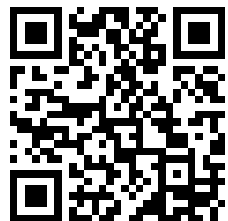

This is a reproduction of a library book that was digitized by Google as part of an ongoing effort to preserve the information in books and make it universally accessible.

GoogleTM books

<https://books.google.com>



Gen. Lib.

Gen. Lib.

**The University of Chicago
Libraries**



Exchange Duplicate

JOURNAL

OF THE
CHICAGO LIBRARY

HOUSE OF REPRESENTATIVES,

DURING THE SECOND SESSION OF THE

LEGISLATIVE ASSEMBLY

OF THE

(TERRITORY) OF MINNESOTA;

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

Exchange Duplicate, L. C.

Published by Authority of the Legislative Assembly.

SAINT PAUL

PRINTED BY JAMES M. GOODHUE

1851.

MEMO
TO
SIR ARTHUR COCHRAN

J87
McLg
v. 2-3

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF

MINNESOTA TERRITORY.

Second Session of the Legislative Assembly of the Territory of Minnesota; begun and held at St. Paul, the seat of government, on Wednesday, the first day of January, 1851.

On which day, at 12 o'clock meridian, the House of Representatives was called to order by William D. Phillips, Chief Clerk of the last House of Representatives; who announced the presence of Hon. C. K. Smith, Secretary of the Territory.

Prayer by the Rev. Mr. Hobart.

The Secretary presented the certificate of election of the members of the several Council Districts, which was read, and from which it appeared that the following members were duly elected:

From the First District:	John A. Ford,
" " "	James Wells,
" Second "	Michael E. Ames,
" " "	Sylvanus Trask,
" " "	James B. Smith,
" Third "	B. W. Brunson,
" " "	J. C. Ramsey,
" " "	E. Rice,
" " "	H. L. Tilden,
" Fourth "	John D. Ludden,
" Fifth "	John W. North,
" " "	E. Patch,
" Sixth "	David Gilman,
" " "	S. B. Olmstead,
" " "	W. W. Warren,
" " "	D. T. Sloan,
" Seventh "	B. H. Randall,
" " "	Alex. Farribault.

Mr. Brunson moved that the members be sworn in by his honor, Judge Meeker; Which was agreed to.

All the members were then sworn in, except B. H. Randall and Alex. Farribault, the members from the Seventh Council District.

Mr. Tilden objected to their being sworn in, on the ground that they were not legally elected.

Mr. North called for the reading of the Governor's proclamation of the seventh of July, 1849, and the joint resolution of the Legislative Assembly of the Territory of Minnesota, approved 1st day of November, 1849.

They were severally read by the Clerk.

Mr. Rice then called for the reading of the Governor's proclamation of the 17th of August, 1849.

Which was read by the Clerk.

Mr. Tilden moved that the motion of Mr. Brunson, "That the members be sworn in by his honor, Judge Meeker," be re-considered;

Which was disagreed to.

The yeas and nays being called for,

Those who voted in the affirmative are—Messrs. Gilman, North, Patch, Rice, Sloan, Tilden and Warren—7.

Those who voted in the negative are—Messrs. Ames, Brunson, Ford, Ludden, Olmstead, Ramsoy, Trask, Taylor and Wells—9.

Messrs. Farribault and Randall were then sworn in and took their seats.

On motion of Mr. Trask,

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

THURSDAY, JANUARY 2, 1851.

The Clerk called the House to order.

Prayer by the Rev. Mr. Hobart.

The Journal of yesterday was then read and corrected.

On motion of Mr. Ames,

B. W. Brunson was appointed Chairman *pro tempore*.

On motion of Mr. Trask,

W. D. Phillips was appointed Chief Clerk *pro tem*.

On motion of Mr. Ames,

J. J. Noah was appointed Assistant Clerk *pro tem*.

On motion of Mr. Olmstead,

S. H. Axtell was appointed Sergeant-at-Arms *pro tem*.

On motion of Mr. Patch,

E. F. Lewis was appointed Messenger *pro tem*.

On motion of Mr. Tilden,

T. Odell was appointed Fireman *pro tem*.

On motion of Mr. Ames,

Ordered, That the rules of the last session of the Legislative Assembly, be adopted as the temporary rules of this House.

