, the Governor, that the Council has advised and consented to the appointment of Charles E. Leonard, as Treasurer of Minnesota Territory, and of Isaac Van Etten, as Adjutant General of the Militia of Minnesota Territory.

The resolution was adopted.

On motion of Mr. Van Etten,
The Executive session closed.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

WEDNESDAY, MARCH 1, 1854.

The lobby being cleared, and none but members and sworn officers being present,

On motion of Mr. Murray,

The reading of the last Journal was dispensed with.

The following message from his Excellency, the Governor, was taken from the President's desk and read:

EXECUTIVE DEPARTMENT, ST. PAUL,
March 1, 1854.

PRESIDENT OF THE COUNCIL—

SIR: I have the honor to request that you advise and consent to the appointment of Charles E. Flandreau, Esq., to be Notary Public for Nicollet county, Minnesota Territory;

Also, Hezekiah Fletcher, Esq., Notary Public for Hennepin county;

Also, Alexander Farribault, Esq., Notary Public for Rice county.

Your obedient servant,

W. A. GORMAN.

On motion of Mr. Van Etten,

The nomination of Charles E. Flandreau, as Notary Public for Nicollet county, was laid on the table.

The question then recurring,

"Will the Council advise and consent to the appointment of Hezekiah Fletcher, Esq., as Notary Public for Hennepin county?"

It was decided in the affirmative.

The question then recurring,

"Will the Council advise and consent to the appointment of Alexander Farribault, as Notary Public for Rice county?"

It was decided in the affirmative.

Mr. Brown offered the following resolution, viz:

Resolved, That the Secretary of the Council be instructed to inform his Excellency, the Governor, that the Council has advised and consented to the appointment of Hezekiah Fletcher, as Notary Public for Hennepin county, and Alexander Farribault, as Notary Public for Rice county.

The resolution was adopted.

On motion of Mr. Van Etten,

The Executive session closed.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

THURSDAY, MARCH 2, 1854.

The lobby be cleared, and none but members and sworn officers being present,

On motion of Mr. Murray,

The reading of the last journal was dispensed with.

The following message was then taken from the President's desk and read:

EXECUTIVE DEPARTMENT, ST. PAUL,
March 1, 1854.

PRESIDENT OF THE COUNCIL—

SIR: I have the honor to nominate, for the advice and consent of the Council, John B. Brislin, Esq., as Reporter to the Supreme Court of this Territory.

Very respectfully,

W. A. GORMAN.

The question then recurring,

“Will the Council advise and consent to the appointment of John B. Brisbin, Esq., as Reporter to the Supreme Court of this Territory?”

It was decided in the affirmative.

On motion of Mr. Brown,

The following resolution was adopted:

Resolved, That the Secretary of the Council be instructed to inform his Excellency, the Governor, that the Council has advised and consented to the appointment of John B. Brisbin, Esq., as Reporter to the Supreme Court of this Territory.

On motion of Mr. Van Etten,

The Executive session closed.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

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APPENDIX

TO THE

JOURNAL OF THE COUNCIL

OF THE

TERRITORY OF MINNESOTA.



.....

INTERNATIONAL

.....

THE UNIVERSITY OF CHICAGO

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LIBRARY OF THE UNIVERSITY OF CHICAGO

.....

GOVERNOR'S MESSAGE.

Fellow Citizens of the Council and House of Representatives:

You have assembled here to day, in obedience to law, to deliberate upon the most suitable measures to be adopted for the promotion of the general good of the country.

Since your last meeting, a change in the administration of the General Government, has produced a change in the Executive Department of the Territory. And I may be allowed to hope, that by your co-operation we may be able to so direct the legislation of the country, that its varied resources may be developed, and a new impetus given to its prosperity. And allow me to congratulate the country upon the advent of a new National Administration, which has inspired new hope in the people, that our national honor will be vindicated, our resources developed, our commerce extended, and our constitutional obligations to the States faithfully kept.

During the year that has just closed, it has pleased the Great Ruler of the Universe to continue His blessings toward us individually and collectively, and, especially, to protect us from the ravages of such epidemics as have scourged other portions of the Union. The great cause of agriculture has been blessed, and our farmers have gathered an abundant harvest. The moral, social and political condition of the people has been improved, population has poured into the country with unparalleled rapidity, and every branch of industry has been richly rewarded.

The short time that I have had the honor to preside over the Territory, and the unprecedented amount of labor that has devolved upon me, from the day I landed on your shores, up to within a few days before your meeting, has precluded my giving that attention to our laws and institutions, which, under less pressing duties, it would have been my pleasure to have done, will give you ample apology, I hope, for my not going into a more detailed review of the necessary future legislation.

The maxim that, "that government is best which governs least," has much wise admonition to a State in its infancy. The laws for the government of a plain republican people, should be few, simple, and with uniform application to every section of the country, and bearing alike upon all, leaving to each individual the largest liberty consistent with the

good of the whole. Capital always comes forward with the largest demands upon the Legislator, whilst labor is more humble in its pretensions, and stands yet far more in need of your fostering care. I hope we may all profit by an occasional recurrence to those great principles, which lie at the foundation of all legislation. Therefore, should it be your pleasure, during the present session, to incorporate companies for the development of our resources, I recommend that they be so guarded, with restrictions, as to keep them constantly under the control of the people's representatives. Population and commerce will command capital, and without the aid of Legislative protection, that capital, concentrated, will *command* power enough for all legitimate purposes.

The resources of Minnesota are such, as to give those who have seen them, ample cause for congratulating themselves on a most hopeful future. In June, 1849, His Excellency, Governor Ramsey, issued his proclamation for organization; then this beautiful city, now of near five thousand souls, had scarcely emerged from the dominion of the savage; then but a few small houses composed the now flourishing city of St. Paul, and scarcely could a white man be found, except upon the St. Croix, save the adventurer to the Indian trading posts in the bosom of an uninhabited and comparatively unexplored wilderness. Then from Prairie du Chien to Crow Wing there was scarcely a village to dot the advance of civilization. Now Prairie La Cross, Winona, Wabashaw, Rolling Stone, Red Wing, Point Prescott, Point Douglass, Hastings, Kaposia, Red Rock, Saint Paul, Mendota, St. Anthony, Manomin, Anoka, Itasca, Sauk Rapids, and Watab, are flourishing points, and mark the advance of commerce and civilization on the Mississippi River. No less prosperous are all the villages on the St. Croix and Minnesota, from the mouth of each to the Indian country, and population is spreading into the interior upon our lakes and prairies. The fine flourishing settlements on Lake Minnetonka, deserve special notice. The lovely valley of the Minnesota is now fast filling up with a hardy and industrious population, who are opening farms and building villages, with a rapidity unparalleled in the Northwest.

This fall the Dakota or Sioux tribe of Indians have been permanently removed from their old homes on the Mississippi and lower Minnesota Rivers, leaving that beautiful country free for settlement and cultivation. No event has transpired, since your last meeting, that will tend in a higher degree to promote the prosperity and growth of the Territory, when the fact is known to those who may desire to locate within our borders. The laws for the protection of the rights, and enforcement of legal remedies on these lately ceded lands, may, and probably will, demand your attention.

No doubt every member of this General Assembly, will be animated with a sense of the propriety of asking, in a proper manner, of the Congress of the United States, a reasonable appropriation for the opening of roads in the Territory. An appropriation of this sort will redound to the advantage of the General Government equally as much as to our own.

The President of the United States, in his message delivered to the present Congress, with that high spirit of liberality and progress that characterizes the man and his principles, has wisely said that he regards our public domain, "as chiefly valuable to provide homes for the industrious and enterprising," and fully concurs in the propriety of appropriations for the construction of roads within the Territories. In a country like ours, just emerging from a wilderness, the new settler, as a matter of primary importance, must

first build a cabin to shelter himself and family, next must fence, plow and plant; the mechanic must build his shop, the merchant his store room. Every individual coming to a new country must attend first to these primary wants, before he can spare the time to construct roads. Thus it is, we need the fostering care and aid of the parent Government to assist the infant settlers. By these appropriations the General Government invites the population from which she derives a revenue from the sale of her public lands. When without this facility for travel and transportation a new country must long struggle against the natural impediments to prosperity. Your superior acquaintance with the geography of the country, will enable you, in your wisdom, to determine what points to designate. It will give me pleasure to co-operate with you in whatsoever may be the result of your deliberations.

I beg leave to call your attention to the condition of the settlers on the west side of the Mississippi River, on the lands ceded to the Government by the Sioux tribe of Indians, by the treaties of 1851. It will be remembered that this fertile region, even since the date of those treaties, has been filling up with a hardy, industrious, intelligent and enterprising people. Hundreds of farms have been opened, neat houses built, villages laid off, hotels erected, machine shops and mercantile houses established. Your familiarity with a new country, will, no doubt, enable you to devise the proper memorial to Congress for their protection. Nearly all of these settlements are unprotected by the present pre-emption laws of the United States, until the surveys are made. So powerfully does this interest appeal to the justice of the General Government, that I most earnestly recommend that you, by joint resolution, ask Congress to recognize and confirm to actual settlers their claims to 160 acres of land.

In my judgment that duty is enjoined upon Congress by a higher consideration than ordinary pre-emption laws; it will dispel any danger that might arise by speculators attempting to rob honest toil and worthy enterprise of its just reward. Should Congress, in their enlightened judgment, legalize these actual settlements, it would avoid all possible future litigation between our citizens, and prevent those scenes of violence that have sometimes occurred, growing out of conflicting interests at the land sales.

This desired action of Congress, I deem of increased interest and importance, from the fact, that several years may elapse before the surveys and subdivisions will be completed.

If Congress, in its wisdom, sees proper to amend the pre-emption laws in this regard, it will, in my judgment, greatly facilitate the settlement of the country. The subject of granting lands to actual settlers has always been a favorite measure with the western people.

If population is the basis of our National power and greatness, then the policy of the Government should be to facilitate and encourage the speedy settlement and cultivation of the soil, by proper enactments of Congress.

The Creator of the earth intended that civilized man should own and enjoy it, and in a government where the sovereign power is in the people, it should not tax the occupant of that soil any more than may be necessary for their good; and now, when the revenues derived from imports has created, and is accumulating, a large surplus in the National Treasury, seems to me a most propitious moment for relieving the bona fide settler from this land tax of \$1.25 per acre. Now is a favorable moment to reward the hardy pioneer

for going in advance and clearing away the difficulties, dangers and obstacles to a rapidly approaching civilization, commerce and wealth. This class of our countrymen have taken their rifle, axe and plow, and stood between a higher civilization and the wild savage of the wilderness and prairie, and they deserve a land warrant of their country as richly as any gallant soldier, for dangerous and distinguished services, and all the reward they need or ask is that the powers that govern them shall deal justly by them.

These hardy men feel that close upon their track are always found the school and the house of God. They are not speculators, traders, merchants, bankers, or brokers, but sentinels upon the out posts, guarding each of these from danger and molestation. And, without intending to be invidious, it is too often the case that opulence and comfort lead the Legislator to forget what these frontier people are daily doing for the cause of civilization and christianity. I therefore submit, whether it would not be proper for you to give an expression of your views on this question, so vitally important to western interests. The great power of this Union is now in the West; its great agricultural resources are here in the valley of the Mississippi. The conservative principle, on almost every question of great National importance, is in the West; and it is no longer the fancy of the poet, that says:

"Westward the Star of Empire takes its way."

It is now a stern reality, that no power can resist. The South have their peculiar institutions, and the North their prejudices of education, but it is here, in the great West, where we "know no North, no South, nothing but the Union," and the laws of progress. By an act of the last Congress appropriations were made to prosecute surveys and explorations of the different routes for a railroad to the Pacific. These have been commenced and by this time mostly completed. Information, of a reliable character, has been received from Governor Stevens, giving the most satisfactory report upon the practicability of the Northern route. A most extraordinary natural pass has been found in the mountains for a road, thereby obviating all anticipated difficulty.

It has been objected to the Northern route, that the winter snows present an obstacle which is supposed to embarrass it, but the Government need only to be properly informed to dispel this unfounded objection. This objection is made without reason, and against the experience of the people of equally high Northern latitudes, where railroads are now in full and successful operation, without obstacle or inconvenience.

If Congress should grant public lands to aid in the construction of this great work of the 19th century, it would seem unjust not to give that portion of the Union a fair consideration, from which these lands will have to be chiefly taken.

The country from the Mississippi, to far beyond the limits of Minnesota, and to near Fort Union, is level, and possesses timber, water and a fertile soil. In a word, no country in the Union, for the same distance, has so few and so slight obstacles to the speedy and cheap construction of a railroad; and such, we are assured, will be the views of Governor Stevens in his official report to the Government. It, therefore, would not be improper to have an official expression from you on this subject.

The question of opening up our communication with the South and East, during the winter season, is one of great concern, among the people. Nothing is so much needed as this. Indeed, this barrier must not exist any longer than it can be obviated and overcome.

To get out from here, during the winter, to the most accessible point to regular communication with the great marts of commerce and trade, is far above and beyond any other consideration to the people of Minnesota. To accomplish this, in my judgment, you must concentrate all the energies of the people to one or two roads, AND NO MORE, for the present. I have but little doubt that Congress will grant us land sufficient to unlock our ice-bound home, if we confine our request to one point. Our internal resources are now of sufficient importance to command capital enough for this purpose. If the Legislature, in its wisdom, will lay aside all local interests, and concentrate its whole energy and power to this great point, they will have done more than can by possibility be accomplished, in many years to come, by any other policy or course of action.

I, therefore, earnestly recommend that you single out the route which will give us the quickest and most safe transit from this Capitol to where the channels of communication are uninterrupted; and let the Congress of the United States be properly informed of this, your united request, and it will be granted beyond all reasonable doubt.

Your action will give the whole people the initial point, and, from that hour, capital will seek investment in the enterprise.

It is to be hoped that the General Government will take early steps to extinguish the Indian title to that portion of the copper region lying within the Territory of Minnesota, on Lake Superior. Public attention is being attracted to the vast mines of copper on the shores of this Lake, and soon we may look for a strong tide of emigration to set in that direction. Indeed, to day, the region is attracting the attention of capitalists, and population is giving it the germ of a great Lake city.

By a late act of Congress, the military reserve, attached to Fort Snelling, has been reduced to perhaps one fourth its original size.

Before this limitation of its boundaries, many persons settled thereon, at least by the sufferance of the Government, and now, in my judgment, they should not lose the result of their labor. Some of their improvements are valuable and extensive, and it seems to me the Government will, and surely ought, to recognize their bona fide pre-emption right. You are supposed to be familiar with the circumstances, and it might not be amiss to make the proper memorial on the subject.

The unexampled increase of population within the Territory lately ceded by the Sioux Indians to the United States, makes the present law apportioning the members of the Council and House of Representatives, in my judgment, unequal, and it should be changed.

I would, also, call your attention to the taxes of the Territory and counties. The burdens of a new settlement should be as light as possible. No one thing retards the settlement of a new country more than the fear of heavy taxation. This subject needs your attention, and will, no doubt, receive it in the proper way.

Where the field of speculation is large, and the use of money demands a high rate of interest, the temptation for creating banks, to circulate paper money, is, and has always been, in every section of the Union, very great. The school of politics, to which I have always had the honor to belong, has opposed, upon principle, the establishment of such banking institutions; and it would be repeating the well established doctrines of the country, to attempt a re-argument of this question. I, therefore, content myself by saying, that no law, creating a bank within this Territory, for circulating a paper currency, can receive my official sanction.

I should be doing injustice to a highly meritorious class of our fellow citizens, engaged in the lumbering business, were I not to call your attention to the embarrassments that surround them. The act organizing this Territory says, that "the Legislative power of the Territory shall extend to all the rightful subjects of legislation, consistent with the Constitution of the United States and the provisions of this act, but no law shall be passed interfering with the primary disposal of the soil." The extent of your power, on the subject of protecting the Government lands from trespassers, is complete, and as the pineries of Minnesota, for the present, to some extent, bear the same relation to our people and our commerce, that the mines of California do to their people and their commerce, it seems to me that you can act on this subject in such a way as to disembarass our lumbermen, and secure the Government against damage until the pine lands are all in the market. I have taken some pains to ascertain the character and extent of this trade on the St. Croix and Upper Mississippi, for which I am greatly indebted to Mr. Setzer, of Stillwater, and Mr. McAlpin, of St. Anthony, which is deemed entirely reliable.

St. Anthony Mills.

Manufacture eight millions feet of long lumber per year—eight upright saws in operation ;
average one million per saw.

600,000 laths,
1,300,000 shingles,
100,000 pickets for fencing.

Has \$80,000 invested to carry on the operations.

Employs, in connection with the mills, cutting logs, &c., 100 men.

To which should be added the mills at Manomin, Rum River, Elk River, and Little Falls.

This vast trade has been much annoyed by the heretofore uncertain regulations of the Government, and it is believed that action by the Territory can afford a remedy, either by the proper memorial to Congress, or to the Secretary of the Interior. The latter is taking much pains to expedite the surveys, and have the public lands speedily brought into market, which must prove highly advantageous to our Territorial prosperity.

The improvement of the Little Rapids, in the Minnesota River, would be of incalculable benefit to the Rapidly growing country above that point, and should claim your attention.

I call your attention to the propriety of considering the best means to organize a few independent companies of volunteer militia. The city of St. Paul, and the town of Saint Anthony, would, no doubt, get up two or three uniform companies, that would have a salutary influence upon the Indian population of the Territory. The people will feel that those whose business it is to provide for the defence of the country, in emergencies, were neglectful of the public weal, if they should fail to take some steps to this end.

The "University of Minnesota," as yet, exists only in name, but the time has come when a substantial reality may and should be created, to which that name may be permanently attached.

The provisions made in the Statutes for the establishment of a University "at or near the Falls of St. Anthony," and the appropriation of two townships of land by Congress for its endowment, are most wise and liberal.

The inhabitants of this Territory will soon need such an institution full grown; and they very much need some of its departments now. Could a department of agricultural chemistry be opened, with facilities for analyzing the different soils in the Territory, and giving instruction upon the various branches of agriculture, the department of industry upon which the prosperity of the Territory must mainly depend, it must and would result in inestimable benefit to this rising and rapidly growing country. Such a department of practical knowledge would tend directly and immediately to increase the interest in the cultivation of the soil, and place in the hands of the people the means of obtaining the richest and most abundant productions of which it is capable. Much need not be said to enforce the necessity of adding every facility and encouragement for the pursuit of agriculture, which an enlightened people and wise legislation can invent.

While other branches of labor and enterprise will more naturally be promoted and sustained, agriculture, from its complex nature, and unparalleled importance, as well as the tendency of all classes, from the safe and the sure, to the speculative pursuits, needs more attention and encouragement from Legislative influence.

It is highly desirable that some steps be taken to have the two townships of land granted to the Territory for the purposes of the University, selected and made available at as early a day as possible. With this view, some action will be necessary by the Legislature.— And allow me to hope that it will not be delayed longer than a proper deliberation can be had.

It would not embarrass our resources, in my judgment, if a small loan was effected to erect a building and establish one or two Professorships, and a preparatory department. Such loan to be based upon the two townships of land appropriated for the sole use of this institution.

Its present location, at the Falls of St. Anthony, is eminently eligible. This point must ere long attract the attention of the Southern people, as a summer retreat, and delightful watering place. Its beautiful scenery, and surrounded as it is by an unsurpassed fertility of soil, and roaring by its side the grand cataract of the king of rivers, make it a most fitting point for the seat of literature and science.

Upon the subject of Common Schools a full report will be made, and more definite information given by the Superintendent.

It gives me pleasure in being able to say, that our school system, although it is susceptible of improvement, is working well. Provision for the general diffusion of knowledge, for which the people of this Republic, generally, are so justly celebrated, has not been neglected in Minnesota. Our common schools are sustained with the ability and usefulness of those in older sections of the country.

In these schools the means of mental culture are provided for the young without distinction, and there the foundation is laid for their future usefulness. These schools are the more important from the fact that in them a large number receive their entire education. Either from the want of means or disposition to avail themselves of the advantages of schools of a higher grade, a great portion of the young of this Territory will go beyond the common schools for that education which is to qualify them to act as citizens and useful members of society. While schools of a higher order should not be neglected, the common schools should share largely in the interests of the people, and government should most vigilantly foster, and sustain these colleges of the people.

The number of schools the last year has considerably increased in the Territory, and every new settlement is soon christened with a school house. It should ever be the policy of the citizens to bear with them, or create wherever they go the means of educating their children. If government could provide the means, and point the way, the people would be induced, wisely, to avail themselves of the benefit of its provisions.

The gradual increase of the Territorial Library is highly desirable. The liberality of Congress would, no doubt, promptly respond to a request on your part for such purpose. And it would be appropriate, in my judgment, should the Legislature add a small sum for such purpose from the Territorial Treasury.

The Territorial Prison, at Stillwater, has been nearly completed, and is ready for the reception of convicts. An additional appropriation of about five thousand dollars will be needed to complete the grading, and do such work as will protect the walls and buildings from the action of the surface and spring water.

The report of the Board of Inspectors will give you a more detailed view of the affairs of the Prison, to which I refer you.

The Capitol has been nearly completed, but we need a small appropriation to dig a well, and erect a fence around, and otherwise protect it. It is, also, highly important that the Government should be asked for a small additional appropriation to purchase a fire engine to be kept for its special protection. I regret to say that some of the work is not done in that substantial manner contemplated by the liberal appropriations made by Congress.

For a history of the financial condition of the Territory, I refer you to the reports of the Auditor and Treasurer.

I beg leave to call your attention to the subject of providing more stringent laws to enforce the strictest accountability of all your public officers from the lowest to the highest. Without an honest and faithful discharge of all public trusts, the people are always the sufferers. It is the unsuspecting masses that are the main props of a republican government; they bear its burden, and defend its honor, and every public officer should be held to the strictest accountability for the faithful discharge of his duty.

I hope that, in all your legislation, you may find it profitable to recur frequently to the great political truths that have guided those wise statesmen of the past, and illuminated the path and progress of republican liberty throughout this great confederacy. Give the people the largest political rights, consistent with the Constitution of the United States, and the Organic act of the Territory. Enforce the strictest obedience to the laws. Be guided by the safest economy in all public expenditures; let your action be controlled by the rule that the "RIGHT IS ALWAYS EXPEDIENT." Encourage a high morality amongst the people. Guard the weak against the strong. Give equal rights to all, exclusive privileges to none. And thus, by keeping these great truths before our eyes, we shall merit and receive the approbation of Him who holds the destiny of nations in his hand, and lay the foundation, broad and deep, for a State in whose high destiny we shall all be proud.

WILLIS A. GORMAN.

WARDEN'S OFFICE, TERRITORIAL PRISON, }
Stillwater, January 4, 1854. }

Gov. W. A. GORMAN, SIR:—I herewith transmit to you a transcript of the doings of the Board of Inspectors, at their meeting held January 2nd and 3rd; also, their report to you.

I also transmit, through you, to the Legislative Assembly, my report as Warden.

Yours respectfully,

F. R. DELANO,

Warden Territorial Prison.

EXECUTIVE OFFICE, }
January 17, 1854. }

Hon. Baldwin Olmstead, President of the Council:

I have the honor to lay before the Council the Report of the Warden and Inspectors of the Territorial Prison.

Very respectfully,

Your obedient servant,

W. A. GORMAN.

REPORT OF THE WARDEN
OF THE
TERRITORIAL PRISON.

WARDEN'S OFFICE, TERRITORIAL PRISON, }
Stillwater, December 31, 1853. }

To the Honorable Legislative Assembly of the Territory of Minnesota:

In accordance with the requirements of an act of the Legislature, entitled "An Act for the Government of the Territorial Prison of Minnesota," approved March 5th, 1853, the undersigned entered upon the duties of his office as Warden, and respectfully submits the following statement of the general affairs of the Prison, as also of the receipts and expenditures, from March 5, to December 31, 1853.

The first meeting of the Inspectors was held April 4th. At this meeting, measures were adopted for completing the buildings and grading the grounds connected therewith. Upon the 9th of May, contracts were entered into for building a workshop, an office, and two guard houses, also, for completing the prison buildings, the erection of a buttress wall, and to do a part of the grading.

Orders have, also, been made for the completion of the Warden's house, and for fencing the grounds connected thereto.

The work already laid out and commenced, will, when completed, exhaust the amount of appropriations now on hand.

The Prison, so far as it is finished, is furnished throughout, and ready for the reception of convicts, as, also, for county prisoners, from those counties in which there is no sufficient jail to detain them.

No convicts have yet been received into this prison.

PRISON RECEIPTS.

IN ACCOUNT.	DR.
To balance of Prison Fund received from Alex. Wilkins, late treasurer,	\$277 54
To amount received from United States Treasurer, being the amount appropriated by act of Congress, approved March 3, A. D., 1853,	12,500 00
	<hr/> \$12,777 54

PRISON EXPENDITURES.

IN ACCOUNT.	CR.
By amounts paid to contractors and others, for material and labor furnished to prison,	\$7,160 78
Balance on hand,	5,616 76
	<hr/> \$12,777 54

F. R. DELANO,
Warden Territorial Prison.

INSPECTORS OFFICE, TERRITORIAL PRISON, }
Stillwater, January 3, 1854. }

The above statement and account of the Warden has been examined and approved by the Board of Inspectors.

CORNELIUS LYMAN,
Chairman.

TERRITORY OF MINNESOTA, }
County of Washington. } ss.

F. R. Delano, of Stillwater, in said county, being duly sworn, doth depose and say, that he is Warden of the Territorial Prison, and that the above and foregoing statement and account of the affairs of said prison is true and correct.

F. R. DELANO.

Sworn and subscribed before me, this 4th day of January, A. D., 1854.

T. E. PARKER,

Notary Public, in and for said county.

REPORT OF THE BOARD OF INSPECTORS
OF THE
TERRITORIAL PRISON.

INSPECTORS OFFICE, TERRITORIAL PRISON, }
Stillwater, January 2, 1854.

To His Excellency, Governor Gorman:

SIR:—In accordance with the provisions of an act of the Territorial Legislature, approved March 5th, 1853, entitled "An Act for the Government of the Territorial Prison of Minnesota," (Sec. 8 thereof,) the following report is respectfully submitted:

The Inspectors entered upon the duties of their office, and held their first meeting, at the prison, on the 4th of April, 1853; a special meeting was held May 9th. Regular stated meetings were held on the first Mondays in January, April, July and October.—Transcripts of our proceedings have been forwarded to you, to which reference is made in connection with this report.

At the first meeting of this Board measures were adopted to complete the buildings connected with the prison, and the Warden was instructed to advertise for proposals to finish the same.

Proposals were received and contracts were entered into for building an addition to the prison containing ten cells. Also, for a workshop seventy five feet long, thirty feet wide, and nine feet high in the clear. Also, for an office building, which building answers the purpose of an office, guard house and stair room, by which access is had to the yard without opening the large gates. The building of a small guard house, upon the yard wall, at the north west angle, is, also, included in these contracts.

A. 3.

The grading has been finished around the yard walls, around and in front of the prison yard and Warden's house, so far as to make the premises available for use; an additional amount of grading and culverting is absolutely needed to protect the buildings and yard walls from the effects of the spring water and frost.

The amount necessary to finish these protection works is estimated at five thousand dollars.

A contract was entered into for the erection of a buttress-wall against the south wall of the yard, the original wall having been very much injured by the water and frost last winter. The contractor for this work is the only one who has failed to give satisfaction to this Board, by the manner in which they have done their work, and as this was the most important job, requiring great strength and permanence, the Board of Inspectors believing it will not answer the purpose for which it was intended, owing to the manner in which it has been done, have declined paying Mr. Flinn, the contractor, for the same until next spring.

Of the work, commenced under the appropriations, there still remains unfinished the addition to the prison, the small guard house, the addition to the Warden's house, and the fencing of the grounds. The work will be resumed at an early day in the spring, and completed as soon as possible. The contracts already made, will exhaust the amount of the appropriation now on hand, and we respectfully suggest the propriety of the Legislature memorializing Congress for an additional appropriation for doing work to protect that which is already done. The buildings that have been erected, thus far, are all of stone.

Rules and regulations have been adopted for the government of the Warden and his officers in the management of the prisoners, a copy of which has been forwarded to you heretofore. The prison is furnished and ready for the reception of convicts, none have as yet been received.

By reference to the Warden's account, it will be seen that the sum of \$12,777 54, has been received since the 5th of March last; of this amount, \$7,160 75 has been paid out, the balance on hand will be required to meet engagements already made, so that no new work or improvement can be entered upon until an additional appropriation is made. It is reasonable to suppose, that upon works of this description, more or less repairs will be needed annually. The estimate for repairs, during the coming year, is five hundred dollars.

CORNELIUS LYMAN,
Chairman Board of Inspectors.

To his Excellency, W. A. GORMAN,)
Gov. Territory of Minnesota.)

JOURNAL OF PROCEEDINGS.

INSPECTORS OFFICE, TERRITORIAL PRISON, }
Minnesota Territory, May 9, 1853.

Board met pursuant to adjournment.

Present—Messrs. Lyman and Stearns.

Mr. Lyman in the Chair.

On motion of Mr. Stearns, it was

Ordered, That the work done around the Warden's house, by Johnson and McHale, be accepted, and the amount specified in the contract, with them, paid by the Warden, out of funds appropriated for completion of prison.

On motion of Mr. Stearns, it was

Ordered, That the ten rules and regulations, submitted to this Board by the Warden, be marked A, and signed by the Chairman, and placed on file in this office; and that a copy be posted in the Warden's office for the instruction of himself and officers in discharge of their duties.

On motion of Mr. Stearns, it was

Ordered, That the Warden apply to the Secretary and Treasurer of the Board of Building Commissioners, formerly controlling the prison, for certified copies of contracts, bonds and specifications connected with the prison, and for whatever funds are now on hand, appropriated to the use of the prison, and receipt for the same.

On motion of Mr. Lyman, it was

Ordered, That the Warden cause to be put upon the Warden's house a good tin trough and spouts.

On motion of Mr. Stearns, it was

Ordered, That the Warden employ an attorney to draw contracts, bonds, and attend to any other legal business, connected with the affairs of the prison.

On motion of Mr. Stearns, it was

Ordered, That all accounts, both for salaries and contracts, be presented to this Board, for allowance, at each regular stated meeting.

On motion of Mr. Stearns,

The Board proceeded to open and award proposals for doing the work upon the prison and grounds, as advertised for.

On motion of Mr. Stearns,

The Board adjourned to Tuesday the 10th inst., at 8 o'clock, A. M.

CORNELIUS LYMAN,
Chairman.

Attest:

F. R. DELANO,
Clerk.

TUESDAY, MAY 10, 1853.

The Board met pursuant to adjournment.

Present—Messrs. Lyman and Stearns.

After the proposals were opened and examined, the following persons were found to be the lowest bidders, viz:

To grade, drain and culvert,	John Skallan,
“ Build buttress wall,	Peter Flinn,
“ “ guard houses,	R. B. Johnson,
“ “ addition to prison,	C. Carli,
“ “ workshop,	C. Carli.

On motion of Mr. Stearns, it was

Ordered, That the contractors be required to give bond in double the amount of their bids for the performance of their respective contracts.

On motion of Mr. Stearns, it was

Ordered, That the Warden let the fencing of the grounds to the lowest bidder, after giving written notice; the fence around the Warden's house to be built immediately; the balance when the grading is finished.

Mr. John Skallan having refused to give bonds on his bid, the same work was awarded to F. S. Curtis and D. Sullivan.

On motion of Mr. Stearns,

Mr. Lyman was appointed to visit the prison monthly, until the next regular stated meeting.

On motion of Mr. Lyman, it was

Ordered, That in case of failure, on the part of contractors, the Warden select from the bids the next best, and make the contract with the bidder thereon.

On motion of Mr. Stearns,

The Board adjourned to meet at this place on the first Monday in July next.

CORNELIUS LYMAN,
Chairman.

Attest:

F. R. DELANO,
Clerk.

I hereby certify that the above is a correct transcript of the doings of the Board of Inspectors, at their meetings held May 9th and 10th, 1853.

F. R. DELANO,
Warden.

MONDAY, JULY 4, 1853.

Board met pursuant to adjournment.

Present—Mr. Lyman.

No quorum being present, adjourned, to meet to-morrow morning at 9 o'clock.

CORNELIUS LYMAN,
Chairman.

Attest:

F. R. DELANO,
Clerk.

TUESDAY, JULY 5, 1853.

Board met pursuant to adjournment.

Present—Messrs. Lyman, Stearns and Case.

On motion of Mr. Case,

The Board proceeded to examine the accounts handed in and allowed, and audited, to

Jesse Taylor.....	\$ 50 00
Jesse Taylor & Co.....	871 44
C. Carli.....	675 00
Curtis and Sullivan.....	500 00
Johnson & McHale.....	65 00
W. S. Combs.....	26 85
T. E. Parker.....	12 50
Owens & Moore.....	20 00
R. B. Johnson.....	200 00
George Russell.....	64 50
T. Cogswell.....	2 00
George Battles.....	7 00
F. R. Delano.....	165 15

And ordered the same to be paid by the Treasurer.

On motion of Mr. Case, it was

Ordered, That the Warden cause to be erected a woodshed and kitchen on the back side of the Warden's house, 16 by 36 on the ground, provided the same shall not cost over 600 dollars.

On motion of Mr. Stearns, it was

Ordered, That Mr. Lyman visit the prison monthly, until next meeting.

On motion of Mr. Stearns,

The Board adjourned to meet at this place, on Monday, the 3d day of October next.

CORNELIUS LYMAN,

Chairman.

Attest:

F. R. DELANO,
Clerk.

I hereby certify that the foregoing is a correct transcript of the doings of the Board of Inspectors, at their meeting, July 4th and 5th, 1853.

F. R. DELANO,
Warden.

Gov. W. A. GORMAN,
St. Paul,

STILLWATER, MIN. TER., }
July 6, 1853. }

SIR:—In accordance with the law, and by order of the Board of Inspectors, I send you a transcript of their doings up to this date.

Respectfully yours,
F. R. DELANO,
Warden, T. P.

INSPECTORS OFFICE, TERRITORIAL PRISON, }
MINNESOTA TERRITORY, Monday, Oct. 3, 1853. }

Board met pursuant to adjournment.

Present, Messrs. Lyman and Stearns.

Mr. Lyman in the Chair.

After some time being spent in the examination of work now in progress, the Board,

On motion of Mr. Stearns,

Proceeded to the examination of accounts for allowance and payment, and the following accounts were allowed, and the Warden ordered to pay the same:

To C. Carli	\$1,579 34
“ Curtis and Sullivan	1,326 00
“ Parker and Thompson	12 50
“ R. B. Johnson	530 00
“ F. R. Delano	347 00
“ C. Lyman	72 00
“ C. T. Stearns	9 00
“ Peter Flinn	85 50
	<hr/>
	\$3,061 34

On motion of Mr. Stearns,

The following resolution was adopted, viz:

Resolved, That we, the Board of Inspectors, are of the opinion, that Peter Flinn has not done his work upon the buttress wall in accordance with his bond for doing the same, and that his account, not allowed, be laid over until the next meeting of this Board, for further action.

On motion, the Board adjourned to meet to-morrow morning, at 8 o'clock.

TUESDAY, OCTOBER 4, 1853.

Board met. Present, Messrs. Lyman and Stearns.

On motion of Mr. Stearns,

Mr. Lyman was appointed to visit the Prison monthly, until the next meeting of the Board.

On motion of Mr. Stearns,

The Board adjourned to meet at this place, on Monday, the 2d day of January, 1854.

CORNELIUS LYMAN,

Chairman.

ATTEST:

F. R. DELANO,
Clerk.

I hereby certify that the foregoing is a correct transcript of the doings of the Board of Inspectors, at their meeting, October 3d and 4th, 1853.

F. R. DELANO,
Warden.

TRANSCRIPT OF THE BOARD OF INSPECTORS, TERRITORIAL PRISON,
JANUARY SECOND AND THIRD, 1854.

INSPECTORS OFFICE, }
Territorial Prison, Jan. 2, 1854. }

Board met pursuant to adjournment.
Present, Mr. Lyman.
Adjourned to meet to-morrow, at 9 o'clock.

THURSDAY, JANUARY 3, 1854.

Board met.
Proceeded to examine the report of the Warden to the Legislature; and, finding the same to be correct, it was approved by the Board.
Report of the Inspectors to the Governor adopted; ordered to be signed by the Chairman and forwarded to the Governor.
The following accounts were presented, examined, allowed, and the Warden ordered to pay the same:

To Thompson and Parker	\$12 50
“ C. Lyman	30 00
“ F. R. Delano	\$942 52
“ R. B. Johnson	5 00
“ C. Carli	200 00
	<hr/>
	\$1,190 02

Mr. Lyman was appointed to visit the Prison monthly, until the next regular stated meeting of the Board.

Board adjourned to meet at this place the first Monday in April next.

CORNELIUS LYMAN,
Chairman.

Attest:
F. R. DELANO,
Clerk.

The above is a correct transcript of the doings of the Board of Inspectors, at their meeting, held January 2d and 3d, 1854.

F. R. DELANO,
Warden.

(A)

RULES AND REGULATIONS,

For the direction of the Warden and his officers, in the discharge of their duties in the government of the Territorial Prison of Minnesota Territory.

The following books shall be kept, in which all matters connected with the prison shall be recorded, viz:

1st. The Register, in which shall be entered upon the reception of a convict into the prison; the name, from what county sent; for what crime; term of imprisonment; age; height; color of hair; general complexion and features; native of what State or country; any peculiar mark or scar upon the body.

2d. A Prison Journal, in which shall be entered all cases of punishments; for what inflicted; the manner and extent. The sickness, escape, death or discharge of convicts as well as all other matters of importance connected with the prison.

3d. A Cash Book, in which shall be entered the amount of cash received; from whom, and on what account. The amount of cash paid out, to whom, and on what account; all of which shall be written up, balanced and certified to by the Warden, or his deputy, as correct, and laid before the Board of Inspectors, at their regular stated meetings, for examination, or approval.

4th. Convicts, upon their reception into the prison, shall be registered; the hair cropped upon one side of the head; the face shaved smoothly, and furnished with a suit of clothing suitable to the season, and of uniform kind, and having some peculiar mark or stripe, which may be easily recognized; and shall thus remain until within one month of the time of discharge, when the hair and beard shall be allowed to grow out.

5th. All convicts may be worked from sunrise to sundown, allowing them thirty minutes for eating each meal, of which they shall have three per day, of good, wholesome food, suitable for working men.

6th. No conversation shall be allowed between convicts, except such as is absolutely necessary in regard to their work, and while employed thereat, and no person not connected with the prison, shall be allowed communication with a convict, unless in presence of an officer of the prison.

7th. No letter, or article of any kind or description, shall be sent to or from a convict, until the same shall have been carefully examined, and found to contain nothing which will lead to an escape, or the violation of the rules of the prison.

8th. Convicts may be employed at labor outside the prison yard; *Provided*, that convicts so employed shall be attended by a sufficient and well armed guard.

9th. For unruly conduct, or disobedience of orders, a convict shall be punished; first, by solitary imprisonment, and fed on bread and water only. If, at the end of three days, said confinement fails to produce the desired effect, then, as a last resort, corporeal punishment may be added to the solitary confinement, at the rate of thirty lashes per day, for five days; if this fail to produce obedience, the case shall be reported to the Inspectors, for their especial attention. Nothing in this rule shall be construed to release a convict

A. 4.

from solitary confinement, until he shall be willing to obey orders. The time, course, and manner of punishment, shall be entered, in full, upon the Journal of the prison.

10th. All county prisoners, sent to the prison, shall be registered in a separate book, to be called the County Prison Register, which shall show the name, age, height, color of hair; from what county sent; by whom sent; what for; what time to stay. They shall be comfortably fed and lodged, carefully watched, and confined separate from the convicts as much as possible.

11th. All attempts to escape, by digging down walls or floors, cutting bars or doors, breaking or picking locks, or by assaulting guards, may be punished by solitary confinement, or corporeal punishment, according to the magnitude of the case.

CORNELIUS LYMAN,

Chairman.

The foregoing Rules and Regulations are a correct copy of those on file in the Inspectors' office.

F R. DELANO,

Warden and Clerk.

ANNUAL REPORT
OF THE
TERRITORIAL AUDITOR,

OFFICE OF THE TERRITORIAL AUDITOR,
St Paul, January 30, 1854 }

To the Honorable the Legislature of the Territory of Minnesota:

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

The amount of Territorial tax assessed, for the year ending Dec. 31, 1853, is two thousand four hundred and forty five dollars and forty three cents, for the details of which, see schedule marked A.

The salaries of the officers of the Territory, for the year 1853, amounts to twelve hundred dollars. This amount includes the sum of four hundred and fifty dollars, or three quarters salary of the Warden of the Penitentiary, which office was created since the making of the last annual report.

The amount of drafts drawn on the Treasury, during said year, is one thousand eight

hundred forty three dollars and sixty five cents, for a detail of which see schedule marked B.

The amount of taxes assessed for the year 1852, and applicable to the above liabilities, was one thousand six hundred seventy nine dollars and eighty two cents; to this sum might be added, as assets, the delinquent taxes, amounting, on the first day of January, 1852, to the sum of seven hundred eleven dollars and eighty seven cents.

Only five counties, to wit:

Ramsey, Washington, Benton, Chisago, and Hennepin, have made returns to this office of the taxable property of their respective counties, as required by law, and the last received was on the 28th of this instant. Whether further legislation is necessary to secure a more prompt discharge of duty, is respectfully submitted to the wisdom of the Legislature.

The taxable property of the above counties, for the year 1853, amounts, in aggregate, to \$2,445,437, showing an increase over the preceding year of \$850,311.

An estimate of the ordinary expenses, for the present year, will be found in schedule marked C.

All of which is most respectfully submitted.

A. VAN VORHES,
Territorial Auditor.

SCHEDULE A.

Amount of Territorial Tax for the year ending December 31st, 1853.

Counties.	Amount of Taxable Property.	Tax.
Ramsey	\$1,783,375	\$1,783 37
Washington	438,723	438 72
Benton	97,563	97 56
Chisago	66,412	66 41
Hennepin	59,383	59 38
Wabasha	no returns.	
Dakota	"	
Itasca	"	
Pembina	"	
Cass	"	
Scott	"	
La Sueur	"	
Blue Earth	"	
Nicollet	"	
Fillmore	"	
Sibley	"	
Pierce	"	
Rice	"	
Goodhue	"	
	\$2,445,437	\$2,445 43

SCHEDULE B.

Amount of drafts drawn on the Treasury, during the year ending December 31, 1853.

Attorney General, one quarter salary.....	\$ 62 50	
“ “ Exp. suit U. S. vs. Hatch.....	150 00	
“ “ “ U. S. vs. Fales.....	50 00	262 50
Superintendent of Common Schools, salary in part.....	50 00	
“ “ “ “ publishing school laws.....	52 15	102 15
W. G. LeDuc, Commissioner World's Fair.....	300 00	
“ “ Supreme C. Docket.....	4 50	
“ “ Stationery for Auditor's Office.....	9 50	314 00
Expenses Lake Pepin and St. Peter's road.....	626 00	
“ other roads.....	12 00	638 00
Warden Penitentiary, three quarters' salary.....	450 00	
Inspectors of “.....	27 00	477 00
Salary of Auditor, in part.....		50 00
		\$1,843 65

SCHEDULE C.

Drafts on the Treasury, for the year ending December 31, 1854.

1st. Salaries of officers.		
Territorial Treasurer.....	\$100 00	
“ Auditor.....	100 00	
Attorney General.....	250 00	
Adjutant General.....	150 00	
Warden of the Penitentiary.....	600 00	
Superintendent of Common Schools.....	100 00	\$1,300 00
2d. Miscellaneous.		
Inspectors of Prison, estimated.....	75 00	
Salary of Treasurer for 1853.....	100 00	
“ Auditor, in part, for 1853-4.....	75 00	
Attorney General for 1853, three quarters.....	187 00	
Adjutant General for 1853.....	150 00	
Superintendent of Common Schools, 1853.....	50 00	637 00
		\$1,937 00

REVENUE FOR 1854.

Estimated value of taxable property.....	\$3,000,000
Tax, one mill on the dollar.....	3,000

REPORT OF THE BOARD OF REGENTS
OF THE
UNIVERSITY OF MINNESOTA.

To the Legislative Assembly of the Territory of Minnesota.

I have the honor to transmit herewith, to the Council and House of Representatives, the third Annual Report of the Board of Regents of the University of Minnesota.

The rapid progress of the Territory, in population and wealth, furnishes the most satisfactory evidence of the wisdom and propriety of the action of the Legislative Assembly, in providing for the establishment of an institution of learning, such as was incorporated by the act of February 25th, 1851. The necessity for a collegiate school, of a high order, is already felt by our citizens. Students are even now demanding better facilities for prosecuting their studies, in the higher branches of learning, than are afforded by common and select schools. Were the erection of a building for the University immediately commenced, and prosecuted with reasonable diligence, and the organization of the department effected without unnecessary delay, it is believed a considerable number of students, residing within the Territory, would be ready, at once, to avail themselves of its advantages. Were such an institution, as that contemplated by the act above referred to, in successful operation, it is reasonable to suppose, that it would not only receive the patronage and support of our own citizens, but, also, that of those from the States. The delightful location of the University, its convenience of access, and the unequalled salubrity of this climate, offer peculiar inducements to the student, and those engaged in literary pursuits.

The Preparatory Department continues under the Superintendence of Prof. Merrill, and is in a flourishing condition. Ninety four students have been in attendance during the past year. Classes in penmanship, and all the common English branches, have been taught. There have, also, been classes every quarter in the higher branches usually taught in Academies, including, Algebra, Astronomy, Latin, French, Physiology, Natural Philosophy, Chemistry, Analysis, and Book keeping. The mild, yet firm and decided system of government adopted by Prof. Merrill, evinces his thorough knowledge of the art of teaching, and has been productive of the most beneficial results. Good order

and harmony have prevailed in the school, and satisfactory progress has generally been made by the pupils in the different branches of study pursued. It is a subject of regret, however, that no adequate provision of apparatus has yet been made, for illustrating the natural sciences. Could this want be supplied, greatly increased advantages would be afforded to the student, and the usefulness of the school be much enhanced.

Several students, who have received instructions in this department of the University, have been engaged in teaching, and others are preparing for the work. As an institution eminently adapted to fit and prepare teachers to supply our rapidly increasing common schools, its importance cannot be over estimated.

Through the liberality of a few active friends of the University, the nucleus of a valuable library has been formed. Its increase must depend upon the generosity of those disposed to aid in providing this indispensable requisite to the proper endowment of the institution.

I beg leave to suggest to your Honorable body, the propriety of passing an act, donating to the library one or more copies of the Revised Statutes, Supreme Court Reports, Session Laws, and such public documents as may be deemed worthy of preservation. A complete collection of these works, commenced thus early, and carefully continued from year to year, would eventually constitute a most valuable and indispensable addition to the library of the University.

Your Honorable body is aware that an act of Congress was passed and approved Feb. 19, 1851, by which two townships of land, in Minnesota Territory, were granted to the use of the University of Minnesota.

At a meeting of the Board of Regents, held in 1852, a committee was appointed to obtain from the proper Department, authority to select and locate said land, or such amount of the same, as the Board of Regents might deem advisable. The Hon. H. H. Sibley, as Chairman of that Committee, accordingly, addressed a letter to the Secretary of the Interior on the subject. A letter was received by him in reply, and, also, one from the Commissioner of the General Land Office; copies of which, marked A and B, are hereto annexed, and respectfully submitted as a part of this report.

In accordance with the instructions of the Commissioner of the General Land Office, a committee was appointed, at a meeting of the Board held in St. Paul, January 27th, 1854, to select and locate lands for the use of the University. They will proceed immediately to the discharge of this duty, and such lands as shall be found valuable and available, will be located the present winter and the coming spring. It is proposed to locate a part in such situations as can be made presently available, should there be found a necessity for the disposal of any part of the same.

The Treasurer's Report shows an indebtedness of seventy dollars still existing against the Board. This is the balance still due on the erection of the building for the Preparatory Department, and completion of the same, so far as it has progressed. As stated in a former report, this work has been carried on entirely by private subscription, the University fund remaining as yet entirely intact.

It may be proper to state, in this connection, that the school has thus far received no assistance from the Board; the teachers receiving no other compensation than tuition fees from the pupils; nor do any of the officers of the Board receive any remuneration for their services.

It was stated, in my last Annual Report, that a proposition had been entertained by the Board of Regents, for selecting a more eligible location, as the permanent site for the University. The subject is still held under advisement, no definite action having yet been had upon it. No urgent necessity existing for immediate action in the premises, it was thought advisable that mature consideration, and full examination, should be had, before acting on a measure of such considerable importance. The committee to whom the subject was referred, has entered into negotiations, having in view the accomplishment of the object, and some decisive action will probably be had during the present winter, or ensuing spring.

Such, in brief, are the present condition and prospects of this infant Institution. The Board of Regents, believing that it is destined, at no distant day, to exert an important influence upon the educational interests of the Territory and future State of Minnesota, respectfully commend it to your favorable consideration, and would solicit, in its behalf the adoption of such measures for its aid and encouragement as your wisdom may suggest.

I. ATWATER,

Secretary of the Board of Regents.

(Copies of Correspondence.)

[A.]

DEPARTMENT OF THE INTERIOR, }
August 26th, 1853. }

SIR:—Yours of the 15th inst., in relation to the selection of two townships of land for the use and support of a University in Minnesota Territory, under act of Feb. 19, 1851, has been received, and referred to the Commissioner of the General Land Office for appropriate action under the act referred to.

Very respectfully,

Your obedient servant,

R. McCLELLAND,

Secretary.

HON. H. H. SIBLEY,
Mendota, Min. Territory.

B.

GENERAL LAND OFFICE, }
 September 2, 1853. }

SIR:—The Secretary of the Interior having referred to this office, your letter to him of the 15th ult., asking that authority may be given the Board of Regents of the University of Minnesota, to make selections for that Institution, under act of Congress, approved 19th of February, 1851; I have the honor to inform you, that, under his authority, instructions have been this day issued to the District Officers in Minnesota, at Stillwater and Sauk Rapids, to respect and report any selections, in accordance with said act, which may be made known to them, by the said Board of Regents.

The 2d Section of the Act referred to, authorizes and directs the Secretary of the Interior, "to set apart and reserve from sale, out of any of the public lands, within the Territory of Minnesota, to which the Indian title has been, or may be, extinguished, and not otherwise appropriated, a quantity of land, not exceeding two entire townships, for the use and support of a University in said Territory, and for no other use or purpose whatever, to be located by legal subdivisions of not less than one entire section."

In making these selections in bodies of land other than technical sections, no less a quantity than 640 acres, can be embraced in a section, and it would be advisable to make every such section, in the quantity of a section, by technical sections or subdivisions of four quarters, eight eighties, or sixteen forty acre tracts.

If otherwise, and a large body of land be taken and reported in one selection, it may result as we are about closing the grant, that a quantity less than a section, may then be due the Territory, which, under the terms of the Act, she could not obtain.

Upon the receipt of the reports from the District Offices, the selections therein will be submitted to the Secretary of the Interior for his action, under the said second section.

Very respectfully,

Your obedient servant,

JOHN WILSON,
Commissioner.

HON. H. H. SIBLEY,
 Mendota, Min. Territory.

ANNUAL REPORT

OF THE

TERRITORIAL TREASURER,

TREASURER'S OFFICE,
St. Paul, Feb. 1, 1854. }

To the Legislative Assembly of the Territory of Minnesota :

In compliance with the provisions of law, the Territorial Treasurer makes to your honorable body the following report for the fiscal year ending January 31, 1854.

Since the last report, there has been paid into the Treasury—

In Territorial Orders, (Auditor's Warrants)	\$116 87
In cash	00 00
There has been paid out of the Treasury during the same period	00 00
The cash balance in the Treasury is	00 00

The Auditor's Warrants above named were received of C. A. Tuttle, Esq., the former Treasurer, to balance the sum appearing by the books to be in his hands.

On my coming into office in August last, the former Treasurer turned over to me paid drafts on the County Treasurers of the several Counties, as follows:

On the Treasurer of Benton county, for the taxes of 1851	\$64 78
“ “ “ 1852	103 17
“ Ramsey county, “ 1852	256 85
“ Chisago county, “ 1852	46 80
“ Washington county, “ 1852	343 76
“ “ “ 1850	33 17

Total amount unpaid for the years 1850, 1851 and 1852..... \$848 62

There is charged on the Treasury books for Territorial taxes for the year 1852—

Against the county of Itasca	\$8 62
“ “ Hennepin	43 52
“ “ Dakota	36 53
“ “ Wabasha	9 50

Making a total of..... \$98 17

Adding the sum due on drafts..... 848 62

The total is..... \$946 79

The tax appearing to be due from Washington county for the year 1850, was assessed against the Territory without, but for certain purposes attached to, that county, and could not be collected.

Deducting that amount..... \$33 17

The balance due the Treasury is..... \$913 62

To what extent any of the taxes assessed against the counties of Itasca, Hennepin, Dakota, and Wabasha for 1852, can be reckoned as available funds, is left for the Auditor to estimate. The officers of that year were appointed by the Governor under a special provision of statute. The collector of each county, except Wabashaw, has filed his bond in this office, as required by law; but from Wabashaw only has any taxes ever been received. A bond is on file for Cass county, but no tax is charged against the county on the books.

The total amount of Auditor's Warrants now outstanding against the Treas-

ury amounts to	\$1,754 88
Deduct the amount due from the several counties	913 62

And there is a balance of liabilities over assets of..... \$841 26

The foregoing estimates, it will be observed, do not include the taxes assessed for the past year, 1853. The statute requires the Clerk of the Board of Commissioners for each county to transmit the amount of assessment for his county to the Auditor instead of to the Treasurer, and it is made the duty of the former, instead of the latter, to keep an account current with the several organized counties.

The former practice has been for the Auditor to transmit to the Territorial Treasurer drafts upon each County Treasurer for the Territorial tax assessed against his county.— No such drafts for 1853 have, as yet, been received, nor has any statement of last year's tax been furnished from any source. The Auditor has informed me, as a reason, that the proper reports have not been made to him.

There is no provision of statute requiring the Treasurer to be informed of the Territorial tax assessed.

The law, as amended, does not make a draft from the Territorial upon the County Treasurer necessary. It says, "that the first moneys which may be returned by the collector from the duplicate of any year, shall be appropriated to the payment of the amount due the Territory for that year from the county, which amount shall be paid to the Territorial Treasurer on or before the first Monday of February, in each year, in gold and silver coin or Territorial Auditor's Warrants.

The only duties now required of the Treasurer are, to receive money as it shall be paid in to him, to pay it out upon the Auditor's Warrants, and to make a yearly report of the balance in the Treasury, with a summary of the receipts and payments. No way is provided by which he may know when the several counties have paid in the full amount due from them, and no provision is made for informing the Auditor, who is made the prosecutor of any delinquencies.

Most of the duties usually devolving upon a Treasurer are assigned to the Auditor, and I can therefore, with propriety, only suggest, generally, that there should be a revision of the whole system by which the financial affairs of the Territory are managed. I have ventured to lay before you a fuller statement than is prescribed by law, in order to show that unless *somebody* is clothed with more specific powers, and burthened with more arduous duties, the Treasury Department of Minnesota will yet be regarded with even less confidence than is now felt towards it.

All of which is respectfully submitted.

GEORGE W. PRESCOTT,
Territorial Treasurer

SECRETARY'S OFFICE, ST. PAUL, MIN. TER., }
February 2, 1854. }

SIR:—In accordance with a resolution of the Council, I have the honor of enclosing to you the official vote for Delegate to Congress, at an election held in the Territory of Minnesota, October 11, 1853.

I am, sir, very respectfully,

Your obedient servant,

J. TRAVIS ROSSER,
Secretary of Minnesota Territory.

HON. S. B. OLNSTEAD,
President of the Council, present.

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DELEGATE ELECTION.

OFFICIAL VOTE FOR DELEGATE TO CONGRESS, AT AN ELECTION
HELD IN THE TERRITORY OF MINNESOTA, OCTOBER 11, 1858.

RAMSEY COUNTY.

	H. M. RICE.	A. WILKIN
St. Paul, 1st Precinct	309	173
" 2d " 	205	73
Little Canada	46	14
St. Anthony	275	32
Manomin	24	00
Rum River	21	00
	880	292

Rice's majority, 588.

BENTON COUNTY.

Sauk Rapids Precinct	36	10
Swan River	41	4
Crow Wing	25	00
Itasca	25	9
Big Lake	24	9

CASS COUNTY.

Long Prairie	20	4
Chippewa Agency	62	3
	293	38

Rice's majority, 195.

A. 6.

HENNEPIN COUNTY.

	H. M. RICE.	A. WILKIN.
Different Precincts	160	30
Rice's majority, 130.		

SIBLEY COUNTY.

Henderson Precinct.....	13	2
Rice's majority, 11.		

WABASHAW COUNTY.

Wabashaw Precinct.....	10	24
Wilkin's majority, 14.		

DAKOTA COUNTY.

Mendota Precinct	66	11
Town of Hastings.....	13	17
Kaposia Precinct.....	35	18
	<hr/>	<hr/>
	114	46
Rice's majority, 68.		

SCOTT COUNTY.

Shakapee Precinct.....	51	9
Rice's majority, 42.		

BLUE EARTH COUNTY.

Mankato Precinct	7	11
Babcock's Mill Precinct.....	9	1
	<hr/>	<hr/>
	16	12
Rice's majority, 4.		

LE SUEUR COUNTY.

Le Sueur Precinct.....	23	8
Rice's majority, 15.		

FILLMORE COUNTY.

Different Precincts.....	161	12
Rice's majority, 149.		

NICOLLET COUNTY.

	H. M. RICH.	A. WILKIN.
Traverse des Sioux	81	00
Rice's majority, 81.		

CHISAGO COUNTY.

	41	8
Rice's majority, 33.		

WASHINGTON COUNTY.

Point Douglas Precinct	39	13
Cottage Grove	64	14
Stillwater	166	98
Marine	19	22
	<hr/>	<hr/>
	288	147
Rice's majority, 141.		

ITASCA COUNTY.

Sandy Lake Precinct	No returns.	
Fond du Lac	18	00
Rice's majority, 18:		

PEMBINA COUNTY.

St. Joseph Precinct	55	38
Pembina	5	30
	<hr/>	<hr/>
	60	68

Wilkin's majority, 8.

No official returns from Goodhue, Rice and Pierce counties.

Mr. Murray moved that the Council do now adjourn;

Which was decided in the affirmative.

So the Council adjourned until to-morrow at 10 o'clock, A. M.

S. B. OLMSTEAD,
President of the Council.

Attest:

J. B. DIXON,
Secretary.

CORRESPONDENCE RELATIVE TO THE WINNEBAGO TREATY.

ST. PAUL, M. T., January 19, 1854.

His Excellency, Gov. W. A. Gorman:

SIR:—We, the Representatives from the Sixth Council District, would respectfully call your attention to a conference we had with yourself a few days since, in which you expressed your willingness to join with us in any measures necessary to prevent the ratification of the treaty concluded with the Winnebago Indians, at Watab, on the 8th day of August, 1853, if the provisions of said treaty would materially conflict with the prosperity of our Territory, or a large portion of its population.

We would again respectfully assure you that the ratification of the treaty referred to, would lead to consequences most ruinous to the interests of the inhabitants of the Sixth Council District, and at the last election that question was considered paramount to all others by a large portion of the electors. The fact that the treaty was made within the Winnebago country, and attended by but few whose interests would be effected by it, will readily suggest a reason why it did not call forth a remonstrance against it during the negotiations. Since the negotiation, however, it has been objected to by most, if not all of those whose interests are directly compromised by its provisions.

1st. Because it places Indians sustaining the worst character for drunkenness and other evil and disorderly propensities of any in our Territory, upon lands already partially settled by whites, adjoining some of the most flourishing settlements within our Territory, within some twenty-five miles of St. Anthony, a flourishing town of fifteen or eighteen hundred inhabitants, the same distance from the county seat of Hennepin county, and not forty miles from St. Paul, the capital of the Territory.

2d. Because the location would be such as would of necessity become surrounded by white settlements, on every side, a situation that in the natural course of events would lead to disagreements and probably to bloodshed, and could only result in a necessity for another treaty, and another removal within a few years.

3d. Most of the settlements on Lake Minnetonka and at other points, by colonists from the east were made in good faith, and under the belief that the surrounding country which the Indian title had been recently extinguished, would be relieved from its Indian population. Instead of which, they find that by this treaty, other and more objectionable Indians are to be located in their vicinity, which if consummated, would cause an abandonment to a great extent of those flourishing settlements by that virtuous and enterprising class of persons which have recently made homes in those beautiful portions of our Territory.

Actuated by these views, and confident that your desire to promote the interests and prosperity of the Territory and its inhabitants will prompt you to join with us in asking the Department to allow the treaty to be withdrawn—that it may not reach the Senate for its action.

We remain respectfully, your obedient servants,

JOSEPH R. BROWN, Member of Council.

H. FLETCHER, Member of House.

WM. H. NOBLES, Member of House.

We, the undersigned members of the Legislature from the Fifth Council District, fully concur in the foregoing statement and recommendation.

C. T. STEARNS, Member of Council.

CEPHAS GARDNER,

HENRY S. PLUMMER, Members House

We, the undersigned members of the Legislature from the Fifth Council District, fully concur in the foregoing statement and recommendation.

S. B. OLMSTEAD, Member of Council.

We, the members from the Second Council District, fully concur in the foregoing statement and recommendation.

WILLIAM NOOT,
WILLIAM A. DAVIS,
LOUIS BARTLETT.

EXECUTIVE OFFICE,

St. Paul, Jan. 19, 1854. }

GENTLEMEN:—I have received your note of this date, representing the wishes and feelings of a large body of the people of Hennepin county, and of the Sixth Council District, in regard to the late treaty with the Winnebagoes.

You "assure me respectfully that the ratification of that treaty would lead to consequences most ruinous to the interest of the inhabitants of the Sixth Council District. That the settlements on Lake Minnetonka were made with a firm belief and understanding that the Indian tribes were no longer to be kept in proximity to them, and if they could not rid themselves of these disagreeable neighbors, would tend to embarrass and retard the growth of that interesting region."

The kind terms in which you are pleased to make this evidence of public opinion known to me, commands my respect and requires me to act.

When I was waited upon by the Chiefs of the Winnebago tribe, I had been in official position but six days. I was then shown the memorial of the preceding Legislature; the letter of my predecessor to the Indian Department, and the report of the late Agent, all favoring an exchange of country as a matter of policy, for the good of this tribe and the quiet of the Territory.

I wrote on the 20th May, asking that action might be taken in the matter. The Government acceded to one of the propositions of the Chiefs to have a new home assigned to them on Crow river.

My duties, as a special commissioner in another matter, took my whole time, and left me but little leisure to inquire into the practical results. Consequently, I had necessarily to be counseled and advised by others. It is therefore, enough for me to say, that since I made that treaty and since I wrote my report in September last, only a few weeks thereafter, I have been informed from time to time of the dissatisfaction growing out of the proximity of the new location of the Indians to the growing settlements. Had I known this before, through any official channel, or derived it in any other way than from street rumor, I should not have felt at liberty to have recommended its ratification by the Senate.

I have no pride of opinion in the matter other than a sincere desire to consult the permanent welfare and prosperity of the people and the Territory.

I would be doing myself injustice if I did not say that I distinctly objected to the Indians coming to the Mississippi river, and yielded to it only because of our treaty obligations found in the 3d article of the treaty of 1846, and because the Indians, seemed unwilling to give up all their interest on that river. I know that Gen. Fletcher my co-Commissioner, was actuated by the purest and most honorable motives in all his conduct in consummating the late arrangements, and it is by no means strange that public opinion should change the views of public men in a country like ours, where population is pouring in upon us and peopling the country with strangers, who have to inform themselves before they can act advisedly on such subjects, which is peculiarly exemplified in the change which has taken place on this subject since the session of the Legislature before the last, when an exchange with these Indians for a new home on Crow river seemed to have met public approbation.

I shall, therefore, not feel at liberty longer to insist upon the ratification of said Winnebago treaty in its present shape, and shall request the Indian Department to withhold the same, and not submit it for the action of the Senate.

With great respect, I am your obedient servant,

W. A. GORMAN.

THIRD ANNUAL REPORT.
OF THE
SUPERINTENDENT OF COMMON SCHOOLS.

To the Legislative Assembly of the Territory of Minnesota:

The Statutes enjoin upon the Superintendent of Common Schools "to prepare and submit an annual report to the Legislature." In compliance with that act, I forward to you this, my first report, being the third from this department.

During the past year, there has been much in educational movements and progress to encourage and rejoice the heart of the philanthropist. Although no one great measure has been adopted, calculated to effect any material change; yet there has been a gradual improvement in educational interests and facilities. It is a matter of high gratification to all classes, that our common schools have not been neglected, but on the contrary, have shared liberally in the growth and general prosperity of the Territory.

The inhabitants of Minnesota have not been less sagacious than those of the States they represent, in detecting the sources of prosperity, and adopting the means and necessary appliances to secure it. Like their progenitors, they have wisely laid hold of the Free School System, as the lever that is to move the present for the good and the glory of the future. From an able report of the Commissioner of Common Schools of New Hampshire, I quote the following well-timed remarks on the subject:

"In no way can we exert such controlling power over coming generations, and send forward so wide a wave of elevating influence to break on the shores of the distant future, as by improving the character of the Free School—as by decreeing in advance, and through all time, the thorough education of its youth. Whoever aids in this enterprize, is pre-eminently a benefactor of his race, and posterity, in whatever form it shall utter itself, will do justice to his memory. The Common School contains within its borders the germs of all the intellect which shall control the moral, social and physical conditions of the future. In it may be found those whose history shall awaken increasing congratulations of proud delight, or sweep the most delicate chords of human affection with strains of wild despair. The statesmen, divines and orators of the next age are under the moulding influence of the present. The laborers, the thinkers, and the artists of that dawning period are there; its ethics, its philosophy, and its statesmanship are being elaborated there; not in the gossamer theories of the old schools and of former centuries, garnered in books and buried away as abstractions void of vitality, and useless for any good mark; but in strong vulcanian armaments forged out with hammer and anvil, powerful, terribly powerful, terribly powerful, for weal or woe, as an active and ever operating engine; and above all its people, thinking or unthinking, free or enslaved, wise or ignorant, happy or unhappy, they are there, all there, immersed in an atmosphere of influence thrown around them by our decrees, and which if salutary, is an element of life-giving efficiency; but if pernicious, is as fatal and as unescapable, as the unseen infection of a most deadly plague. There in our schools are these workshops, and our teachers are the unwearied artisans engaged in fitting to the links of these cohorts of the future, the armor with which they shall battle through life."

The perpetuity of our free institutions is based on the intelligence and virtue of the people, and without the former, the latter will either sicken and die, or linger only as the faint twilight when the sun of its glory has set. "Knowledge is power," not only moral and social, but political. And no where else is this power generated to such an extent and caused to exert so potent and extensive influence—though less obvious to the superficial observer—as in the common schools of our country. Herein is seen the wisdom of the nation in thus fostering and maintaining these little colleges of the people, which are so efficient in moulding the character and educating the future citizens. Let the schools of this Territory ever hold the rank and receive the attention their importance demands. Scattered over the hills and prairies of this land, they will exert, in their quiet and unostentatious way, a powerful influence for the welfare of this growing country. Hence the strongest motives are not wanting to induce the citizens of Minnesota to exert their united efforts and employ their best skill for the improvement and highest elevation of the common schools.

The price of good schools must ever be untiring vigilance and labor, not simply on the part of teachers—they should be held accountable and responsible only for the operation of the engine, not for its construction—but of officers and patrons. Money alone will not create and sustain a good school; there must be suitable laws, regulations and appliances, with a judicious appropriation of the money. Moreover, many things should be observed and attended to, which cannot conveniently be embodied in the laws—that would by such details, be rendered cumbersome and perplexing. For example, parents should frequently visit the school, and examine their scholars at home on the various branches pursued; and exhibit to both teacher and pupils, in these and various ways, that they are really and zealously engaged for the welfare of their children, and the general prosperity of the school. If any one has a young and valuable horse to be trained for the harness or saddle, he would be unwilling to trust it to an unskilful and inexperienced person; and even when one qualified for the task is found, a general supervision is maintained by the owner lest something should be left undone or carelessly performed. Now, shall parents feel less interested in the education of their children, than of their domestic animals—have less solicitude in the development of immortal minds than in the training of their brutes?

This will serve to illustrate what is meant in saying, all cannot be embodied in the laws that should be done for the success and continued prosperity of the common schools.—Every parent ought to feel that the school in his neighborhood is a subject of personal concern, and one in which *his* interests are intimately blended, and the promotion of which depends, in a measure, upon his *own vigilance and activity*. No parent or guardian should trust his child, where he will not, at least occasionally, go himself. Even if they are not competent judges of the excellencies or deficiencies of the school, the effect of occasionally visiting it, is salutary and encouraging to both the teachers and pupils. It bespeaks an interest in the school's prosperity, and an evidence of its importance.

A man who is having a house built, although himself neither mason nor carpenter, will still exercise a general superintendency over the work. Children learn to attach importance to those things in which their parents are interested. Knowing by experience and observation the beneficial results of parents frequently visiting their schools, and holding the most friendly relations with their teachers, and from the fact that there is so great deficiency in these respects, I deem it of sufficient consequence to urge upon all interested the importance of what is herē recommended.

Amidst the diversified classes of our fellow beings, who need sympathy and encourage-

ment, few, perhaps, have stronger claims upon these cheering influences, than those who are engaged in the avocation of teaching. Confined in the narrow space of the school-room, the teacher must write ideas upon the destitute mind; tax his ingenuity to the highest limit for illustrations; meet perverseness and stupidity; combat dullness; arouse the careless; and interest the indolent; meet with ingratitude for a faithful discharge of duty; and often be censured for that which merits commendation. He must act as council, jury, and judge in all cases of discipline; he must not only act, but act promptly and judiciously. Hence, the teacher is entitled to the most charitable forbearance, and favorable construction, that can be put upon his administration.

This suggests some more definite remarks concerning the sphere and qualifications of

TEACHERS.

Few individuals in community hold more responsible positions, than the man or woman to whom is entrusted the mental training of its youth; and the person who assumes this task without feeling and realizing its responsibilities, is proportionably unqualified for the discharge of its duties, and in a measure recreant to the highest interests of those under his tuition. "The teacher should be a gentleman; and by that name I mean nothing artificial, beyond the universal customs of society; nothing which fashion can guide; nothing to which the gaudy glare of wealth is necessary; nothing which rank or power can give or take away. It is simply that character which christianity carried into action must inevitably produce—a man of gentleness and good will; qualities which were esteemed as necessary to the character of a true Knight in the days of chivalry, as was that of his renown in arms."

The moral character of the teacher should be a model for imitation. So powerful is his example on the minds of the young, and so prone are they to imitate and copy every defect and moral deformity—sanctioned by so high authority—he is under the most imperative obligation to teach properly by example, as well as by precept.

Again appropriating the language of the author just quoted: "*Who* is the teacher said to be *abroad* upon the earth—once the subject of inspiration—now of legislation—seeking to mingle with Statesmen in the government of men? What are his limits? In vain I seek to confine him. It seems to me that earth has no prison-house for him. His limits are the boundaries of mind itself. For into what circle of the arts does he not enter? Over what secret emotions of the soul has he not control? What field in the wide domain of knowledge does he not penetrate? In what lonely nook of society does he send no influence?"

Teachers should be educated, or rather they should educate themselves, especially for their profession. No one is properly prepared to enter upon the responsible duties of training other minds, before his own has been disciplined for that particular branch.

The mechanic and the artist are required to spend much time in preparation for the practice of their trades, before they are considered worthy the confidence of employers. Shall one who is to develop and mould the powers and features of immortal mind, undertake that delicate task—one that requires so great amount of skill—with a hasty or superficial preparation? This interrogation is rendered doubly significant by the consideration that it is easier to make right impressions at first, than afterwards to erase and correct errors.

COMPENSATION OF TEACHERS.

It is a matter of just pride in behalf of our Common School System, that the salary paid teachers in this Territory, generally exceeds that in many of the older States. This is not only liberal, but wise; for competent teachers can be secured only by a competent remuneration. And those who are well qualified for the arduous duties of teaching, will turn their attention to other branches of industry, if in those they are better rewarded for their labor. It is more *profitable* for a district to pay liberal wages to a well qualified teacher, (even if the school is not taught so many months in the year,) than to protract it by employing a *cheap* teacher.

TEXT BOOKS.

It is enjoined by the Statutes, that, "It shall be the duty of the Superintendent of Common Schools to introduce and recommend to the schools such text books as he shall deem best adapted to their wants." It seems to this department that there is a misapprehension on the part of some of the friends of education, concerning this requirement, who would make it obligatory upon him to introduce a certain set of books into the schools in such a way as to cause them to be used; making the clause "Introduce and recommend," imply that the Superintendent has the authority, and is under obligation, to cause such books as he may recommend, to be adopted. I do not so understand the law; but merely being under obligation and having the power to introduce the books, to which he may give the preference, as a legislator would "introduce and recommend" any bill he and his constituents may desire to be passed by the legislature: or as one man may introduce and recommend another for any purpose. With this interpretation the word "introduce" seems nearly and quite superfluous, with the other it certainly seems that it should certainly come after the head "recommended."

I do not therefore consider it imperative upon the Superintendent to enforce the use of the books he may recommend, nor upon the district to adopt them. Still I deem the design of the requirements an importance. It is necessary that by some authority, after due examination, a set or sets of books, should be brought before the community for further examination and experiment; and then let them be adopted—if approved according to merit, in the same way that a superior machine, or implement of husbandry is brought into use. Was there any certainty that the best books published would be obtained, then the best reason would exist in favor of a uniformity throughout the country.

But as to the adaptation and comparative merits of school books, there is a diversity of opinion, and ever will be. I am therefore disposed to endorse the sentiments of a "Superintendent of public Instruction" in Michigan, who had filled that office with great ability, and from long experience was well prepared to judge. He says: "It is *not* in my opinion, of the utmost importance that the same series of books should be used throughout the State. It is, however, very desirable, that there be uniformity in every district and, if practicable, in adjacent districts and towns." There are different text books upon every branch of education, taught in the Common Schools, in which there is not sufficient difference, to justify the consigning one to oblivion, and bestowing all favor upon the other. There may be, in the main, about an equal number in favor of each. Why not then have both or different ones in use, preserving uniformity to the extent above named? To retain *inferior* books in use, for the sake of having a uniformity (or to expect that teachers will, or can, be as successful in their use, as with better ones,) is as unwise and unreasonableness, as it would be for the farmer to cling to an inferior plow

when great gain might be experienced in a single season by an exchange. In the recommendation of books, no consideration should outweigh real merit, and to be a competent judge, it is necessary that the individual have experience as a practical educator. A man may be learned and well skilled in theology and metaphysics, and yet be a poor judge of school books.

It is by years of toil, application and experience, that the teacher is properly qualified for his profession, and he can best judge of the adaptation of the implements suitable to be used. Rightly, therefore, has the duty been called a "delicate and a difficult one."

It would be gratifying to the Superintendent, and perhaps more satisfactory to others to give a review of the books recommended, setting forth the points of difference, and the grounds for preference, but that would extend this report beyond proper limits; moreover it can hardly be necessary here, after the extensive introduction and use, as well as the high commendations, they have received from other sources. By the Revised Statutes, Sec. 18th, of the School Law, it is provided that, "The trustees of any two or more school districts may, by a concurrent vote, agree to establish a grammar school for the older and more advanced children of such districts." A grammar school, says Dr. Webster, "is a school in which the learned languages are taught. By *learned languages* we usually mean the Latin and Greek; but others may be included." In accordance with the above provision, corresponding text books are "introduced and recommended."

The following are the Text Books, recommended to be used in the Schools of this Territory. Those previously recommended are here inserted for the sake of a complete list:

Mitchel's School Geographies, and
 Pelton's Outline Maps and Key,
 Sanders' Series of Readers and Spelling Book,
 Wells' English Grammar,
 Davies' Series of Arithmetics, and Higher Mathematics,
 Parker's Natural Philosophy,
 " First Lessons in Philosophy,
 Mayhew's Book-Keeping,
 Cutter's Physiology,
 " First Book in Physiology,
 Mrs. Willard's Histories,
 McElligatt's Analyzers,
 McClintock & Crook's Greek and Latin Books,
 Woodbury's German Works,
 Fasquelle's French Series.

Davies' Mathematics are very generally used throughout the Territory, but should any town or districts be disposed to make a change in Arithmetics, I can with great confidence recommend to them Thompson's Series, not inferior, in my opinion, to those now in use. As works of superior merit on the general subject of education, and of teaching; I would recommend for the careful study and improvement of teachers, "Page's Theory and Practice of Teaching," "Mayhew on Popular Education," and, "American Education," by Mansfield.

MORAL INSTRUCTION.

The statutes of New Hampshire require that moral instruction be given in the common schools of that State, a provision that might well be incorporated into the laws of every State and Territory in the Union. "Morals," says an author, "are more needed than advanced science. Rogues, swindlers and defaulters are adepts in mathematics, and are conversant with the laws of physical science; but alas for those untutored novices in morality. If therefore, we would purify these corrupt waters at the fountain head, if we would rather place them beyond the influence of future corruption, the school must become a successful instrumentality in our hands. It is the fountain of influence, the great lever whose fulcrum is the human heart, and whose effective arm acts, upon the car of destiny." The education of youth properly implies not only intellectual culture, but moral and physical. Without the second and third, the first cannot fulfil its legitimate purpose. To make a perfect man or woman, there must be this triune development, or the proportions and symmetry of character are not preserved. Educate the intellects of the youth of this land to the exclusion or neglect of moral culture, and you may raise an army of intellectual giants, but they will be powerful only for evil; they may pile Ossa upon Pelion only to exhibit the greater grandeur in ruins. Without moral principles to govern and guide the actions of men, an intellectual education may become but an engine to accomplish the most ambitious and unholy purposes. So important a part therefore, in the education of the young, should not be overlooked or neglected.

A teacher that is not capable, or is unwilling to impart moral instruction, to those under his tuition, lacks an essential qualification for his profession. By Sec. 12th, Art. 5th of the School Law of this Territory, it is enjoined: "That no teacher shall be employed, who shall not be first examined and found qualified, in moral character and ability to teach a district school." Now, to be "qualified in moral character," does or should imply something more than the mere abstinence from immoral acts. It seems to me that it should be construed to include not only the ability to impart moral instruction, but the exercise of that ability. It is a notorious truth, and one much to be deplored, that in some of the schools of this Territory, profanity pollutes the mantles and corrupts the morals of the youth. Is it requiring too much, for the teacher to make an unceasing effort to counteract this and every other vice? To inculcate the sense of right and wrong and moral obligation? To enjoin obedience to the Decalogue, the "Golden Rule," &c "As a text book of morals, the Bible is pre-eminent, and should have a prominent place in our schools, either as a reading book or as a source of appeal and instruction. Sec. tarianism, indeed, should not be countenanced in the schools; but the Bible is not sectarian. Political partyism should not be tolerated; but the Bible is not partizan. The book of God is replete with the spirit of freedom, and for this reason, if for no other, should be familiar to every American child."

I would not have sectarianism inculcated in any way upon any subject, but what valid objection can there be to a teacher's daily reading a portion of scripture and offering supplication for the blessings of our common Father? Why shall the salutary influence of these exercises be denied our youth, while our legislature, and those of the whole nation from the highest to the lowest enjoy their immunities? Chaplains are provided at a great expense for our forts and navies, and shall not these little garrisons, stationed all over the Territory, to build up the ramparts of moral and political power and excellence, and to beat back the forces of superstition and ignorance, be provided with the hallowing influence of the reading of the Scriptures and prayer? If those of age, experience and

wisdom, need guidance and protection from the high and mighty One, surely do those who are just preparing to act; and must by and by assume their responsibilities.

From the great importance of this subject, allow me to add in conclusion an extract from the admirable lecture of Dr. Humphry, before the American Institute of Instruction, on the Moral and Religious Training of children:

"The parent who says, 'I do not send my child to school to learn religion, but to be taught reading, and writing, and grammar, knows not what manner of spirit he is of.' It is very certain that such a father will teach his children any thing but religion at home; and is it right that they should be left, to grow up as heathen in a Christian land? If he says to the schoolmaster, I do not wish you to make my son an Episcopalian, a Baptist, a Presbyterian or a Methodist, very well. That is not the schoolmaster's business. He was not hired to teach sectarianism. But if the parent means to say, 'I do not send my child to school to have you teach him to fear God and keep his commandments, to be temperate, honest and true, to be a good son and a good man,' then the child is to be pitied for having such a father; and with good reason might he tremble for all that he held most dear, if such remonstrances were to be multiplied and to prevail."

SCHOOL LAW.

The Superintendent would most respectfully recommend to your Honorable Body, That the School Law be carefully revised, and some additions made. He would suggest, that a School Inspector for each town, whose duty it shall be to examine teachers as to their qualifications, visit the Schools, and make an annual report—be chosen by the people. That the chairman of the trustees of each district be required to make a full report—to be specified in the law—which should embrace the information asked in a circular found in this report, under the head of "School Statistics," to the town inspector; and that the inspector make a summary annual report to the Superintendent. As the law now reads, none but teachers are required to make any report to the Superintendent, and that deficient in the opinion of this department, in several essential points. Moreover, teachers frequently receive their dues before the required report is made, and then, having no further interest particularly in the matter, sometimes neglect even their report. It requires more permanent citizens than the teachers generally are, to make such reports, certainly those more interested. Let any district that may neglect to make or furnish the proper report to the inspector, forfeit its claim on the school fund.

Unless some system, similar to the one here recommended, be adopted, the Superintendent cannot even fulfil the requirements of the law, (which are already too limited,) in this report to the legislature, and will be unable to place before the people such statistics and information, as ought to be known, and are necessary for a correct appreciation, and proper improvement of our common school facilities. Other suggestions might be made in connection with the above, but they will doubtless occur to the proper committee by a careful review of the School Law.

REMARKS.

Two circulars have been issued from this department to obtain information, especially statistics of the Common Schools; and to make the information wanted definite, the following circular was issued in December:

CIRCULAR.

To the County Commissioners and Trustees of Common Schools:

The Superintendent in making out his report to the Legislative Assembly must rely chiefly upon the Commissioners and Trustees, for such statistics as are necessary to enter into his report, and without which it must necessarily be defective.

Will the County Commissioners, therefore, through their clerks, or otherwise, please inform me immediately of the number of school districts in their several counties at the present time; the aggregate amount of money appropriated by each county, and the amount due to each school from the county treasury, since January first, 1853, and any other information concerning the schools and school fund, in their possession?

Will the Trustees, also, of each district in the Territory, please favor me without delay with the name of their town and number of district; number of male and female scholars between the ages of four and twenty-one years; number of months the school has been taught in 1853 by a male teacher, and by a female teacher; the average salary paid each per month, exclusive of board; the average attendance of scholars in the winter school, and in the summer school; the condition of the school-house, and other conveniences for the school, and how long the school house has been built? Have you any school library, and how many volumes? Any additional information will be thankfully received.

It is expected this circular will reach all the districts in the Territory, and it is earnestly requested that it may receive prompt attention.

E. W. MERRILL,

Superintendent Common Schools.

St. Anthony, December 1853.