Mr. Trask moved that a committee of two be appointed to inform the Council that the House of Representatives is temporarily organized, and ready to proceed to business. Agreed to.

Messrs. Trask and Tilden were appointed said committee.

After a short absence, the committee reported they had performed said duty.

A message from the Council by Messrs. Norris and Forbes.

"MR. SPEAKER:—We are requested to inform the House of Representatives, that the Council is temporarily organized, and ready to proceed to business."

They then withdrew.

On motion of Mr. Ames,

The House adjourned until two o'clock P. M.

TWO O'CLOCK, P. M.

The House was called to order.

On motion of Mr. Trask,

The roll was called;

And Mr. Ames reported absent.

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

The Sergeant-at-Arms reported the member present.

Message from the Council by Joseph R. Brown, their Secretary.

"MR. SPEAKER:—The Council has appointed Messrs. Loomis and Forbes, a committee to act with a similar committee on the part of this House, to inform his Excellency, the Governor, that the two Houses of the Legislative Assembly, are now temporarily organized, and ready to receive any communication he may have to make."

And then he withdrew.

On motion of Mr. Trask,

Ordered, That the House now proceed to the election of a Speaker.

Messrs. Trask and North were appointed tellers;

And the ballots having been received and counted by the tellers, it appeared that,

M. E. Ames received 5 votes.

E. Rice " 2 "

H. L. Tilden " 7 "

S. Trask " 1 "

Blank ballot " 3 "

Whole number of votes cast was 18—ten being necessary to a choice; and there being no choice,

On motion of Mr. Trask,

The House proceeded to ballot a second time.

And the ballots having been taken and counted, it appeared that,

M. E. Ames received 8 votes.

H. L. Tilden " 8 "

S. Trask " 2 "

There being no choice,

On motion of Mr. Olmstead,

The House proceeded to ballot a third time.

And the ballots having been taken and counted, it appeared that the whole number of votes cast was 18—of which,

M. E. Ames received 9 votes.

H. L. Tilden " 7 "

E. Rice " 1 "

Blank ballot " 1 "

There being no choice,

On motion of Mr. Wells,

The House proceeded to ballot a fourth time.

The ballots being taken and counted, it appeared that the whole number of votes cast was 18—of which,

M. E. Ames received 9 votes.

H. L. Tilden " 8 "

E. Rice " 1 "

There being no choice,

On motion of Mr. Rice,

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

FRIDAY, JANUARY 3, 1851.

The Speaker *pro tem.* called the House to order.

The Journal of yesterday was then read.

On motion of Mr. Trask,

Ordered, That the House proceed to ballot a fifth time for Speaker.

Messrs. Taylor and Olmstead were appointed tellers.

And the ballots having been received and counted by the tellers, it appeared that,

M. E. Ames received	8	votes.
E. Rice	1	"
H. L. Tilden	6	"
E. Patch	1	"
S. Trask	1	"
Blank ballot,	1	

The whole number of votes cast was 18—and ten being necessary to a choice, and there being no choice;

On motion of Mr. North,

Ordered, That the House proceed to ballot a sixth time.

And ballots having been taken and counted by the tellers, it appeared that,

M. E. Ames received	9	votes.
E. Rice	1	"
H. L. Tilden	7	"
S. B. Olmstead	1	"

The whole number of votes cast was 18—and there being no choice;

On motion of Mr. Wells,

Ordered, That the House proceed to ballot a seventh time.

The ballots being taken and counted by the tellers, it appeared that,

M. E. Ames received	10	votes.
H. L. Tilden	7	"
S. Trask	1	"

The whole number of votes cast being 18—and M. E. Ames having received ten votes, was declared duly elected Speaker.