If the information solicited in the above Circular had been received, it would enable me to set before you, as the law requires, "A statement of the condition of the Common Schools of the Territory; and Estimates and accounts of expenditures of the School Moneys." But a few districts, however, have been heard from, and there have been so many failures on the part of teachers to make their reports, that I am unable to meet these requirements with satisfactory information. And so will it ever be, until some more perfect system than now exists is adopted to furnish the Superintendent with the requisite data. Here you cannot fail to discover the deficiency in the law that requires the Superintendent to make a financial report, but makes no provision by which it is enabled to do it. It cannot reasonably be expected that he will gain information by visiting the districts of the Territory, or acting the part of an inspector.

By consulting the friends of education, it was thought advisable to call an educational convention, which was done accordingly on the 29th of October, at St. Paul. It was hoped that great good would result from the meeting, but unfortunately personal hostilities and groundless criminations destroyed the harmony of feeling that might have otherwise existed, and but little was accomplished.

CONCLUDING OBSERVATIONS..

Among the States of the West, Minnesota Territory has already assumed a position of influence and importance. By the salubrity of its climate, the fertility of its soil, and every natural advantage, it is destined to become a rich and populous State, possessing its own thinkers, laborers, artists, orators and statesmen. These are all to be formed and fashioned from its own materials for future use.

On the present mental and moral training of its youth will depend in an eminent de-

gree the future weal of our Territory. It is from them, forces must be marshaled to win victories on our future intellectual and moral battle grounds. It is from the youth an influence must emanate to carry forward the great enterprises of the future.

It then devolves upon the present age to educate laborers and actors for the next; and the care bestowed and the faithfulness with which that is done, are a pretty sure index to the rank the State will hold in years to come. Let not the people of Minnesota, then, prove recreant to the sacred trust committed to their charge, but may they attend faithfully to this responsible duty. Let the schools be well sustained, not only in the thronged villages, but in the sparsely settled townships, and over the prairies of our Territory, and the light they will shed and the influence they will exert will tell powerfully and yet favorably on our future destiny. For future ages alone can more fully reveal the grand and glorious influence of our Common School System. Let the Free School then continue as a perpetual and untarnished memorial of the intelligence and liberality of a free people.

All of which is respectfully submitted,

E. W. MERRILL,

Superintendent of Common Schools.

St. Anthony, January 21, 1854.

ANNUAL REPORT

OF THE

TERRITORIAL LIBRARIAN.

TERRITORIAL LIBRARY, }
St. Paul, January 23, 1854. }

In obedience to law, the Territorial Librarian begs leave to submit the following report. The accession during the last year to the Territorial Library, will be found in the accompanying list:

The donations of the past year, are those usually received from the States and Congress. Yet a few have been made by individual donors, and these few deserve a brief notice—J. W. Bond, for his valuable work on Minnesota; Captain Simpson, for his interesting journal of a Military Reconnoissance in Santa Fe, New Mexico and the Navajo country; and also to the Hon. H. H. Sibley, for valuable Public Documents. A number of works that appear in the printed Catalogue are missing. This fact was noticed by my predecessor in his report to the Legislature of January 26th, 1852.

The Books generally are in a good condition, with the exception of a few miscellaneous works, which are mutilated in such a manner as to be wholly unfit for use. Several very valuable books, in pamphlet form, are being destroyed for want of binding.

The attention of the Legislature is called particularly to the Law portion of the Library. Though in its present condition it is of very great use to the legal profession, yet the course of practice adopted in our Courts makes it necessary that we should have the New York Code of Practice and the Decisions of the Supreme Court since the adoption of that Code. It is also highly important to have duplicate copies of the United States Supreme Court Reports and the sets complete of the Pennsylvania, Massachusetts and

Ohio Reports, and in fact, it is desirable to have the Reports of all the States. I therefore submit to the Legislature the propriety of making an appropriation exclusively for the increase of the Law branch of the Library.

A file of each of the Newspapers published in the Territory has been preserved since the 17th of May, (the date of my appointment.) I have been unable to find complete files of the Newspapers of previous years.

No fines have been assessed or collected, and no books lost during the past eight months. Insurance has been obtained for \$5,000, on the Library—policy expiring in July, 1854.

A new Catalogue of the Books in the Library is very much needed, as the old one does not contain the additions since 1850, which amount to several hundred volumes. If the Legislature authorize the publication of a new Catalogue, I recommend that it be so arranged that it can be ascertained readily from the Catalogue where each Book in the Library may be found.

ROBERT A. SMITH,
Territorial Librarian.

CATALOGUE OF BOOKS, MAPS, &c.,
WHICH HAVE BEEN RECEIVED AT THE TERRITORIAL LIBRARY
SINCE FEBRUARY, 1853.

REPORTS:

Texas Reports, vols. 5 and 7;
Carter's Indiana Reports, vol. 2;
Tennessee Reports, (Swan's) vol. 1;
North Carolina Reports, (Equity) vol. 8;
Vermont Reports, vol. 8;
New Jersey Reports, (Chaucery) vol. 2;
Michigan Reports, vol. 1;
Maryland Reports, vol. 2;
South Carolina Reports, vol. 4, (Equity.)

PUBLIC DOCUMENTS:

U. S. Statutes at Large, 1851-2; 25 copies.
U. S. Statutes at Large, 1852-3; 25 copies.
Laws of Arkansas.
Laws of Texas, 4th Legislature.
Laws of New Hampshire.
Estatutos de California.
Acts of Florida, 1852-3; 2 copies.
Journal of the Assembly of California, 3d Session; 2 copies.
Journal of the Senate of California, 3d Session; 2 copies.
Laws of Rhode Island, 1851-2; 4 copies.
Acts of Iowa, 5th General Assembly, 2 copies.

- Journal Senate of Iowa, 2 copies.
 " House " " "
 Acts of Georgia, 1851-2.
 Journal of the Senate and H. R., New Hampshire, 1853, 2 copies.
 Owens' Geological Survey, Wisconsin, &c., 3 copies
 Smithsonian Contribution to Knowledge, 8d, 4th and 5th vols.
 Annual Report Sup't Coast Survey, 2 copies.
 Laws of Carolina, 1852.
 66th Annual Report, Regent of the University, New York, 2 copies.
 Session Laws, 1853, Indiana, 3 copies.
 Session Laws of Vermont, 3 copies.
 Washburn's Digest, Vermont.
 Vermont Senate and House Journal.
 Laws of Vermont, 1852, 2 copies.
 Report of Auditor of Accounts, Vermont.
 Session Laws New Hampshire, 1853, 3 copies.
 New Hampshire Compiled Statutes.
 Acts and Resolves of State of Maine, 1853, 2 copies.
 Laws of New Jersey, 1853.
 Catalogue of the Cabinet of Natural History of the State of New York.
 Acts and Resolves, Massachusetts, 1853, 3 copies.
 Laws of Michigan, 1853.
 Laws of Louisiana, 2 copies.
 Journal of the Senate and House of Delegates, Maryland.
 Laws of Maryland, 1853.
 Maryland Senate Documents, 1853.
 Laws of Arkansas, 1853, 2 copies.
 Acts, Reports and Resolutions of the General Assembly of South Carolina, 2
 copies.
 Laws of Missouri, 1853, 3 copies.
 Patent Office Reports, 1851, Mechanical and Agricultural.
 Laws of Pennsylvania, 1853.
 Sketches accompanying Report of Coast Survey, for 1851.
 American Archives, 4th Series, 17 copies.
 " " 5th Series, 9 copies.
 North-Eastern Boundary Arbitration, 3 copies.
 Annals of 5th, 6th, 7th, 8th, 9th and 10th Congress, 21 copies.
 Senate Documents, 1st Session 32d Congress, 50 copies.
 " Reports " " 5 "
 " Miscellanies " " 8 "
 " Journal " " 3 "
 House Miscellanies, 1851-52, 3 copies.
 " Journal " 3 "

Reports of Committees, House, 1851-52, 3 copies.
 Executive Doc., 1st Session, 32 Congress, 56 copies.
 Annals Minnesota Historical Society, for 1853, 75 copies.
 History of Indian Tribes, (Schoolcraft,) 2 copies.

MISCELLANEOUS.

Santa Fe, New Mexico and the Navajo Country.
 Minnesota and its Resources.
 War of the American Revolution, 1 vol.
 Life and Works of John Adams, vol. 7.

EXPENDITURES ON AC'T OF TERRITORIAL LIBRARY, SINCE MAY 17TH, 1853.

J. E. Whitney, rent of Library room, up to Jan 1st, 1854,	\$200 00
Geo. W. Farrington, 1 box candles,	20 75
W. G. Le Duc, stationery,	7 55
N. W. Express, freight and charges on books,	5 50
Wm. S. Combs, stationery,	1 60
Dan. Green, hauling books to the Capitol,	12 00
L. R. Comstock, stove and fixtures for Library,	104 00
Elfelt & Bro., carpeting for Library	68 70
Heenan, 17 2-3 yards oil-cloth, at \$1,50 per yard,	26 50
Jackson, for making and putting down carpet,	10 00
W. P. Murry, insurance on Library,	75 00
Total,	\$531 60

ESTIMATED EXPENDITURES OF THE TERRITORIAL LIBRARY FOR 1854.

For stationery, freights, &c., on books,	\$20 00
Cleaning Library room during the session of the Legislature and Supreme Court,	24 00
16 cords of wood, and sawing the same,	72 00
Total,	\$116 00

REPORT.

The undersigned, a special Committee appointed by the House of Representatives, to which was referred the petition of G. W. Campbell, of Point Douglass precinct, in Washington county, contesting the right of Robert Watson to a seat in said House, respectfully submit the following report :

Immediately after our appointment, your Committee met in the committee-room of the House, and G. W. Campbell and R. Watson, the parties contesting and defending, appeared before them ; when, finding that the case involved the examination of numerous witnesses at distant points, a labor which would render attention at the same time to our duties as members of the House impossible, your committee availed themselves of the discretionary power conferred upon them by the resolution of the House, and designated Dr. Thomas Foster, of Hastings, Dakota county, and A. L. Williams, Esq., of St. Paul, Commissioners, with full powers to take testimony, and investigate the whole case.

These commissioners, after a laborious investigation of some twelve or thirteen days, and the examination of a great many witnesses, have made to us their report, which is herewith submitted below, for the inspection and action of the House, to whose judgment we deemed it best at once to refer the whole matter, as the course likely to cause least delay, and give more general satisfaction, than if the committee attempted to hear the counsel of the parties respectively themselves ; and make up a judgment in the case, when, of course, precisely the same ground would have to be traveled over again before the House, ere it could vote understandingly upon the merits of the case.

Your committee also, in connection with the report of the principal commissioners aforesaid, submit the report of P. P. Furber, Esq., of Cottage Grove, Washington Co., who, at the request of the contestant, was designated by us a special commissioner to take the testimony of two or three witnesses whom the contestant desired examined at Shakopee, Scott county.

To complete the records and history of the case, the petition of George W. Campbell, upon which the contest and investigation was based, is herewith immediately attached, first in order after this report.

All of which is respectfully submitted,

JOS. ROLETTE,
WM. A. DAVIS,
CEPHAS GARDNER,
Select Committee.

St. PAUL, Jan. 31, 1854.

To the Hon. House of Representatives of the Territory of Minnesota, in General Assembly met:

The undersigned, a citizen of the county of Washington, in said Territory, respectfully represents to your honorable body, that he claims to have been lawfully elected by the legal voters of the legislative district, composed of the precincts of Cottage Grove and Point Douglass, in said county of Washington, to be a member of your honorable body, he having received, at the late election, held on the 11th day of October last past, for the purpose of electing representatives to the legislature of said territory, and for other purposes, of the votes cast by the legal and qualified electors, the number of forty-three (43) votes at the precinct of Point Douglass, and the number of fifteen (15) of the votes cast by the legal voters of the precinct of Cottage Grove—making the number fifty-eight votes, which this memorialist verily believes to have been a majority of all the votes lawfully cast in the said district, for the election of a representative therefrom.

Your memorialist further states that a certificate of a majority of votes has been obtained by one Robert Watson, who now holds a seat in said legislature, which certificate sets forth, as this memorialist believes, that the said Watson received, at the election aforesaid, the number of eight (8) votes in the precinct of Point Douglass, and the number of sixty-three (63) votes in the precinct of Cottage Grove making a whole of seventy-one (71) votes.

Your memorialist challenges and contests the validity of said certificate of election so given to the said Robert Watson, and his right to occupy a seat in your honorable body, upon the following several grounds:

1st.

The said Robert Watson is not, as this memorialist believes, a citizen of the United States, and is therefore ineligible to the office.

2nd.

There were ten votes polled in the precinct of Cottage Grove, all of which this petitioner believes to have been cast for the said Watson, by persons who were not citizens of said district, and who were not otherwise legal voters.

3rd.

There were also two votes cast for the said Watson, by persons who were minors, and not of the legal ages of voters.

4th.

That there were one or more votes cast for the said Watson, by a person or persons

who did not reside in the territory for six months prior and before the day of holding said election.

5th.

That there was one person voted in same precinct, for the said Watson, who is a citizen of Point Douglass, who has been convicted of felony, and who is therefore not qualified to vote.

6th.

There were also nine votes cast for the said Watson, in same precinct by aliens to the laws of the United States and of this territory--all of which ballots were therefore illegal.

Your memorialist and contestant therefore states that, of the seventy-one votes so certified to have been cast for the said Robert Watson, twenty-three are believed to have been illegally received, which would leave the number of legal votes given for him at forty-eight--and which make a majority of ten qualified votes in favor of this memorialist, and therefore entitle him to admission as a member of the House of Representatives of this Territory.

Your memorialist therefore asks your honorable body to take such measures as your wisdom may deem proper, as will enable him to assume those rights and duties, of which he should legally be possessed.

And he will ever pray.

Respectfully Submitted,

G. W. CAMPBELL.

Territory of Minnesota, }
County of Ramsey, } S. S.

Personally appeared before me the above named G. W. Campbell, who being sworn according to law, doth depose and say that the facts set forth in the above memorial are true to the best of his knowledge and belief.

Sworn and subscribed,

This twelfth day of January, A. D., 1854.

W. P. MURRAY,

Notary Public.

St. PAUL, Jan. 19, 1854.

The Special committee of the House of Representatives of the Legislative Assembly of Minnesota, charged with the petition of G. W. Campbell, contesting the seat of Robert Watson as a member of the House from the Cottage Grove and Point Douglass precincts, have this day communicated to the undersigned the following paper, to wit :

The undersigned committee to whom was referred the petition of G. W. Campbell, contesting the seat of Robert Watson as a member of the House of Representatives from the Cottage Grove and Point Douglass precincts, by virtue of the annexed resolution adopted Jan. 16, 1854.

Mr. McKusick offered the following resolution :

Resolved, That the select Committee to which was referred the memorial of George W. Campbell, claiming a seat in this House, be authorized and empowered to send for

persons and papers, and to administer oaths, and if in the opinion of said committee, the rights of the parties can best be established by such a course, the committee is hereby authorized to appoint three persons to take the testimony in the case, with full powers to examine witnesses, and to report the testimony so obtained to this House.

On motion of Mr. Plummer,

The resolution was adopted.

We do hereby appoint Doct. T. Foster and A. L. Williams said commissioners.

JOS. ROLETTE,
WM. A. DAVIS,
CEPHAS GARDNER.

ST. PAUL, 19th, January, 1854.

Having accepted of said appointment, the commissioners were notified by G. W. Campbell that he was ready to produce witnesses in the case, within the bounds of the precincts of Cottage Grove and Point Douglass, and requested us to proceed thither, with which request we forthwith complied.

RED ROCK, Jan. 19, 1854.

The contestant having requested us to examine some witnesses at this point the commissioners met at the house of John A. Ford, but the witnesses not appearing, at the request of the contestant the commissioners adjourned to the house of P. P. Furber, Esq., at Cottage Grove. Prior to adjourning, on application of contestant, a subpoena was granted for Mrs. Watson.

COTTAGE GROVE, Jan. 19, 1854.

The commissioners having met at the house of P. P. Furber Esq., Cottage Grove, on application of the contestant subpoenas were issued for John Anderson, Wm. Watson, Alexander McHattie, Henry Greenhagen, Wm. Anderson, Wm. Jackson, Jesse Jackson, George Briden, John Robinson.

COTTAGE GROVE, Jan. 20, 1854.

The commissioners met at 9 o'clock, A. M.

At the instance of G. W. Campbell, contestant, Gen. Joseph W. Furber appeared, and was duly sworn to the following statement:

I, J. W. Furber, of the county of Washington and Territory of Minnesota, being of lawful age, do depose and say, that during the A. D. 1847, I was one of the Board of County Commissioners, in and for the County of St. Croix, and Territory of Wisconsin; that at a meeting of said Board of County Commissioners, sometime during the aforesaid A. D. 1847, the aforesaid county of St. Croix was divided into election precincts by the order of said Commissioners; that the most southern precinct was called and known

by the name of Lake St. Croix Election precinct, the northern boundary of which was as follows,—commencing at a point on the east line of the county of St. Croix, due east from the mouth of the creek known as Haskel's or Spring Creek, thence running due west to the mouth of said Spring Creek, thence following up said creek to a spring, the source of the south branch of Spring Creek, thence running due west to a point from which a due south line will intersect the mouth of Holton's Slough, at Red Rock; and I further say, that to the best of my knowledge the aforesaid boundary has not been altered, by order of any board of County Commissioners, up to the time of the passage of the Apportionment Bill, of 1851; and I further say, that at the time the order was made for the establishment and boundary of the Lake St. Croix election precinct, I was residing and have ever since resided, within the limits of said election precinct, and that I was perfectly familiar with all the land marks mentioned in the boundary of said precinct.

Sworn and subscribed, January 20, 1854.

JOSEPH W. FURBER.

[Questions to J. W. Furber by contestant.]

Ques—Did you vote at the last election for representative in the Cottage Grove precinct, and whom did you vote for?

Ans—I did vote at the last election for Representative I voted for G. W. Campbell.

At the instance of the contestant, P. P. Furber, Esq., appeared, and was duly sworn to the following statement:

January 21st, 1854.

I, Pierce P. Furber, testify and say that I took the affidavits of Joseph Gredridge, Daniel D. Wadsworth, Ebenezer More, J. H. Henneberg, J. Bruce and Ulysses Tanner on the twenty-sixth and twenty-seventh days of December last, in relation to the election of Representative to the Territorial Legislature of Minnesota in October, 1853, and that the aforesaid deponents and those named by them in said affidavits as having voted at said election, reside north of a line drawn due west from the source of Spring Creek, the northern boundary of Cottage Grove precinct.

P. P. FURBER.

The contestant then offered in evidence the following papers, to wit:

WASHINGTON COUNTY, Dec. 27, 1853.

I, Henry Henneberg of Township twenty-eight north, range twenty-one west, and living on Section seven in said Township, testify and say that I voted for Robert Watson for representative of the Territorial Legislature of Minnesota, at the election held at Cottage Grove in October last, and I further say that Frederick Frieghbaught and Simon Strangden, living on the north part of section seventeen in said township, voted at the same election for said Robert Watson. I gave them the ballots and saw them vote the same ballots which I gave them, said Frieghbaught and Strangden can neither speak English, nor read. I further say that the ballot hereunto annexed is the same as the

one I voted and the same as the ballots which I gave said Friegebought and Strangden and which I saw them put into the ballot-box.

J. H. HENNEBERG.

DEMOCRATIC TICKET.

For Delegate to Congress,
HENRY M. RICE.

For Councillors First District,
ALBERT STIMSON.
JOHN E. MOWER.

For Councillor, 4th District,
WILLIAM FREEBORN.

For Representative.
ROBERT WATSON.

For Justice of the Peace.

For Constables.

For Washington County,
For County Commissioner,
JAMES SHEARER

For Sheriff,
ASA B. GREEN.

For Register of Deeds,
HARLEY CURTISS.

For County Treasurer,
WILLIAM WILLIM,

For District Attorney,
GOLD T. CURTISS.

For Surveyor,
MAHLON BLACK.

For Assessors,
A. D. GREELY,
W. C. JOHNSON,
JACOB MOSHER.

For Supervisors of Roads,
GEORGE KERN,
BENJ. T. OTIS,
SAMUEL MIDDLETON.

Territory of Minnesota, }
 Washington County, } S S.

On the day and year above written, the above named **J. H. Henneberg**, personally appeared before me and made oath that the foregoing affidavit by him signed, was true.

P. P. FURBER,
 Notary Public.

WASHINGTON COUNTY, Dec. 3, 1858.

I, **Ulysses Tanner**, of Township twenty-eight, north of range twenty-one west and section six, say that I attended the election at Cottage Grove precinct, in said county, in October last, and that I voted for **Robert Watson**, for Representative for the Territorial Legislature at that election. My father, **John Tanner**, who is now in New York, voted at the same time, and as he told me, for said **Watson**.

ULYSSES TANNER.

Territory of Minnesota, }
 Washington County, } S S.

On the day and year above written, the above named **Ulysses Tanner**, personally appeared before me and made oath that the foregoing affidavit by him signed was true.

P. P. FURBER,
 Notary Public.

WASHINGTON COUNTY, Dec. 26, 1858.

I, **Daniel D. Wadsworth** testify and say, that I came into the Territory of **Minnesota**,

A 9

May twenty-fifth (25) A. D. 1853—that I voted at the election at Cottage Grove, in Cottage Grove precinct in said county in October last, and that I voted for Robert Watson for Representative to the Legislature of Minnesota.

DANIEL D. WADSWORTH.

Territory of Minnesota, }
Washington County. } S S.

On the day and year above written, personally appeared before me the above named Daniel D. Wadsworth, and made oath that the affidavit by him signed was true.

P. P. FURBER,
Notary Public.

WASHINGTON COUNTY, Dec. 26, 1853.

I, Joseph Gridridge testify, and say, that I voted at the election at Cottage Grove in October last, and that Alexander McHattie gave me the vote I put into the box at that election—I cannot read and don't know the names of the persons I voted for. I further say that Joseph Gobar, voted at the same time, and that Joseph Gobar was at that time living with me in my house.—I further say that Alexander McHattie, gave Joseph Gobar the vote which he put into the ballot box.

his
JOSEPH X GRIDRIDGE.
mark.

Attest, P. P. FURBER.

Territory of Minnesota, }
Washington County. } S S.

On the day and year above written, personally came before me the above named Joseph Gridridge and made oath that the above affidavit by him signed was true.

P. P. FURBER,
Notary Public.

WASHINGTON COUNTY, Dec. 26, 1853.

I, Ebenezer Moore, testify and say that I voted at the election at Cottage Grove precinct in said county, in October last, and that I voted for Robert Watson for Representative to the Territorial Legislature at said election.

his
EBENEZER ✕ MOORE.
mark.

Attest, P. P. FURBER.

Territory of Minnesota, }
Washington County, } S S.

On the day and year above written personally appeared the above named Ebenezer Moore, and made oath that above affidavit by him signed was true.

P. P. FURBER,
Notary Public.

WASHINGTON COUNTY, Dec. 27, 1853.

I, J. Bruce, of town twenty-eight north, range twenty-one west, and section five, in said township, testify and say, that I voted at the election at Cottage Grove precinct, in said county, in October last, and that I voted for Robert Watson, for Representative to the Territorial Legislature, at said election.

J. BRUCE.

Territory of Minnesota, }
Washington County, } S S.

On the day and year above written, the above named J. Bruce personally appeared before me and made oath that the foregoing affidavit by him signed was true.

P. P. FURBER,
Notary Public.

Register of Deeds Office, }
 Washington County, Minnesota Territory, }

I, John S. Proctor, Register of the county aforesaid, do certify, that at a general election held in Minnesota Territory on the 11th day of October, A. D. 1853, the following vote for member of the House of Representatives in the next Legislative Assembly, in the district composed of Cottage Grove and Point Douglass precincts in the county of Washington, was polled, as appears from the returns made from said precincts and the official canvass of same made on the 31st day of October, A. D. 1853.

Robert Watson received in Pt. Douglas precinct eight votes,	8
" " " Cottage Grove " sixty-three votes,	63
Total votes,	71

George W. Campbell received in Pt. Douglas precinct, forty-three votes,	43
" " " " Cottage Grove " fifteen " "	15
Total votes,	58

RECAPITULATION.

Robert Watson received 71 votes.
 Geo. W. Campbell " 58 "

Watson's majority 13

Witness my hand and the seal of said county this second day of January, A. D. 1854.

JOHN S. PROCTOR,
 Register, &c.

[L. s.]

1 A. L. Holman	12 R. F. Randolph
2 John Anderson	13 E. B. Scofield
3 B. F. Gates	14 Chas. P. Andros
4 J. Bruce	15 Wm. Watson
5 C. H. Akinson	16 Wm. R. Brown
6 J. Benson	17 Alex. McHattie
7 Henry Henneberg	18 Ebenezer Moore
8 Moses Cross	19 Joseph Gredrige
9 L. C. Everett	20 Joseph Gobar
10 S. Greenleaf	21 Chas. W. Pierce
11 John Foss	22 John Tanney

- | | | | |
|----|-------------------|----|------------------------|
| 23 | Jas. Parker | 53 | Jesse Jackson |
| 24 | Henry Gruenbager | 54 | Geo. Vanslyke |
| 25 | T. J. B. Heath | 55 | John Colby |
| 26 | Ulysses Ranner | 56 | Daniel D. Wadsworth |
| 27 | James Foss | 57 | Jas. S. Norris |
| 28 | Wm. Anderson | 58 | Lewis Hill |
| 29 | John McHattie | 59 | W. H. Parker |
| 30 | Jas. S. Davis | 60 | Wm. R. Monger |
| 31 | Wm. H. Dressor | 61 | F. S. Odell |
| 32 | Joseph W. Furber | 62 | Lucius Beldin |
| 33 | Joseph Bean | 63 | Samuel Middleton |
| 34 | P. P. Furber | 64 | John A. Ford |
| 35 | Asahel Stevens | 65 | Robert Wilkins |
| 36 | Henry House | 66 | Wm. H. Johnson |
| 37 | Frederic Leyda | 67 | James Newton |
| 38 | Samuel Leyda | 68 | Geo. Briden |
| 39 | Jas. R. Lyford | 69 | John Bailly |
| 40 | Waterman Buck | 70 | John Robinsou |
| 41 | Jacob Mosher | 71 | Luther Parmenter |
| 42 | E. M. Cox | 72 | Robert Jackson |
| 43 | Newington Gilbert | 73 | Wm. H. Andros |
| 44 | Wm. H. Guernsey | 74 | Jas. Ford |
| 45 | Jas. Middleton | 75 | E. H. Whittaker |
| 46 | Andrew Mackey | 76 | David Holton |
| 47 | Francis Oldham | 77 | Jos. Irish |
| 48 | Hiram F. Dayton | 78 | John Lanphear |
| 49 | Wm. Jackson | 79 | John Holton |
| 50 | Jas. Jackson | 80 | Simon Straugden |
| 51 | Wm. F. Gilbert | 81 | Frederic Freighbeaught |
| 52 | Warren Atkinson | 82 | John Atkinson |

I, John S. Proctor Clerk of the Board of Commissioners in and for the county of Washington, Minnesota Territory, do certify the within to be a correct list of the names of those persons who voted in Cottage Grove Precinct at the last general election, held on the 11th day of October, 1853, as appears from the poll books returned to this office.

JOHN S. PROCTOR, Clerk,

County Commissioners Office }
Washington County, January 2, 1854. }

[Questions by Mr. Campbell to P. P. Furber Esq.]

Do you know George Briden, John Robinson, John Anderson, Henry Greenhagen James Middleton and Jesse Jackson?—and do you know whether or not they are foreigners?

Ans.—I am acquainted with them all, and know from their own declarations to me that they are foreigners by birth.

2d ques.—By Mr. Campbell. Did you vote at the last election for Representative, and for whom?

Ans.—I did vote, and for G. W. Campbell.

Ques. By Mr. Watson. Do you mean by the words in your statement “north of a line drawn due west from the source of Spring Creek, the northern boundary of Cottage Grove precinct,” to say that the “line drawn due west” is the northern boundary, or that the “source of Spring Creek” is the northern boundary?

Ans.—By Mr. P. P. Furber. I mean that the source of Spring Creek is the northern boundary.

[Mr. Robert Watson was sworn on behalf of the contestant.]

Ques.—By Mr. Campbell. Mr. Watson, what is your age?

Ans.—I was 28 years of age on the 8th day of September last.

Ques.—Did you ever declare your intention to become a citizen of the United States?

Ans.—I did not make any declaration of intention, because on my wishing to do so before a court of record at Cleveland in Ohio, while I was yet a minor, I was informed by the clerk of the court that it was unnecessary, as by law minors of foreign birth, when they became of age, obtained their naturalization papers without making a previous declaration of intention.

Ques.—How long was your father a resident of the United States?

Ans.—About two years.

Ques.—Of what country was he a native?

Ans.—He was a native of Scotland.

Ques.—Did you vote at the last election for Representative?

Ans.—I did.

Ques.—In what precinct did you vote? and whom did you vote for?

Ans.—I voted at Point Douglas precinct, and for R. Watson.

[Wm. Watson sworn on behalf of Contestant.]

Ques.—By Mr. Campbell. Did you vote at the last election in this district for Representative ?

Ans.—I voted at the last election for Representative in this district—in Cottage Grove precinct, and for Robert Watson, for Representative.

Ques.—What is your age ?

Ans.—I was 26 years of age on the twenty-fifth day of last March.

Ques.—Of what country are you a native ?

Ans.—I was born in Scotland.

Ques.—Have you ever declared your intention to become a citizen of the United States ?

Ans.—I availed myself of my privilege of a minor; and on becoming of age, obtained my papers of naturalization, without previously declaring my intention to become a citizen.

[James Lyford, sworn on behalf of Contestant.]

Question by Mr. Campbell.—Did you vote at the Cottage Grove precinct, at the last election for Representative ? and who did you vote for ?

Ans.—I did; and voted for G. W. Campbell, for Representative.

[Robert Wilkin sworn on behalf of Contestant.]

Question by Mr. Campbell.—Did you vote at Cottage Grove precinct last fall ? did you vote for Representative ? and for whom ?

Ans.—I did vote at Cottage Grove Precinct last fall, for Representative; and I voted for Mr. Robert Watson.

[John Lamphear sworn, on behalf of Contestant.]

Question by Mr. Campbell.—Did you vote at Cottage Grove precinct last fall ? and

did you vote for Representative ?

Ans.—I voted at Cottage Grove precinct, last fall, but did not cast any vote for Representative.

[Alexander McHattie sworn, on behalf of Contestant.]

Question by Mr. Campbell.—Have you ever declared your intention to become a citizen of the United States ?

Ans.—I have. [Hereupon Mr. McHattie produced a paper, as his declaration of which the following is a copy to wit.]

Territory of Wisconsin, }
St. Croix County. } S S.

I, Alexander McHattie, an alien by birth, and aged thirty-five years, do hereby upon my oath make known and declare that I was born in Scotland, and in the Kingdom of Great Britain, on the 23d day of May, 1813; that I emigrated from the Kingdom aforesaid, and landed at Derby, State of Vermont, in the U. S. of America, on or about the 23d of May, A. D. 1834, and that I have ever since that time, continued to reside within the said U. S., and that it is bona fide my intention to become a citizen of the U. S. of America, and to sever forever all allegiance and fidelity which I in any way owe to any prince, potentate, State or sovereignty whatever, and more particularly all allegiance to Queen Victoria, of whom I have heretofore been a subject, and further that I do not possess any hereditary title, or belong to any of the nobility in the Kingdom from which I came, so help me God.

ALEXANDER McHATTIE.

Sworn and subscribed before me, at St Paul, this 29th day of July, 1848,
AARON FOSTER,
Justice of the Peace.

United States Dist. Court, }
St. Croix County, Wis. Ter. } S S.

I, Joseph R. Brown, Clerk of the said Court, do hereby certify that the foregoing is a true transcript of the declaration of Alexander McHattie to become a citizen of the United States of America, as this day filed and now remains on record in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the United

States Dist. Court, for St. Croix County, W. T., at Stillwater, this
 [L. s.] 10th day of August, A. D. 1848.

JOSEPH B. BROWN,
 Clk D. C. St. C. C. W. T.

Ques.—Have you ever taken an oath to support the organic act of Minnesota?

Ans.—The paper or declaration I have just submitted, shows all I have ever done in the matter.

Q.—Did you ever give Gridridge and Gobar, (as stated in the Affidavit of Joseph Gridridge,) tickets for Representative, at the election at Cottage Grove precinct last fall?

Ans.—I don't recollect; I gave out a number of tickets that day; I might have given them tickets, and I might not.

Ques.—Did you vote at the last election, and whom did you vote for?

Ans.—I voted for Robert Watson as Representative.

[John Anderson sworn, on behalf of the Contestant.]

Ques. by Mr. Campbell.—Have you ever declared your intention to become a citizen of the United States.

Ans.—I have.

[Hereupon Mr. Anderson submitted as a further answer, a paper, being a declaration of intention in the usual form, under seal of the U. S. District Court for the County of St. Croix, Wisconsin Territory, dated December 23, 1848, and certified to by Joseph R. Brown, Clerk of the Court.]

Ques.—Have you ever taken the oath to support the organic act of Minnesota?

Ans.—I have taken no other oath than that taken in my declaration of intention, before submitted.

Ques.—Did you vote for Representative last October, in Cottage Grove precinct, and for whom?

Ans.—I did vote, and for Robert Watson.

[George Briden sworn, on behalf of Contestant.]

Question by Mr. Campbell.—Have you ever declared your intention to become a citi-

zen of the United States?

Ans.—I have.

Ques.—Have you the paper with you?

Ans.—I have not; I made my declaration of intention before the Court at Janesville, in Wisconsin, on the 4th of May, 1848; but I afterwards lost it.

Ques.—Have you ever taken an oath to support the organic act of Minnesota?

Ans.—I have never taken any oath about it, other than at the time of my declaration of intention.

Ques.—Did you vote at the last election for Representative, in this district and for whom did you vote?

Ans.—I voted for Robert Watson for Representative.

COTTAGE GROVE, Jan. 10, 1854.

The Commissioners met at 10 o'clock A. M.

[A. L. Holman sworn, on behalf of the Contestant.]

Question by Mr. Campbell.—If you voted for Representative in Cottage Grove precinct, at the last election, state for whom you voted.

Ans.—I voted for G. W. Campbell.

[Ashael Stevens sworn, in behalf of Mr. Watson.]

Question by Mr. Watson.—Have you made a declaration of intention to become a citizen of the United States?

Ans.—I have; and submit the following paper, as my further answer.

[Hereupon the witness submitted a declaration of intention in the usual form, made before, and certified to by Joseph Bowron, Clerk of Circuit Court, St. Croix Co., Wis., under seal of the Court, and dated Sept. 16, 1851.]

Ques.—Have you ever taken an oath to support the organic act of Minnesota?

Ans.—No oath, other than in my declaration.

Ques.—Did you vote at the election for Representative last fall, in Cottage Grove precinct; and for whom?

Ans.—I did vote, and for G. W. Campbell.

Question by Mr. Campbell.—Were not your parents natives of the United States?

Ans.—They were; born in Connecticut; they emigrated to Canada in 1800 where I was born.

Question by Mr. Watson.—What did your parents go to Canada for?

Ans.—They went to make a home—a residence. My father became a citizen of Canada, and took the oath of allegiance to the government there.

[James S. Davis sworn on behalf of Contestant.]

Question by Mr. Campbell.—Did you vote for Representative in Cottage Grove precinct, at the last election, and if so, state for whom you voted?

Ans.—I did; for G. W. Campbell.

[Edward M. Cox sworn, for Watson.]

Question by Mr. Watson.—Do you live in the vicinity of the spring known as the source of Spring Creek?

Ans.—I do.

Ques.—Do you live so near as to get water from it for domestic purposes?

Ans.—I have hauled water from it for that purpose—did so entirely before this winter.

Ques.—Do any persons live nearer the spring than you do?

Ans.—Mr. Gridridge and Mr. Moore live nearer to it than I do.

Ques.—In what direction is the spring from the residence of Gridridge?

Ans.—It is north of his residence.

Ques.—Is the spring north of Gridridge's generally considered by the people of your neighborhood as the source of Spring Creek?

Ans.—It has always been so considered in the neighborhood ever since I have lived there.

Questions by Mr. Campbell.—How long, Mr. Cox, have you resided in that neighborhood?

Ans.—It will be three years next May.

Ques.—Is there any other spring which any body considers the head of this Spring Creek?

Ans.—There is not, that I know of.

Ques.—Is there any other spring in that neighborhood which flows into Spring Creek?

Ans.—There is a spring more to the South, about half a mile distant from the one I have already named as the source, the waters of which also flow into Spring Creek. Where the runs from these springs unite, they are about equal in size, but at the source of each, the one I first named, is almost three times the largest.

Ques.—Which do you consider the longest stream?

Ans.—I consider the last named, or the South Spring, the longest.

[James S. Davis re-examined on behalf of Watson.]

Questions by Mr. Watson.—How long have you lived in this vicinity?

Ans.—I came here in 1838.

Ques.—Which of the two springs, the north or the south spring before spoken of do you consider the source of Spring Creek, if either?

Ans.—I consider the north spring as the source.

Ques.—Were you not a judge of the election last year in Cottage Grove precinct?

Ans.—I was.

Ques.—Did you not consider and recognize Mr. Gridridge as a voter in this precinct, from his residing south of the north spring?

Ans.—I did.

Question by Mr. Campbell.—Was not Mr. Gridridge's vote objected to a year ago, and was it not sworn in?

Ans.—It was; but I think as near as I can recollect, that the ground of objection was his being an alien.

Ques.—Have you ever followed up the spring referred to as the South Spring? A.

Ans.—I never have.

(P. P. Furber, re-examined for Watson.)

Questions by Mr. Watson.—Were you not a Judge of the Election in Cottage Grove precinct a year ago, at the time of Mr. Gridridge's vote was challenged?

Ans.—I was.

Ques.—On what ground was the vote objected to?

Ans.—Simply on the ground of his being an alien.

Question by Mr. Campbell.—Have you ever examined the neighborhood of the two springs and their branches, which have been spoken of as the sources of Spring Creek; and if so, state what you know in regard to them?

Ans.—(The Commissioners, by consent of parties, allowed Mr. Furber to write his answer, and accompany it by a diagram of the springs in question, and subsequently hand it in, to be attached to the record in this place. It is hereunto attached.)

{ DIAGRAM. }

“The spring called the south, or west branch, is 44 rods from the quarter stake on the south line of section 17; the distance from the south or west spring to the junction of the creek flowing from the north spring, I judge to be from a fourth to a third of a mile; I did not measure the distance. From the north spring to its junction with the south spring, I judge to be from twenty to twenty-five rods; I did not measure the distance. There is no water flowing into either of the creeks between their sources and their junction. I think that the amount of water flowing from each spring is nearly equal; the creek from the south spring is quite as large as the one from the north spring.

It was surveyed and examined by me at the request of G. W. Campbell.”

P. P. FURBER.

(Wm. H. Gurnsey, sworn on behalf of Watson.)

Questions by Mr. Watson.—Which of the two springs, the north or south spring, do you consider the source of Spring Creek?

Ans.—I consider the north spring as the source.

Ques.—How near do you reside to the north spring?

Ans.—About two miles.

[The Commissioners here adjourned to meet again the same day at 4 o'clock, P. M., at the house of H. D. White, in the village of Point Douglas.

POINT DOUGLAS, Jan. 31, 1854.

The Commissioners having met at the time and place appointed, and the witnesses not being ready, adjourned over until 10 o'clock on Monday morning, at the same place.

POINT DOUGLAS, Jan. 28, 1854.

The Commissioners met at the hour of appointment, and proceeded with the examination of witnesses:

(James Shearer sworn, on behalf of Watson.)

Question by Mr. Watson.—Are you a native of Canada, or either of the North American British Possessions?

Ans.—I am not. I am a native of the State of Massachusetts.

(Caleb Truax, Sr., sworn on behalf of Watson.)

Questions by Mr. Watson.—Are you a native born citizen of the United States?

Ans.—I am. I was born in Schenectady, New York. I have lived in Canada.

Ques.—Have you ever exercised the privileges of a citizen in Canada?

Ans.—I have, while there. I resided in Canada about seven years, excepting two winters that I resided in Ogdensburgh, New York. Three of my children were born in Canada. Caleb, my son, was born in Canada. I voted for Representative in the Point Douglas Precinct at the last election, for G. W. Campbell. I have not taken out any naturalization papers since my return from Canada.

Question by Mr. Campbell.—Have you ever taken any oath renouncing your allegiance to the United States?

Ans.—I have not; I considered while I was in Canada, I had the rights of a citizen there, and no longer.

(Jeremiah Van Duser sworn, on behalf of Watson.)

Questions by Watson.—Are you a natural born citizen of the United States?

Ans.—Yes; I was born in Dutchess county, N. Y.—Dover Plains.

Ques.—Have you ever lived in Canada?

Ans.—I have; but never there renounced by oath my allegiance to the United States. I voted while I was in Canada, and sold my property which I had there as soon as possible. I became of age while I was in Canada; I lived in Canada some thirty or forty years.

I voted for Representrtive in Point Douglas Precinct at the last election, for G. W. Campbell. I have not taken out naturalization papers since I returned from Canada, as I did not deem it necessary.

(Thomas Wright sworn, on behalf of Watson.)

Questions by Mr. Watson.—Are you a foreigner by birth?

Ans.—I am.

Ques.—Have you made a declaration of intention to become a citizen of the United States?

Ans.—I have, at Stillwater, in this Territory, on the 18th day of April, 1850; I have my paper of declaration at home; I voted at the last election for G. W. Campbell, for Representative.

(Joseph Brunwell sworn, on behalf of Watson.)

Questions by Mr. Watson.—Where were you born?

Ans.—I was born in the United States; at Saut Ste. Marie, on the American side; so my father told me.

Ques.—Did you ever declare your intention to become a citizen of the United States?

Ans.—I never did.

Ques.—Did you vote in Point Douglas Precinct, at the last election, and for whom, as Representative?

Ans.—I voted there, and for G. W. Campbell.

(Antoine McCoy sworn, on behalf of Watson.)

Questions by Mr. Watson.—Of what country was your father a native?

Ans.—I don't know; can't tell.

Ques.—Do you know whether your father had any papers from the Court, giving him a right to vote?

Ans.—Yes; he had.

Ques.—Did you ever make a declaration of intention to become a citizen?

Ans.—[The witness here submitted, as his answer, a declaration of intention, made in due form, before the U. S. District Court, at St. Paul, August 29, 1850, before J. K. Humphrey, Clerk, sealed with the seal of said Court.]

Ques.—What is your age?

Ans.—I am about 25 years of age.

(Joseph McCoy sworn, on behalf of Watson.)

Question by Mr. Watson.—Are you a foreigner by birth?

Ans.—I was born at St. Peters, in this Territory.

Ques.—What is your age?

Ans.—I am about 24 years of age.

(Francis McCoy sworn, on behalf of Watson.)

Question by Mr. Watson.—Where were you born?

Ans.—I was born at Salt Lake, near the Red River of the North, within the American Territory.

(Martin Leavitt sworn, on behalf of Watson.)

Question by Mr. Watson.—Were you Supervisor of Roads, for this Road District for the past season?

Ans.—I was.

Ques.—Did you call on a person by the name of David Moss, to work on the roads?

[Question objected to, and objection sustained by the Commissioners.]

(David Moss sworn, on behalf of Watson.)

Question by Mr. Watson.—Did you leave this Territory at any time six months prior to the last election?

A 11

Ans.—I left this Territory in June last.

Ques.—Did you, when you left, still consider this your residence, and did you intend to return and make your home in this Territory?

Ans.—Yes; I so considered it, and such was my intention when I left.

Ques.—Were you a citizen of the United States, when you left the Territory in June last?

Ans.—I was not, at that time.

Question by Mr. Campbell.—How long have you been a resident of this Territory?

Ans.—It is now over two years.

Ques.—Have you declared your intention to become a citizen?

Ans.—I have. I did so before the election—at Stillwater, in this Territory.

Ques.—Did you vote at the last election in Point Douglas Precinct; and for whom did you vote for Representative?

Ans.—I voted in that Precint, and for G. W. Campbell.

(David Hone sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Were you a Judge of the Election in Point Douglas Precinct at the last election; and did you vote at that election for Representative?

Ans.—I was Judge at that election and voted for Representative.

Ques.—For whom did you vote for Representative?

Ans.—I think I voted for Mr. Watson; and it was in this way:—It was a printed ticket, which did not have Mr. Campbell's name on it, but had Mr. Watson's. I intended to vote for Mr. Campbell, and intended to strike out the name of R. Watson, and insert that of G. W. Campbell. Instead of which, when I came to count the votes, I saw from the ballot, I had put in, which I knew by my own hand writing, that I had, by mistake, struck out Mr. Moore's name, who was running for Council, in place of Mr. Watson; and voted therefor, for Mr. Campbell for Council, instead of Representative, and I have no recollection of filling up, or voting any other ticket but that one.

Question by Mr. Watson.—How long, after you voted, did you discover you had voted as you did?

Ans.—It was my opinion, when I canvassed the votes, though there was nothing said about it.

Ques.—When did you first mention it to any one else, that you thought you had so voted?

Ans.—About three weeks ago.

Ques.—Have you got the ticket which you think you voted?

Ans.—I have.

Ques.—How did you obtain possession of it?

Ans.—I have the box, containing the tickets cast at that election, in my possession, and the key to it. The box, and the key to it, was handed to me by the board of election, to keep in my custody.

Ques.—Have you taken the ticket you think was yours, as you have stated, from the box in which it was placed by the officers of the election?

Ans.—Yes; I took it out.

Ques.—Was any other person present at the time?

Ans.—There was not.

Question by Mr. Campbell.—Have the tickets cast at that election remained in the box, constantly under lock and key, ever since the box was placed in your custody, (excepting your own ticket, as you before stated?)

Ans.—They have, except about three weeks ago, when it was opened by myself and Mr. Shearer, another of the judges, to take a copy of the poll list, for the use of the County Commissioners—at which time, the tickets were not altered, or changed in any manner whatever.

[Henry Hetherington was here sworn, on behalf of Contestant—that he had duly served a subpoena on Ephriam H. Whittaker. Mr. Whittaker not appearing, Mr. Campbell asked that an attachment might issue, to bring Whittaker forthwith before the Commissioners. The Commissioners decided to grant Mr. Whittaker further time, in which to appear, before issuing an attachment. After a short interval the witness appeared.]

(Ephriam H. Whittaker sworn, on behalf of contestant.)

Question by Mr. Campbell.—In what precinct do you reside?

Ans.—I live in Point Douglas Precinct.

Ques.—Where did you vote at the last election; and for whom did you vote for Representative?

Ans.—I voted at Cottage Grove Precinct, and for R. Watson for Representative.

Ques.—Do you know any reason why you are not a legal voter?

[Question objected to by Mr. Watson, and objection sustained by Commissioners.]

Ques.—Have you ever been convicted of any crime which disqualifies you from being a voter?

Ans.—I decline answering that question.

[The Commissioners here adjourned, to meet at 2 o'clock, P. M., the same day, at the house of P. P. Furber, Esq., Cottage Grove.]

COTTAGE GROVE, Jan. 21, 1854.

The Commissioners met at this point, as per adjournment.

(William H. Parker sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Did you vote at Cottage Grove Precinct at the last election; and for whom did you vote for Representative?

Ans.—I voted at the last election in this Precinct; but to the best of my knowledge I did not vote for any person for Representative.

(Mr. Andrews sworn, on behalf of Contestant.)

Question by Mr. Campbell.—If you voted at the last election in Cottage Grove Precinct for Representative, state for whom you voted.

Ans. I voted for G. W. Campbell.

(Moses Cross sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Did you vote in this Precinct at the last election; and if so, state for whom you voted for Representative?

Ans.—I voted in Cottage Grove Precinct at the last election; but did not vote for any person for Representative.

(Luther Parmenter sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Did you vote at the last election in this Precinct, and for whom for Representative?

Ans.—I did vote at the last election in this Precinct, and for G. W. Campbell.

(Henry Hetherington sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Have you ever examined the two spring branches of Spring Creek, known as the north and south spring branches; and if so, which has the most water at the junction; and which is the longest branch?

Ans.—I have examined them; and to the best of my knowledge south spring branch is the largest at their junction, and is undoubtedly the longest.

Questions by Mr. Watson.—When did you make this examination?

Ans.—In the latter part of December I went to look at them at the request of Mr Campbell.

Ques.—Which branch contains the most water at their head springs?

Ans.—The south spring branch, to the best of my knowledge.

Question by Mr. Campbell.—How much longer do you consider the south spring branch, than the north spring branch?

Ans.—I think it is about as long again as the other.

[The Commissioners then adjourned to meet at the house of John A. Ford, Red Rock, to-morrow, Jan. 24, 1854, at ten o'clock.]

RED ROCK, Cottage Grove Precinct, }
January 24, 1854.

The Commissioners met at this point, pursuant to adjournment.

(James A. Ford sworn, on behalf of Contestant.)

Questions by Mr. Campbell.—How long have you been a resident of Cottage Grove Precinct?

Ans.—Some eight or ten years.

Ques.—Were you not formerly a member of the Legislature from this district?

Ans.—I was a member of the second Legislature of this Territory.

Ques.—What have you always understood the north boundary of Cottage Grove Precinct to be?

Ans.—I have always understood the north boundary to commence at the head of the south branch of Spring Creek, and run west from thence to strike the Mississippi at Holton's lough, near Red Rock.

Ques.—Did you vote for Representative at the last election, and if so, for whom did you vote?

Ans.—I did vote, and for R. Watson.

Ques.—Do you consider John Colby a resident of Cottage Grove Precinct?

Ans.—I cannot say positively; it was always a matter of doubt—he living so very near the line.

Question by Mr. Watson.—What do you mean by the term "south branch," in your answer?

Ans.—I mean the main branch running by the "McKnight House."

(Wm. R. Brown sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Did you vote at the last election in Cottage Grove Precinct, and for whom did you vote?

Ans.—I did, and for G. W. Campbell.

(Joseph Irish sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Did you vote at the last election in Cottage Grove Precinct, and if so, state for whom you voted for Representative?

Ans.—I did, and for G. W. Campbell.

(John Holton sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Did you vote at the last election in Cottage Grove Precinct, and for whom did you vote as Representative?

Ans.—I did, and voted for G. W. Campbell.

By consent of parties, the testimony of L. C. Everett, of Cottage Grove Precinct, was permitted to be taken *ex parte*, by common affidavit, and to be appended to the record in its place. It is here appended, as follows:

JANUARY 24, 1854.

I, L. C. Everett, of lawful age, testify and say that I voted in the Cottage Grove Precinct in October last, and that I voted for G. W. Campbell for Representative to the Territorial Legislature of Minnesota.

L. C. EVERETT.

TERRITORY OF MINNESOTA, } S. S.
Washington County, }

JANUARY 24, 1854.

Personally appeared before me, the above named L. C. Everett, and made oath that the above affidavit, by him signed, was true.

P. P. FURBER,
Notary Public.

The Commissioners adjourned to meet at St. Paul, at 2 o'clock, P. M., January 25, 1854, at the office of Murray & Williams.

ST. PAUL, Jan. 25, 1854.

The Commissioners met pursuant to adjournment.

(Joseph Ford sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Did you vote at the last election in Cottage Grove Precinct for Representative, and for whom?

Ans.—I did vote, and for G. W. Campbell.

(Samuel Watson sworn, on behalf of Watson.)

Questions by Mr. Watson.—Are you acquainted with the stream usually called Haskell's or Spring Creek.

Ans.—I am.

Ques.—Do you live in its vicinity?

Ans.—I do.

Ques.—How long have you lived there?

Ans.—Between five and six years.

Ques.—Have you ever been at the source of Spring Creek?

Ans.—I have; and I have hauled water from thence, for several years, for domestic purposes.

Ques.—In what direction do you think the spring is, from the house occupied by Joseph Gridridge?

Ans.—It is north from that house.

Ques.—Have you ever heard any other spring spoken of, as the source of Spring Creek?

Ans.—I have never heard of any other spring as the source of Spring Creek, and I was two years in that neighborhood before I ever knew there was another spring and branch.

Question by Mr. Campbell.—How many miles do you reside from the spring you have spoken of?

Ans.—I call it a mile and a half.

Ques.—Is there another spring and branch running from it and flowing into Spring Creek in that vicinity, which is south of Gridridge's house?

Ans.—There is.

Ques.—Which of the two spring branches has the most water in it at the junction?

Ans.—I think the most water runs out of the north branch, to the best of my knowledge.

Ques.—Which is the longest stream above their junction, and what is the difference?

Ans.—I cannot tell; for the south branch from where the first spring appears, runs partly above and partly under ground, and shows itself in occasional pools. I don't know the distance, for I never measured it.

Ques.—Do you mean to say, that the south branch is not a running stream from its head to its junction?

Ans.—It is just as I have described it before.

(Alexander McHattie sworn, on behalf of Watson.)

Questions by Mr. Watson.—Are you acquainted with the stream known as Haskel's, or Spring Creek?

Ans.—I am.

Ques.—Have you ever lived in the vicinity of the creek?

Ans.—I have lived twelve years in that vicinity, and have been acquainted with the creek that length of time.

Ques.—Have you ever been at the head of the creek?

Ans.—I have been at it often, and hauled water from it.

Ques.—In what direction is the head from Gridridge's house?

Ans.—I cannot exactly say, but I think it is about north.

Ques.—What is the general opinion of the people residing in the neighborhood of the creek, as to what constitutes its head spring?

Ans.—The spring I have mentioned is the one generally held by the neighborhood, to be the source of Spring Creek.

Questions by Mr. Campbell.—Do you know of a spring and branch south of Gridridge's house?

Ans.—I do.

Ques.—Which of the spring branches north and south, has the most water at their junction?

Ans.—I cannot tell.

Ques.—Do you know the length of these spring branches?

Ans.—I do not know the exact length, never having measured them.

Ques.—Did you convey Joseph Gridridge and Joseph Gobar to the polls at Cottage Grove, in your team, on the day of election?

Ans.—They did ride with me in my wagon to the polls.

Ques.—Did you offer them, or either of them, any pay or money to induce them, or either of them, to go with you to the polls?

Ans.—I told Mr. Gridridge, through an interpreter, (they being Germans,) that I would pay him a dollar for his day if he would go.

Ques.—Did you offer either Gridridge or Gobar any pay or money to induce them or either of them to vote for any person?

Ans.—No, I did not.

Ques.—Did you give them any tickets to vote?

Ans.—I don't recollect.

(John McHattie sworn, on behalf of Watson.)

Question by Mr. Watson.—Are you acquainted with the spring known as Haske's, or Spring Creek?

Ans.—I am acquainted with it from residing in its vicinity for about eleven years.

Ques.—Have you ever been at the source or head of the creek?

Ans.—I have been at the spring we call the head of the creek.

Ques.—In what direction is the spring you consider the head, from Gridridge's house?

Ans.—North of it.

Ques.—Have you ever heard in the neighborhood any other spring called the head of the creek?

Ans.—I have not.

Question by Mr. Campbell.—Do you know of another spring and branch south of Gridridge's house?

Ans.—I do.

Ques.—At the junction of the two spring branches, which has the most water?

Ans.—I think the north spring branch has the most water.

Ques.—Which of the two spring branches is the longest?

Ans.—To take the south branch, from the junction up to the farthest spring, I suppose it is the longest.

Question by Mr. Watson.—Have you known either of the streams larger at one time than another?

Ans.—Yes; I have known the south spring branch to have a greater quantity of water at some times than at others, especially in the spring when the snows are melting.

(Alexander McHattie re-examined, on behalf of Contestant.)

Question by Mr. Watson.—Did you pay Mr. Gridridge the dollar you promised him?

Ans.—I did.

(Jesse Jackson sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Have you declared your intention to become a citizen of the United States?

Ans.—I have; before the Clerk of the United States District Court at Stillwater, in 1850.

Ques.—Have you any other paper except the declaration of intention you speak of?

Ans.—I have no other.

Ques.—Of what country is your son William a native; and what is his age?

Ans.—He is a native of England, and is in his 22d year.

Ques.—Did your son William vote at Cottage Grove Precinct at the last election; and do you know for whom he voted, for Representative?

Ans.—He did vote at that Precinct, at the last election; and I know that he voted for Robert Watson.

Ques.—Has he ever declared his intention to become a citizen of the United States?

Ans.—He never has, because he was told he need not.

(James Middleton, Jr., sworn, on behalf of Contestant.)

Question by Mr. Campbell.—Did you vote at Cottage Grove Precinct, at the last election; and for whom did you vote, for Representative?

Ans.—I did vote, and for R. Watson for Representative.

Question by Mr. Campbell.—Of what country are you a native?

Ans.—Of Ireland.

Ques.—Have you ever declared your intention to become a citizen of the United States?

Ans.—I have not; and I did not, because I was told that as my father had declared his intention, I need not do so.

ST. PAUL, January 26, 1854.

(B. Watson re-examined, on behalf of Campbell.)

Questions by Mr. Campbell.—Do you know that your brother, William Watson, took out his naturalization papers, and if so, when and where?

Ans.—I know that he did so, at Cleveland, Ohio; I think in 1848, or about two years after I took out mine.

Mr. Watson here put in his paper of naturalization, of which the following is a copy

THE STATE OF OHIO; } S. S.
Cuyahoga County.

Be it remembered, that at a term of the Court of Common Pleas, begun and held at the City of Cleveland, within and for said County, on the 3d day of November, A. D. 1846, personally came Robert Watson, an alien and subject of the Queen of Great Britain, and made application to be naturalized under the laws of the United States, and it appearing to the satisfaction of the Court, by sufficient testimony, that the said Robert Watson had made his declaration of intention to become a citizen of the United States, according to law, at least two years before this application; that he has been a resident of the United States for at least five years last past, and of this State for at least one year last past, and also that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; thereupon the said Robert Watson made oath in open Court, that he will support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty whatever, and particularly to Victoria, Queen of Great Britain.

Therefore, the said Robert Watson is hereby declared a citizen of the United States, and entitled to enjoy all privileges and immunities as such;

In testimony whereof, I, F. Whittlesey, Clerk of said Court, do hereunto subscribe my name, and affix the seal of said Court, at the City of Cleveland, this
[SEAL.] sixth day of November, A. D. 1846.

F. WHITTLESEY, Clerk.

By ASA CLARK, Deputy.

Question by Commissioner.—In what year did you and your brother William first settle in the United States?

Ans.—My parents, brothers and myself, settled in the United States in the year 1838. I was then twelve years of age.

St. PAUL, Jan. 27, 1854.

(R. Watson re-examined, on behalf of R. Watson.)

Question by Commissioner.—What do you know in regard to the residence of Daniel D. Wadsworth?

Ans.—I was teaching school in Stillwater in December, 1852, and boarding at Mr. McKinstry's, when Wadsworth came and engaged to work by the month for McKinstry; he worked accordingly in Stillwater for some time, and then Mr. McKinstry sent him over to work on his farm on Rush River, in Wisconsin.

Question by Mr. Campbell.—Has Mr. Wadsworth a family?

Ans.—Not to my knowledge.

(G. W. Campbell sworn, on behalf of Contestant.)

Questions by Contestant's Council.—What do you know in regard to the residence of Daniel D. Wadsworth?

Ans.—He worked for me a few days at Point Douglas, in November, 1852; and said he was dissatisfied with the country, and was going to leave it.

Ques.—What do you know about his having a family?

Ans.—He said he was a single man.

Ques.—What do you know about his age?

Ans.—He told me he was about twenty years at that time.

ST. PAUL, Jan. 28, 1854.

(William Altenburg sworn, on behalf of Watson.)

Questions by Mr. Watson.—Do you know Joseph Brunell?

Ans.—I do.

Ques.—Do you know where he was born?

Ans.—I do not; never heard him say,

Ques.—Did you vote for a member of the House of Representatives of the Legislature of the Territory of Minnesota, at the Point Douglas Precinct, at the last election?

Ans.—I did vote, and for G. W. Campbell.

Ques.—Are you a native of the United States?

Ans.—I am; was born on the Mohawk River, I think at the town of Chingham; I have lived in Canada; and returned again to the United States before I was of age; do not recollect how many years I was in Canada; never lived there but once.

ST. PAUL, Jan. 30, 1850.

The Commissioners met at 11 o'clock, at the office of Williams & Murray, St. Paul. Mr. Brisbin, Counsel for Mr. Watson, presented as evidence, and for record, two papers, as copies of the minutes of the Board of County Commissioners of Washington, certified to by the Clerk of said County Commissioners, as follows:

At a regular meeting held this first Monday, 6th day in July, A. D. 1846, at Stillwater: Present, Joseph W. Furber, Philip Aldrich and William R. Brown, Commissioners;

On motion of J. W. Furber, it was unanimously

Resolved, That there be established in this county five election precincts, viz:

1st.—Falls of St. Croix.

2d.—Marine Mills.

3d.—Stillwater.

4th.—Lake St. Croix.

5th.—St. Paul.

And that the Falls of St. Croix Precinct include all the north part of the County as far south as head of Cedar bend, on the River St. Croix.

The Marine Mills Precinct, bounded on the north by the Falls of St. Croix precinct, on the south by a line from the mouth of Rum River on the Mississippi River running eastwardly to the mouth of Apple River, on the St. Croix River, and continuing due east to the line of this County.

The Stillwater Precinct is bounded by a line running from the mouth of Spring Creek due east to the county line, along said county line northward until it intersects the south line of Marine Mills Precinct, then westwardly along said south line until it arrives at a point due north of White Bear Lake, thence south through the centre of said lake, and thence on a straight line to a spring which is the source of the west branch of Spring Creek, thence down said west branch to the place of beginning.

Lake St. Croix Precinct is bounded by a line commencing at the mouth of the Slough, commonly called Holton's Slough, (and the same that divides the Red Stone and Pig's Eye Settlement,) and running on a direct line to the angle in the line at White Bear Lake, and running from said angle along said line to the spring—the source of Spring Creek, and following down said creek to its mouth and continuing a due east course to the county line, thence to the Mississippi River, thence up said river to the place of beginning.

Saint Paul Precinct is bounded by the west line of the Lake Precinct, the west line of the Stillwater Precinct, the west part of the south line of the Marine Precinct from Stillwater Precinct to Rum River, mouth, thence down the Mississippi River to the place of beginning.

The place for holding the elections in each of the aforesaid districts, are as follows, viz:

Falls St. Croix.—At the Store of the Mill Company.

Marine Mills.—At the Store of the Marine Mill Company.

Stillwater.—At the House of Robert Kennedy.

Lake St. Croix.—At the House of Joseph W. Furber.

St. Paul.—At the House of Henry Jackson.

The following persons were then appointed Judges of the foregoing elections, viz:

At Falls St. Croix.—Joseph Brown, Benjamin F. Otis, Sylvander Patridge.

At Marine Mills.—Orange Walker, Samuel Burkleo, Charles Caldwell.

At Stillwater.—John McKusick, C. Lyman, C. Carli.

At Lake St. Croix.—Joseph Haskel, James S. Norris, Theodore Furber.

At St. Paul.—John R. Irvine, James W. Simpson, A. H. McLeod.

Robert Kennedy, being personally present, applied for a license to keep a tavern in

Stillwater, from June first last, for one year; which was granted him, he having paid five dollars, and given satisfactory bonds, which are on file in this office.

On motion of J. W. Furber,

Ordered, That the Clerk give notice that at the general elections to be held on the first Monday of September next, there will be elected the following Territorial and County Officers, viz:

- One Member of the Council.
- One Delegate to House of Representatives.
- One Delegate to Territorial Convention.
- Three County Commissioners.
- One Judge of Probate.
- One Sheriff.
- One Clerk of the Board of County Commissioners.
- One Register of Deeds.
- One County Surveyor.
- Three Assessors.
- Three Supervisors of Roads.
- One Collector of Taxes.
- One Coroner.
- Five Justices of the Peace, one in each Precinct.
- Five Constables, one in each Precinct.
- One Treasurer.

On motion of P. Aldrich, the Clerk be ordered to post legal notices of the establishment of the aforesaid five election precincts.

On motion of J. W. Furber, we do now adjourn *sine die*.

JOSEPH W. FURBER,
PHILIP ALDRICH,
WILLIAM R. BROWN,
Committee.

Attest:
WILLIAM HOLCOMBE, Clerk.

CLERK COUNTY COMMISSIONERS OFFICE, }
Washington Co., Jan. 28, 1854. }

I hereby certify that the above is a true copy of the proceedings of the Board of County Commissioners of Washington County, at a meeting held July 6th, 1846, according to the records in this office.

H. CURTIS,
Clerk of the Board of County Com's.

APRIL 2d, 1850.

Board met pursuant to adjournment. All present.

The following Precincts were established, and Judges of Elections appointed for the same, as follows:

Prairie Precinct, (formerly Lake St. Croix,) to be bounded by the former lines, with the exception that the division line between Ramsey and Washington Counties shall hereafter constitute a part of the northern and western boundary; elections to be holden

at the house of J. W. Furber; Judges of Election, William Middleton, Wm. R. Brown, Theodore Furber.

Stillwater Precinct to be bounded by the former lines with the exception that the line between Ramsey and Washington Counties shall hereafter constitute the western boundary of said Precinct; election to be held at the Court House; Judges appointed Wm. Holcombe, Noah McKusick and Calvin F. Leach.

Marine Precinct to be bounded by its former lines with the exception of the western one which shall hereafter be the division line between Ramsey and Washington Counties.

Falls St. Croix Precinct to include all of Washington County North of Marine Precinct boundary lines; election to be held at the house of Lewis Barlow. Judges appointed for Marine Precinct, Harvey Walker, Orange Walker, Hiram Berkly. Judges appointed for Falls St. Croix Precinct, N. C. D. Taylor, William Colby, Lewis Barlow.

CLERK COUNTY COMMISSIONERS OFFICE, }
Washington Co., Jan. 28, 1854. }

I certify that the above is a true copy of the proceedings of the Board of County Commissioners for this County, relating to the establishment of Precincts, at a meeting held April 2d, 1850, according to the records in this office.

H. CURTIS,
Clerk of Board of County Com's.

[Mr. Ames, Counsel for the Contestant, objected to the reception of the above papers, on the ground that they were not authenticated records, nor properly certified copies, authenticated by the seal of the County Commissioners, and not admissible in evidence for other reasons.]

Mr. Brisbin, Counsel for Mr. Watson, then offered the evidence of Mr. R. Watson, in relation to the papers aforesaid.

(Mr. R. Watson, re-examined.)

Ques.—What do you know in regard to the papers just presented?

Ans.—I obtained those papers from the Clerk of the Board of County Commissioners at Stillwater, on Saturday last; and I compared them with the original record of the proceedings of the Board of County Commissioners.

Questions by Mr. Ames.—Do you know who copied these papers?

Ans.—I do not know exactly, except that I saw Mr. Curtis place the records into the hands of a gentleman in his office, and saw him commence copying them.

Ques.—What do you mean by saying you compared them with the original record?

Ans.—I took the copies, and first read them over separately, and then read over the record, to see if they were correctly copied, which I found was the case; but I did not compare their word for word with the record.

Questions by Mr. Brisbin.—When you went to the Clerk's office at Stillwater, did you desire the Clerk to give you all upon the record, from 1846 up to the year 1851, which at all related to the boundaries of Cottage Grove Precinct?

Ans.—I did.

Ques.—Did he give you these papers in pursuance of that request?

Ans.—He did.

[Mr. Ames, Counsel for Contestant, here desired that the Commissioners would place it upon record, that Mr. Watson's testimony in regard to the papers in question, is objected to.]

Question by Mr. Brisbin.—Do all these men named by Mr. Campbell, as residing out of the boundaries of the precinct, reside within its boundaries, as they are prescribed in the foregoing extracts from the records of the County Commissioners?

Ans.—They do.

Questions by Mr. Ames.—Who are the persons named by Mr. Campbell as residing out of the precinct? Name them.

Ans.—Mr. Gridridge is one, but I don't remember hearing Mr. Campbell name others.

Ques.—Do you know in what section or township, Daniel D. Wadsworth resided, at the time of the last election?

Ans.—I do not know what section or township.

Ques.—Do you know in what section or township, J. H. Hennerberg, resided at the last election?

Ans.—I do not know, of my own knowledge.

Ques.—Do you know, of your own knowledge, in what section or township, J. Bruce lived, at the last election?

Ans.—I do not know Mr. Bruce at all.

Ques.—Do you know where Ulysses Tanner lives?

Ans.—I know where Mr. Tanner lives—do not know whether his name is Ulysses or not. Mr. Tanner lives in township twenty-eight, north range, twenty-one west.

Ques.—Do you know on what section he lives?

Ans.—I believe he lives on section six—I never examined the section posts.

Ques.—Do you know where Frederick Freightbaught lives?

Ans.—I don't know him.

Ques.—Do you know where Simeon Strangden lives?

Ans.—I don't know him.

Ques.—Do you know in what section or township Gobar lives?

Ans.—He lives in township twenty-eight.

Ques.—Do you know whether Mr. Gridridge is a foreigner by birth?

Ans.—I believe he is, but do not know, of my own knowledge.

Ques.—Do you know of your own knowledge, where the County line, between Ramsey and Washington Counties is?

Ans.—I only know it, as others know it, from the general understanding and report.

(Jacob Mosher sworn, on behalf of Contestant.)

Question by Ames, Council for Contestant.—Where do you reside?

Ans.—I reside in Cottage Grove Precinct.

Ques.—What is your place of nativity?

Ans.—Nova Scotia.

Ques.—Have you ever been naturalized under the laws of the United States?

Ans.—I was a minor when I came to the United States, and have never been naturalized?

Ques.—Have you ever made any declaration to become a citizen of the United States?

Ans.—I have not; I came in with my father, and he was a voter.

Ques.—Did you vote at the last election, in Cottage Grove Precinct, and for whom did you vote, for Representative?

Ans.—I did vote, and for Robert Watson.

(Joseph Haskell sworn, on behalf of Contestant.)

Question by Mr. Ames, Council for Campbell.—In what Precinct do you reside, and how long have you resided in it.

Ans.—I live in Cottage Grove Precinct, and have resided there since 1840.

Ques.—Are you acquainted with the different branches of Spring or Haskell's Creek?

Ans.—I am.

Ques.—Describe the location of Spring Creek, from the south spring, and its branches above the McKnight place?

Ans.—The south branch is about 80 rods long from its spring to its junction, and it is my impression, at the junction contains the most water.

Ques.—How much greater is the length of the south spring branch above the junction, than the north spring branch above the junction?

Ans.—More than twice as long.

Ques.—Do you know where the northern boundary of Cottage Grove Precinct is?

Ans.—I don't know, only from common report.

Ques.—Does the northern boundary line of that Precinct commence at the south branch spring?

[Question objected to by Mr. Watson's Counsel.]

Ans.—I have always understood that the line commenced at that spring, and such is the common understanding of the neighborhood.

Ques.—Is the south spring near your farm?

Ans.—It is on the adjoining section to mine.

Ques.—Did you formerly get your water from that spring?

Ans.—I did formerly, during two years, but not now, having a well at present.

Ques.—Are you well acquainted with both these springs, and the branches running from them?

Ans.—I am.

Ques.—Does the creek from the south spring run altogether above ground in a continuous volume or not?

Ans.—I do not know; but wherever I have seen it, it is on the surface.

Ques.—Have you been judge of election in Cottage Grove precinct, if so, state how often?

Ans.—I have been; at several elections.

Ques.—Do you know Gridridge, Bruce, and Moore; and in what precinct they reside?

Ans.—I do; and always supposed them to reside in Stillwater precinct.

[Question and answer objected to by Brisbin, for Watson.]

Ques.—What have you always understood to be the northern boundary of that precinct?

Ans.—I have always understood it to commence at the south spring, and running west

Questions by Mr. Brisbin.—When were you judge of election in Cottage Grove precinct?

Ans.—I don't remember having been in 1851, and was not judge in 1852 or 1853.

Ques.—Have you been judge of election since Gridridge and Moore resided where they now do?

Ans.—I think I have not.

Ques.—Have you, as judge of the election ever received the votes of Gridridge and Moore, since they have resided where they now do?

Ans.—I do not know.

Ques.—Do you pretend to say that Gridridge, Bruce, and Moore live North of Cottage Grove precinct line?

Ans.—I live north of what I have always understood or supposed to be the line of the precinct.

[Joel Barnett sworn, on behalf of Watson.]

Questions by Mr. Brisbin, counsel for Watson.—Do you know what time Daniel G. Wadsworth came into the Territory?

Ans.—I know about the time; it was a year ago, last October.

Question by Mr. Ames, counsel for contestant.—Do you know where Wadsworth has lived all the time since you say he came into the territory?

Ans.—I do, nearly all.

Ques.—Didn't he reside at Stillwater, with Mr. M'Kinstry, last winter?

Ans.—I don't know what time he stopped with Mr. M'Kinstry; but he worked for him awhile.

Ques.—Did he go from Stillwater to Rush river, in the State of Wisconsin?

Ans.—He did.

Ques.—At what time do you know of his returning from Wisconsin?

Ans.—I first knew of his returning from Wisconsin early last spring.

Ques.—Do you know where he has been since that time?

Ans.—He has been working for various persons in the Territory, part of the time for me; and at the time of the election, he was working either for Mr. Kingsley or Mr. Dayton, I don't know which. Mr. Dayton lives in Cottage Grove precinct.

Ques.—Have you no recollection which of them he worked for at the time of the election? Which of them did he work for first?

Ans.—I think he worked for Kingsley first.

Ques.—In what precinct does Kingsley live?

Ans.—I don't know exactly; he lives near the line, I always supposed in the Cottage Grove precinct.

[G. W. Campbell re-examined, for contestant.]

Ques.—Are you acquainted with Ephraim Whittaker of the Precinct of Point Douglas?

Ans.—I am.

Ques.—Do you know Gridridge, Gobar and Moore who have been mentioned in the testimony; and if so, state whether they live north of the boundary line of the precinct

Ans.—I know them, and have been where they reside, and according to the generally understood boundary, they live north of it. They live north of the south spring.

ST. PAUL, Jan. 30, 1854.

The undersigned commissioners, duly appointed to take testimony in the matter of the contested election of R. Watson by G. W. Campbell, hereby certify that the testimony herewith presented was taken under oath; and that the record above taken, with the papers attached, is a true record of the proceedings in the case, as had before us.

THOMAS FOSTER,

A. L. WILLIAMS,

Commissioners.

The following is the report of P. P. Furber, Esq., special commissioner appointed in behalf of the contestant, to take the testimony of certain persons at Shakopee, in Scott County:

January 26, 1854.

I, Simon Greenleaf, of lawful age, testify and say, that I voted at Cottage Grove precinct in October last, and, that I there voted for G. W. Campbell for representative to the Territorial Legislature of Minnesota.

SIMON GREENLEAF.

January 26, 1854.

TERRITORY OF MINNESOTA, }
Hennepin County. } S. S.

Personally appeared before me, the above named Simon Greenleaf, and made oath that the above affidavit by him signed was true.

P. P. FURBER,
Notary Public.

January 26, 1854.

I, John Foss, of lawful age, testify and say, that I voted at the election at Cottage Grove precinct, in October last, and that I voted for George W. Campbell for Representative to the Territorial Legislature of Minnesota at said election.

JOHN FOSS.

TERRITORY OF MINNESOTA, }
Scott County. } S. S.

Personally appeared before me, on the day and year above written, the above named John Foss, who made oath that the foregoing affidavit by him signed was true.

P. P. FURBER,
Notary Public.

CHAPTER 88,

(REVISED STATUTES.)

Of Actions by Persons holding Claims on United States Lands.

SEC. 1. Any person settled upon any of the public lands belonging to the United States, on which settlement is not expressly prohibited by Congress or some department of the General Government, may maintain an action for injuries done to the possession thereof, or to recover the possession thereof.

SEC. 2. On the trial of any such cause, the possession, or possessory right of the plaintiff, shall be considered as extending to the boundaries embraced by the claim of such plaintiff, so as to enable him to have and maintain either of the aforesaid actions, without being compelled to prove a natural inclosure: *Provided*, That such claim shall not exceed in any case, one hundred and sixty acres; and the same may be located in two different parcels, to suit the convenience of the holder.

SEC. 3. Every such claim, to entitle the holder to maintain either of the aforesaid actions, shall be marked out so that the boundaries thereof may be easily traced, and the extent of such claim easily known; and no person shall be entitled to maintain either of said actions for possession of, or any injury done to any claim unless he be an actual settler, or cause the land to be constantly occupied, and improvement made thereon, to the amount of fifty dollars.

SEC. 4. A neglect to occupy or cultivate such claim for the period of six months, shall be considered such an abandonment as to preclude the claimant from maintaining either of the aforesaid actions.

OPINION OF JUDGE CHATFIELD.

MENDOTA, Feb. 6, 1854.

To the Honorable, the Speaker of the House of Representatives:

SIR—I have received an authenticated copy of a Resolution adopted by the House of Representatives in the following language :

Resolved, That the Judges of the Supreme Court of the Territory are hereby requested to inform this House whether, in their opinion, the provisions of Chap. 88, page 444, of the Revised Statutes, entitled, "Of actions by persons holding claims on United States Lands," are consistent with the Constitution and laws of the United States, and an act entitled "An act to establish the Territorial Government of Minnesota," and whether the same is binding in its provisions upon the Courts and inhabitants of this Territory.

I do not suppose or believe that the House of Representatives entertain the slightest design or desire to ask the Justices of the Supreme Court to do any act of questionable propriety; yet a few words will plainly show, that an answer by them, to the inquiry contained in the said Resolution, must, of necessity, be of that character.

Every party litigant in the Courts, is entitled to have his case heard upon the proofs and allegations, without any pre-judgment of the law thereof by the Court in which it is to be adjudicated. I know of some cases, (and there may be many) now pending in the District Courts, involving the question of the validity of the Statute referred to in the said Resolution. Should any of these cases come to trial, (as they probably will,) this question must necessarily be submitted to the District Judge holding the Court, for his decision, and he will then be obliged to pass upon it in the only proper way. Should either party be dissatisfied with the decision there made, he could take his appeal to the Supreme Court of the territory, where all the Justices of that Court, in the proper exercise of their appellate jurisdiction, would, *in banc*, review and determine the question.

The House of Representatives will, therefore, perceive that it is impossible for the Justices of the Supreme Court to answer the inquiry contained in the said Resolution without passing an opinion upon an important question of law, upon the determination

of which depend valuable rights and interests of parties litigant in the Courts over which they preside; and I must be permitted to say that I deem the expression and promulgation of such opinion by the Justices of the Supreme Court at this time and in this manner, of very questionable propriety.

Were it not for the provisions of section 19, of chapter 3, of the Revised Statutes, (page 38) I should deem it incumbent upon me as a high and imperative duty to decline and withhold any expression of opinion upon the subject of inquiry contained in the said Resolution. That section in direct terms authorizes the House of Representatives to make this request of the Justices, and doubtless it has been made in view of that authority, for justifiable purposes and without any design to involve the Justices in any improper expression or refusal of opinion. The same section imposes it upon the Justices as an absolute duty, to comply with any such request, when made by either House of the Legislative Assembly—a duty which in this case, as it would in many others, places the Justices in a very unpleasant dilemma. They cannot answer without committing a breach of judicial propriety—they cannot refuse to answer without subjecting themselves to the liability of being deemed contumelious. I hope I may not be deemed impertinent in saying that in my judgment, the duty imposed by that section of the Statutes, upon the Justices of the Supreme Court, properly appertains to the office of Attorney General of the Territory.

I am, and at all times shall be, willing and even anxious to assist the Legislature, to the extent in my limited capacity and knowledge in their efforts to perfect any salutary measure of public policy, whenever I can do so consistently with the judicial duties imposed upon me; and I assure the House of Representatives that the only restraint which I feel in this case, is the effect of a deep, and I hope, a proper sense of the responsibilities and proprieties of the delicate trust reposed in the incumbent of a judicial station.

Notwithstanding my serious doubts of the propriety of answering the inquiry made by the said Resolution, I shall not refuse to do it; but in doing so, I shall rest for my justification, upon the Statute which imposes the duty upon me, and requires the House of Representatives, which adopted the Resolution, to bear all the responsibility or impropriety involved in my compliance.

Before giving my answer, I must insist that it shall be received with this qualification: That it be applied only to the state of facts described in, and contemplated by, the terms of the chapter of the Revised Statutes referred to in the said Resolution. What I shall say must necessarily be based upon general legal principles applied to such state of facts, and must be said without the benefit of any of the suggestions that might, and probably would be adduced upon an argument in Court. Legal opinions thus formed are not all ways correct or mature. Therefore, the opinion which I shall give in answer to this inquiry of the House must not be regarded as rendering the subjects involved in the question *res adjudicata*, even with myself, nor must there be applied to it, in any future adjudication of the subjects, before me or elsewhere, the rigid rule of *stare decisis*.

With those views and qualifications, I will submit to the House of Representatives my present opinion upon the question contained in the said Resolution.

The terms of the first section of chapter 88 of the Revised Statutes are, in my opinion, such as to avoid any conflict between that act and any express law of Congress, or any order or rule of any Department of the Government of the United States, nor do I now perceive that it is in any manner inconsistent with any provision of the Constitution of the United States, or of the Organic Act of this Territory.

It is a general principle or rule of the common law, that the *actual* occupant of land, though he be a trespasser in acquiring and continuing such occupancy, may maintain a proper action at law against any person other than the rightful owner or those claiming under him, for any violation of or trespass upon the land so actually occupied. The fact that the plaintiff in such a case is not the owner does not defeat the action against a stranger to the title, though it may perhaps affect the amount of the recovery.

It is not always easy to determine whether the facts in a case constitute an actual occupancy of land, and in some cases in which an actual occupancy is clearly established, it is extremely difficult to determine the extent or limits of it. These difficulties are felt with peculiar force in cases of occupancy without color of title. Occupancy, especially in such cases, is composed of overt acts and intent, and cannot exist at common law without an actual *user* in some form.

Whenever the question of actual occupation is involved in a legal controversy it has to be settled, as a question of fact, by the evidence in the case, applied (in the absence of any statutory regulations upon the subject) by the rules of the common law—rules founded upon general customs and experience, and defined and established by the adjudications of competent legal tribunals.

The rules which have been established by the operations of the common law, are held to be within the control of the Legislative power of the country where they exist. The Legislature may modify any mere rule of the common law—may extend or restrict in its operations, or abolish it altogether. The Legislature also possesses the like power over the rules or law of evidence. What is by the general rules of evidence deemed competent, may be declared incompetent, and *vice versa*. What is by the same general rules merely evidence may be declared to be conclusive proof. In these days of codification and legal reform, these Legislative powers are brought into frequent, active, and sometimes almost violent exercise. Whenever the Legislature become satisfied that the modification or abolition of any rule of the common law or of evidence will be the most conducive to the advancement, prosperity and best interests of the Territory, they should not hesitate or fail to act accordingly, nor suffer themselves to be paralyzed by the magic influence of the "wizard wand of hoary error."

A "person settled upon any of the public lands belonging to the United States," is an actual occupant of the land upon which he is settled—an occupant without color of title so long as he, from necessity of choice, fails to take any step authorized by Congress to secure to himself the title. Though he makes his claim and becomes such actual occupant in the entire good faith and for the laudable and valuable purpose of making for himself a farm and a home for life, and with the firm intention of acquiring the title by purchase at the earliest possible opportunity, still the rules of the common law applied by the usual rules of evidence in such cases, would afford him but a slender protection against intruders, and that protection would be confined to a very limited quantity—to only so much as he in the usual straitened circumstances of a pioneer, could bring into actual use and occupation.