Messrs. Olmstead and Taylor were appointed a committee to conduct Mr. Ames to the Chair.

On taking the Chair, the Speaker made the following brief and pertinent address:

"GENTLEMEN:—Allow me to thank you for the honor you have conferred, and the partiality thus kindly manifested, in selecting me to preside over your deliberations.

"In accepting the station, and assuming the duties of a presiding officer, I am sensible that your choice might have fallen upon some other one of your number, whose talents and experience render them better qualified to preside over the deliberations of this House. With but little experience in legislation, and a limited knowledge of parliamentary practice, it is but natural that I feel some embarrassment in assuming duties so responsible and new; but I rely upon your kind feeling and generous indulgence, to excuse the errors I may commit; and your forbearance and assistance in the discharge of my duties.

"Many questions, will no doubt arise, during the present session, involving important interests, and perhaps, conflicting ones, in our young and rapidly growing Territory; attended with much warmth of feeling, and producing discussion; yet I trust your action will ever be tempered with kindly feelings of conciliation towards each other, and guided in wisdom.

"In conclusion, I tender you my sincere thanks, for this flattering expression of your partiality and confidence."

On motion of Mr. Trask,

Ordered, That a committee of two be appointed, to act with a similar commit-

tee on the part of the Council, to inform his Excellency, the Governor, that the two Houses of the Legislative Assembly are now temporarily organized, and ready to receive any communication he may have to make.

Messrs. Trask and Rice were appointed said committee.

On motion of Mr. Brunson,

Ordered, That the Sergeant-at-Arms procure one of the churches for the joint meeting of the two Houses at the time of the delivery of the Governor's message.

On motion of Mr. Brunson,

The House adjourned till two o'clock P. M.

TWO O'CLOCK, P. M.

On motion of Mr. Olmstead,

The House proceeded to ballot for a Chief Clerk.

Messrs. Rice and Brunson were appointed tellers.

And the ballots being received and counted by the tellers, it appeared that the whole number of votes cast was 17—of which,

W. D. Phillips received	8	votes.
B. W. Lott	7	"
W. B. White	1	"
G. L. Becker	1	"
Blank ballot,	1	

There being no choice,

On motion of Mr. Randall,

The House proceeded to ballot a second time.

And the ballots being taken and counted by the tellers, it appeared that the whole number of votes cast was 15—of which,

W. D. Phillips received	6	votes.
B. W. Lott	6	"
W. B. White	3	"
Blank ballots,	3	

On motion of Mr. Tilden,

The House adjourned.

SATURDAY, JANUARY 4, 1851.

The House was called to order by the Speaker.

Prayer by the Rev. Mr. Hobart.

On motion of Mr. North,

The House proceeded to ballot a third time for Chief Clerk; the same tellers acting as before.

And the ballots being taken and counted, it appeared that the whole number of votes cast was 18—of which,

W. D. Phillips received	6	votes.
B. W. Lott	8	"
W. B. White	3	"
G. L. Becker	1	"

There being no choice,

On motion of Mr. Wells,

The House proceeded to ballot a fourth time.

The whole number of votes cast was 17—of which,

W. D. Phillips received	5	votes.
B. W. Lott	7	"
W. B. White	4	"
G. L. Becker	1	"
Blank ballot,	1	

There being no choice,

On motion of Mr. Trask,

The House proceeded to ballot a fifth time.

The whole number of votes cast was 18—of which,

W. D. Phillips received 5 votes.

B. W. Lott " 7 "

G. L. Becker " 1 "

Allen Pierse " 5 "

There being no choice,

On motion of Mr. Wells,

The House proceeded to ballot a sixth time.

The whole number of votes cast was 17—of which,

W. D. Phillips received 3 votes.

B. W. Lott " 8 "

Allen Pierse " 6 "

Blank ballot, 1

There being no choice,

On motion of Mr. North,

The House proceeded to ballot a seventh time.