It seems to me that the object or purpose of Chapter 88 of the Revised Statutes was to afford thereby a better and more effective protection to the actual, *bona fide* settler upon the public lands, than he had under the rules of the common law. It modifies and extends the rules of the common law defining actual occupancy, and very materially changes the rule of evidence by which such occupancy may be proved. It makes an actual settlement upon a parcel of land within the limited quantity of one hundred and

sixty acres, accompanied with the *intent* to appropriate the whole of such parcel to his own use, and the expenditure of fifty dollars in improvements thereon, tantamount to an actual occupation of the whole, and substitutes such marked boundaries thereof as may be easily traced, for evidence of actual *user* of the whole. Such it appears to me was the intent of that chapter of the statutes, and such must be the effect of it, provided its enactment was within the power conferred upon the Legislative Assembly of the Territory by the Organic Act.

It is an act peculiarly applicable to the circumstances and condition of this Territory so long as the public lands therein shall remain unsurveyed, or otherwise outside of the pre-emption laws of the United States, and of great value in the preservation of peace among the inhabitants settled on such lands. As such it may be appropriately deemed to belong to the internal police of the Territory. As a mere change of the rules of the common law and evidence, as a means of determining conflicts between possessory claims to lands, and as a conservatory measure of peace, I feel great confidence in my present opinion that it was, within the terms of the sixth section of the organic act, a "rightful subject of legislation" to which "the Legislative power of the Territory" was by that section extended. The only restraint imposed by that act upon the Legislative power of the Territory over the lands therein is this:—that "no law shall be passed interfering with the primary disposal of the soil."—The statute in question does not, that I can perceive, in any manner "interfere with the primary disposal of the soil"—the disposition of the title by the Government of the United States—but leaves all the laws of Congress providing for surveys, pre-emptions and sales, a free and unobstructed application.

If I am right in this opinion, it follows that the said Chapter 88, of the Revised Statutes is, to the extent above indicated, and as a modification and extension of the rules of the common law defining actual occupancy without color of title, and as a change of the rules of evidence by which such occupancy is to be proved, of binding force upon the courts and upon all persons who may litigate upon the subject in the courts of this Territory.

Be pleased to communicate this, my answer, to the said resolution to the House over which you preside, and believe me, very Respectfully,

Your obedient servant,

A. G. CHATFIELD.

OPINION OF JUDGE CHATFIELD.

On the Power of the Legislature to Dispose of the School Lands.

MENDOTA, Feb. 3, 1864.

To the Honorable, the Speaker of the House of Representatives:

SIR—I have received an authenticated copy of a Resolution adopted by the House of Representatives in the following language:

“Resolved, That the Supreme Judges of this Territory be requested to give their opinion as to the authority of the Legislative Assembly to sell or lease the School lands.”

Waiving all exceptions to the language of the Resolution, I, as one of the Justices of the Supreme Court of this Territory, will proceed to comply with the request therein made.

By the term “the school lands,” used in the said resolution, I understand the House of Representatives to refer to the lands, which, by the eighteenth section of the act of Congress entitled “an act to establish the Territorial Government of Minnesota,” are “reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereinafter to be erected out of the same.”

That act of Congress does not convey the title to the said lands to the Territory. They are only reserved “for the purpose of being applied to Schools.” The title still remains in the United States, and some further legislation by Congress must be had before the application of said lands to schools, can be actually made. The effect of the said eighteenth section of the said act of Congress seems to me to be this: It operates as a pledge given by the United States, that the lands mentioned in and reserved by that section, shall be applied to schools in the county in which they are situate, and as a solemn declaration of trust on the part of the United States by which they acknowledge that they hold the same sacred to that purpose.

If I am right in this view of the position of the title to said lands, it follows as a direct and inevitable result, that the Legislative Assembly of the Territory does not possess the power or authority to sell or convey the same. The United States cannot be divested of the title thereto, except by the action of Congress in some form.

It is a general legal principle that the right to lease lands depends upon the right to possess or occupy the same. As to these school lands, that right rests with the title, in the United States. Consequently, I am of the opinion that the Legislative Assembly of the Territory does not possess the power to grant to any person the privilege of occupying any of the said lands, unless such power can be derived from some law of Congress other than the organic act of the Territory.

By Section 1, of Chapter 10, of the Laws passed at the Second Session of the Thirty-First Congress, approved February 19, 1851, (2 Stat. at large 568,) it is enacted "that the Governors and Legislative Assemblies of the Territories of Oregon and Minnesota be and they are hereby authorized to make such laws and needful regulations as they shall deem most expedient to protect from injury and waste, sections numbered sixteen and thirty-six in said Territories, reserved in each township for the support of schools therein."

The power over these lands, conferred upon the Governor and Legislative Assembly by that section is very broad and extensive for the purposes of protection—much more so than that given by the general grant of Executive and Legislative powers contained in the Organic Act of the Territory.

I have no doubt but that the Legislative Assembly of the Territory possesses ample authority, under the grant of powers contained in the Organic Act, to protect, by penal or criminal laws, the School Lands against injury and waste.—That would be in common with the protection of all property in the Territory, a "rightful subject of legislation, consistent with the Constitution" and the Organic Act. That power, however, would not, in my judgment, include the authority to possess or occupy the said lands, or to create a leasehold estate therein, even for the purposes of protection.

I think that the powers of protection over the said lands, conferred upon the Legislative Assembly by the Organic Act, are very much enlarged by the terms of the said act of February 19th, 1851.

The power "to make such laws and needful regulations" as may be deemed "most expedient to protect from injury and waste" would appear to cover any and every measure of protection which the Governor and Legislative Assembly may, in the exercise of their discretion and judgment, within constitutional limits, believe to be effectual for that purpose. In case the Governor and Legislative Assembly shall deem the occupation of the said lands or any portion of them by tenants, under proper terms, safe restrictions, and the control of Territorial authority, to be an effectual measure "to protect" the same "from injury and waste," I am unable to perceive any good reason why they are not fully authorized by the said act of February 19th, 1851, "to make such laws and needful regulations" as may be necessary to provide for and regulate such occupation. The power is one purely of protection, and any and every measure taken or adopted under the said act of February 19th, 1851, must have that end in view. Every other benefit to be derived therefrom must be incidental. Whether the leasing of the said lands and the use and occupation thereof by a tenant can be deemed and used as a means of protecting the same "from injury and waste," the members of the Legislative

Assembly are much more competent than I am to determine. Such of said lands as can be protected in that manner, may be.

I hope it will not be deemed improper or impertinent in me, if, in conclusion I submit a remark outside of the inquiry contained in the said resolution. I entertain a desire bordering upon a feeling, that every proper power possessed by the Territorial Government, and the exercise of which may be necessary to the full and complete protection and preservation of this foundation of a School Fund, ample for the education of all the generations that are to follow us in this Territory, should be brought into active requisition for that purpose. This fund, so important and essential to the intellectual culture and moral welfare of the people of this country for all future time, should, above all others, be preserved inviolate. I trust it will be.

With a request that you will communicate this answer to the said resolution to the House of Representatives over which you preside,

I have the honor to be,

Very Respectfully,

Your obedient servant,

A. G. CHATFIELD.

OPINION OF JUDGE SHERBURNE,

On Chapter 88, Revised Statutes.

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

The following resolution, adopted by your Honorable Body, has been received:

“ *Resolved*, That the Judges of the Supreme Court of the Territory are hereby requested to inform this House whether, in their opinion, the provisions of Chapter 88, page 444, of the Revised Statutes, entitled ‘of actions by persons holding claims on United States lands,’ are consistent with the Constitution and Laws of the United States, and an act entitled ‘An act to establish the Territorial Government of Minnesota;’ and whether the same is binding in its provisions upon the Courts and inhabitants of this Territory.”

Having delayed an answer to the above resolution longer than may seem respectful to the Legislature, in the expectation of an opportunity to consult with the other members of the Court, I proceed at once, in reply, to state such conclusions as seem to me to be just, without elaborating the reasons which have led to them.

The Section of the Statute referred to is not inconsistent with the Constitution or any law of the United States, is apparent upon the face of it. It merely affirms a well known principle of common law, and neither enlarges nor abridges the common right to occupy public lands. It is a well established rule of law, that a party in actual possession of real estate may protect such possession against every one except the rightful owner, or some one claiming under such owner.

In Sections two, three, and four, the Legislature established certain rules of law and evidence by which parties shall be governed in determining the extent, boundaries, and character of their possessions or claims, and their right to retain and recover the same.

This, to the extent designed by the act in question, the Legislature had, in my opinion, a right to do. It is a power incident to all Legislative authority, and one frequently exercised. I am unable to perceive wherein these rules are inconsistent with the Consti-

tution and Laws of the United States, or "An act to establish the Territorial Government of Minnesota;" and if not, they are binding upon the Courts and inhabitants of this Territory.

In coming to the foregoing conclusions, I have considered the provisions of the Territorial Law as intended to apply only to those lands which are not subject to pre-emption, and to questions in respect to other lands in which the rights of the parties do not depend upon the United States pre-emption laws; for the Legislature does not need to be informed that a Territorial Law cannot be used to change or modify the rights of parties to the before mentioned lands, arising under a law of the United States.

M. SHERBURNE.

St. Paul, February 9, 1854.

OPINION OF JUDGE SHERBURNE,

On the Power of the Legislature to Dispose of the School Lands.

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

The following resolution, adopted by your Honorable body, has been received:

“Resolved, That the Supreme Judges of this Territory be requested to give their opinion as to the authority of the Legislative Assembly to sell or lease the School Lands.”

Whatever authority the Legislature has over these “School Lands,” is derived from Section 18, of the act organizing this Territory, approved March 3, 1849, and from the first section of an act of Congress, approved Feb. 19, 1851.

The section of the Organic Act referred to is as follows:

“Sec. 18. And be it further enacted, That when the lands in said Territory shall be surveyed under the direction of the Government of the United States preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby reserved for the purpose of being applied to Schools in said Territory and in the States and Territories hereafter to be erected out of the same.”

There are no words in this law importing a grant to the Territory, nor does it seem to me that any intention on the part of Congress to make a grant can be inferred or implied from the whole section, taken together. I think the substance of the provision is, according to its plain and palpable meaning, a promise on the part of the United States to hold these lands for the use of schools in this Territory and the Territories and States which may grow out of it, reserving to itself the fee of the soil and the right to determine the time and manner of the appropriation. That the Congress of 1851 considered the fee and control of these lands in the United States, is evident from the law passed that year and above cited, which reads as follows:

“Be it enacted, &c., That the Governors and legislative assemblies of the Territo-

ries of Oregon and Minnesota be, and they are hereby authorized to make such laws and needful regulations as they shall deem most expedient, to protect from injury and waste sections numbered sixteen and thirty-six in said Territories, reserved in each township, for the support of schools therein."

Now, if either house of Congress, or the President of the United States, had understood the reservation of these lands by the Organic Act, to have been a grant of the same lands to the Territory or its Legislature, they would not have assented to an act so useless and absurd as the one last quoted. If the "reservation is construed to imply a grant," then the act of 1851 was passed for the purpose of conferring authority upon upon the legislature to protect lands, the absolute fee of which had been vested in the same legislature, or the inhabitants of the Territory, nearly two years before.

The last mentioned act cannot, of course, invalidate or modify any title which the people or the government of this Territory acquired by the Organic Act; but it does show the construction which was put upon the reservation in the Organic Act, by the authority which enacted it.

In a brief examination of the history of these reservations and grants, as applicable to the States and former Territorial governments, I have found no instance in which language similar to that of the 18th section of the Organic Act of this Territory, has been construed, by either party, to imply a grant; but in every such case which I have examined Congress has, by an act subsequent to the "reservation," couched in apt and appropriate language, made an absolute conveyance to the people or government for whose benefit it was originally reserved.

The reservation was made for the benefit of schools in this Territory, "and in the States and Territories hereafter to be erected out of the same." It is very easy to see that an absolute grant of the fee of these lands to the government or the people of this Territory, at the time the reservation was made, might have been totally inconsistent with their reservation for States and Territories hereafter to be erected.

If the two acts referred to, confer no power upon the Governor and Legislature to "sell," and I have very little hesitation in saying they do not, it follows, as it seems to me, very clearly that they have no power to "lease."

An unlimited right to give a lease of lands, to stipulate as to its terms and determine as to its duration, is equivalent, in its effects, to the power to convey.

It may be contended that this power is implied, and results from the authority conferred by Congress upon the Governor and Legislature to protect the school lands from waste and injury. A rule, however, which will justify such a construction must be very different from any which courts of law have ever adopted in ascertaining and determining the rights and powers of individuals.

If the power to lease at all exists by virtue of the act under which it is claimed, it cannot be contended that there is any other limit to the power than that which lies within the discretion and consciences of the Governor and Legislature. They may lease them for such consideration as they choose, limited only by what the lands will command; and the lease may be for one, nine, or ninety-nine years, or any other term which they may "deem" best. They may also stipulate that the rents and profits for the entire term shall be paid by the lessee in advance. This is certainly in its effects an authority nearly if not quite equal to that of conveying an absolute fee. If the power exists at all, and there is a limitation to it, where is that limitation to be found? Certainly not in the language of the law.

It may indeed be said that the whole matter will be perfectly safe in the hands of the Governor and Legislature, and that they will limit their acts to what may be consistent with the best interests of the Territory. I do not doubt this; but the question is not what they *will* do, but what they have a lawful right to do.

The power to lease lands and the power to protect them from waste, are, to a certain extent, inconsistent with each other. In reference to the land in question, the inconsistency is more palpable than it would be in the case of worn-out lands, or lands the principal value of which consisted in the buildings upon them.

I can conceive of only two instances in which these school lands need be, or can be, protected from injury and waste. The one is in the case of excessive cropping, whereby the virgin richness of the soil is abstracted, and the other in the destruction of valuable timber standing upon them. To provide against these means by which the value of the lands might be reduced, must have been the only objects which Congress had in view in the passage of the law in question. But to lease them, if they are to be cultivated after the manner of cultivating a great majority of lands in all new territories, is, as it seems to me, the direct means to produce that deterioration in value which it was the object of Congress to provide against.

Whether it might or might not be good policy on the part of the Legislature to make an effort to realize something from them by way of rents and profits, if the right existed, is not for me to inquire. But I am clearly of the opinion that Congress has not yet conferred that right.

I cannot think that the simple and unimportant right to protect from "waste and injury," clothes an agent with the power to convey real estate in fee, nor for a term of years, unlimited or limited.

My answer must therefore be that the Legislative Assembly has no authority to either sell or lease the "School Lands" in this Territory.

M. SHERBURNE,

St. Paul, February 11, 1854,

REPORT

**Of the Select Committee to whom was Referred the Memorial of Sundry Captains
and Owners of Steamboats in the Minnesota Trade.**

The select committee to which was referred the petition of sundry owners and captains of steamboats in the Minnesota trade, asking that the Legislative Assembly take the necessary steps to secure the early removal of leaning trees in certain localities along the Mississippi River, would respectfully report that,

Your Committee have given to the petition that serious and careful examination which the great importance of the subject deserves. The petition reads as follows:

**MEMORIAL OF THE UNDERSIGNED STEAMBOAT OWNERS AND
CAPTAINS OF STEAMBOATS IN THE MINNESOTA TRADE.**

*To the Hon. the Senate and House of Representatives of the Territory of Minnesota in
Legislature Assembled:—*

HUMBLY SHEWETH—

That the channel of the Mississippi River, within the jurisdiction of Minnesota, is, in many instances, seriously obstructed by trees overhanging the channel of said river, to the great detriment of the safe navigation thereof, particularly in low water, thereby increasing the perils of navigation, creating loss of time, and enhancing freight and passage in this great thoroughfare to your Territory.

That this is particularly the case in those localities known to boatmen as **Beef Slough**, **Corn Slough**, and **Picayune Shoot**.

That the obstacles complained of are equally injurious to raftsmen and others transporting the products of the Territory of Minnesota.

That the expense of removing these obstacles would not be very great, if undertaken while the river is frozen up, care being taken that the trees so cut down are cut into

such pieces, say, of 15 feet length or otherwise, so that the ice may carry off the fragments, and not leave them as snags in the channel of the river.

And your memorialists will ever pray, &c.

December 15, 1853.

Capt. SMITH, of s. b. Asia, LORRAIN & Co., Agents.
 Capt. LAVILLE, of s. b. Shenandoah, per LORRAIN & Co.,
 Capt. W. H. GABBERT,
 J. A. CARLER,
 Capt. HIRAM BERSIE,
 H. F. McCLOSKEY,
 Capt. JAMES WARD,
 EDWARD H. BEEBE,
 Capt. R. BLAKELEY,
 Capt. R. S. HARRIS,
 D. S. HARRIS,
 ORRIN SMITH,
 Capt. PRESTON LODWICK,
 B. H. CAMPBELL & Co.

That, upon an examination of the names attached to the petition, it will be observed that they are those of well known steamboat owners, captains and agents, most of whom have long been known to the people of the Territory, and are now, or contemplate becoming connected with the Minnesota Packet Company, an institution well known and long to be remembered by the business men of Minnesota, and whose extreme liberality has been so bountifully displayed in seasons of low water and difficult navigation in the Mississippi River, the past few years.

That your Committee can very clearly comprehend the extreme modesty of the petitioners, as shadowed forth by the wording of the petition.

That although the petitioners might, without in the slightest degree violating the strictest propriety, have assumed the responsibility and incurred all the expense of the work contemplated, without giving notice to the people of this territory of the fact; and in fact, as the improvements desired are more properly within the limits of a neighboring State, the whole improvements might have been completed before the people of Minnesota would, in all probability, have been aware of any intention to make this improvement; yet the petitioners have, with great magnanimity, laid at the feet of this legislative assembly, all the honor, all the renown, and "all the expenditure" which would result from the completion of so important a public improvement.

That the sacrifice of all personal pride and ambition, and the beautiful display of innate modesty by the members of the Minnesota Packet Company can be more clearly appreciated when we reflect upon the vast sums said Company have permitted the business men of this Territory to contribute to said company, to defray the expenses consequent upon their *low water* intercourse with our Territory, which gave the company more than an ordinary right to have commenced and completed the removal of all leaning trees, or even the snags and sand bars which may at any time interfere with the free and convenient navigation of the Mississippi river between Galena and St. Paul without any consultation on this important subject with, or notification to the people of this Territory through the Legislature.

That the self-sacrificing liberality with which the Packet Company has conferred upon

the Territory an opportunity of expending a few thousand dollars in this ennobling enterprise for the general welfare of the public, and the particular benefit of the Packet Company deserves the deepest expressions of gratitude on the part of this Legislature.

That your committee feels more particularly grateful for the calm and disinterested display of that personal liberality for which the members of the Packet Company stand so justly pre-eminent, by withholding the slightest intimation that the company are in the least desirous of a participation in either the honor or the *expenditure*, although they must be well aware that their future business relations with this Territory would virtually compel them to avail themselves in common with others, of the benefits resulting from the proposed improvement.

That although your committee can fully appreciate the favorable opportunity which the retiring diffidence and well-known modesty of the petitioners, has afforded this Legislative Assembly and the Territory at large, of earning and wearing immortal honors, they believe that a sense of justice, of honor, and of reciprocal liberality should withhold the Legislature from appropriating honors offered at so great a sacrifice of personal right.

Your committee feel that it would be unjust and ungenerous in the Legislative Assembly of the Territory of Minnesota to rob these meritorious individuals of the honor and renown which would unquestionably follow a display of disinterested patriotism as contemplated by the proposed improvements.

That your committee believe the proposition of the petitioners was made from a sense of that profound respect which the petitioners ought of right to entertain for the Legislature and people of this Territory, and not from any desire to be considered as opposed to becoming public benefactors.

That, had the petitioners, from a knowledge of the benefits which *might* have accrued to themselves displayed the slightest desire to participate in the honor or expense that would necessarily result from the very important improvement proposed in the petition, your committee would in all probability have been less inclined to sacrifice the favorable opportunity which now offers in so important a national improvement.

Your Committee feel that this Legislature should not be outdone in liberality, by the petitioners:—that the same liberality they offer, should be granted to them—and that in justice to this Legislative Assembly, to the people of the Territory, and to the petitioners, the offer made at so vast a sacrifice should not be accepted, but that all the honors, the renown and expenditures, should and does of right belong to the petitioners.

Your committee would therefore respectfully recommend that this Legislature in consequence of the proposition made by the petitioners, should relinquish to said petitioners all the right that this Legislature possesses of making expenditures for the purposes mentioned in the petition.

THIRD ANNUAL REPORT

OF THE

BUILDING COMMISSIONERS.

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

The Board of Building Commissioners for the Territory of Minnesota transmit to the honorable, the Legislative Assembly of this Territory, their third annual report, together with a copy of the Journal of their Proceedings, and the report of the Treasurer of the Capitol Fund.

At the date of the last annual report of the Commissioners, the Superintendency of the Territorial Prison was included in the duties of the Building Commissioners. The last Legislative Assembly, however, passed an act, approved March 5th, 1853, transferring the superintending of the prison, and the improvements thereto being made, to the Warden of the Prison. The action of the Board, therefore, since the approval of said act, has been confined to the superintending and completion of the Capitol.

There was a balance of \$420 16 in the treasury of the building fund at the date of the last report, and by an act of Congress, passed at its last session, a further sum of \$12,500 was appropriated by the government for the completion of the Capitol, which sum of \$12,500 was received by the Treasurer of the Capitol Fund in August last.

There has been expended in and about the Capitol, in completing the same, and for an out house, and in levelling the Capitol grounds, draining the basement of the Capitol building, and furnishing the Legislative halls and rooms for the federal officers, since the last annual report, the sum of \$11,642 81, leaving a balance of \$1,277 35 now in the hands of the treasurer, as appears by his report, hereto annexed.

At the date of said last annual report, the contract, originally taken and entered into by J. Daniels, Esq., for constructing certain portions of the Capitol, as per specifications, was not completed. The cost of the work, included in his contract then remaining unperformed, was \$2,150 00, as estimated by C. P. V. Lull, the then superintendent of the Capitol. In order to complete said work, and also to complete the Capitol, at as early a day as possible, the Commissioners, at their meeting held March 11, 1853, instructed, by resolution, the superintendent to invite sealed proposals for the completion of the Capitol building, which proposals were to be received until May 2, 1853. For the advantage of

government, and an economical expenditure of the Capitol Fund, the board resolved to receive separate proposals for the different kinds of work to be performed. A number of proposals were received, and at a meeting of the board held May 10, 1853, the Commissioners proceeded to open the proposals and to award the contracts to the lowest responsible bidders. To Messrs. Downer & Mason they awarded the contract of completing the Capitol, excepting the lathing and plastering and the painting, at the price of \$4,454. The contract for lathing and plastering the Capitol, and furnishing the material therefor, was awarded to Messrs. Stephens & Wallace; and the painting, and furnishing material therefor, was given to J. P. Wright. All of whom immediately entered into bond for the completing of their several contracts, and have finished the same to the entire satisfaction of the Commissioners.

At a later period, proposals were issued for grading the grounds about the Capitol. Difficulties arising, however, in procuring Mr. Kneer to perform the work under a contract by the job, the board, by resolution, instructed the Superintendent to have the grading done by laborers employed by the day. Under said resolution, the work was done satisfactorily to the board, and at a pecuniary advantage to the government.

The Capitol building is now completed, with the exception of fitting up the Supreme Court room, which is being done. It is necessary for the protection of the Capitol grounds that they should be enclosed with a good and substantial fence, for which improvement a further appropriation will be required from Congress.

The Commissioners would, therefore, recommend that a memorial be addressed to Congress, asking an appropriation for constructing a fence, enclosing the Capitol grounds, and also for defraying the incidental expenses of the Capitol.

For further information concerning the transactions of the Board, the Commissioners would respectfully refer your honorable body to their Journal, a copy of which is hereto annexed.

By order of the Board,

I. VAN ETTEN,
Secretary.

JOURNAL OF PROCEEDINGS.

ST. PAUL, January 28th, 1853.

Board met.

Present—Alexander Ramsey and Alex. Wilkin.

A communication from Daniel F. Brawley, late Superintendent of the Capitol Building, was presented and read, as follows, to-wit:

Report of the Building Commissioner to the Board of Building Commissioners of Territorial Buildings for Minnesota Territory.

GENTLEMEN:—As ex-Building Commissioner, I have the honor to submit the following report of my stewardship while in office:

On the 12th day of October, 1852, I endorsed the bill of J. Daniels, Esq., for \$7,000 for the payment of materials for the Capitol, as follows:

For brick from the commencement of the second story to the completion of the building, (231,120 brick) laid in the wall, - - - - -	\$2,311 20
The remainder of the bill was for 75,000 shingles, at \$3 per thousand, - - - - -	225 00
And putting on roof, partitions, flooring, cornice, window casings, doors, and frames, and columns for porticos, including the lumber therefor, - - - - -	4,440 00
	\$6,976 20

The above sums are according to my own estimates, in the making of which, I underestimated the carpenter's estimate thereof.

At this date, (October 12th, 1852,) Mr. Daniel's contract is completed, with the exception of about ten days' work for a carpenter, the lathing and plastering, and putting in the window glass and sash.

Respectfully submitted,

D. F. BRAWLEY,

Ex-Building Commissioner.

Oct 12th, 1852.

Which report,

On motion of Alex. Wilkin,

Was endorsed and ordered to be filed.

The following resolution and preamble was then offered, to-wit:

Whereas, Joseph Daniels has given an order, dated November 2d, 1852, on this board for \$400, in favor of Haus & Lewry, sub-contractors for work done on the Capitol, under the contract of the said Daniels;

And whereas, said Haus & Lewry have presented a bill of \$400, properly certified to:

On motion of A. Wilkin,

A. 16.

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for \$400 in favor of said Haus & Lewry, upon said account and order.

Ayes—Ramsey and Wilkin.

On motion of A. Wilkin,

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for \$1,000, in favor of Joseph Daniels, upon account of bill for lumber presented this day by W. R. Marshall, to whom the same was assigned.

Dec. 1st, 1852.

On motion of Alex. Wilkin,

Ordered, That a warrant for \$79 be drawn on the Treasurer of Capitol Fund, in favor of J. P. Wright, on account of bill for painting, presented this day.

Ayes—Ramsey and Wilkin.

On motion of Alex. Wilkin,

The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. Paul, Feb. 2, 1853.

Board met.

Present—Alex. Ramsey and Alex. Wilkin.

A. Wilkin offered the following preamble and resolution, to-wit:

Whereas, M. Wise & Co. had contracted with J. Daniels, late contractor on Capitol buildings, to supply sash for said building, but had not delivered the same on account of non-payment, by said Daniels, for the same, until the indebtedness was assumed by this Board;

And whereas, the same have been delivered in consequence of such assumption, and such delivery has been properly certified to by the Superintendent, and said Daniels has authorized this Board to pay said bill to M. Wise & Co.;

On motion of Alex. Wilkin,

Resolved, That a warrant for \$141 02 be issued by the Secretary on the Treasurer of the Capitol Fund in favor of M. Wise & Co., in payment of their bill, dated November 15th, 1852.

Ayes—Ramsey and Wilkin.

There being no further business before the Board,

On motion of Alex. Wilkin,

The Board adjourned.
Ayes—Ramsey and Wilkin,

ALEX. RAMSEY,
President.

Attest:
I. VAN ETEN,
Secretary.

St. PAUL, Feb. 5th, 1853.

Board of Building Commissioners met.
Present—Alex. Ramsey and Alex. Wilkin.
The report of the Superintendent of the Capitol Building was presented by Alex. Wilkin, and read, as follows:

To the Honorable Board of Building Commissioners for the Territory of Minnesota :

The undersigned, Superintendent of the Capitol, respectfully begs leave to report:

That he has examined said building, and estimated the cost of completing the same, and finds that there remains to complete said building, according to the plans and specifications, to the best of my knowledge—

Finishing dome and turning columns, and floor in front, casing windows, sash and glass, and setting same, setting partitions and base and doors, stairs, and filling front opening, and completing the plastering in the building. That the above work will cost, to the best of my knowledge, about \$2,150 00.

Most respectfully yours,
Superintendent of Capitol Building.

Dated Feb. 2, 1853.

On motion of Alex. Wilkin,

Ordered, That said report of the Superintendent of the Capitol be recorded by the Secretary in the of proceedings of the Board.

Ayes—Ramsey and Wilkin.

There being no further business before the Board,

A. Wilkin moved that the meeting do now adjourn.

Carried.

Ayes—Ramsey and Wilkin.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETEN,
Secretary.

St. Paul, Feb. 14th, 1853.

Board met.

Present—Alex. Ramsey and Alex. Wilkin.

Messrs. Willoughby & Powers presented a bill for livery expense in going to Stillwater to visit Territorial Prison; and,

On motion of Alex. Wilkin,

Resolved, That said bill be allowed, and that a warrant be drawn by the Secretary on the Treasurer of the Prison Fund, in favor of Willoughby & Powers, for \$20, the amount of said bill mentioned.

Carried.

Ayes—Ramsey and Wilkin.

On motion of A. Wilkin,

Resolved, That a warrant be drawn by the Secretary on the Treasurer of the Prison Fund, in favor of Alden Bryant, Superintendent of Territorial Prison, for \$37 50, balance of salary for quarter ending this day, as appears by account rendered.

Carried.

Ayes—Ramsey and Wilkin.

On motion of A. Wilkin,

Resolved, That a warrant be drawn by the Secretary on the Treasurer of the Capitol Fund, in favor of C. P. V. Lull, Superintendent of Capitol, for \$62 50, for one quarter salary ending this day, as appears by account rendered and dated this day.

Carried.

Ayes—Ramsey and Wilkin.

On motion of Alex. Wilkin,

Resolved, That this meeting do now adjourn.

Carried.

Ayes—Ramsay and Wilkin.

ALEX. RAMSEY,
President,

Attest:

I. VAN ETTEN,
Secretary.

ST. PAUL, March 8th, 1853.

Board met.

Present—Alex. Ramsey and Alex. Wilkin.

On motion of A. Wilkin,

Ordered, That a warrant be drawn on Treasurer of the Prison Fund, in favor of Jesse Taylor & Co., for \$400, on account of their contract.

Carried.

Ayes—Ramsay and Wilkin.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

ST. PAUL, March 14th, 1853.

Board met.

Present—Alex. Ramsey and B. W. Brunson.

On motion of B. W. Brunson,

Resolved, That this Board proceed to invite proposals for the completion of the Capitol building; proposals to be received until May 2d, 1853.

Carried.

Ayes—Ramsay and Brunson.

There being no further business,
The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, April 11th, 1853.

Board met.

Present—Alex. Ramsey and B. W. Brunson.

Plan for an out building to the Capitol, presented by the Superintendent, and,

On motion,

Resolved, That said plan for said building be accepted by the Board.

Carried.

Ayes—Ramsey and Brunson.

The Superintendent then presented the following report, to-wit:

The undersigned would respectfully report, that on the 29th day of March, he caused the following advertisement to be published in the "Minnesota Pioneer" and "Minnesota-tian," for four weeks, to-wit:

CAPITOL BUILDINGS.

Sealed proposals will be received by the Board of Building Commissioners of the Territory of Minnesota, until Monday, the 2d day of May next, at 12 o'clock, M., for the full completion of the Capitol Buildings, at St. Paul, according to the plan and specifications on file in the office of the Secretary of the Board.

Separate proposals will be considered for the completion of the whole, or in part, as follows, to-wit:

1st. For furnishing material and doing the carpenter's and joiner's work, laying balance of flooring, putting up partitions, casing doors and windows, fitting sash, setting glass, hanging the windows with weights and pulleys, erecting columns in front, and finishing portico, making and hanging doors, running stairs with walnut hand rail and turned banisters, putting down base boards, finishing the dome, and erecting steps, and the end and back doors, and every thing necessary to a complete finish of the building; also, for erecting out houses.

2d. For furnishing material, lathing, plastering the whole, to be three coats with white finish.

3d. For furnishing material and painting the interior of the building, doors, windows, &c., with pure white lead and linseed oil, three coats.

4th. For furnishing material and erecting steps, and flagging the portico in front of building, and erecting nine brick piers in the basement, to support the floor timbers; the steps and flagging to be of cut stone.

5th. For furnishing material and covering the dome with tin.

All bids must specify for what price per square yard the plastering and painting will be done.

All materials to be of the best quality, and work done in the best manner.

Contractors will be required to give security for the completion of their contract. To be completed on or before the first of September, 1853.

BENJ. W. BRUNSON,
Building Commissioner.

St. Paul, March 20th, 1853.

On motion,

The report was accepted.

The Building Commissioner then presented his specifications of work to be done in the Capitol, which,

On motion,

Was ordered to be filed by the Secretary.

On motion of B. W. Brunson,

Resolved, That this Board do now adjourn,

Carried.

Ayes—Ramsey and Brunson.

ALEX. RAMSEY,
President.

Attest:

I, VAN ETTEN,
Secretary.

St. Paul, April 12, 1853.

Board met.

Present—Alex. Ramsey and B. W. Brunson.

B. W. Brunson presented the following resolutions, to-wit:

Resolved, That the original plan of the Capitol Building be so changed that the upper

room in the wing be finished for the use of the Supreme Court, and that the plan be finished on ground floor, the same as appears in the plans.

Carried.

Ayes—Ramsey and Brunson.

The Board then took up the account of Messrs. Haus & Lewry, and,

On motion of B. W. Brunson,

Resolved, That said account of Haus & Lewry be suspended for the present.

Carried.

Ayes—Ramsey and Brunson.

The bill of Alden Bryant for services as Superintendent of Territorial Prison, up to April 4th, inst., was then presented to the Board.

On motion of B. W. Brunson,

Resolved, That said account be allowed, and that a warrant be drawn on the Treasurer of the Prison Fund, by the Secretary, for \$36 45.

Carried.

Ayes—Ramsey and Brunson.

B. W. Brunson then presented the account of I. Van Etten, for services as Secretary to the Board from Nov. 12th, 1852, up to April 12th, inst., inclusive, and for extra services in copying journal and preparing report of Board of Commissioners for the Legislature.

On motion of B. W. Brunson,

Resolved, That an order in favor of I. Van Etten, for \$204 15, be drawn by the Secretary on the Treasurer of the Capitol Fund.

Carried.

Ayes—Ramsey and Brunson.

On motion,

The Board adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. Paul, April 15th, 1853.

Board met,

Present—Alex. Ramsey and B. W. Brunson.

Bill of Haus & Lewry for \$489 was presented to the Board, and was duly certified by the Building Commissioner.

On motion of B. W. Brunson,

Ordered, That an order be drawn, in favor of Haus & Lewry, for \$489, by the Secretary, on the Treasurer of the Capitol Fund.

Ayes—Ramsey and Brunson.

The bill of Ard. Godfrey, for lumber furnished to the Capitol, duly certified, for \$72 59, was presented.

On motion of B. W. Brunson,

Ordered, That a warrant be drawn by the Secretary on the Treasurer of the Capitol Fund for \$72 59, in favor of Ard. Godfrey.

Ayes—Ramsey and Brunson.

Bills of Hyland for \$81 61, and of Ard. Godfrey for \$72 59, and of Haus & Lewry for \$100, for materials furnished for the Capitol, were then presented.

On motion of B. W. Brunson,

Resolved, That said bills of Hyland, Ard. Godfrey, and Haus & Lewry, be suspended for the present.

Carried.

Ayes—Ramsey and Brunson.

On motion,

The Board then adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. Paul, May 3d, 1853.

Board met.

Present—Ramsey, Wilkin, and Brunson.

The bids for the completion of the Capitol building were opened.

On motion of A. Wilkin,

Ordered, That the Building Commissioner, B. W. Brunson, examine the various bids, and report to the Board which he deems the lowest.

Ayes—Ramsey and Wilkin.

On motion,

Ordered, That a warrant be drawn on the Treasurer of Capitol Fund, in favor of Owens & Moore, for \$19 00, for bill of printing blanks.

Carried.

A. 17.

Ayes—Ramsey and Wilkin.

On motion,
Adjourned.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

ST. PAUL, May 10th, 1853.

Board met.

Present—Ramsey and Wilkin.

A communication from the Building Commissioner, B. W. Brunson, was received in reference to bids for completion of Capitol; which,

On motion of A. Wilkin,
Was ordered to be filed.

Ayes—Ramsey and Wilkin.

On motion of Alex. Wilkin,

Ordered, That the contract for the completion of the Capitol, excepting the lathing, plastering and materials therefor, and the painting and materials therefor, be given to Downer & Mason, on complying with terms required, and giving security. at price of \$4,454.

Ayes—Ramsey and Wilkin.

On like motion,

Ordered, That the lathing and plastering and furnishing materials therefor, be given to Stephens & Wallace, and contract entered into with them.

Ayes—Ramsey and Wilkin.

On motion of Alex. Ramsey,

Ordered, That a warrant for \$154 46 be drawn on Treasurer of Prison Fund, for services as Treasurer of Prison and Capitol Fund, from Oct. 13th, 1852, to May 13th, 1853, being two per cent. on \$7,723 26, received by him from late Treasurer.

Carried.

Ayes—Ramsey and Wilkin.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETTEN,
Secretary.

ST. PAUL, May 13th, 1853.

Board met.

Present—Alex. Ramsey and Alex. Wilkin.

On motion of A. Wilkin,

Ordered, That the contract for painting the interior of Capitol, out buildings, &c., be given to _____ upon his giving security.

Carried.

Ayes—Ramsey and Wilkin.

ALEX. RAMSEY,
President.

Attest:

I. VAN ETEN,
Secretary.

SECRETARY'S OFFICE, ST. PAUL, July 18, 1853.

Board met pursuant to call.

Present—Gov. Gorman, Secretary Rosser, and B. W. Brunson.

Memorials of Downer & Mason, and of the Stone Cutters, were presented, and,

On motion,

Were suspended for the present.

The bill of Joseph Daniels, assigned to W. R. Marshall, was then taken up, and,

On motion of B. W. Brunson,

Was suspended for the present.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

The Board then adjourned until July 19th, 1853.

Ayes—Gorman, Rosser, and Brunson.

W. A. GORMAN,
President.

Attest:

I. VAN ETEN,
Secretary.

SECRETARY'S OFFICE, July 19th, 1853.

Board met pursuant to adjournment.

Present—Gorman, Rosser, and B. W. Brunson.

On motion of B. W. Brunson,

The Board proceeded to the consideration of the memorial of Downer & Mason.

B. W. Brunson moved that the memorial be indefinitely postponed.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of Mr. Brunson,

The following resolution was adopted:

Ayes—Rosser and Brunson.

Nays—Gorman.

Resolved, That the Board of Commissioners of the Capitol Buildings will hereafter pay to the contractors seventy-five per cent. on the amount of labor performed and material furnished on said buildings, upon the estimate of the acting Building Commissioner, provided their securities assent in writing to such payment and to the above variance of the original contract.

On motion of B. W. Brunson,

The following resolution was adopted:

Resolved, That the Building Commissioner be, and he is hereby, authorized to have eave troughs, or conductors and spouts, placed upon the Capitol; also, to have zinc placed in the valleys or gutters upon the roof and next the chimneys.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

The following resolution was adopted:

Resolved, That the Building Commissioner be, and he is hereby, authorized to have erected two columns in the main hall, and two in the hall of the wing of the Capitol, to support the floor above.

Ayes—Gorman, Rosser, and Brunson.

On motion,

The memorial of the Stone Cutter was taken up and indefinitely postponed.

Ayes—Gorman, Rosser, and Brunson.

On motion of Mr. Rosser,

The bill of B. W. Brunson was passed, and warrant for the amount of \$166 66 was ordered to be drawn on the Treasurer for the amount.

Carried.

Ayes—Gorman and Rosser.

On motion of B. W. Brunson,

The bill of Byres & Comstock was then taken up, and warrant ordered to be drawn by the Secretary on the Treasurer for the amount of \$348.

Ayes—Gorman, Rosser, and Brunson.

The order of Downer & Mason to Byres & Comstock was then taken up, and,

On motion of Mr. Brunson,

It was laid on the table.

Ayes—Gorman, Rosser, and Brunson.

The bill of I. Van Etten for services as Secretary was then taken up, and,

On motion of B. W. Brunson,

Ordered, That a warrant for \$62 49 be drawn on the Treasurer.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of Mr. Brunson,

The Board adjourned.

Ayes—Gorman, Rosser, and Brunson.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, August 20th, 1853.

Board of Commissioners met.

Present—Gorman, Rosser, and Brunson.

Board proceeded to business.

On motion of B. W. Brunson,

The bill of Downer & Mason, this day presented, be allowed, and that a warrant for twelve hundred dollars be drawn by the Secretary, upon the Treasurer of the Capitol Fund, for that amount.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Resolved, That there be allowed, on the bill of Stevens & Wallace, this day presented, six hundred dollars, and that a warrant be issued to them, for that amount, on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of J. T. Rosser,

Resolved, That there be allowed on the bill of Martin Godfrey, this day presented to the Board, one hundred and fifty dollars, and a warrant for that amount be ordered to issue by the Secretary on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Resolved, That there be allowed on the bill of Isaac Wright, this day presented, for painting on the Capitol Building, the sum of one hundred and fifty dollars, and that a warrant for that amount be drawn on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Ordered, That there be allowed to J. R. Brown, for printing proposals for work on Capitol, on his bills this day presented, the amount of \$7 50, and that a warrant for that amount be drawn on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion,

The Board adjourned, sine die.

W. A. GORMAN,
President,

Attest:

I. VAN ETTEN,
Secretary,

St. Paul, August 28th, 1853.

Board met.

Present—Gorman, Rosser, and Brunson.

On motion of J. T. Rosser,

Resolved, That the Building Commissioner, B. W. Brunson, be requested to inquire into the expediency of heating the Capitol with heated air.

Carried.

Ayes—Gorman and Rosser.