The whole number of votes cast was 18—of which,

W. D. Phillips received 2 votes.

B. W. Lott " 8 "

A. Pierse " 8 "

There being no choice,

On motion of Mr. North,

The House proceeded to ballot an eighth time.

The whole number of votes cast was 18—of which,

W. D. Phillips received 2 votes.

B. W. Lott " 7 "

A. Pierse " 9 "

There being no choice,

On motion of Mr. Patch,

The House proceeded to ballot a ninth time.

The whole number of votes cast was 18—of which,

W. D. Phillips received 2 votes.

B. W. Lott " 7 "

A. Pierse " 9 "

Mr. Patch moved to adjourn; which motion was lost—ayes 7; nays 9;

On motion of Mr. Randall,

The House proceeded to ballot a tenth time.

The whole number of votes cast was 18—of which,

W. D. Phillips received 1 vote.

B. W. Lott " 8 "

A. Pierse " 9 "

There being no choice,

On motion of Mr. Wells,

The House proceeded to ballot an eleventh time.

The whole number of votes cast was 18—of which,

Allen Pierse received 8 votes.

B. W. Lott " 8 "

W. D. Phillips " 2 "

There being no choice,

On motion of Mr. North,

The House proceeded to ballot a twelfth time.

The whole number of votes cast was 18—of which,

B. W. Lott received 11 votes.

W. D. Phillips " 1 "

A. Pierse " 6 "

B. W. Lott having received a majority of all the votes cast, was declared duly elected Chief Clerk.

On motion of Mr. Brunson,

A committee of two were appointed to wait upon Mr. Lott and inform him of his election.

Messrs. Brunson and Rice were appointed that committee.

After a short absence, they reported they had performed the duty.

Mr. Lott then appeared, and after having accepted the office, was sworn in by the Speaker, and took his seat.

On motion of Mr. Brunson,

The House proceeded to ballot for an Assistant Clerk.

Messrs. Brunson and Trask were appointed tellers.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 18—of which,

Taylor Dudley received 11 votes.

L. B. Wait " 6 "

J. J. Noah " 1 "

Taylor Dudley having received a majority of all the votes cast, was declared duly elected Assistant Clerk.

On motion, Messrs. Rice and Wells were appointed a committee to wait upon Mr. Dudley and inform him of his election.

After a short absence, they reported having performed said duty.

Mr. Dudley then appeared, and after having accepted the office, was sworn in by the Speaker, and took his seat.

Mr. Wells moved the House adjourn till Monday morning at ten o'clock;

Which motion was lost.

On motion of Mr. North,

The House proceeded to ballot for a Sergeant-at-Arms.

Messrs. Taylor and Wells were appointed tellers.

And the ballots having been taken and counted, it appeared the whole number of votes cast was 18—of which,

S. H. Axtell received 5 votes.

C. Bellows " 1 "

Wm. Cove " 9 "

John Snow " 1 "

P. K. Johnson " 1 "

B. Rogers " 1 "

There being no choice,

On motion of Mr. North,

The House proceeded to ballot a second time.

The whole number of votes cast was 18—of which,

Wm. Cove received 12 votes.

S. H. Axtell " 6 "

Wm. Cove having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms.

Mr. Brunson moved the House now proceed to ballot for a Messenger;

Which motion was lost.

On motion of Mr. Trask,

The House adjourned till two o'clock, P. M.

TWO O'CLOCK, P. M.

On motion of Mr. Warren,

The House proceeded to ballot for a Messenger.

Messrs. Randall and Warren were appointed tellers.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 18—of which,

E. F. Lewis received 8 votes.

J. W. Brown " 3 "

H. L. Bevans " 3 "

P. K. Johnson received 1 vote.

John Morgan " 2 "

T. Odell " 1 "

There being no choice,

Mr Wells moved that the House adjourn; which was disagreed to.

A division being called for and ordered; there were ayes—6; noes—12.

So the motion did not prevail.

On motion of Mr. North,

The House proceeded to ballot a second time.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 18—of which,

E. F. Lewis received 10 votes.

H. L. Bevans " 2 "

J. W. Brown " 3 "

John Morgan " 3 "

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

On motion of Mr. Wells,

The House proceeded to ballot for a Fireman.

Messrs. Ford and Ludden were appointed tellers.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 17—of which,

W. H. Chapman received 1 vote.

E. Sloan " 8 "

J. Middleton " 3 "

T. Odell " 2 "

J. Glenn " 1 "

J. W. Brown " 1 "

T. Lotman " 1 "

Blank ballot, 1

No choice having been made,

On motion, the House proceeded to ballot a second time for Fireman, as follows:

E. Sloan received 12 votes.

J. Glenn " 1 "

J. Middleton " 3 "

T. Odell " 1 "

Mr. Atchison " 1 "

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

Mr. Brunson moved that a committee of two be appointed, to wait upon the officers elect, and conduct them to the Speaker's chair to be qualified;

Which motion prevailed.

And Messrs. Brunson and Ramsey were appointed that committee.

And after a short absence, they reported they had performed the duty assigned them.

The Sergeant-at-Arms elect, Mr. Cove; the Messenger elect, Mr. Lewis; and the Fireman elect, Mr. Sloan, after having accepted their respective offices, were severally sworn in by the Speaker.

On motion of Mr. North,

The House proceeded to ballot for a Chaplain.

Messrs. Patch and Gilman were appointed tellers.

And the ballots having been received and counted, it appeared that the whole number of votes cast was 15—of which,

Rev. Mr. Secombe received 2 votes.

" Owens " 1 "

" Boutwell " 2 "

" E. D. Neill " 8 "

" J. P. Parsons " 1 "

Bishop Hughes " 1 "

Blank ballots, 2

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

On motion of Mr. Rice,

Ordered, That a committee of three be appointed, to inform Mr. Neill of his election.

Messrs. Rice, Olmstead and Taylor were appointed that committee.

On motion of Mr. Ludden,

Ordered, That each member of the House be at liberty to order for his own use, any number of papers printed in this Territory, not exceeding twenty, and that the same be paid for out of the money appropriated for the incidental expenses of the Legislature.

On motion of Mr. Wells,

The House adjourned till Monday at two o'clock, P. M.

MONDAY, JANUARY 6, 1851.

The House was called to order by the Speaker.

Prayer by the Rev. Mr. Neill.

The Journal of Saturday was then read and corrected.

Mr. Tilden offered the following resolution:

Resolved, That the Sergeant-at-Arms of the House, be directed to call on the Librarian, requesting him to furnish each member of this House with one copy of the Journal of the last House of Representatives, and one copy of the laws of Minnesota."

Mr. Rice moved to amend, by inserting,

"And one copy of the Journal of the last Council;"

Which amendment was accepted, and the resolution adopted.

Mr. Warren offered the following resolution:

Resolved, That a special committee be appointed to examine the credentials of B. H. Randall and Alexander Farribault, sitting members from the First Council District, with instructions to enquire, ascertain and report, whether said sitting members are by law, entitled to seats upon the floor of this House; and that said committee be authorized to send for persons and papers."

Mr. Olmstead moved to lay the resolution on the table;

And the question being put, the yeas and nays were called for;

And those who voted in the affirmative are—Messrs. Ford, Ludden, Olmstead, Ramsey, Trask, Wells, and Ames, (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Gilman, North, Patch, Rice, Sloan, Taylor and Warren—8.

Mr. Brunson moved that the matter be referred to the Committee on Elections, when appointed;

Which was adopted.

Mr. Trask offered the following resolution:

Resolved, That the Chief Clerk of this House be, and he is hereby authorized to employ a suitable person to do such extra writing as may be actually necessary, and especially such as usually appertains to the office of Enrolling Clerk."