On motion of B. W. Brunson,

Resolved, That the bill of Byres & Comstock, this day presented, for extra work on the Capitol, be allowed, and that a warrant for one hundred and 68-100 dollars issue to them on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson,

On motion of B. W. Brunson,

Resolved, That the bill of Cavender & Mathers, this day presented for work finished

by them, be allowed, and that a warrant issue to them on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Resolved, That the bill of Daffely & Hendrick, for cleaning in and about the Capitol, this day presented, be allowed, and that a warrant for thirty-nine dollars each issue to them on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion of B. W. Brunson,

Resolved, That the bill of Daffely & Hendrick, for cleaning Supreme Court room, this day presented, be allowed, and that a warrant for six dollars be issued to them on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman, Rosser, and Brunson.

On motion,

Board adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, Sept. 2d, 1853.

Board of Building Commissioners met.

Present—Gorman and Rosser.

Board proceeded to business.

On motion of J. T. Rosser,

Resolved, That the bill of D. Olmsted, for printing blank vouchers for the use of the Board, this day presented, be allowed, and that a warrant for eleven dollars issue to him on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That there be allowed on the bill of Downer & Mason, for work on contract,

this day presented, the sum of seven hundred and fifty dollars, and that a warrant issue to them for that amount on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That there be allowed on the bill of Downer & Mason, this day presented, for extra work, the sum of one hundred and ten and 25-100 dollars, and that a warrant issue to them for that amount drawn on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

There being no further business before the Board,

On motion of J. T. Rosser,

The Board adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETEN,
Secretary.

St. PAUL, Sept. 7th, 1853.

Board of Building Commissioners met.

Present—Gorman and Rosser.

Board proceeded to business, and,

On motion of J. T. Rosser,

Resolved, That the sum of eight hundred and twenty-four dollars be allowed to Downer & Mason, as per bill this day presented, and that the Secretary issue a warrant for that amount, on the Treasurer of Building Fund, in favor of Downer & Mason.

Carried.

Ayes—Gorman and Rosser.

The Board then,

On motion of Mr. Rosser,

Adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETEN,
Secretary.

St. PAUL, Sept. 19th, 1853

Board met.

Present—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That the sum of four hundred dollars, be allowed to Downer & Mason for work done on their contract, and that the Secretary draw a warrant for that amount in their favor, on the treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That this board do now adjourn sine die.

Carried.

Ayes—Gorman and Rosser.

W. A. GORMAN,

President.

Attest:

I. VAN ETTEN,

Secretary.

St. PAUL, Sept. 10, 1853.

Board met.

Present—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That the sum of four hundred dollars be allowed to Downer & Mason, for work done on their contract, and that the Secretary draw a warrant for that amount, in their favor, on the Treasurer of the Capitol Fund.

Carried.

Ayes—Gorman and Rosser.

On motion of J. T. Rosser,

Resolved, That this Board do now adjourn, sine die.

Carried.

Ayes—Gorman and Rosser.

W. A. GORMAN,

President.

Attest:

I. VAN ETTEN,

Secretary.

ST. PAUL, September 28th, 1853.

Board of Building Commissioners met.

Present—Gorman, Rosser and Brunson,

Board proceeded to business.

The proposals for grading Capitol Ground, and building culvert and steps, &c., having been examined, Daffery & Hendrick were found to be the lowest bidders to do the work.

Whereas, on motion, it was

Ordered, that the contract therefor be awarded to Daffery & Hendrick, and that they be required to enter into bonds for the performance of the contract.

Ayes—Gorman, Rosser and Brunson.

The proposal for heating the Capitol with heated or rarified air, being taken up for consideration,

It was, on motion of ~~————~~

Resolved, That the plan for heating the Capitol with heated or rarified air, be abandoned.

Ayes—Gorman, Rosser and Brunson.

On motion, it was ordered,

That the building commissioner advertise for proposals (in the Democrat and Pioneer) to build a fence around the Capitol; also for erecting desks for the President of the Council and Speaker of the House of Representatives, and bench for the Supreme Court room, and desks for clerks.

Ayes—Gorman, Rosser and Brunson,

The contract of Stephens & Wallace for plastering the Capitol, having been reported by the building commissioner as complete, and their work having been received by said Commissioner, it was

Resolved, That a warrant be drawn by the Secretary on the Treasurer of Building Fund in favor of Stephens & Wallace for the sum of \$1438 89-100 for said work.

Ayes—Gorman, Rosser and Brunson.

The contract of Isaac P. Wright, for painting the outside of the Capitol, having been reported by the building commissioner as completed, and the work having been by him received, it was

Resolved, That a warrant be drawn by the Secretary on the Treasurer of Capitol Fund, in favor of Isaac P. Wright, for three hundred and twenty-three and 50-100 dollars, for said work.

Ayes—Gorman, Rosser and Brunson.

On motion of B. W. Brunson,

Ordered, that the Secretary issue to Cavender & Mathews, a warrant in their favor, on the Treasurer of Capitol Fund, for five dollars for nails furnished to Capitol Building.

Ayes—Gorman, Rosser and Brunson.

On motion of B. W. Brunson,

Ordered, that a warrant issue by the Secretary to J. R. Brown, in his favor, on the Treasurer of Capitol Fund for seven dollars and fifty cents, for printing proposals.

Ayes—Gorman, Rosser and Brunson.

On motion,
The board adjourned.

W. A. GORMAN,
President.

Attest:
I. VAN ETTEN,
Secretary.

St. PAUL, October 8th, 1853.

Board met.
Present—Gorman, Rosser, and Brunson.

Board proceeded to business.

On motion of B. W. Brunson,

Resolved, That the superintendent be, and he is hereby, instructed to procure laborers at the cheapest possible rate per day, to grade the Capitol grounds, build a culvert and fill the ditch to drain the basement, and erect cut steps to the back door of the same.
Carried.

Ayes—Gorman, Rosser and Brunson.

On motion,

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for twenty dollars in favor of Thomas Doherty for work.

Ayes—Gorman, Rosser, and Brunson.

On motion,

Ordered, That a warrant be drawn on the Treasurer of the Capitol Fund for twelve and 70-100 dollars in favor of Grovis & Buckfield for work done.

Ayes—Gorman, Rosser and Brunson.

On motion,

Ordered, That a warrant issue to the Treasurer of the Capitol Fund for sixty-two and 50-100 dollars in favor of I. Van Etten, for services as Secretary.

Ayes—Gorman, Rosser and Brunson.

On motion,

Ordered, That a warrant be drawn on the Treasurer of Capitol Fund for one hundred and twenty-five dollars, in favor of B. W. Brunson, for services as Superintendent.

Ayes—Gorman and Rosser.

On motion,

Ordered, That a warrant be drawn on the Treasurer of Capitol Fund for thirty-five dollars in favor of M. L. Olds, for going to Dubuque to get drafts cashed.

Ayes—Gorman, Rosser and Brunson.
The board then, on motion, adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

St. PAUL, October 20th, 1853.

Board met.

Present—Gorman, Rosser and Brunson.

Board proceeded to business.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund in favor of J. P. Wright, for one hundred and fifty dollars.

Ayes—Gorman, Rosser and Brunson.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of Downer & Mason, for the sum of five hundred and seventy eight and 75-100 dollars.

Ayes—Gorman, Rosser and Brunson.

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of M. Giff, for one hundred and ninety-one dollars and twenty-six cents.

Ayes—Gorman, Rosser and Brunson.

On motion,

The board then adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

SAINT PAUL, Nov. 7th, 1853.

Board met.

Board proceeded to business.

On motion,

Resolved, That a warrant be drawn on Treasurer of the Capitol Fund, in favor of ~~Thomas~~ Thomas, for eighty dollars.

Ayes—Gorman, Rosser and Brunson.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund for two hundred and forty-five dollars and eighty-two cents.

Ayes—Gorman, Rosser and Brunson.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of John Bollen for two hundred dollars.

On motion,

The Board then adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETEN,
Secretary.

SAINT PAUL, Nov. 14th, 1853.

Board met pursuant to adjournment.

Present—Gorman, Rosser and Brunson.

Board proceeded to business.

On motion,

Resolved That a warrant issue in favor of B. W. Brunson for forty-one dollars and sixty-six cents.

Ayes—Gorman and Rosser.

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, for three hundred dollars, in favor of John Holland.

On motion, the Board adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETEN,
Secretary.

SAINT PAUL, Dec. 24th, 1853.

The Board met.

Present—Gorman, Rosser, and Brunson.

The Board then proceeded to business, and,

On motion,

Resolved, that a warrant be drawn on the Treasurer of the Capitol Fund, in favor of Mr. Mason, for four hundred dollars.

Ayes—Gorman Rosser and Brunson.

Resolved, That the board do now adjourn.

Ayes—Gorman, Rosser and Brunson.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

SAINT PAUL, January 5th, 1854.

Board met.

Present—Gorman, Rosser, and Brunson.

Board proceeded to business.

And, on motion,

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of J. P. Wright, for one hundred and eighty-nine dollars and eighty cents.

Ayes—Gorman, Rosser and Brunson.

On motion,

It was also

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of Warren & Wakefield for thirty dollars;

And also a warrant in favor of Mr. Messer, for nine hundred and eighty dollars.

Ayes—Gorman, Rosser and Brunson.

The Board then adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

SAINT PAUL, January 10th, 1854.

Board met in Secretary's Office.

Present—Gorman, Rosser and Brunson.

The Commissioners proceeded to business.

On motion,

Resolved, That a warrant be drawn on the Treasurer of the building Fund, for eighty three dollars and thirty three cents, in favor of B. W. Brunson.

Ayes—Gorman and Rosser.

The Board then adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

SAINT PAUL, February 15, 1854.

Board met.

Present—Gorman, Rosser and Brunson.

Board proceeded to business.

On motion, it was

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, for fifteen dollars, in favor of J. H. Mason.

Ayes—Gorman, Rosser and Brunson.

On motion, it was

Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of J. P. Wright, for nine dollars.

There being no other business before the Board, the Commissioners then adjourned.

W. A. GORMAN,
President.

Attest:

I. VAN ETTEN,
Secretary.

REPORT

Commissioner to the World's Fair.

To His Excellency, Willis A. Gorman, Governor of Minnesota:

SIR:—Having been appointed by His Excellency, Gov. Ramsey, your immediate predecessor, under a joint resolution of the General Assembly of the Territory of Minnesota, passed March 31, A. D. 1853, to attend the World's Fair in New York, and having accepted the responsibilities, and endeavored thus far to discharge the duties which were contemplated by the Resolution, I deem it my duty respectfully to report progress to you at this time.

Having by personal inspection informed myself of the prominent parts of the Territory with which I was not previously familiar, and having collected such of the agricultural and mineral productions as would best attract attention, and give confidence and instruction to persons desirous to emigrate to our Territory, I proceeded to New York about the first of June, in order to secure the space allotted for Minnesota productions, and to comply with the requirements of the Directors in time for the opening of the Exhibition as advertised.

Owing to unavoidable delays in preparing the Palace for the reception of goods, in common with other Commissioners, I was delayed two months longer than would otherwise have been necessary. During this time, as opportunity afforded, I sought from the various foreign Commissioners, and from the offices of emigration of New York City, information and facts in regard to foreign emigration which I have appended to this report, and which, although not in strictness specified by the resolution under which I acted, will nevertheless come fairly within the spirit thereof, and which I hope may prove of some utility.

July 15th, 1853, the Crystal Palace was formally inaugurated in presence of the President of the United States, and the members of his Cabinet, the Ambassadors and

Commissioners of foreign nations, and an army of scientific men, the products of whose skill and industry, gathered under that splendid canopy of iron and glass, called forth the occasion and elicited the admiration of all beholders.

The contributions from Minnesota consisted, with the exception of Daguerreotypes, of unmanufactured products of the country, furs, grains, minerals, and Indian curiosities, in all amounting to sixty two different articles

The furs and articles of Indian dress and ornament are exposed upon a part of the wall of the building near the northern entrance, in a most conspicuous and advantageous place to attract general observation.

The grains were exhibited in suitable boxes, in the agricultural department, and singularly enough, formed the only complete exposition of the products of the soil from any of the States or Territories. From this fact, although the collection was very small and insignificant in itself, it attracted the attention and approval of the newspaper reporters, and of thousands of visitors who daily thronged the aisles and galleries of the Palace.

The mineral specimens were almost lost in the immense number and variety from other places, but the superior excellence of the sand taken from the bluff upon which St. Paul stands, and which is so abundant in the vicinity, and the specimens of glass made from this sand, attracted the eager and careful attention of scientific and practical examiners and glass manufacturers, who pronounced it equal to the very best.

The articles of Indian manufacture were contemplated with perhaps more of curiosity and wonder, and attracted larger notice than some of the more elegant and costly articles which the educated genius of foreign artists offered for admiration.

The manufacturing industry of the Territory could not well be represented, as nothing more portable than pine lumber is manufactured to any great extent.

In the Fine Arts, we are indebted to the enterprize of Mr. J. A. Whitney, who furnished some Daguerreotype views of St. Paul, which as specimens of art, were surpassed by few. The Territory is indebted to Mr. Sandford, of the firm of P. Choteau, Jr., & Co., and Mr. Ramsey Crooks, who, at the request of Hon. H. H. Sibley, placed at my disposal for exhibition, such Minnesota furs as I might select from their large collections.

The following named persons were the only exhibitors during the past year:

H. H. Sibley, Captain J. B. S. Todd, S. B. Lowry, D. Gilman, N. McLain, W. H. Forbes, J. McCloud, Jr., J. B. Culver, W. Shaeffer and W. G. Le Duc.

I have received notice from the Directors that the Exhibition will be continued during the year 1854, or a portion thereof, and also that the space occupied by Minnesota can be retained and refilled. As it is highly desirable that this excellent means of advertising our Territory be not neglected, I will endeavor to have all the space that may be allowed us filled with specimens of our natural and artificial productions during the continuance of the exhibition.

In conclusion, I hope and believe the objects contemplated by the resolution under which I have acted, have been in some degree accomplished. The Great Industrial Exhibition of all Nations, Minnesota has contributed her mite. Among the thousands who have daily thronged that exhibition, it is not too much to suppose that the productions of Minnesota have given her wide fame, and added to her increasing popularity.

I have the Honor to Remain,

Very Respectfully,

Your obedient servant,

W. G. LE DUC.

APPENDIX:

The number of emigrants arrived at the port of New York, according to the records of the Office of Emigration, was for 1851, 209,601.

Of these, 163,256 were natives of Ireland; 69,883 of Germany; 16,812 of Switzerland, Holland, Norway, Sweden, Denmark and Scotland; 46,824 of other countries.

The total number of emigrants who arrived at the port of New York during the year 1852, was 300,992. Of these 118,631 were natives of Ireland; 118,511 of Germany; 19,631 of Scotland, Switzerland, Sweden, Denmark, Norway, Holland and Poland; 44,519 of other countries.

By the above statistics we learn that there is a large proportionate decrease from Ireland, and the southern countries of Europe, while there is a remarkably large increase from Germany, Norway, Sweden, and the northern countries of Europe, where the soil, climate and productions are more nearly allied to that of Minnesota, and other northern inland States of the Union.

The immigration for the year 1853 has been, according to the best information obtained, not far from 300,000, and will show a still larger proportionate increase from northern Europe of that class of immigration particularly desirable for Minnesota. The greater part of the Germans, Norwegians, and Swedes who now emigrate, bring with them not only the means of reaching their respective destinations, and establishing themselves in some honest, if humble occupation, in our cities, towns, and inland counties, but they also bring what is incomparatively more valuable, honesty, sobriety, persevering industry, and mental cultivation sufficient to bring them, after a short residence among us within the benign influence of a Free Press.

This class of immigrants eagerly desire any reliable information of our country, and would naturally prefer and seek that portion more nearly like the land of their nativity.

By leaving pamphlets for gratuitous distribution at the various offices of emigration in New York, written in the language of the emigrant, and containing brief descriptions of our Territory and its advantages, with descriptions of the manner, time, and expense of travel, a wide and salutary influence might be excited.

There are also certain newspapers in Germany for the especial purpose of diffusing intelligence among emigrants, such as the *General Emigration Gazette*, published at Rudolstadt; the *German Emigrant*, published in Frankfort on the Main; the *Saxon Emigrant*, published in Leipsic. There are also associations in various parts of Germany, called Associations for the Protection of Emigrants, whose business it is to give all aid, information and assistance to the emigrant which may be useful in enabling him to establish himself satisfactorily in the new home he seeks. The Leipsic Association for Emigrants is the best and most widely extended of any of its kind, and it has branches all over Germany, and exercises an immense influence.

With these facts, I submit to the consideration of your Excellency, whether it is advisable to recommend legislative action to be taken to influence foreign emigration toward Minnesota.

Respectfully, &c.,

W. G. LE DUC

REPORTS

Of Committees on the Passage of a Prohibitory Liquor Law.

Mr. Plummer, from a Special Committee, to whom was referred various petitions for a Prohibitory Liquor Law, reported the same back to the House, having previously reported upon similar petitions, by bill, with the recommendation that such bill receive the favorable consideration of this body, being another indication of the popular feeling of the inhabitants of the Territory.

Mr. Fletcher, from the Committee to whom had been referred the petition of A. D. Heaton, and one hundred others, relative to a boom at or near the head of Lake St. Croix, made the following report:

The Committee on Incorporations, to whom was referred the petition of A.D. Heaton, and one hundred others, relative to granting a Boom Charter for the establishing of a Boom at or near the head of Lake St. Croix, beg leave to report that—

They have given the subject due consideration, and have no hesitation in saying that the said Boom can subject no one to any inconvenience or injustice, but must certainly be a protection for all logs that break away, or get scattered, above said Boom, as well as the great amount of logs coming from Apple River now having no Boom for their protection.

We, therefore, recommend the passage of the bill before the House for said Boom.

H. FLETCHER,
WM. MCKUSICK,
PETER ROY.

Committee.

The Committee to whom was referred the petition of Charles Galpin and 27 others, praying for the passage of a Prohibitory Liquor Law, have considered the same, and ask leave to recommend the passage of the Prohibitory bill introduced by Mr. Plummer.

H. FLETCHER,
H. S. PLUMMER,
O. M. LORD,

Committee.

REPORT

Of the Committee of Conference.

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

Your Committee of Conference, appointed to confer with a Committee of the Council, upon a disagreement of the two Houses relative to certain amendments to bill (No. 23, H. of R.)

Beg leave to make the following report:

The first disagreement was in section 4, line 3, and your Committee would recommend that the same may read as follows:

Of the Second Districts at the towns of St. Anthony and St. Paul.

Second and last disagreement was in section 15, lines 4, 5 and 6, and your Committee would recommend as follows:

That all of section 16th, after the word "length," in the 4th line, be stricken out.

The above report is all in accordance with the wishes of your Committee.

H. FLETCHER,
Wm. McKUSICK,
CEPHAS GARDNER,
Committee.

REPORT

**Of the Committee on Corporations Relative to Establishing a Ferry Across the
Mississippi, at St. Anthony.**

The Committee on Corporations, to whom was referred the bill granting to Zadock M. Brown the right to establish a Ferry across the Mississippi River, has had the same under consideration, and ask leave to report, that they have given the parties notice to appear before your Committee, and produce such evidence as they may deem necessary.

The parties have appeared before your Committee, and from all the evidence which has been produced, your Committee are clearly of opinion that the charter granted to William A. Cheever to construct a Ferry at this point, has never been accepted, and is consequently to all intents and purposes void, and that in the opinion of your Committee the public good requires a well regulated Ferry at the point designated—that the bill granting to Z. M. Brown the right to establish a Ferry ought to pass.

H. FLETCHER,
WM. McKUSICK,
PETER ROY,
Committee.

REPORT

Of the Committee on the Petition of Ann Leroy.

Mr. Fletcher from the select committee to whom was referred the petition of Ann Leroy, made the following report:

The committee to whom was referred the petition of Ann Leroy, ask leave to report that in the opinion of your committee, all necessary power has been granted to the Judiciary of this Territory to adjudicate upon all cases which may arise in relation to petitions for divorce, and that in the opinion of your committee, further action by this House on that subject is inexpedient.

H. FLETCHER,

WM. H. NOBLES,

Select Committee.

REPORT OF MR. PLUMMER,

On his Bill for a Prohibitory Liquor Law,

Mr. Plummer, from the special committee to which was referred the petitions of the friends to a prohibitory liquor law, reported

That with bills heretofore drafted, the following faults have been found:

- 1st. Granting too large jurisdiction to Justices of the Peace.
- 2d. Providing for no jury trial.
- 3d. Placing obstacles in the way of an appeal, by increasing the penalty in case of final conviction, and by allowing but 24 hours to procure surities.
- 4th. Leaving the county agency so loosely guarded as to be liable to abuse.
- 5th. Leaving individuals liable for keeping or making liquors for private use." Exposing the innocent to annoyance.
- 6th. Disregarding the rights of the U. S. revenue.
- 7th. No liability of officers for neglect of duty.
- 8th. No provision to prevent importation.
- 9th. No provision for discipline of intoxicated persons who become troublesome.

In the accompanying bill it is believed these objections have been obviated, and other changes have been made which render the bill more efficient, without making it more harsh.

It has been constructed so as to embrace the improvements suggested by the experience of Maine, Vermont and Rhode-Island; and in each section a sacred regard has been had to the rights of the citizen, the common law, and the object to be attained, viz: "The complete prohibition of the traffic in intoxicating beverages."

The 29th section may need amendment. There may be a better way to secure the object sought thereby, than is therein provided. The United States Law referred to is excessively rigorous, much more so than any other prohibitory law of more recent origin.

It confiscates all boats, &c., in which liquor may be brought into the Indian Territory, and authorizes any officer in the service of the United States to destroy all such liquors, and to level all distilleries, &c., to the ground.

REPORT

Of the Committee on the Bill to amend an Act to Incorporate the St. Croix Boom Company.

The Select Committee to whom was referred
(No 28, C. F.) A bill to amend an act entitled "an act to incorporate the St.
Croix Boom Company,"

Have had the same under consideration, and respectfully beg leave to report the same
back with the following amendments:

Sec. 2. In the fourth line strike out all after the word "company."

Additional. Sec. 18. To read as follows:—"The Treasurer of said company shall
on or before the 1st of January, annually, make a correct report of the financial condi-
tion of said company to the Governor of the Territory.

Sec. 17. That any owner or owners of logs or timber, shall have the same turned
through said Boom by giving *thirty days previous* notice, and paying ten cents per thous-
and feet, as compensation for handling, catch-marking, and *turning* through, said logs; to
be collected as herein before provided.

Sec. 19. This act shall take effect and be in force from and after its passage.

WM. NOOT,
WM. A. DAVIS,
H. FLETCHER.
Committee.

REPORT

Of the Committee on the Bill Relative to Sheep and Swine.

Mr. Davis from, the select committee to whom was referred the petition of A. Lambert and others, made the following report:

The select committee to whom was referred the petition of A. Lambert and 41 others, residents of Little Canada, praying that sheep and hogs may be permitted to run at large—have had the same under consideration, and respectfully beg leave to report by bill and recommend its passage.

All of which is respectfully submitted.

WM. A. DAVIS, Chairman,
LOUIS BARTLETT,
PETER ROY, -
Committee.

REPORT

Of the Select Committee to whom was Referred "A Bill for an Act to Abolish Imprisonment for Debt."

Mr. McKusick offered the following resolution:

Resolved. That whereas this House has requested the opinions of the Supreme Judges of this Territory, upon the validity of Chapter 88, page 444 of the Revised Statutes; and whereas said Judges have, in accordance to the requirements of the Statutes, given their opinions, together with their reasons for the same, and whereas, a report was made to this House on Saturday, the 25th, from a Select Committee to whom was referred "A Bill to Abolish Imprisonment for Debt, and other purposes," in which an unwarrantable attack was made upon our Judiciary, not only upon their opinion but upon their character; therefore, be it resolved that said report be forever expunged from our Journal.

The report is as follows:

The Select Committee to whom was referred "A bill for an act to abolish imprisonment for debt and for other purposes," have had the same under consideration, and respectfully beg leave to submit the following report:

Your Committee believe that the passage of the bill under consideration, will have a happy influence upon the character and prosperity of our people.

That it will tend to restore them to that state of freedom to which they were by nature and our republican institutions designed. That an American citizen may, in this nineteenth century, be incarcerated within the four walls of a prison, cut off from the light of Heaven and communion with his fellow men, and this for that inconvenient crime of being poor, is to your Committee a source of astonishment and regret, especially so, when they think upon the various mutations which daily transpire in our midst, that the man of wealth of to-day, is the beggar of to-morrow. That the agent of the people who shall enact these penalties, may, ere the same shall be promulgated, pay the forfeiture of his own despotic enactment.

When we reflect upon the various causes by which bankruptcy and ruin are brought to our very doors, and at a period when we least expect it; that this may be caused by fire, flood, sickness, false friends, or perjury, which has become too frequent under the iniquitous provisions of Chapter 95, which offers a *reward* for the crime of *perjury*, by making all parties to suits witnesses in their own favor, to swear money into their own pockets.

Your Committee would say in this connection, "lead us not into temptation." That the border settler may be robbed of articles of commerce, or the means of subsistence, by aboriginal or Anglo-Saxon savages who infest our borders. Or what is worse than these combined, he may in an evil hour become a party to a suit under the code, this system of "Justice made easy" upon the principle of "French without a master," it matters not whether he be plaintiff or defendant, ruin is sure to overtake him. Your Committee believe that the enforcement of the rights of the citizens, under our system of codification, and the protection or redress of wrongs, are attended with heavier costs, greater delay, and uncertainty than under any system known to civilization. Your Committee are not "learned in the law," consequently they have had recourse to the various standard works on practice and pleadings, and the judicial decisions of eminent Judges upon the Bench—men qualified to give correct opinions upon this all-important subject. First, because they possess the learning and intellect to enable them to decide correctly. Secondly, all "temptation" to become corrupt, is removed by their being debarred from having any contingent interest, or tax, fee, or costs by way of "indemnity" in the subject matter of the suit. This highly honorable and intelligent class of men in anguish of soul, for the infliction of "codification" upon the people of the Empire State, an infliction more tolerable than has been meted out to the people of Minnesota, here urged upon the Representatives of the people, "the propriety of relieving courts and suitors from the incubus that weighs upon them, by repealing that code, which having been fairly tested, has *utterly failed.*"

Your Committee believe that they cannot better subserve the cause of truth and humanity, than by making the following extract from the able opinion of His Honor Judge Barculo, in the case of Mulligan vs. Brophy, 8th Howard's New York Reports. The history of this case given, as illustrative that notwithstanding the injunction of the code requiring all proceedings to be drawn "in such a manner as to enable a person of common understanding to know what is intended" after nearly a four year's litigation, one of the parties was on oath compelled to admit that under the pleadings and proceedings, "he was unable to understand his true position." (Whether the several counsel engaged in the cause from time to time were able to understand it, *quere?*) "The defendant states that the plaintiff has had in his employ no less than twelve regular members of the bar, besides supernumeraries, and as the affidavits express it, "when one attorney failed in a motion, he usually employed a new attorney, to renew the controversy in some other shape." This statement is rendered probable by the defendant's depositions which inform us "that a great number of motions have been made in this cause by or on behalf of the defendant, who is an attorney at law," while the plaintiff, being "a tailor by trade, and but very little acquainted with law, or legal pleadings, has not been able until within a few days past, of getting such information as would enable him to understand the real nature of such motions, or the true position in which defendant was placed thereby."

It may appear to the uninitiated, somewhat extraordinary, that this unfortunate tailor,

who commenced this suit nearly four years since, under a system of procedure, which required all pleadings to be drawn in such a manner as to enable a person of common understanding, to know what is intended, should have been so long ignorant of his "true position." But to those who have seen the working of the new machinery, it is no novelty to find a case which so far from being understood by clients, is somewhat unintelligible to counsel themselves. Whether this is not a full excuse for the numerous highly respectable lawyers, who have been connected with this matter, and whether this plaintiff is not another *legitimate victim* of codification, may more fully appear by the details of the case. We feel it our duty to state the proceedings at some length, as a striking illustration of what is constantly occurring around us, and in the sincere hope that they may suggest to those who hold the power, the propriety of relieving courts and suitors, from the incubus that weighs upon them, by repealing that code which, having been fully tested, has *utterly failed*.

"The papers before me containing not less than two hundred and fifty folios of manuscript, consisting of affidavits, pleadings, and orders, show that the plaintiff, in June, 1849, commenced an action to recover a few articles of personal property, which the defendant had purchased at Sheriff's sale, it would have been under the Revised Statutes, (the old system,) a very simple action of replevin and would have terminated in a judgment, probably within ninety days; but it appears that the plaintiff claimed the *immediate* delivery of the goods under the code, and they *have* been delivered; he asked in his complaint, merely for damages; the case was brought to trial before Justice Hulbert, at the Putnam Circuit, in October, 1849, and the plaintiff recovered a verdict for \$10. What next occurred does not very distinctly appear."

Your Committee have neither the time nor patience to follow this "unfortunate tailor" in his four years chase, after his wily debtor, the lawyer, nor to enumerate the various motions, and orders, (which, under the pure simplicity of the code, were *legally* made in his case,) or to compute the *cost* attendant thereon. Your Committee believe that such costs must have exceeded the earnings of this "tailor" during said four years.

On the third of July, 1852, the case had come to this pass, that instead of our tailor's recovering, his legal *adversary* recovered a judgment against *him* for \$318 19, and that on the 6th of July, execution issued against the tailor, for this amount. The heart sickens at the subsequent details of this suit under the "code;" and may God help the "tailor."

Your Committee feel satisfied that Mr. Muligan, the plaintiff in this case, is a "done over tailor," and that the relation of attorney and client, under the code, is well illustrated by the boys and frogs of *Æsop*.

Your Committee further state, that they find in the Constitution of the United States, that the forms of Judicial proceedings, as known at common law, are guaranteed to suitors in *our* courts.

They also make the following extract from the ordinance of 1787—"that the inhabitants of this Territory shall always be entitled to the benefit of *judicial proceeding*, according to the course of the *common law*."

They also make the following extract from the Organic Act of this Territory: "The courts shall possess *chancery* as well as *common law* jurisdiction."

Also, Congress have, by the Constitution, *exclusive* authority to regulate proceedings

in the Courts of the United States, and the States have no *authority* to control their proceedings."

See *Nayn vs. Southard*, 10th Wheaton's, 1, 6, Condensed Reports U. S. Supreme Court, 1, 16th Peters, 89, 17th Peters, 209, 10 Wheaton, 473, 6 Condensed Report, Supreme Court, U. S., 190.

Your Committee further state that they have been unable to find *any authority* for the abrogation of, or departure from the spirit and principles of the common law, recognized in our Constitution, and in the decisions of our highest Courts, save what is contained in our "code." They have called upon members of the bar who are clamorous, *for the code*, yet they have thus far failed to *obtain any reasons* for such attachment, save such as may be found in Chapter 72, sounding as "*indemnity*" in the shape of tax costs of \$6, \$12, \$15, &c., &c., &c., &c., too numerous to mention; which sums are to be paid by an unfortunate tailor, not for fees—O, no—nor for services; neither are they to be paid to his opponent, but to his *opponent's lawyer*. This is certainly a comfortable arrangement.

Your Committee have also discovered in looking over the code, that the more blunders an attorney commits, the heavier are his fees. This, they are advised, was not the case at common law, but that on the other hand, the attorney for such blunders, was liable to his client.

Your Committee are advised that the code possesses still another advantage in a professional point of view, in this: It requires *less skill* to set up as a lawyer than was requisite, at common law, to master the pure elements of a science which has grown up as a monument to the wisdom of our fathers.

For these reasons, your Committee are *not* surprised, to find upon their tables, a remonstrance signed by twenty-eight members of the legal profession, protesting in the strongest terms against any modification of the code, in so far as concerns the practice of our courts. They appear to be as *disinterested* as was Demetrius some 1800 years since, when Paul preached at Ephesus! If our twenty-eight legal *constituents* do not, like the craftsmen of Ephesus, shout "great is Diana," they sing the praises of the code with equal zeal, if not from the same *disinterested* motives.

If your Committee could for a moment believe, that these 28 members of the Bar, were their only constituents, that self sacrificing disinterestedness which has induced them to *infest* the Halls of Legislation, would act as a mighty lever upon their consciences; yet when they recollect that they are in part the representatives of those who toil in the fields, upon the plains, in the forests and shops—of that toiling multitude who constitute the great motive power of the land, (not forgetting our "unfortunate tailor,") and believing, as they do, that by this code, the "chances" and that "glorious uncertainty of the law" is increased; that in a suit some time since commenced before a Justice of the Peace in this Territory, for the recovery of \$50, which suit is now pending in our courts, the cost of which, now exceeds \$400, and that the same is not likely to be determined, so long as both parties remain solvent; believing that the suitor's loss is the lawyer's gain; and yet believing that while the legal profession is numerous, yet that they constitute but a *portion* of our population, and that it is the duty of the Representative to do the "greatest good to the greatest number," your Committee feel constrained to turn a deaf ear to the importunities of the legal profession, and to look to the *highest sources* within their reach for light. Among these, they recognize the Constitution, the Ordinance of 1787, the Organic Act, and the Decisions of the highest Courts known to the law.

Your Committee believe that this bill is based upon, and sustained by all of these great Constitutional supports; while on the other hand, it is evident that the several chapters, the repeal of which is therein contemplated, are in *direct conflict with the "supreme law of the land,"* and therefore void.

Your Committee have arrived at the conclusion, that our code is in an imperfect state; and that it is impossible to reconcile one portion with another, or either with pure principles, or sound ethics; that neither the Bar nor Bench agree as to its import upon many important questions. Entertaining this view of the subject, your Committee believe that any effort to *amend* the several chapters under consideration would be worse than idle.—They believe that if there ever was a *time* or *place* in which sound legislation, was indispensable to the safety of the citizen, this is the time and place. To establish the truth of this proposition, it is only necessary to call attention to an *extra-judicial* opinion, dated Feb. 6th, 1854, which was kindly furnished the House, a copy of which is before your Committee, in which we are advised that the legislative power of this Territory is very great; that it extends to the abrogation of the *common law*, as well as to the laws of evidence; to the unsurveyed lands of the United States, and to their management and control in all things save the "primary disposal" thereof; in all else the Legislature is said to be supreme. And this opinion is accompanied with an offer, on the part of the Judiciary to aid the Legislature;—in other words, that he is "willing and even *anxious*" to do so. Your Committee fear that the prospective vote of some "bona fide settler" obscured the mental vision of his Honor at the time he drew this opinion. They are *amazed!* Has our code repealed the common law? Has it repealed the ordinance of 1787? Does it *override* the decision of the Supreme Court of the United States? Does it *repeal* the Constitution, and above all, *has, or will,* the Supreme Court recognize this right, or power? Your Committee regret to say that a portion of that Court *has* recognized this right, and this too, with the ablest decision and commentaries known to the judicial world; confronting him, Judge Story says:—"The power of Congress over the public Territory is *clearly exclusive* and *universal*, and their legislation is subject to *no control*, but is *absolute*, and unlimited. Your Committee believe that by the Constitution, Congress is vested with the *sole* power of legislation, in, and over, this Territory, in all matters save those of *strictly a municipal* character; that there is no concurrent power, in this Territory—that when Congress *did* act upon this subject, she did so in virtue of a Constitutional right; that therefore the legislative power has been exhausted; so also in relation to our code of practice. Congress has given us a code of practice for our Courts, (See 1st U. S. Statutes at large; pages, 73 to 94, and 275 to 279,) shall chapter 88 of our code limit this power? Shall the judiciary be permitted to shrink from its duty, will the Legislature after this desire and "anxiety" to do so, permit it? Your Committee believe that our Courts recognize, in the executive, the power to *remove* Territorial Judges; this fact illustrates, and gives peculiar force, to the opinion of that eminent Jurist, Montesquieu, which is endorsed by Judge Story; "there is no liberty, if the judiciary power be not *separate* from the *legislative*, and *executive* powers," and it is no less true that personal security, and private property, rest entirely upon the wisdom, the stability, and the integrity, of the Courts of justice.

If that government can be truly said to be despotic and intolerable, in which the law is vague and uncertain, (and we claim that ours is all these,) it can but be rendered still more oppressive and more mischievous, when the active administration of justice is dependant upon caprice or favor—upon the will of rulers, or the influence of popularity; when

power becomes right, it is of but little consequence whether decision rests upon corruption, or weakness—upon the accident of chance, or upon deliberate wrong.

We make the following extract from Story, on the Constitution, page 593:—" If our Judges are appointed at short intervals, (and ours are,) they will naturally and indeed almost necessarily, become more dependant upon the appointing power; if they have any desire to obtain and hold office, they will at all times evince a desire to follow and obey the will of the predominant party; * * * public justice will be administered with a feeble and a faltering hand.

It will secure nothing but its place, and the approbation of those who value because they control, it will decree what best suits the opinions of the day, and it will forget that the precepts of the law, rest on eternal foundations." It will encourage or sustain the Legislature, so far as it can in the "violent exercise," or abuse of its powers, by stimulating that body to an utter disregard of all common law, rights and restraints, by exhorting the Representatives of the people "not to hesitate nor fail, nor suffer themselves to be paralyzed by the magic influence of the wizard wand of hoary error."

Your Committee feel that *such* sentiments *thus* expressed, in such a quarter, call for sound and thorough legislation, that the present legislative *mist* and *fog* be cleared away, and no longer furnish a screen from justice on the one hand, and from censure on the other. Let each department of our government assume its legitimate responsibility.—Until this be done, our people are *not free*. It remains to be demonstrated whether our fears are not well founded, whether our judiciary will evince that firmness, necessary to protect the citizen by asserting his constitutional rights. If this shall not be done, and the Legislature shall retain upon the Statute book the chapters under consideration, which may, like *Pandora's Box*, be opened to scourge the land, at the instance of all or *either* of the immortal 28 whose names are before your Committee, than the man of wealth and power, and *especially* the politician, will not stand upon the same level with the common citizen, in judicial controversies. His chances for success or failure, will depend upon the *influence* he may bring to bear upon the *retention* or *removal* of the Judge. These influences will not be confined to the *man* of wealth or power. The *courtesan* has played *her* part in infamy; her *favors* and frowns are dispensed, aided by banquets prepared from her ill-gotten gains. By these she illures, such of the Legislative and Judicial departments of the government, as may thus be enticed, or ensnared; thus moral sentiment becomes depraved; the sot, the kuave, and the *prostitute* are *tolerated* in society—are even permitted to enter the sanctuary of God; and we shall not have an end of this, until each department of our government shall be kept separate—shall become fearless and faithful in the discharge of their respective duties, without reference to occupant votes, *Bachus* or *Jezebel*.

The importance of the subject referred to your Committee, must be their apology for this draught upon the attention of the House.

They therefore recommend the passage of the bill, after striking therefrom such portions of chapter 71, as are contained between, and including sections 93 to 103.

All of which is respectfully submitted.

WM. A. DAVIS, Chairman,
LOUIS BARTLETT,

Mr. Bartlett moved
The resolution be laid on the table.

PETITION

Of Twenty-eight Members of the Bar.

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

The undersigned Members of the Bar of this Territory, having been informed that notice has been given of the presentation of a bill having for its object the repeal of the act entitled "An act to authorize the exercise of all equity jurisdiction in the form of civil actions, and for other purposes," respectfully remonstrates against the repeal of the said act, as hasty and ill advised.

E. L. MOSS,

THE E. PARKER,

J. ESAIAS WARREN,

HENRY F. MASTERSON,

A. PIERSE,

WM. HOLLINSHEAD,

DAVID A. SECOMBE,

L. A. BABCOCK,

M. S. WILKINSON,

GEO. L. BECKER,

L. E. THOMPSON,

ORLANDO SIMONS,

C. L. WILLES,

W. G. LEDUC,

GOLD T. CURTIS,

JOSEPH WAKEFIELD,

JAMES A. MARKLAND,

CHARLES D. GILFILLAN,

D. C. COOLEY,

ED. RICE,

J. W. NORTH,

S. J. R. McMILLAN,

JNO. B. BRISBIN,

CHAS. E. FLANDBAU,

GEORGE W. PRESCOTT,

JAMES K. HUMPHREY,

J. A. BANKER,

JACOB J. NOAH.

REPORT

Of the Committee to whom was Referred the Remonstrance of the Citizens of
Minneapolis against the Passage of the North-Western Railroad Charter.

The Committee to whom was referred the following instructions to the Representative, of the Sixth Council District, instructing them to oppose the passage of the Charter to the Minnesota North Western Railroad Company, report the same back to the House, with the recommendation that the said servants of the people implicitly obey the will of their masters.

H. FLETCHER,

Wm. McKUSICK,

Committee.

RAILROAD MEETING.

At a Mass Meeting of the citizens of Hennepin County, held at the Court House in Minneapolis, February 24, 1854, Isaac Attwater, Esq., was called to the Chair, and John H. Stevens appointed Secretary.

The object of the meeting was stated by the Chairman,

When, on motion,

Eli Pettijohn, Esq., of Fort Snelling, and William Dickie, Esq., of Lake Harriet were appointed Vice-Presidents of the meeting.

Dr. Ames moved,

That a Committee of five, said Committee to include I. Attwater, be appointed to draft resolutions expressing the sense of the meeting.

The Chair appointed Dr. A. E. Ames, M. C. Baker, Esq., Edward Murphy, Esq., and Samuel Clark, said Committee.

Messrs. James C. Shipley, John H. Stevens, A. Harmon and the Rev. E. A. Hodson, were severally called upon and addressed the large audience during the absence of the Committee.

The following resolutions were reported by the Committee, and were unanimously and enthusiastically adopted:

Resolved, That we request the members of the Council and House of Representatives in the Legislature convened from the Sixth Council District, to oppose by every honorable means, the passage of a bill introduced into the Legislature of Minnesota, entitled "A bill to incorporate the Minnesota and North-Western Railroad Company," for the following reasons, viz:

Because it confers powers dangerous to the future prosperity of the Territory,

Because it confers lands on said company, the title to which is not yet in the gift of this Territory,

Because it exempts the property of said company from taxation to an unlimited extent.