Mr. Brunson moved to lay the said resolution on the table;

The question being put, and a division being called for and ordered;

There were yeas—7; and nays—8.

So the motion did not prevail.

The question then recurred on the adoption of the resolution, and having been put, it was decided in the affirmative.

Mr. Olmstead offered the following resolution:

Resolved, That the editors and reporters of the different newspapers of this Territory, be allowed seats within the bar of this House at pleasure."

Mr. Brunson offered the following amendment to the resolution:

"Also, that all officers of the United States, Delegate in Congress, and ex-members of the Legislature of Minnesota."

Which amendment was rejected.

Mr. Rice moved to amend, by inserting,

"That seats be assigned them by the Speaker;"

Which amendment was accepted.

And the question recurring on Mr. Olmstead's resolution as amended, it was adopted.

A communication containing the report of the Librarian to the Legislature, was then read and laid upon the table.

Mr. Wells offered the following resolution:

"Resolved, That each member of this House, receive a sum of money not exceeding thirty dollars, in lieu of the stationery heretofore provided by the Secretary of the Territory, to be paid out of the moneys appropriated for the incidental expenditures of the Legislature."

On motion of Mr. Rice,

Said resolution was laid upon the table.

On motion of Mr. Olmstead,

The said resolution was taken from the table.

Mr. Ludden then moved that the resolution be adopted.

Mr. Brunson moved to amend, by inserting after the word "resolved," the words "The Council concurring."

Which amendment was accepted.

Mr. Wells asked leave to withdraw his resolution;

Which, upon the motion of Mr. Rice, was granted him.

On motion of Mr. North,

Ordered, That a committee of three be appointed by the Speaker to revise and report rules for the permanent government of this House during its present session.

Messrs. North, Rice and Brunson, were appointed said committee.

Mr. Wells offered the following resolution:

"Resolved, That the members of this House be allowed to purchase any bill of stationery, not to exceed thirty dollars."

Mr. North moved to amend, by inserting after the word "dollars," the word "each;"

Which was accepted.

Mr. Olmstead moved to amend, by adding after the word each,

"To be paid out of appropriations for the contingent expenses of the Legislature."

Which was accepted.

A committee from the Council appeared and reported that they were instructed to inform the House, that the Council had permanently organized, by the appointment of the following officers:

D. B. Loomis, President; Jos. R. Brown, Secretary; J. D. Crittenden, Assistant Secretary; B. L. Sellers, Sergeant-at-Arms; W. Atkinson, Messenger; W. C. D. Herington, Fireman.

And then they withdrew.

On motion of Mr. Brunson,

A call of the House was ordered; absent Mr. Rice.

The Sergeant-at-Arms was sent to notify Mr. Rice that his attendance was required in the House.

Mr. Brunson moved an adjournment;

Which was lost.

Mr. Rice offered the following substitute for Mr. Wells' resolution:

"Resolved, That the Chief Clerk be directed to furnish for each member of this House, such stationery as the member may require, not to exceed in value thirty dollars; to be paid for out of any moneys appropriated for the contingent expenses of the Legislature; and that as often as purchases are made, he report the accounts therefor, to the Secretary of the Territory."

A message from the Council by J. R. Brown, Secretary:

"MR. SPEAKER:—The Council has appointed Messrs. Forbes and Olmsted, a committee to act in conjunction with a similar committee to be appointed by this House, for the purpose of informing his Excellency, the Governor, that the two Houses of the Legislative Assembly, are now permanently organized and ready to receive any communication he may see proper to make; and also to procure some suitable room wherein to meet in convention of the two Houses, to receive the message of the Governor."

Mr. Brunson offered an amendment to the substitute of Mr. Rice, as follows:

"Instead of thirty dollars, read five dollars."

On motion of Mr. Rice,

The resolution and amendment were laid on the table.

Messrs. Forbes and Olmsted, a committee from the Council, appeared and reported that they had been appointed a committee on the part of the Council, to act in conjunction with a similar committee, to be appointed by this House, for the purpose of informing his Excellency, the Governor, that the two Houses of the Legislative Assembly are now permanently organized, and ready to receive any communication he may see proper to make.