The resolutions were warmly supported by different gentlemen, and Messrs. John H. Stevens, Franklin Steele, I. Attwater, Dr. Ames, A. Northrop, Rev. E. A. Hodson, and Mr. Pierce, were appointed a Committee to report the wish of one of the largest assemblies ever held in the Territory to the Legislature, and more particularly to the members of the Sixth Council District.

REPORT

**Of the Special and Select Committees to whom was referred the Bill to
Prevent the Traffic in Intoxicating Drinks in this Territory.**

The special committee to whom was referred,
(No. 27, H. of R.) An act to prevent the traffic in intoxicating liquors within this Territory,

Have had the same under consideration and ask leave to report, that in order to obviate every valid objection to said bill, the 14th and 16th Sections shall be struck out, and Section 8th amended so as to conform more fully to statutory provisions.

Your committee would call your attention to the fact that a bill similar in many of its provisions has already been submitted to the people of this Territory, and has been accepted by a most overwhelming majority; also to the fact that this law is called for by more than twelve hundred petitioners presented to this Legislature, which is a most significant sign that the people want it; that they are prepared for it; that nothing else will satisfy them. They invoke your action by the most pathetic appeals. They point you to the wide-spread evils which the traffic introduces in this Territory. They point you to the beggared families, to the bereaved widow, to the orphan children, to the murdered citizen, to the tears and groans of those hearts from which the last ray of hope has died out, and cry out, shall these evils be interminable?

Your Committee would therefore earnestly recommend the passage of the bill in its amended form.

**H. FLETCHER,
Wm. McKUSICK,
H. S. PLUMMER.**
Committee.

The minority of the select committee to whom was referred,
(No. 27, H. of R.) A bill for an act to prevent the traffic in intoxicating drinks within this Territory,

Begs leave to report that he has had the said bill under consideration and would report the same back to the House with the following amendments, and would ask the concurrence of the House therein.

Your minority committee recommends the striking out of the whole of section 14, as it directly conflicts with Articles 4, and 6, of the amendments to the Constitution of the United States.

Your minority committee also recommends the striking out of section 16, as it impairs the faith of contracts and gives to the defendant or person arraigned no opportunity of vindicating himself from the charge preferred against him by the provisions of this act, and for other objections apparent upon an examination of said section.

Your committee also recommends striking out all of section 27. It must be apparent to the House on an examination of said section 27, that if the House refuses to concur in striking out said section 27, it impeaches the good faith of all custom house certificates and shifts the burden of proof from the plaintiff to the defendant, reversing thereby the rules of evidence, that regards a "man as innocent until proved guilty"—and places is beyond the power of a person, arraigned under the provisions of this act, to procure the testimony he may require for his defence in the short time allowed him by this act.

Your committee, therefore, in view of these objections to said bill, have recommended their being struck out from said act, and should the House not concur in the recommendations herein contained, your committee would then recommend to the House as a substitute for said bill, a bill herewith annexed as accompanying this report.

WILLIAM A. DAVIS,
Minority Committee.

PETITIONS PRESENTED TO THE COUNCIL,

ORDERED TO BE PUBLISHED IN THE APPENDIX TO THE
JOURNAL.

PETITION FOR A FERRY ACROSS THE MISSISSIPPI OPPOSITE ST. ANTHONY CITY.

To the Honorable Legislative Assembly of the Territory of Minnesota:

The petition of the undersigned would respectfully represent, that the public good and convenience require that a well regulated ferry should be established across the Mississippi river opposite St. Anthony City, in the counties of Ramsey and Hennepin; and whereas, W. A. Chever did, about three years ago, obtain of the Legislature of the Territory of Minnesota a charter to establish and run a ferry at said point, and has since forfeited the same, by not keeping good and suitable boats and giving prompt and ready attendance at all times upon passengers and teams, as required in said charter, and for other reasons: we, your petitioners, would therefore, pray your honorable body to grant to Z. M. Brown the right to establish and run a ferry at said place.

Chas. Rye,
R. P. Russell,
Josiah P. Harrison,
Isaac Brown,
A. N. Hoyt,
Joseph McAlpin,
J. S. Chamberlair,
James Holmes,
L. M. Raulson,
Wm. D. Welley, Jr.,
G. A. Camp,
H. C. Crowell,
C. L. Kingsley,
S. M. Ricker,
John Rollins,
John Plachte,

Thos. Chambers,
John H. Stevens,
Samuel Stow, Esq.,
James A. Church,
H. T. Welles,
Alfred C. Godfrey,
W. W. Toser,
R. H. Jefferson,
Caleb D. Dorr,
R. W. Cummings,
E. B. Knowlton,
A. J. Fullerson,
R. P. Hamilton,
William Nott,
Lovis Namerly,
Amos S. Stiles,

Otis C. Whitney,

A. L. Cummings,

A. Northrup,

J. Dean,

John Jackins,

Ezra Foster,

Wm. Finch,

Wm. Chambers,

Washington Getchell,

PETITION FOR A PROHIBITORY LIQUOR LAW.

To the Honorable, the Legislature of Minnesota:

We, the undersigned women of Benton county, do respectfully, yet earnestly, entreat your honorable body to enact a law prohibiting the importation and sale of intoxicating drinks in our Territory.

We will not consume time in speaking of their evil effects. We feel assured, if you could know as we know, the frightful burnings and maimings they occasion here, and be, as some of us are, afraid to attend a rap at our doors when alone at night, let, instead of greeting a friend, a drunken Indian should stagger into our house, you would lose no time in enacting, and taking all necessary measures to enforce, such a law.

Lucy M. Lewis,

Aurella A. Fobea,

Jane E. White,

Julia A. Stewart,

Nancy B. Stillwell,

Chloe G. Stebbins,

Rosanna Sturgis,

Matilda A. Trimble,

Nancy Brown,

Margaret Besulieu,

Julia Bisson,

E. M. Adams,

Harriet S. Fletcher,

Amelia Adams,

Lucy A. Olmstead,

Catharine Depue,

Sarah P. Kinney,

Elizabeth T. Ayer,

Margaret G. Ayer,

Lydia A. Stone,

Mahala Stone,

Mary G. A. Philmver,

Lydia Keidder,

Luzette B. Sinclair,

Nancy W. Mason,

Margaret Bisson,

Martha Bisson,

S. A. Merrell,

Jane A. Fletcher,

Clara S. Olmstead,

Isabella Emerson,

PETITION FOR A TERRITORIAL ROAD.

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

We, the undersigned residents of the counties of Dakota and Rice, petition your honorable body that a Territorial Road be located from the lower ferry, opposite St. Paul, running along the county road, through Kaposia and Carlisle, to its junction with the Territorial Road; thence, by the most practicable route, to Farribault Settlement, on Cannon river, near the junction of Straight river; thence, by the most practicable route, to the head waters of Straight river; thence, on a due south line, to the northern line of Iowa.

Kaposia, January 10, 1854.

A. R. French,	Chester R. Pitt.
Edward R. French,	Wm. Bissell,
Albert Webster,	Walter Strathern,
James Phillips,	William Strathern,
Jackson Phillips,	Francis Phillips,
C. H. Carr,	Wm. Senescall,
Robert Knight,	James Kearns,
H. Bromly,	C. B. Bromly,
S. M. Cook,	W. L. Bitley,
Elias Cope,	Adam Louisinger,
Warren Bissell,	V. Bissell,
S. S. Drowkhite,	Benj. E. Whitaker,
A. Davis,	David Cope,
James M. Cyrigge,	A. Robertson,
John Benson,	Richard Dudgeon,
Wm. W. Finch,	David Sanborn,
David C. Huphins,	

PETITION FOR A TERRITORIAL ROAD.

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

We, the undersigned residents of the counties of Dakota, Rice, and Ramsey, hereby petition your honorable body that a Territorial Road may be located to extend from the

Mississippi river, opposite St. Paul, through the valley of the Owotenna (or Straight) river, by the most direct and feasible route to the Iowa line.

Jas. H. Haganin,
A. M. H. Sanborn,
Peter Hopkins,
L. C. Dunn,
Merritt Allen,
Wm. B. Frederick,
J. B. Spencer,
Wm. M. Coles,
James Etter,
Andrew Walsh,
W. W. Finch,
N. Barbour,
Orlo Rogers,

J. S. Conneller,
Jeremiah Smith,
A. L. Larpentour,
Simon Kern,
W. H. Colling,
Louis Krieger,
W. V. Athey,
Chas. H. Oakes,
N. E. Tyson,
J. C. Terry,
W. W. Hitchcox,
L. L. Shepard,
Edgar Wetmore,

PETITION FOR A NEW COUNTY.

To the Honorable, the Legislative Assembly of Minnesota:

We, the undersigned citizens of the counties of Benton and Ramsey, do respectfully represent to your honorable body that the convenience and interests of those residing in the upper part of Ramsey and the lower part of Benton would be very much promoted by the formation of a new county, comprising said southern part of Benton and the northern part of Ramsey. Therefore, we respectfully petition your honorable body that a new county be formed out of said portions of Benton and Ramsey counties, and bounded as follows, to-wit: commencing at a point on the Mississippi river, where said river intersects the south line of township No. 31, north, of range 24, west; thence east to the southeast corner of said township No. 31; thence north, on the dividing line between townships 23 and 24, to the northeast corner of township No. 38, north, of range 24, west; thence west, along the township line, between townships Nos. 38 and 39, north, to the northwest corner of township 38, north, of range 26, west; thence south, along the west line of township No. 28, west, to where said line intersects the Mississippi river; thence down said river to the place of beginning.

W. W. Payne,
R. B. Porter,

Jonathan Estes,
C. B. Chapman,

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|---------------------------|-------------------------------|
| C. F. Hatch, | David A. Secombe, |
| Allen N. Nourse, | Charles King, |
| O. H. Kelley, | Stephen E. Foster, |
| O. H. Sheldon, | O. H. Rogers, |
| W. N. Kelley, | H. W. Whittemore, |
| C. W. Kelley, | Chas. Hansur, |
| Francis Peteler, | Philbrick Marston, |
| John M. Stiler, | C. A. Brown, |
| Charles H. Ford, | Henry Beach, |
| W. G. Randolph, | Walter D. May, |
| Stephen H. Varney, | R. P. Shuler, |
| Geo. W. Branch, | George Stone, |
| James C. Frost, | W. Storie, |
| E. P. Shaw, | J. C. Lawrence, |
| Calvin Church, | Jos. Gray, |
| R. P. Hamilton, | A. McLeod, |
| M. D. Shaw, | W. L. Larned, |
| Daniel King, | John Green, |
| D. S. Twichell, | Jos. C. Varney, |
| John Stadden, | Parmer Soper, |
| John J. Ferral, | Nathaniel Tourtillott, |
| John Plachte, | Samuel Branch, |
| G. Gray, | Thomas Daley, |
| S. S. Crowell, | W. H. Woodbury, |
| A. J. Fullerton, | Royal Twichell, |
| E. Mowlton. | S. W. Shaw, |
| O. Morrill, | Samuel King, |
| H. C. Crowell, | James C. Turt, |
| G. A. Camp, | Edgar Folsom, |
| H. P. Sweet, | R. W. Cummings, |
| O. W. Rice, | Joseph Lilly, |
| John Topper, | Charles Estes, |
| Henry S. Plumer, | Eli C. Jones, |
| J. Bean, | S. E. Phillbrook, |
| Amos Stiles, | C. Woodley, |
| Jos. Williamson, | John F. Hannerns, |
| F. D. Jerdon, | John C. McCain, |
| S. W. Farnham, | Wm. Byrnes, |
| W. Griswold, | Caleb D. Dorr, |
| R. Y. Brown, | Geo. F. Brott, |
| Wm. Hosmer, | J. B. Shaw. |
| R. P. Upton, | |

PETITION TO AMEND THE CHARTER OF THE ST. CROIX BOOM COMPANY.

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

The undersigned, lumbermen and loggers, and others interested in the lumbering business on the St. Croix river and its tributaries, respectfully represent that they believe it to be necessary, and therefore petition, that the charter of the St. Croix Boom Company be amended in the following particulars, viz: That the said company be allowed forty-five cents boomage for delivering logs at the foot of the boom; fifty-five cents in the Cedar Bend Sloughs; sixty-five cents, when delivered at any point between Cedar Bend and Arcola; and seventy-five cents when delivered at any point between Arcola and the head of Lake St. Croix; and that the same may be amended in such other particulars as your honorable body may deem necessary and important.

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|------------------|------------------|
| Robert Kent, | W. O. Mahoney, |
| Wm. Dohney, | John Kent, |
| Henry Herrick, | James T. Kent, |
| John McKinnon, | Wm. Kent, |
| Alexander Cook, | Elam Greeley, |
| Archie McDonald, | W. H. C. Folsom, |
| Dudley S. Gale, | J. L. Taylor, |
| D. Dell, | W. W. Folsom. |

PETITION FROM THE DIRECTORS OF THE ST. CROIX BOOM COMPANY.

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

The petition of the undersigned, Directors of the St. Croix Boom Company, respectfully represents, that under the act of incorporation granted said company, and approved by Governor Alex. Ramsey, February 7th, 1851, the terms specified and allowed for services to be rendered by said Boom Company, are totally inadequate to meet the expenses incurred; and in view of their utter insufficiency, and believing the institution to be a necessity to the prosperity of the logging and mercantile interests of the entire St. Croix valley, and moved by our interests as log proprietors, and disclaiming all designs of an unfair or partial nature, we respectfully beg leave to unite our petition with that of the almost entire logging and mercantile interest of the St. Croix river, and ask for such

amendments to the charter as will, in the opinion of your honorable bodies, give the institution a self-support; and your petitioners, as in duty bound, will ever pray, &c.

Elam Greeley,
Orange Walker,

S. Nelson,
W. H. C. Folsom,

Directors of St. Croix Boom Company.

January 30th, 1854.

PETITION FOR A PROHIBITORY LIQUOR LAW.

To the Territorial Council and House of Representatives:

We, the undersigned women of Hennepin precinct, Hennepin county, Minnesota, sincerely desiring that our households, our community, and our Territory, may be saved from the debasing and destructive influence arising from the sale and use of intoxicating beverages, unite in petitioning your honorable bodies to enact a thorough Constitutional Prohibitory Liquor Law for the Territory.

Caroline Moffett,
Mary Prescott, Indian woman,
Mockpe-en-day-wen, "
Moze-nen-day-wen, "
Wiata-done-che-win, "

Mary E. Moffett,
M. E. Gould,
Mary Jane Pettijohn,
Lucy Pettijohn,
E. L. Morris.

PETITION FOR A LAW TO PROHIBIT THE CIRCULATION OF UNAUTHORIZED CURRENCY.

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

We, the undersigned, citizens and business men of St. Paul, learning that there is a bill before your honorable bodies entitled "A bill to prevent the circulation of unauthor-

ized currency," and that the same is now awaiting your action, would respectfully ask that the same be passed as a law of this Territory. The experience of the whole West, for years past, has demonstrated that the circulation of an unauthorized currency is productive of the most serious evils to community, abstracting, as it does, from the pockets of the industrious poor the proceeds of their hard labor, and placing the same in the coffers of any and every one who has the boldness and assurance to come forward and thrust their issues upon the community. It is too often the case that these issues are put in circulation by unprincipled and designing men, merely for the purpose of drawing the life blood from the masses; and the financial history of the country, for years past, affords but too many examples of this truth. Men, by this species of financial manœuvring, have too often sprung from a state of meagre poverty to a condition of immense wealth; and labor, the only true foundation of the prosperity of a community, has, in every case, been compelled to pay the tribute. For these reasons, and many others which might be adduced, we respectfully ask your honorable bodies, who have it in your power to throw around this community the protection of law, to pass the bill above named and thus secure the industrious and hard-working, in some measure, against the attempt of the unprincipled and designing.

McClouds & Walker,
 E. W. Barnes,
 J. E. Fullerton,
 Thos. Burton,
 Chas. Rauch,
 Wm. Brewster & Co.,
 Marshall & Co.,
 J. R. Brewster,
 Geo. Hezlep,
 Charles Blum,
 Edwin Bell,
 W. S. Combs,
 M. N. Kellogg,
 F. A. Donahower,
 J. W. Selby,
 Geo. Irvine,
 Charles Symonds,

James K. Humphrey,
 W. H. Taylor,
 Martin D. Clark,
 S. R. Comstock,
 J. G. Kellogg,
 C. J. Post & Co.,
 Simon C. Elfelt,
 S. B. Suttan,
 Thos. H. Sutcliffe,
 Samuel Hasler,
 Michael Connelly,
 S. C. McCrary,
 Wm. H. Tinker,
 C. E. Shaffer,
 David A. Miller,
 C. H. Parker.

PETITION ON THE SAME SUBJECT.

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

We, the undersigned, citizens and business men of St. Paul, learning there is a bill before your honorable body entitled "A bill to prevent the circulation of unauthorized currency," and that the same is now awaiting your action, would respectfully ask that the same be passed as a law of this Territory.

W. W. Chapman,
Patrick McCormack,
W. H. Wellington,
Wm. Nixon,
John Nelson,
N. K. Wright,
G. Caddey,
T. Sandy,
Wm. Allen,
Matthew Frey,
S. Munn,

J. W. Downer,
J. S. Hough,
D. C. Haff,
G. W. Hieden,
A. D. Kruhl,
C. A. Hedengran,
John Whitford,
Thos. S. Cary,
Cyrus Gray,
James Hyland.

PETITION FOR A ROAD.

To the Honorable Legislature of the Territory of Minnesota:

We, the undersigned, most respectfully ask that your honorable body may cause to be surveyed, and laid out, a road commencing at a point where the St. Paul and Little Canada road is to intersect the Saint Anthony and Taylor's Falls road, and running to the head of Sunrise river, crossing Rice Lake at the old crossing at Baldwin's.

Your petitioners would represent to your honorable body, that this road, for which they do petition, is about thirty-three miles shorter than the present travelled road from St. Paul to the head of Sunrise river.

B. T. Baldwin,
T. Travis,
Erastus S. Edgerton,
A. Bushenall,
Benj. Merchant,
George Wirtz,

J. Myres,
Fuller Thompson,
Wm. Godfrey,
J. M. Farmer,
R. M. Spencer,
P. Haskins,

- | | |
|--------------------|-------------------|
| F. Farmer, | L. C. Dunn, |
| John G. Turnbull, | J. D. Goodrich, |
| R. Scield, | Thomas Fawcett, |
| N. E. Tyson, | John Fawcett, |
| C. S. Cave, | W. H. Jarvis, |
| J. M. Lamb, | Lorenzo Hoyt, |
| A. Willoughby, | A. T. Chamblin, |
| S. Powers, | Chas A. Morgan, |
| E. McLagan, | L. A. Mitchell, |
| M. S. Wilkinson, | J. W. Bass, |
| L. B. Wait, | A. L. Larpenteur, |
| J. W. Simpson, | T. M. Smith, |
| J. B. Culvar, | D. L. Turpin, |
| F. Lamott, | H. A. Lambert, |
| B. Presley, | J. E. Fullerton, |
| John Arseneau, | T. T. Mann, |
| A. Goodrich, | J. Burgess, |
| John J. Dewey, | Thomas R. Potts, |
| E. Howitz, | J. C. Terry, |
| J. M. Marshall, | Andrew Walsh, |
| M. N. Kellogg, | A. J. Whitney, |
| George Irvine, | C. T. Whitney, |
| A. W. Tullis, | John Irvine, |
| J. McCormack, | D. F. Brawley, |
| C. P. V. Lull, | Ira S. Kellogg, |
| A. G. Fuller, | D. L. Fuller. |
| Thos. F. Masterou, | |

PETITION PRAYING FOR AN AMENDMENT OF THE ACT ORGANIZING GOODHUE COUNTY.

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

The petition of the undersigned, citizens of Goodhue county, respectfully represents, that the population of said county is now two hundred, and will, before the next general election, or session of the Legislature, be quadrupled, imperatively demanding an organization of the county; and whereas, the standard parallel and meridian lines have been

established by government surveyors, affording the means of definitely and accurately defining the boundaries of the county: We respectfully pray you to amend the act by which said county was erected, by fixing its boundaries conformable to surveyed lines, and to organize the same by providing for the appointment or election of officers. Also, we respectfully ask that Red Wing may be declared the county seat.

And, as in duty bound, we will ever pray, &c.

Wm. W. Sweeney,
B. T. Degamen,
Thomas J. Smith,
W. K. Culbertson,
A. T. Culbertson,
W. Hunt,
H. L. Bevans,
N. Randall,
Jas. McGinnis,
Andrus Durand,
P. S. Fish,
Wm. Dodge,
Ed. Stoughton.
Mathias Penderon,
W. B. Hancock,
Wm. Lauver,
Wm. Adams,
S. M. Rouse,
C. A. Rouse,
R. Spates,
John Day,
David Pachett,
C. Potter,
N. Nevins,
Abram Patterson,
Peter Grin,

Wm. Freeborn,
Hans Matson,
S. J. Wileard,
Albert Olson,
Ed. L. Rouse,
Wm. L. Rouse,
Joseph Meddagh, Jr.
C. E. Stevens,
W. D. Chilson,
Oliver Olson,
Charles Ruse,
J. Champy,
Geo. Deavenport,
Lewis Sparrow,
J. W. Hancock,
M. Sorin,
E. A. Hoyt,
Chas. Parks,
C. Hutton,
J. Sandress,
Jacob Chuseerown,
John Adams,
John Cary,
J. Young,
James Acrea,
Charles Olson.

PETITION TO FOR A LAW TO DEFINE THE BOUNDARIES OF WABASHAW COUNTY.

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

The petition of the undersigned, citizens of Wabashaw county, respectfully represents,

that since the survey, in part, by the government, of the lands in said county, it is desirable that county lines, which are now indefinite and unascertained, should be accurately defined by township and range lines: We therefore pray you to readjust the boundaries of our county to conform to the surveys.

And whereas, the "Half Breed Tract, so called, embraces a large portion of Wabashaw county, preventing its speedy settlement, and our population being now small, we respectfully solicit to be attached, for the present, to Goodhue county for judicial purposes.

Respectfully, &c.,

C. R. Read,
F. S. Richards,
L. Richards,
B. H. Levey,
Wm. R. Marshall,
Wm. Campbell,
John Campbell, Sr.
John Campbell, Jr.
Jeremiah Campbell,
Orrin I. Kerner,
Wm. Russecotte,
J. A. Couler,

David Campbell,
Thomas Smith,
Wm. Whitmarsh,
Samuel A. Kemp,
Chas. Raester,
— Goin,
John McKenzie,
Duncan McKenzie,
Thomas Murpey,
Thomas Trulson,
P. P. Tuttle.

PETITION FOR A LAW TO PROHIBIT THE CIRCULATION OF UNAUTHORIZED CURRENCY.

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

We, the undersigned, citizens and business men of St. Paul, learning that there is a bill before your honorable bodies entitled "A bill to prevent the circulation of unauthorized currency," and that the same is now awaiting your action, would respectfully ask that the same be passed as a law of this Territory. The experience of the whole West, for years past, has demonstrated that the circulation of an unauthorized currency is productive of the most serious evils to community, abstracting, as it does, from the pockets of the industrious poor the proceeds of their hard labor, and placing the same in the coffers of any and every one who has the boldness and assurance to come forward and thrust their issues upon the community. It is too often the case that these issues are put

A. 23.

in circulation by unprincipled and designing men, merely for the purpose of drawing the life blood from the masses; and the financial history of the country, for years past, affords but too many examples of this truth. Men, by this species of financial manœuvring, have too often sprung from a state of meagre poverty to a condition of immense wealth; and labor, the only true foundation of the prosperity of a community, has, in every case, been compelled to pay the tribute. For these reasons, and many others which might be adduced, we respectfully ask your honorable bodies, who have it in your power to throw around this community the protection of law, to pass the bill above named and thus secure the industrious and hard-working, in some measure, against the attempt of the unprincipled and designing.

W. W. Hichcox,
 Nathan Spicer,
 G. W. Armstrong,
 Rens & Karcher,
 N. Barbour,
 Richard Jackson,
 J. N. Schreoder,
 J. N. Wheelock,
 Stewart B. Garvie,
 Chas. E. Flandrau,
 B. Gallaway,
 C. A. Loverin,
 W. Niehaus,
 H. Niehaus,
 John L. Wise,
 D. D. Williams,
 Henry Morris,
 A. R. Farmer,
 J. W. Boal,
 W. W. Finch,
 J. R. Syford,
 Warren Bristol,
 S. M. Smythe,

Jas. D. Goodrich,
 Isaac Markley,
 James Burgess,
 Jonathan Frost,
 Elias L. Cope,
 D. C. Fullerton,
 Stees & Hunt,
 J. M. Castner,
 J. L. Hinckley,
 Charles E. Mayo,
 M. Drew,
 J. John Soens,
 Charles C. Bates,
 J. C. Terry,
 Wm Shannon,
 Henry A. Lambert,
 J. E. Whitney,
 J. R. Lord,
 R. C. Knox,
 A. Pierce,
 D. A. Robertson, of Wisconsin,
 J. P. Wright.

PETITION TO THE GOVERNOR.

To his Excellency, Gov. Gorman :

The undersigned, citizens and voters of the Territory of Minnesota, respectfully request your Excellency not to defeat the legislation of the Territory, by rejecting, or refusing to

sign, a bill which has passed both branches of the Legislative Assembly of this Territory, incorporating the Minnesota and North-Western Railroad Company.

W. G. Le Duc,

A. W. Wolfe,

T. A. Renz,

Daniel Rohrer,

Charles C. Crane,

Charles G. Bates,

W. S. Johnson,

Wm. Branch,

James Day,

Wm. W. Paddock,

Charles E. Mayo,

F. S. Newell,

E. Bangs,

Nathan Spicer,

J. B. Spencer,

W. V. Athey,

E. M. Bond,

M. Sherman,

R. H. Gallaway,

B. Presley,

S. W. Walker,

C. E. Shaffer,

R. West McCloud,

Truman M. Smith,

J. S. Brown,

W. W. Bates,

H. A. Schliek,

J. Colter,

E. Grimes,

S. Jackson,

C. P. V. Lull,

O. Arseneau,

Sam'l W. Malon,

C. J. F. Smith,

David Garrett,

Martin Drew,

Wm. Henry Forbes,

J. W. Simpson,

Edw. Heenan.

PETITIONS FOR A PROHIBITORY LIQUOR LAW.

PETITION OF THE MALES OF BLOOMINGTON.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult male inhabitants of Bloomington Precinct, Hennepin County respectfully pray your Honorable Body to enact a Law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks and the Traffic in them throughout this Territory.

The evils arising from the traffic are already gigantic; and yet those evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated, and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order—and the security of property, life and happiness; we renewedly approach the Legislature, as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from this rising tide of evils.

G. H. Pond,

J. Dean,

O. Ames,

W. F. Bazley,

Wm. Chambers,

J. D. Scofield,

M. S. Whallon,

S. A. Goodrich,

C. H. Whallon,

Reuben B. Gibson.

PETITION OF WOMEN OF BLOOMINGTON.

To the Territorial Council and House of Representatives:

We, the undersigned women of Bloomington precinct, Hennepin County, Minnesota, sincerely desiring that our households, our community, and our Territory may be saved

from the debasing and destructive influence arising from the sale and use of intoxicating beverages, unite in petitioning your Honorable Bodies to enact a thorough Constitutional Prohibitory Liquor Law for this Territory.

H. F. Whallon,
A. A. Ames,
Aelaide Gibson,
Loretta Gibson,
Sarah A. Bazley,
Rachel Mitchell.

A. E. Whallon,
N. H. Dean,
M. A. Gibson,
Ann Bazley,
A. S. Scofield,

PETITION OF MALES OF SHAKOPEE.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult male inhabitants of Shakopee Precinct, Scott County, respectfully pray your Honorable Body to enact a law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks, and the traffic in them throughout this Territory.

The evils arising from the traffic are already gigantic; and yet those evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated; and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order—and the security of property, life and happiness—we renewedly approach the Legislature, as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from this rising tide of evils.

John Burnham,
Alvin Dorward,
John W. Turner,
Solomon Battin,
Elisha Battin,
Benjamin W. Turner.

Thomas S. Turner,
James Dorward,
John Turner,
Lewis O. Bleness,
John Battin,

PETITION OF WOMEN OF SHAKOPEE.

To the Territorial Council and House of Representatives:

We, the undersigned, women of Shakopee Precinct, Scott County, Minnesota, sincerely desiring that our households, our community and our Territory, may be saved from the debasing and destructive influence arising from the sale and use of Intoxicating Beverages, unite in petitioning your Honorable Bodies to enact a thorough Constitutional Prohibitory Liquor Law for this Territory.

Mrs. Matilda Turner,
Mrs. Phebe Dorward,
Miss Martha M. Turner,
Elizabeth Battin,
Mary A. Turner.

Mrs. Pamela Burnham,
Miss Olive L. Dorward,
Matilda Battin,
Nancy A. Turner,

PETITION OF MALES OF POINT DOUGLASS.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult male inhabitants of Point Douglass Precinct, Washington County, respectfully pray your Honorable Body to enact a law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks, and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet those evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated, and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order—and the security of property, life and happiness; we renewedly approach the Legislature, as the properly constituted guardians of our civil prosperity and implore some adequate legal protection from the rising tide of evils.

David Hone,

Daniel B. Truax,

William Conaway,
 Harley D. White,
 Gersham Truax,
 Richard Hall,
 William Allibone,
 Henry Hetherington,
 William Page,
 G. W. Campbell,
 William Everette,
 Jeremiah Vandusen,

John K. Truax,
 William Harkat,
 Moses O. W. Truax,
 John Allibone,
 Caleb Truax,
 Henry Yarherth,
 William Alt nburg,
 James Sheane,
 John H. Craig,
 Caleb Truax.

PETITION OF WOMEN OF POINT DOUGLASS.

To the Territorial Council and House of Representatives:

We, the undersigned, women of Point Douglass Precinct, Washington County, Minnesota, sincerely desiring that our households, our community, and our Territory, may be saved from the debasing and destructive influence arising from the sale of Intoxicating Beverages, unite in petitioning your Honorable Bodies to enact a thorough Constitutional Prohibitory Liquor Law for this Territory.

M. J. White,
 Sarah Cheney,
 Sarah Page,
 Lany A. Truax,
 Mary M. Countryman,
 M. E. C. Hall,
 Sarah B. Pond,
 Charlottey Conawa,

Jane Eliza Ford,
 Marilla Hasket,
 Ellen Truax,
 Margasy Truax,
 Mary A. Hone,
 Rhoda Hetzell,
 Adelene Hetherington,
 Harriet Campbell,

PETITION OF THE INHABITANTS OF MANKATO.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult inhabitants of Mankato Precinct, Blue Earth County, respectfully pray your Honorable Body to enact a law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet those evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated, and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order—and the security of property, life and happiness; we renewedly approach the Legislature, as the properly constituted guardians of our civil prosperity and implore some adequate legal protection from this rising tide of evils.

MALES.

Edwin Howe,
B. Moreland,
Joisah Hein,
W. Maxfield,
John C. Layton,
Byron W. Comstock,
Marshall T. Comstock,
Geo. Van Brunt,
James Hanna,
John S. Hinckley,
John Henderson,
Robert Wardlaw.

George Marfield,
Joseph Vanasse,
Jeffrey T. Adams,
John Wells, Jr.,
L. H. Winslow,
Joseph M. Ring,
James McMurtrie,
Geo. W. Cummings,
J. C. Hanna,
Jas. W. Heath,
James Robertson.

FEMALES.

Elvira Howe,
Emily J. Maxfield,
Flora E. Van Brunt,
S. J. Hanna,
Lucinda Hanna,
Mary A. Hanna,
R. B. Winslow.

Sarah Maxfield,
Laura E. Maxfield,
Mary J. Comstock,
Nancy Hanna,
Margaret Hanna,
L. A. Heath,
H. C. Lay.

PETITION OF MALES OF WINONA COUNTY

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult male inhabitants of Winona Precinct, Fillmore County, respectfully pray your Honorable body to enact a law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks, and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet these evils are increasing among us with an alarming rapidity. The public is hardened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated; and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order—and the security of life, property and happiness; we renewedly approach the Legislature, as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from this rising tide of evils.

Harvey Hubbard,
James McClellan, Jr.,
Wm. H. Colburn,
Grose M. Willis,
Chas. Eaton,
Edward Ely,
Eugene Persons,
John E. Blair,
Chas. L. Blair,
John Newel,
B. W. Macomber,
Luke Blair,
James Worrall,
John C. Laird,
Henry D. Huff,
Wm. B. Gere,
G. H. Sanborn,
J. O. McClellan,
John Emerson,
M. Wheeler Sargeant,
A. C. Smith,
Isaac Hamilton,
Jno. Keyes,
Chas. S. Hamilton,
James Kirkman,
James E. Bradren,
Grove W. Willis,
Ithiel Hubbard.

Orin A. Hancock,
John L. Bakombe,
W. H. Stevens,
Lewis S. Hancock,
A. B. Smith,
George M. Gere,
George W. Wiltsey,
Roderick Kellogg,
Henry W. Driver,
Abram Wiltse,
John James,
Franklin Blodgett,
Allan Gilmour,
John I. Hubbard,
F. W. Curtis,
Lysander Kutely,
Geo. W. Clark,
John Evans,
Henry C. Gere,
Erwin Johnson,
H. A. Hamilton,
Enoch C. Hamilton,
E. H. Murray,
Geo. F. Childs,
Matthew Ewing,
Elijah Sibley,
Rufus Emerson,

PETITION OF MALES OF SHAKOPEE.

To the Honorable Legislature of Minnesota Territory:

The undersigned, a lult inhabitants of Shakopee Precinct, Scott County, respectfully pray your Honorable Body to enact a Law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet those evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated, and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order—and the security of property, life, and happiness—we renewly approach the Legislature as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from this rising tide of evils.

J. B. Allen,
John McKorlingery,
David Schooley,
Spier B. Davis,
John Shroder,
B. Young,
James White,
E. G. Titus,
Saml. Wm. Pond,
Saml. Dooley,
Josiah Baker,
John Hart,
Daniel M. Stone,
Isaac Markle,
E. A. Greenleaf,
John E. C. Goss,
Samuel Hammond,
Henry Calkins,
F. P. Callender,
Samuel Young,
Comfort Barns,
J. P. Sears,
Hubert Rahl,
A. G. Apgar,
Andrew Dooley.

Robert Kennedy,
Wm. F. Welser,
H. H. Speacer,
John Powell,
Wm. W. Hamlin,
Harrison Rayner,
Spier Spencer,
Alvan Dorward,
John O'Fallon,
F. P. Ripley,
R. Byrne,
John L. Davis,
Homer S. Davis,
Simon Greenleaf,
John Foss,
Henry Latster,
Albert Wills,
Toppan N. Hayer,
T. N. Sibley,
John G. Bass,
George W. Barns,
Wm. Smethers,
H. D. L. Koons,
Daniel Apgar.

PETITION OF WOMEN OF SHOKAPEE

To the Territorial Council and House of Representatives:

We, the undersigned, women of Shokapee Precinct, Scott County, Minnesota, sincerely desiring that our households, our community, and our Territory, may be saved from the debasing and destructive influence arising from the sale and use of Intoxicating Beverages, unite in petitioning your Honorable Bodies to enact a thorough Constitutional Prohibitory Liquor Law for this Territory.

Jane Allen,
Henrietta Allen,
Eliza S. Davis,
Lurana White,
Minerva Rayner,
Ellen E. Chancey,
Mrs. Julia A. Spencer,
Betsey O'Fallon,
Mrs. Louisa Tibbits,
Frances B. Kennedy,
Susan G. Nobles,
Mrs. Bass,
Mary Burns,
Phebe Apgar,

Mary Elizabeth Allen,
M. A. Spencer,
Amanda S. Davis,
Jane Willis,
Marcella J. Turner,
Rose A. Spencer,
Miss Harriet Foss,
Polly Dooley,
Mary Hammond,
Mary Hagarty,
Sophronia Perry,
Mrs. Young,
Rachel E. Hare,
Minerva Apgar.

MINNETONKA, MINN., THIS 10th DAY OF NOVEMBER, 1858.

PETITION OF THE INHABITANTS OF MINNETONKA.

To the Council, and Members of the House Comprising the Legislature of Minnesota:

We your humble petitioners residing in the vicinity of Minnetonka Lake feel that no one thing can be done that will add so much to the prosperity of the people,

and accelerate the settlement of the Territory as the Main Liquor Law, or a Prohibitory law that shall keep that most formidable enemy, (that does more evil than all things else combined,) from our beautiful land.

MALES.

Charles Galpin,
Geo. M. Powers,
David Griffiths,
H. M. Lyman,
Joshua Moore,
Geo. M. Bertram,
Peter M. Gideon,
John H. Holmes,
Stephen D. Summers.

Burrit S. Judd,
J. E. Cathcart,
Lemuel Griffiths,
Arba Cleveland,
Joshua Moore Luer,
Jas. Duncan,
Giles W. Lane,
Amos Gray,

FEMALES.

Sensatha W. Galpin,
Adolpha F. Judd,
Clarissa Cleveland,
R. B. McGrath,
Sarah S. Harrington,
S. C. Staples.

Clarissa Judd,
Ellen A. Griffiths,
Wendy Gibson,
Julia Y. Bertram,
Charlotte Brake,

PETITION OF MALES OF SAUK RAPIDS.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult male inhabitants of Sauk Rapids Precinct, Benton County respectfully pray your Honorable Body to enact a law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks and the Traffic in them throughout this Territory.

The evils arising from this traffic are already rampant, yet these evils are increasing among us with an alarming rapidity. The public is hardened; industry is checked; morals

morals are sinking; vice stalks abroad; every interest of society is depreciated; and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of Law—the maintenance of order—and the security of property, life and happiness—we renewedly approach the Legislature, as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from this rising tide of evils.

Geo. W. Sweet,
Geo. T. Wixson,
Ellis Kling,
James Jaouck,
Wm. Connell,
Wm. H. Wood,
John Becker,

Jeremiah Russell,
A. Gales,
J. L. Wilson,
James H. White,
George McIntyre,
John Coffinger,
L. G. Barr,

PETITION OF THE INHABITANTS OF NICOLETT COUNTY.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult inhabitants of Nicolett County, respectfully pray your Honorable Body to enact a Law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet these evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated; and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of Law—the maintenance of order—and the security of property, life and happiness—we renewedly approach the Legislature, as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from the rising tide of evils.

M. N. Adams,
W. Wagner,
George A. McLeod,

P. Evenson,
Alexandre Bertreche,
J. W. Holtsclaw,

Alex. G. Huggins,
James Magner,
Thomas Pettyjohn,
G. S. Patch,
Johns Pettyjohn,
F. M. Dupray,
Bence Berec,
Amy Rensseville,
Ruth Pettyjohn,
E. O. Masters,
Huldah Pettyjohn,
Mathias Evenson,
Lorinda McLeod,
Stewart B. Gurnie,
Wm. Haig,
H. P. Baker,
Peter M. Tod,
Oliver H. Ewing,
Stephen Green,
F. L. Adams,
L. R. Kennedy,
I. D. Kennedy,
I. V. H. Burley,
Louis LaBell,
Joseph Decoteau,
A. D. Graham,
Elizabeth Evans,
Lewis Osier,
D. T. Rounseville,
L. D. Holden,
Timothy Fuller,

Robert McCullough,
Wm. P. Masters,
Charity W. Pettyjohn,
Julia E. Spencer,
Elira Ellis,
Treluca Peoples,
N. A. McAdams,
John Kuncity,
Geo. H. Spout,
J. B. Coy,
Johanna Petterson,
John Leden,
Jacob Hemingway,
Edwin Jones,
A. W. Skow,
T. Grew,
A. G. Campbell,
John Campbell,
Scott Campbell,
Henry Anger,
Margaret Campbell,
Louis Bencie,
Harriet Argee,
Mary Argee,
I. F. Brant,
Boyrel DeKosier,
Mary R. Spooner,
Louis Coran,
Sarah Ann Green,
Louis Pelon,
Lewis Soransen.

PETITION OF WOMEN OF NICOLETT, &c.

To the Territorial Council and House of Representatives:

We, the undersigned, women of Nicolett and the adjoining Counties, Minnesota, sincerely desiring that our households, our community, and our Territory, may be saved from the debasing and destructive influence arising from the sale and use of Intoxicating Beverages, unite in petitioning your Honorable Bodies to enact a thorough Constitutional Prohibitory Liquor Law for this Territory.

Lydia P. Huggins,
Jane S. Huggins,
Fanny H. Pettyjohn,
Julia A. Laframboise,
Victoria C. Angel.

Mary A. Huggins,
A. C. Campbell,
Julia Coty,
Elizabeth M. Leed.

PETITION OF WOMEN OF CROW WING.

To the Territorial Council and House of Representatives:

We, the undersigned, women of Crow Wing Precinct, Itasca County, Minnesota, sincerely desiring that our households, our community, and our Territory, may be saved from the debasing and destructive influence arising from the sale and use of intoxicating Beverages, unite in petitioning your Honorable Bodies to enact a thorough Constitutional Prohibitory Liquor Law for this Territory.

Elizabeth Beaubien,
Charlotte McGillis,
Clara S. Olmsted,
A 25

Glory Ann Fairbanks,
Francoise McGillis,
Charlotte Addison,

Pamela Adams,
 Isabella Emerson,
 Nancy Vanase,
 Josette Beaubien,
 Mary Fairbanks,
 Jane Fairbanks.

Mary A. Morrison,
 Charlotte L. Morrison,
 Jane Morrison,
 Susan McFarland,
 Zoe McGillis,

PETITION OF THE MALES OF LONG PRAIRIE.

To the Honorable Legislature of Minnesota Territory:-

The undersigned, adult male inhabitants of Long Prairie Precinct, Cass County, respectfully pray your Honorable body to enact a law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks, and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet these evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated; and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order—and the security of life, property and happiness, we renewedly approach the Legislature, as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from this rising tide of evils.

Antoine Grignon,
 Jacque Sequirge,
 Robert Fairbanks,
 M. H. LaPallien,
 Peter Pareault,
 Simcon Sequirge,
 Louis Pettier,
 Peter Manaige,

Oliver Amell,
 Louis Brisbois,
 James Sequirge,
 Charles Manayd,
 Michael St. Cuyr, J.,
 Joseph Amell,
 John Pettier,
 A. W. Daniels,

William Buchanan,
George Gigge,

Walter Gillin,
J. L. Alexander.

PETITION OF WOMEN OF LONG PRAIRIE.

To the Territorial Council and House of Representatives:

We, the undersigned, women of Long Prairie Precinct, Cass County, Minnesota, sincerely desiring that our households, our community, and our Territory, may be saved from the debasing and destructive influence arising from the sale and use of Intoxicating Beverages, unite in petitioning your Honorable Bodies to enact a thorough Constitutional Prohibitory Liquor Law for this Territory.

Mrs. Christine Girgnon,
Mrs. Elizabeth Brisbois,
Mrs. Elizabeth Amell,
Mrs. Catherine B. Fairbanks,
Miss Julia Sequirge,
Miss Faliscete Sequirge,
Miss Margaret Sequirge,
Miss Victoria Sequirge,
Miss Mayatte M. Sequirge,

Miss Sophia Sequirge,
Mrs. Josette Pagan,
Mrs. Marion Wanaige,
Mrs. Angeline Wanaige,
Mrs. E. B. Daniels,
Miss Mary Buchanan,
Mrs. Elizabeth Buchanan,
Mrs. Alexander,
Mrs. Myette.

PETITION OF THE INHABITANTS OF NICOLLET AND BLUE EARTH
COUNTIES.

TRAVERSE DES SIOUX, FEB. 8, 1854.

DEAR SIR:

As Chairman of a committee appointed for the purpose of obtaining signatures to a petition to Legislature of this Territory, praying for some constitutional enactment to

prevent the introduction of liquor into this Territory, and in accordance with a full vote of the Temperance Association of this place at its last meeting; I take the liberty of transmitting to you a petition to that end, signed by 76 of the adult inhabitants of Nicollet County and one of the inhabitants of Blue Earth County, (to-wit: F. D. Adams.) Some of the females have chosen to sign with the males, you will find their names marked thus * on the copy of their signatures, which I send to prevent any mistake that might arise from the obliterated condition of their autograph signatures.

I also transmit herewith a petition to the same purport, signed by 37 of the inhabitants of Blue Earth County. The people of this county, have all confidence that you, as well as your colleague, will use all possible efforts to obtain the enactment of a prohibitory liquor law. Trusting that the accompanying petition may do somewhat to assist you,

I am your obedient servant,

GEORGE A. McLEOD.

To Hon. W. H. NOBLES, }
H. R., St. Paul, }

M. A. Adams,
M. Magner,
G. A. McLeod,
Alex. G. Huggins,
James Magner,
Thomas Pettijohn,
G. S. Patch,
Jonas Pettijohn,
F. M. Dupray,
Bruce Pierce,
*Amy Rounsville,
John Kennedy,
*Ruth Pettijohn,
*L. O. Masters,
*Huldah Pettijohn,
*Johanna Peterson,
Mathias Evanson,
*Lorinda McLeod,
Stewart B. Garvie,
William Huey,
H. P. Baker,
Peter M. Teed,
Oliver N. Ewing,
Stephen Green,
F. D. Adams,
D. R. Kennedy,
J. D. Hemengray,
J. V. H. Bailey,
Louis Labelle,
Joseph Decoteau,

Alex. De Bertrache,
J. W. Holtsclaw,
Robert McCullough,
Wm. P. Huggins,
*Charity W. Pettijohn,
*Julia E. Spencer,
*Eliza Ellis,
*Rebecca Peeples,
*N. A. M. Adams,
Geo. H. Spencer,
J. B. Coty,
John Leden,
Jacob Hemengray,
Edwin Jones,
A. K. S. Karro,
T. Olsen,
A. J. Campbell,
John Campbell,
Scott Campbell,
Henry Angee,
*Margaret Campbell,
Louis Bureier,
*Harriet Angee,
*Mary Angee,
J. F. Brant,
Boyiell de Rosier,
*Mary R. Spooner,
Louis Coron,
*Sarah Ann Green,
Louis Peton,

A. D. Graham,
 *Elizabeth Evans,
 Lewis Ozier,
 Peter Evanson,
 Lydia P. Huggins,
 Fanny H. Pettijohn,
 Victoria Angee,
 Mary Campbell,
 Eliza M. Leed,

D. T. Rounsville,
 L. D. Holden,
 Timothy Fuller,
 Lewis Swanson,
 Jane S. Huggins,
 Julia A. Laframboise,
 Mary A. Huggins,
 Julia Coty.

PETITION OF MALES OF SAINT ANTHONY.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult male inhabitants of St. Anthony Precinct, Ramsey County, respectfully pray your Honorable Body to enact a Law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet these evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated; and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of Law—the maintenance of order—and the security of property, life and happiness—we renewedly approach the Legislature, as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from the rising tide of evils.

R. P. Upton,
 R. P. Hamilton,
 J. W. North,
 Benjamin Parker,
 Wm. H. Townsend,
 John H. Murphy,
 J. P. Plumer,

Z. E. B. Nash,
 Geo. E. Henry,
 M. G. Pratt,
 James C. Tufts,
 Gardner Jackson,
 L. R. Palmer,
 A. E. Johnson,

H. S. Plumer,
 J. H. McHerron,
 Wm. Harmon,
 Perren Gethett,
 H. H. Angell,
 C. B. Chapman,
 R. M. Cummings,
 David D. Wilson,
 E. H. McIntosh,
 W. P. Clark,
 G. Ingell,
 Henry Chambers,
 Edward Libby,
 T. F. Leavitt,
 Francis Sampson,
 Nathan Fletcher,
 John Whitney,
 James Parker, jr.
 Chas. A. Brown,
 S. W. Farnham,
 A. Bacon,
 J. B. Everett,
 A. Geaster,
 J. S. Wales,
 Wm. Hanson,
 W. A. Cheever,
 H. Jenkins, jr.
 E. P. Shaw,
 Peter Curly,
 J. P. Mooers,
 Harris Smith,
 Michel Peters,
 F. D. Jodon,
 S. E. Foster,
 George Parkhurst,
 Z. M. Brown,
 Wm. Q. Tilden,
 C. Woodley,
 J. F. Humming,
 S. A. Lewis,
 B. F. Foster,
 S. H. Smith,
 S. L. Getchell,
 John Jackins,
 Joseph Frost,
 Z. Gillespie,
 Jas. B. Miller,

John C. McCain,
 William Nott,
 Chas. Hanson,
 Joseph H. Canney,
 C. G. Kingsley,
 Michael Dekay,
 F. H. Cobb,
 D. Carlton,
 B. V. Carson,
 J. Johnson Terwal,
 J. K. Bean,
 E. C. Shepherd,
 J. W. Dekay,
 E. Moulton,
 Samuel Estes,
 W. Stinson,
 Edward Patch,
 Joseph Williamson,
 Dan. S. Paine,
 Thos. Chambers,
 R. H. Jefferson,
 Edward Murphy,
 Moriz Daily,
 Geo. A. Plumer,
 Stephen Cobb,
 James McCann,
 D. B. Morrell,
 J. V. Barbur,
 J. Draper,
 Caleb D. Dorr,
 E. Berrey,
 Geo. W. Prescott,
 Wm. H. Wales,
 H. H. Davis,
 Geo. Davis,
 James McMullen,
 Thos. Y. Sintell,
 William H. Cole,
 Nathl. Mooers,
 J. L. Benedict,
 N. G. Smith,
 D. F. Stinson,
 T. C. Fletcher,
 H. C. Bohannon,
 E. P. Mills,
 Charles Seccombe,
 E. W. Merrill,

Rufus Farnham, jr.
 D. Stiles,
 M. C. Baker,
 T. Stinchfield,
 G. W. Murphy,
 John Clark,
 A. H. Hartwell,
 J. E. Hamilton,
 C. Davis,
 D. L. Morse,
 James B. Smith,
 John Baxter,
 Charles E. Jackins,
 A. D. Foster,
 Ira Gorman,
 Andrew J. Fullerton,
 T. T. Leavitt,
 Geo. L. Huse,
 Chas. L. Anderson,
 D. M. Hanson,
 H. C. Crowell,
 O. W. Stoughton,
 R. G. Brown,
 Eben Howe,
 Geo. Porter,
 Seth Fielding,
 Samuel M. Tracy,
 John M. Stiles,
 G. G. Loomis,
 E. K. Knowlton,
 Edgar Nash,
 W. Spooner,
 Silas M. Ricker,
 John Stadden,
 Wynant Vanallynd,
 A. Pease,
 J. H. Mills,
 A. J. Fullerton,
 Wm. Barnes,
 T. C. Fletcher,
 Peter Barchno,
 Orin H. Rogers,
 Wm. C. Lee,
 Eddy Darkey,
 Joba M. McFasten,
 Henry S. Cheever,
 Naham G. Smith,

J. H. Mills,
 E. Swan,
 E. Hanson,
 E. R. Ames,
 E. G. Brown,
 A. D. Shaw,
 W. H. Ingersoll,
 J. Le Duc,
 R. Ball,
 D. L. Morse,
 J. W. Roc,
 J. R. Foster,
 E. Worthingham,
 Hugh Bond,
 Levi Hopper,
 Leonard Brown,
 E. L. Brown,
 Elias H. Connor,
 Henry S. Plumer,
 Tallmadge Elwell,
 Stephen R. Sweet,
 Pat Murphy,
 Isaac Smith,
 Jno. H. Stevens,
 Geo. F. Brott,
 W. H. Cole,
 G. B. Dutton,
 L. Nutting,
 Thaddeus J. Woodworth,
 John M. Durman,
 James H. Brown,
 James Phillips,
 Charles King,
 Lardner Bostwick,
 Alvin Stone,
 John S. Cooper,
 Thos. K. Hill,
 L. Jadon,
 R. H. Miller,
 William Russell,
 Jno. H. Keen,
 Isaiah Ricker,
 John W. Bassett,
 L. D. Luman,
 D. H. Clark,
 Joseph Sibley,
 George J. Hamilton,

John Keiharden,
 Seth Turner,
 Amos S. Stiles,
 B. C. Messer,
 Heman Woodworth,
 Francis Sampson,
 Lyman Palmer,
 Saul W. Mithollin,
 J. M. Mithollin,
 John F. Whittemore,
 Jos. E. Philbrook,
 Henry C. Jouis,
 Charles G. Ames,

J. N. Richardson,
 Simon B. Spinner,
 H. J. Weller,
 David Gorham,
 J. E. Saw,
 E. Lippincott,
 William Mithollin,
 William W. Mithollin,
 Amos Benny,
 Eli C. Jones,
 O. W. Rice,
 H. P. Sweet,
 F. J. Brown.

PETITION OF WOMEN OF ST. ANTHONY.

To the Territorial Council and House of Representatives:

We, the undersigned, women of St. Anthony Precinct, Ramsey Co., Minnesota, sincerely desiring that our households, our community, and our Territory, may be saved from the debasing and destructive influence arising from the sale and use of Intoxicating Beverages, unite in petitioning your Honorable Bodies to enact a thorough Constitutional Prohibitory Liquor Law for this Territory.

Mary C. Merrill,
 Ann L. North,
 Sophronia McFarlain,
 Eugenia Seaming,
 Eliza Nutting,
 Mary Carman,
 Hellen E. Sweet,
 S. Anna Bumstead,
 Mary G. Nutting,
 Elizabeth A. Stone,
 Frances E. Varness,
 Betsey Woodworth,

F. A. Brookins,
 Margaret L. Dings,
 Sarah J. D. Ames,
 Mary H. Colbaugh,
 Melissa Cobb,
 Julia A. Shepberd,
 N. Leasing,
 Mary Nutting,
 Lucinda Lewis,
 Hannah Munson,
 Ann Bradbury,
 Mary E. Woodworth,

Sarah A. Paine,
 Agnes A. Lippincott,
 Eliza Rome,
 O. M. Nash,
 Mary E. Prescott,
 Sarah A. Piddington,
 Clara Wersinger,
 Hattie E. Shaw,
 Ruth Hingoton,
 Joanna Peters,
 Loesa Rodcuner,
 Margaret Riche
 Julia Coustins,
 Eliza B. Sweet,
 Mary B. H. Messer,
 Elizabeth McFarlan,
 Jenne P. Bowann,
 Mrs. L. Bostark,
 Mrs. M. Lee,
 Ann L. Stanchfield,
 Laura Stanchfield,
 Mrs. M. A. Stanchfield,
 Sarah D. Farnam,
 Abigal J. McIntosh,
 Sarah S. Sherburne,
 Mary Ray,
 Mary S. Murch,
 Emily P. Gilbert,
 Ellen Carleton,
 Mrs. Keath,
 Mrs. R. H. Baldwin,
 Martha Foster,
 Elizabeth H. Hill,
 Susan S. Henderson,
 Maryan Gorham,
 Rebecca Ball,
 Susan E. Dodge,
 Julia Costein,
 Huldah Spencer,
 Eliza D. Loomis,
 Julia Aroline Brown,
 Cornelia Brooks,
 Julia Ann Brown,
 Mary Fielding,
 Clarissa L. Fielding,
 Catharine S. Hamilton,
 R. A. Davy,
 A 26

Elizabeth T. Shaw,
 Eleanor Russell,
 M. C. Mills,
 Margaret Cane,
 Mary C Chamberlaine.
 Sarah J. Piddington,
 Sarah C. Shaw,
 Pernisey Stratton,
 Amanda Ryan,
 Mary Delana,
 M. Brawley,
 Ann E. White,
 Lucinda Worthingham,
 Pursilla Spencer,
 Sharlott Spencer,
 Georgiana Lewes,
 Lydia Palmer,
 Antoinette Palmer,
 Elizabeth Palmer,
 Helen Jane Cheever,
 Mrs. Eliza A. Dow,
 Mrs. Jerusha A. Irvin,
 Mrs. Jerusha C. Berry,
 Lydia Berry,
 Ellen M. Stadden,
 H. K. Johnson,
 Emma J. Rowell,
 Esther Fernald,
 Ella L. Whittemore,
 Louisa M. Cheever,
 Mary B. Leanon,
 M. F. B. Shepley,
 Lucretia Smith,
 Sophia Karson,
 Mary Barlow,
 Matilda Swan,
 Sarah C. Gorman,
 Margaret Spencer,
 Elizabeth Bushnell,
 Emily H. Estes,
 Mary E. Nutting,
 Sarah A. Macomber,
 Hannah Parker,
 Jane Marsh,
 Frances Jones,
 Sarah A. Lawrence,
 Lorunia S. Getchell,

M. H. Dutton,
 Jarah J. Sentell,
 Mary B. Brown,
 Charlotte M. Thompson,
 Margaret M. Thompson,
 Louisa M. Darnoway,
 Mary G. Brott,
 Nancy J. Estes,
 Mary H. Libby,
 Ann H. Smith,
 Mrs. E. E. Farnham,
 Maria Richardson,
 M. J. S. Abbott,
 L. Judd,
 Maria M. Hartwell,
 Electa B. Hartwell,
 Abigail Getchell,
 Lydia Palmer,
 Mary Longfellow,
 Cornelia A. Jefferson,
 Dorinda H. Fletcher,
 Susan A. Tracy,
 Rebecca Dunn,
 Amelia Brown,
 Elvina Tluse,
 Sephronia M. Lowell,
 Agnes A. Smith,
 Louisa M. Smith,
 Celestia A. Dorr,
 Aseneth H. Munson,
 Sarah Jadon,
 Eleanor F. King,
 Jane R. Slight,
 Mrs. Stimson,
 S. F. Gillpatric,
 P. Libby,
 Annie L. Hollister.

Mary A. Murphy,
 Harriet Plumer,
 Deborah M. HERRIA,
 Nancy Todd,
 Sarah Cole,
 Julia Estes,
 Julia Ann Brumlin,
 Mary J. Smith,
 Laura M. Smith,
 Mrs. Ann H. Smith,
 Mrs. Susan Stiles,
 Ruth M. Clark,
 H. S. Benedict,
 M. D. Cory,
 Hannah L. Getchell,
 Lizzee Souls,
 Elizabeth Hamilton,
 Frances Morris,
 Loretta Moffat,
 Elizabeth Morris,
 Dora Jewet,
 E. J. Lane,
 A. W. Farnham,
 Margaret Carl,
 Mary Avry,
 Annis Heath,
 Margaret Daly,
 Susan Lee,
 Catharine Lee,
 Mrs. Burk,
 Sgrens M. Huntley,
 Lucy L. Camp,
 Martha Estes,
 H. Lawrence,
 L. H. Libby,
 M. A. Libby.

PETITION OF MALES FROM SWAN RIVER.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult male inhabitants of Swan River Precinct, Benton County, respectfully pray your Honorable Body to enact a law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet these evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated, and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order, and the security of property, life and happiness—we renewedly approach the Legislature as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from this rising tide of evils.

F. Ayer,
A. B. Adams,
Edward Taylor,
B. L. Fletcher,
Daniel Mason,
T. Bellefealle,
Charley Lemore,

Lyman W. Ayer,
Wm. Lewis,
C. M. Merrell,
R. D. Kinney,
A. Bisson,
Wm. H. Fletcher,
David Earle.

PETITION OF MALES OF CROW WING.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult inhabitants of Crow Wing Precinct, Benton Co., respectfully pray your Honorable Body to enact a Law prohibiting, by efficient and Constitutional

provisions, the importation of Intoxicating Drinks and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet those evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated, and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order—and the security of property, life and happiness—we renewedly approach the Legislature as the properly constituted guardians of our civil prosperity, and implore some adequate legal protection from this rising tide of evils.

Francis Pierz,
John McGillis,
Jonathan Edwards,
J. H. Fairbanks,
Bejamin Fairbanks,
A. Morrison,
Jacque Carrier,
John James,

C. H. Beaulien,
L. N. Adams,
Maxine Vanase,
George Fairbanks,
Wm. Fairbanks,
Donald McDonald,
Joseph Monticulle,
Paul Beauvar.

PETITION OF THE INHABITANTS OF LE SEUR.

To the Honorable Legislature of Minnesota Territory:

The undersigned, adult inhabitants of Le Seur Precinct, Le Seur County, respectfully pray your Honorable Body to enact a law prohibiting, by efficient and Constitutional provisions, the importation of Intoxicating Drinks and the Traffic in them throughout this Territory.

The evils arising from this traffic are already gigantic; and yet those evils are increasing among us with an alarming rapidity. The public is burdened; industry is checked; morals are sinking; vice stalks abroad; every interest of society is depreciated, and Minnesota is dishonored.

Actuated solely by a just solicitude for the public good—the dignity of law—the maintenance of order—and the security of property, life and happiness; we renewedly

approach the Legislature, as the properly constituted guardians of our civil prosperity and implore some adequate legal protection from this rising tide of evils.

Antoine Yon,
Joa Bourdon,
S. Cratt,
Mary Jane Gadwa,
J. H. Gates,
Mary M. Masters,
James R. McKee,
Rebecca G. Marsters,
Edward Evans,
Ann Evans,

Jacques Beauprie,
Mary L. Yon,
Charles M. Gadwa,
John Masters,
Lucian Gates,
Stephen S. Masters,
William G. McKee,
Hanner Vancamp,
John C. Evans,
Joseph M. Hall.

PETITIONS FOR THE LOCATION OF HENNEPIN CO. SEAT.

PETITION OF JOHN S. WALES, AND THIRTY-TWO OTHERS.

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

The undersigned, Citizens of Hennepin County, most respectfully request your Honorable Body to establish the County Seat of said County at the place selected by the County Commissioners in November, 1852. And your petitioners will ever pray.

January 28, 1854.

John S. Wales,
George N. Wales,
W. R. Moffett,
W. G. Moffett,
P. Prescott,
G. H. Jones,
Chas. Hoag,
David Bickford,
T. B. Rogers,
C. H. Hutchins,
E. A. Vanvalkenburg,
Samuel Franklin,
Samuel P. Spear,
L. N. Parker,
Job Pratt,
Nelson Pratt,
John Jackins.

Chesley, Pratt,
Martin Pratt,
David Pratt,
Samuel Stough,
Thomas S. McCulloch.
Jease Wakefield,
Enos Wakefield,
George W. Townsend,
Henry Townsend,
M. Baldwin,
W. H. Gilmore,
G. Gilmore,
Jesse Richardson,
J. C. Hutchins,
Asa Fletcher,
Isaac Blaisdell,

PETITION OF JOSEPH H. CANNEY AND ONE HUNDRED AND
TWENTY-FIVE OTHERS.

To the Honorable Legislature of the Territory of Minnesota:

The petition of the undersigned citizens of Hennepin County, would respectfully represent: That they are desirous that your Honorable Bodies should locate the County Seat of Hennepin County at Minneapolis, confirming the selection made by our County Commissioners in October, 1852.

Joseph H. Canney,
John Broadwick,
Thomas Gafney,
Cyrus Baldwin,
Merit Foster,
Curtis Foster,
Peter Poncin,
Orin B. Day,
Corodon Gates,
Francis Morrison,
John Beden,
Peter Gamache,
Thomas Perry,
Ferdinand Gamache,
C. W. Christmas,
Bartis Pudwin,
Paschal Pudwin,
Joseph Minnor,
Sylvester Bell,
John Peters,
Victor Gamache,
Eben Howe,
Joel Howe,
J. W. Dow,
J. W. Dow, Jr.,
Gustin Dow,
J. M. Snow,
George Snow,
George Dutton,
H. S. Tompson,
E. Tompson,
George Tompson,

Marshal Bouly,
Lewis R. Palmer,
Ezra Hanscomb,
W. Getchel,
W. Getchel, Jr.,
Wm. Getchel,
Peter Darnel,
Anthony Tagro,
Calis Plant,
Gery Wetzel,
Oscar Canfill,
John Lambert,
Edward Syeeny,
Peter Pudwin,
Joseph Pudwin,
S. W. Stinson,
Thomas Pudwin,
William Stinson,
Allen Harmon,
John Gearty,
William G. Jones,
Henry C. Keith,
E. H. McIntosh,
Cornelius Perkins,
G. A. Plumer,
John H. Perkins,
Gordon Jackins,
J. P. Plumer,
J. W. McCormack,
H. B. Wright,
T. James,
W. Hasman,

Rufus Farnham,
 Battis Bottineau,
 Peter B. Morrow, Jr.,
 John Readheid,
 John Readheid, Jr.,
 J. Burn,
 John Bahanner,
 Y. Warren,
 E. Glaly,
 James Glaly,
 O. Smith,
 Wiley Hoper,
 Samuel Hoper,
 S. Wales,
 N. Wales,
 Wm. Wales,
 Peter Bottineau,
 Sevier Bottineau,
 Charles Bottineau,
 Peter Gurva,
 Lewis Weavenu,
 A. Trumbley,
 Narcisse Samson,
 Carl Tusan,
 Henry Gurvy,
 Manuel Koch,
 Francis Grape,
 Francis Pudwin,
 Joseph J. Pudwin,
 W. Stinson,
 A. Moon.

Jonathan Estes,
 John Bohannon,
 James Brown,
 Andrew McCuine,
 Levi Casey,
 John Blaisdell,
 Robert Blaisdell,
 Isaac Fidd,
 Charles Miles,
 Thomas Warwick,
 David Clark,
 William Fonier,
 James Riley,
 John M. Dorman,
 O. Morrell,
 W. Alkerson,
 Henry McGrotkins,
 William Hanks,
 John Hanks,
 Stephen Haws,
 Wm. Messer,
 Joseph Hoit,
 Charles Ring,
 William Staplers,
 Daniel Brackin,
 Daniel Brackin, Jr.,
 Charles Farington,
 E. Austin,
 John Brackin,
 I. B. Bossett,

PETITION OF C. W. CHRISTMAS, COUNTY SURVEYOR.

To the Honorable, the Legislature of the Territory of Minnesota:

The petition of the undersigned, County Surveyor of Hennepin County, would respectfully represent that strong efforts are being made by interested parties to remove the County Seat of Hennepin.

The undersigned, your petitioner, would represent further, that it is only seven and a half miles from the location of the County Seat of said County Seat, as selected by the County Commissioners, to the South-east corner of said County; and that it is over 28 miles to the North-east corner of said County from said location. Therefore your petitioner humbly prays your honorable body to let the County Seat remain as it is, and not put it further down in the South-east corner of the County, a large proportion of said corner being the Military Reserve of Fort Snelling and your petitioner would further represent that the site selected by the County Commissioners is much more eligible and central than any other location in Minneapolis for the purposes intended.

Respectfully,

C. W. CHRISTMAS,

County Surveyor,

PROCEEDINGS OF A MEETING HELD AT MINNEAPOLIS.

Mr. Rolette presented the following proceedings of a meeting held at Minneapolis:

Agreeable to previous notice, many of the citizens of Minneapolis and vicinity met at the house of Anson Northrup, Esq., Jun. 25, 1854, at 10 o'clock, A. M., for the purpose of considering the proper place of locating the county seat of Hennepin County: Whereupon, the Hon. R. P. Russell was called to the Chair, and A. E. Ames appointed Secretary of the meeting.

Mr. Edward Murphy stated the object of the meeting.

Remarks were made by Messrs. F. Steele, Colonel John H. Stevens, Isaac Atwater, Anson Northrop, E. Case, C. A. Tuttle, Isaac Brown, A. E. Ames, and D. M. Coolbaugh.

On motion of Mr. Coolbaugh,

A committee of five were elected to examine and report to this meeting, a suitable site for the county seat.

D. M. Coolbaugh, E. Case, I. Atwater, A. Northrup, and C. A. Tuttle, were appointed said committee.

The committee retired and made the examination as to site.

Mr. Atwater reported the site agreed on by the Committee, on the bluff back of Mr. Whitney's, on Coolbaugh & Wilson, and Church land.

Report received and Committee discharged.

On motion of Mr. Steele,

The report was adopted.

On motion of Mr. A. E. Ames,

That E. Case and E. Murphy be a Committee to represent the desire of this Convention and their wishes as to the fixing the site of the county seat of Hennepin County.

On motion, adjourned *sine die*.

R. P. RUSSELL, Chairman.

A. E. AMES, Secretary.

PETITION FOR THE COUNTY SEAT OF HENNEPIN COUNTY.

MINNEAPOLIS, JANUARY 23, 1854.

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

The undersigned citizens of Hennepin County, having but recently learned that a bill locating permanently the County Seat of Hennepin County is now before you, will here respectfully represent, that in their opinion, the best interests of the county would be provided for in locating the said County Seat by the following persons, who are interested personally alike, and who know the wants of said county equal to any three persons, being interested in different localities; said persons being Emanuel Case, above the Falls of St. Anthony, R. P. Russell, at the Falls, and Isaac Atwater, below said Falls; not having time to circulate a petition to this effect, adopt this plan in asking our Legislature

to make such selection, and by so doing will meet the views of the citizens of the County of Hennepin generally. Should this plan be not adopted, we earnestly ask totally disinterested commissioners, be appointed and make such location immediately.

Edward Murphy,
 Chas. Rye,
 A. C. Murphy,
 John M. Stiles,
 A. N. Hoyt,
 J. C. Whitney,
 D. W. Coolbaugh,
 Edwin Hedderly,
 John S. Cooper,
 Samuel C. Wheeler,
 L. K. Russell,
 M. Casady,
 E. R. Bagden,
 E. Wardwell,

W. G. Murphy,
 S. W. Hatch,
 Z. M. Brown,
 A. C. Godfrey,
 Jno. S. Tenney,
 A. E. Ames,
 James Marston,
 William Hanson,
 Calvin A. Tuttle,
 Wm. Gardner,
 Moore Russell,
 B. S. Russell,
 J. Le Duc,
 A. L. Cummings.

PETITION OF ISAAC V. DRAPER AND FORTY-TWO OTHERS.

To the Honorable Council and Legislature of the Territory of Minnesota:

We, the undersigned, citizens of the County of Hennepin, request your Honorable Body to establish the County Seat of said County of Hennepin as temporarily located by the County Commissioners of said County in October, 1852.

I. V. Draper,
 Cyrus C. Jenks,
 John Chambers,
 Henry Chambers,
 J. M. Gordon,
 Robert Chambers,
 J. S. Mann,

D. R. Farnham,
 Hezekiah Brake,
 B. B. McGrath,
 James Shaver, jr.,
 Wm. S. Chowen,
 Chas. S. Wright,
 James S. Craft,

J. P. Miller,
 D. E. Dow,
 James Chambers,
 Giles W. Lane,
 Geo. M. Bertram,
 Horace Webster,
 John H. Holmes,
 Amos Gray,
 James Duncan,
 Stephen Hull,
 Wm. A. Spafford,
 D. P. Spafford,
 Wm. Lithgow,
 John Carman,
 Geo. Parks,

Thos. Chambers,
 W. B. Harrington,
 I. Stothart,
 Wm. Murray,
 Thomas Self,
 Simon Stevens,
 James Chambers,
 L. Griffiths,
 D. Griffiths,
 A. L. Morgan,
 W. Turner,
 I. Kestler,
 S. Barton,
 I. McKenny,

PETITION OF EMANUEL CASE AND OTHERS.

To the Honorable Legislature of Minnesota Territory:

The Petition of the undersigned citizens of Hennepin County would respectfully represent, that they have learned that strong efforts are being made to have the fractional township that St. Anthony is situated in, annexed to the County of Hennepin; that the village and town of St. Anthony is to form a part of said County. Now, therefore, we your petitioners are violently and justly opposed to all measures of this kind, inasmuch as Minneapolis, Bloomington, Minnetonka, and all other parts of the County of Hennepin, would be greatly injured by the annexation of St. Anthony to our said County; and we pray your Honorable Body that the boundaries of Hennepin County may remain as they now are.

Emanuel Case,
 J. B. Bassett,
 S. W. Case,
 Wm. P. Day,
 Franklin Steele,

Alexander Moore,
 Elijah Austin,
 J. C. Hutchins,
 P. Prescott,
 A. B. Bukren,

W. H. Gilmore,
 Peter Quin,
 Louis LeZotte,
 Patrick Slaven,
 W. G. Moffet,
 Eli Pettijohn,
 C. G. Farrington,

Ephraim Lord,
 Hypolite Provoste,
 Francoise Ducharm,
 R. Van Valkenburgh,
 Hiram Prescott,
 W. G. Murphy,
 J. Harrison.

PETITION OF WILLIAM C. PENNEY AND OTHERS.

To the Territorial Council and House of Representatives:

The undersigned citizens of Stillwater pray your honorable bodies that the right of keeping and maintaining a Ferry across Lake St. Croix at Stillwater, M. T., may be granted to J. B. Trumbull, as in bill above, and that the rates of charges as set forth in the grant to Samuel Graff, in the session of 1852, were insufficient to maintain a Ferry across said Lake, which charter has been abandoned for the reason set forth.

Wm. C. Penney,
 S. Register,
 William H. Mowatt,
 C. D. Gilfillan,
 Jno. P. Proctor,
 D. E. Benny,
 Sylvanus Toasty,
 B. Williams,
 Ariel Eldridge,
 John Parker,
 P. Partridge,
 James A. Edwards,
 Isaac Gray,
 Wm. Rutherford]

H. N. Setzer,
 Samuel Burkleo,
 Gold T. Curtis,
 H. K. McKinsly,
 Ambrose Lacrest,
 S. J. R. McMillan,
 Martin Johnson,
 W. Holcombe,
 James D. McComb,
 W. H. Smith,
 Thos. G. Yoars,
 A. B. Green,
 H. Curtis,
 Joseph Jackman,)

G. Trussell,
 Oliver Parsons,
 J. E. McKusick,
 Andrew J. Shorts,

E. G. Pugthy,
 G. W. Battes,
 John Caswell,
 L. M. Rowell.

PETITION OF THOMAS CHAMBERS AND OTHERS.

To the Honorable Legislature of Minnesota Territory;

The petition of the undersigned citizens of the County of Hennepin would respectfully represent, that they have learned that strong efforts are being made to have the fractional township that St. Anthony is situated in, annexed to the County of Hennepin; that the village and town of St. Anthony is to form a part of said County. Now, therefore, we your petitioners are violently and justly opposed to all measures of this kind, inasmuch as Minneapolis, Bloomington, Minnetonka, and all other parts of the County of Hennepin, would be greatly injured by the annexation of St. Anthony to our said County; and we pray your honorable bodies that the boundaries of Hennepin may remain as they now are.

Thos. Chambers,
 A. Northrup,
 A. N. Hoyt,
 John S. Cooper,
 Edward Bronson,
 James Mountain,
 Hezekiah Brake,
 W. B. Harrington,
 John H. Stevens,
 D. M. Coolbaugh,
 William Goodwin,
 Calvin Church,

A. E. Ames,
 Enos L. Folley,
 Jarvis Foss,
 George Dairs,
 G. Angell,
 Geo. E. Huy,
 Wm. Murray,
 Hiram Prescott,
 N. E. Stoddard,
 I. LeDuc,
 S. S. Crowell,
 G. H. Pond,

Adam Stimbaugh,
 Edwin Hedderly,
 C. A. Tuttle,
 A. C. Godfrey,
 I. H. Odell,
 A. W. Jackins,
 Wm. W. Tuttle,
 W. G. Murphy,
 Walter McLeod,
 G. H. Marshall,
 Geo. H. Fletcher,
 David Bickford,
 Daniel E. Dow,

W. D. Ekay,
 Geo. Snow,
 Horace Webster,
 Wynard Varaltyne,
 E. B. Baydon,
 Charles F. Morgan,
 James A. Church,
 Geo. M. Bertram,
 Wyman Baker,
 J. Van Valkenburgh,
 Ira Henn,
 I. P. Miller,
 A. J. Fullerton,

PETITION OF WILLIAM B. DODD.

To the Honorable Council and Legislature of the Territory of Minnesota:

Your memorialist respectfully represents to your honorable bodies, that on the 5th day of January, 1853, he left St. Paul for the town of Traverse des Sioux, in this Territory, with a party of ten men, for the purpose of opening a road from St. Paul to Traverse des Sioux.

That he did open a road at his own expense, and furnish all things necessary for the same, furnishing the means of communication and transit through a district of country heretofore inaccessible, and that the said road was completed on the 4th day of July, 1853.

That the General Government has availed itself of the labor and expenditure of your memorialist, who prays that your honorable bodies will pass a joint resolution, and memorialize the Congress of the United States for an appropriation for his benefit to the amount of Three Thousand Seven Hundred and Fifty-two and 50-100 Dollars.

WILLIAM B. DODD.

RECOMMENDATION OF MR. STANCHFIELD FOR SURVEYOR
GENERAL OF LUMBER IN MINNESOTA.

The undersigned, citizens of Minnesota, would respectfully recommend to the Council and House of Representatives of Minnesota, Mr. Daniel Stanchfield of St. Anthony, as a suitable person to fill the office of Surveyor General of Lumber in said Territory of Minnesota. We are aware that the position is one of great responsibility, and therefore we the more cheerfully, and confidently recommend Mr. Stanchfield, his long experience in the business, his prompt and active business habits, his invariable impartiality and integrity as a man in public or private life, eminently qualify him for that office; and knowing Mr. Stanchfield to be a consistent and uncompromising Democrat, we do hope our Request may be granted.

Dated at St. Anthony, March 2d, 1854.

Abraham R. Dodge,	Otis C. Whitney,
Charles Fish,	Henry Reynolds,
R. B. Russell,	John F. Whittemore,
L. C. Walker,	J. Geo. Lennon,
Wm. Richardson,	Holmes & Toser,
A. G. McKenyie,	Wm. Hanson,
C. E. Leonard,	Isaac I. Lewis.
John Jackins,	Wm. D. Garland,
Jonathan Estes,	Saml. Stanchfield,
S. B. Bean,	David Bickford,
Shelton Hollister,	H. T. Weller,
Francis Morrison,	T. Gillpatrick,
Luther C. Munson,	John Rollins,
J. N. Wilson,	Cephas Gardner,
N. C. D. Taylor,	Wm. N. Allen,
John Fisher,	Edmund Rice,
J. W. Cormack,	W. A. Cheever,
Wm. McKusick,	J. G. Mower,
Louis Bartlett,	W. P. Murray,
S. B. Omstead,	C. T. Stevens,
Emanuel Case,	Louis Roberts,
D. A. Robertson,	Franklin Steele,
A. M. Fridley,	D. L. Fuller,
H. H. Sibley,	I. Atwater.

PETITION FOR A BRIDGE AT TAYLOR'S FALLS.

To the Hon., the Council and House of Representatives of the Territory of Minnesota:

The undersigned inhabitants of Chisago County, would most humbly petition your Honorable Bodies to grant a charter creating your petitioners a body corporate, under the name of the Saint Croix Bridge Company, with a capital stock of three thousand and five hundred dollars, in shares of twenty-five dollars each; for the purpose of building a bridge across the Saint Croix River at the Narrows or Taylor's Falls, with the following rates of toll: for each foot passenger, five cents; for each two horse, ox or mule team, twenty-five cents; for each one horse, ox or mule team, fifteen cents; for each horse, ox or mule, five cents; for horses or cattle in droves, three cents each, and for sheep or swine, two cents each.

And your petitioners will ever pray.

W. W. C. Folsom,
Jacob Marklee,
Henry Bush,
Alexie Raberge,
John Dobney,
James H. Russell,
L. K. Stannard,
John Ryan,
John Smith,
Wm. Gallasie,
Henry H. Merbery,
D. S. Bagley,
Samuel B. Dresser,
J. H. Fuller,
John S. Campbell,
William Gaden,
Abram Click,
William Kent,
John Godfrey,
Francis W. Fish,
Wm. Wall,
John C. Gardner,
Melton Parker,
James Payne,
A 28

John H. Reid,
Joseph Blackburn,
Henry F. Day,
F. M. Abbott,
Gustavus Musick,
Harris Rolfe,
Patrick Fox,
John Teaksbury,
W. K. Bell,
John S. Brown,
Ambrose C. Sercy,
P. B. Tewksbury,
J. L. Taylor,
P. Gaines,
William O. Malony,
Wm. J. Vincent,
Wm. Ward,
Joseph Carroll,
Isaac Head,
Aaron M. Chase,
J. W. Carle,
Frederick W. Lammers,
F. S. Eddy,
W. W. Folsom.

PETITION RELATIVE TO SWINE AND SHEEP

To the Honorable Body of the Legislature of Minnesota Territory:

We, the undersigned householders and legal voters in the precinct of Little Canada, in said Territory, most respectfully ask that your Honorable Body will pass an act, so that swine and sheep will be free commoners. Your memorialists would represent to your Honorable Body that it has been a great detriment to the farming community at large, in not having the privilege to let their swine and sheep run out upon the vacant lands without their being in danger of being taken up for damages; therefore, we respectfully ask that your Honorable Body will take such action upon this subject as in your wisdom you will think most proper; for we believe that there is not a member in the present Legislature who has not the interest of the farming community at heart.

A. Lambert,
Benjamin Garvais,
Pierre Paul,
Joseph Lebonne,
Michel Vincent,
Oliver Dubra,
Jean Baptiste Demas,
Louis Bybeau,
Jean Vadnais,
Thomas Hancur,
Michel Ozer,
Nesevere Jervais,
Henri Jervais,
Joseph Teron,
Pierre Polle,
Joseph Donoit,
Alex. Ducharme,
Baptiste Foreier,
Baptiste Gravrine,
Joseph Lemeai,
Pierre Lambert.

Louis Bartlette, sr.,
A. Ducharme,
A. Carpenter,
Joseph Belange,
Felix Labord,
Joseph Ozer,
Francois Dupre,
Joseph Pepan,
Polette Bybeau,
Joseph Vainsan,
Narasa Lafortune,
Talfonce Jervais,
Joseph Morissette,
Tartaine Labord,
Pierre Augustine,
Francois Morain,
Moyise Lefaire,
Moyise Lemeai,
Jean Garseau,
Louis Lambert.

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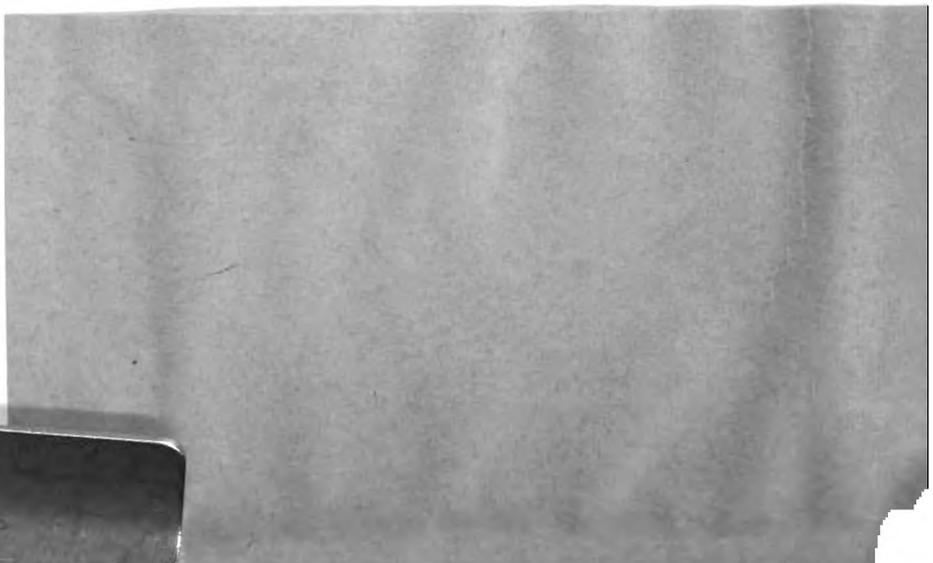
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