On motion of Mr. Brunson,

Ordered, That the Clerk of this House inform the Council that this House is now permanently organized.

On motion of Mr. North,

Ordered, That a committee be appointed to act in conjunction with a similar committee, appointed by the Council, for the purpose of informing his Excellency, the Governor, that the two Houses of the Legislative Assembly are now permanently organized and ready to receive any communication he may see proper to make.

Messrs. North and Brunson were appointed said committee.

On motion of Mr. Wells,

The House adjourned.

TUESDAY, JANUARY 7, 1851.

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

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

Mr. North moved a re-consideration of the vote adopting the resolution offered yesterday by Mr. Trask, relative to the employing of an Enrolling Clerk.

On motion of Mr. Wells,

A call of the House was ordered.

Mr. Brunson was reported absent.

The Sergeant-at-Arms was directed to notify Mr. Brunson that his attendance was required in the House.

Mr. Tilden moved that a further call of the House be dispensed with;

Which motion was disagreed to.

The Sergeant-at-Arms reported that Mr. Brunson was now in his seat.

A vote having been taken on the motion of Mr. North, to re-consider the vote of yesterday, relative to the appointment of an Enrolling Clerk;

Was decided in the affirmative.

A division being called for and ordered;

There were ayes—8; noes—7.

And the ayes and noes having been called for,

Those voting in the affirmative are—Messrs. Farribault, Gilman, Ludden, North, Patch, Sloan, Taylor, Tilden and Warren—9.

Those voting in the negative are—Messrs. Brunson, Ford, Olmstead, Ramsey, Randall, Rice, Trask, Wells, and Ames, (Speaker)—9.

Messrs. North and Brunson, the committee appointed on yesterday, to act in conjunction with a similar committee from the Council, to inform the Governor that both Houses of the Legislative Assembly were permanently organized, and ready to receive any communication he might have to make, reported that they had performed the duty assigned them.

Mr. Olmstead offered the following resolution:

Resolved, That each member, and the Clerks of this House, be hereby authorized to purchase during the session, stationery for themselves, not to exceed thirty dollars; receipts for which shall be given by the members and Clerks, which receipts shall be audited by the Committee on Finance, and shall warrant an appropriation to pay the same; and that the Chief Clerk of this House be authorized to provide the necessary stationery for the desks of the reporters, his receipts for which shall be audited and settled in the same way."

Upon the motion of Mr. Trask,

The resolution was laid on the table.

Mr. Gilman offered the following resolution:

Resolved, That the Chief Clerk of the House be directed to make arrangements with the Post Master of St. Paul, for the payment of all postage on letters and papers sent to and from this House by members, during the present session."

Upon motion of Mr. Trask,

The said resolution was adopted.

Mr. Brunson moved that a committee of two be appointed to inform the Council that seats have been prepared, and that the House is now ready to meet the Council in joint convention to receive any communication from his Excellency, the Governor, which he may see proper to submit.

Which motion prevailed.

And Messrs. Brunson and Trask were appointed said committee.

On motion of Mr. Brunson,

The House took a recess of ten minutes.

The Convention having met in the Hall of this House, the following proceedings were had:

The roll of the House was ordered to be called;

And Mr. Olmstead reported absent.

The roll of the Council having been called by the Secretary; reported all present.

On motion of Mr. Wells,

The Convention adjourned to the Methodist Church, to receive the message of his Excellency, the Governor.

The Convention having assembled at the Church,

On motion of Mr. McLeod,

Ordered, That a committee of three be appointed, to wait upon his Excellency, the Governor, and inform him that the two Houses have assembled in Convention in the Methodist Church, and are ready to receive his message.

Messrs. McLeod and Olmsted, of the Council, and Mr. Rice, of the House, were appointed said committee.

The committee, after a short absence, appeared and reported his Excellency, the Governor, present.

The Governor then proceeded to deliver the following message, to-wit:

*Fellow Citizens of the Council and
House of Representatives:*

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

Though our exultations are naturally chastened, in view of the afflicting dispensation visited upon our land during the past year, in the death of its Chief

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

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

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

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

Prominent among the matters, which there is reason to believe will engage your consideration at the present session, is the necessity of some legislative provision for securing to the officers and people of the Territory, means of knowing what the law is. The 12th section of the Organic Act continues in force the laws of the late Territory of Wisconsin, until altered, modified, or repealed. It comes within your province to give to our people and officers, access to this body of laws, and to publish it so modified as to suit our peculiar wants. The miserable shifts, and temporary expedients to which the magistrates and people of Minnesota have been compelled to resort, in consequence of the extreme scarcity of copies of the Wisconsin statutes, are no longer endurable; and without dwelling upon many salient and specific defects in these codes, which require corrective legislation, I shall content myself with a partial repetition in the views presented in this connection of my former message.

"It has been held as a fixed legal maxim, that 'ignorance of the law excuseth no man;' but it is questionable, in a moral and practical sense, whether men should be held responsible for violations of statutes, a knowledge of which can be acquired by the community in no accessible mode; and in regard to which, even judges, magistrates, and other officials, are for the most part, unable to obtain satisfactory information. No compilation of the laws of Wisconsin has been published since 1839, quite ten years ago; whilst those general laws which have since been passed, additional to, or modifying, altering and repealing those contained in that collection, are so scattered through a series of volumes of pamphlet laws, published every year thereafter, and so intermixed with a mass of purely local laws, many of them imperfectly indexed, that they present a chaotic mass, nearly defying the most patient labor to disentangle, and requiring the most acute legal experience to discriminate between those which are actually in force and those which are repealed. But few persons, however, are allowed this meagre chance of knowledge; but are compelled to receive the law second-handed upon the mere dictum of others, thus reducing it from a tangible substance of record to the uncertainty of a shadowy tradition. The original editions of these pamphlet laws, I learn, were but small; and it would appear that for the most of the years, they are quite out of print; and their extreme scarcity can be estimated, when the strongest doubts are expressed whether at this time, exceeding half a dozen complete sets of those pamphlet laws are to be found in the whole Territory of Minnesota.

"In addition to the difficulty of disseminating among our people the whole body of Wisconsin legislation, there is doubtless much in it that is incompatible with the character of our people, and unsuited to the wants of our social and commercial condition. In each State in this Union, and in each Territory, there seem to be shades of differences in the people, and diversities in their interests, business, and slightly, in their social feelings and actions; though viewing the extent of our common country, and the many subdivisions it contains, no population so great in number as ours, and so widely disseminated, are so homogeneous in character, or less provincial in their manners and pursuits. But climate, soil and business, but especially the quarter of the world or of the Union, from which new States are first peopled, undoubtedly do occasion some variety in their modes of thought, and materially influence the institutions that are adopted.

"An exemption from local peculiarities requiring no special legislation, cannot be said to characterize our young and growing Territory, any more than other similar communities; and already it is clear that the laws of not any State or Territory, as a whole, are adapted exactly to our situation. It might naturally be inferred that those of Wisconsin, from proximity of territory, would present the most points of adaptation; but before conceding more than the partial truth of this proposition, we should call to mind her location on the western border of steam navigation on the great lakes; enjoying thereby, a means of communicating cheaply and speedily with the sea-board, and of deriving thence, mainly from the constant inpouring tide of foreign immigration, and partly from the most northern range of States, the great bulk of her population.

"In addition to these reasons, I might dwell upon the different geological for-

mations of our lands; the dissimilar systems by which the two are watered or drained; the somewhat dissimilarity of productions; the decided difference in the pursuits of the people—hers engaged chiefly in agriculture; ours finding employment and wealth in lumbering; in commercial intercourse with the distant North; in supplying the numerous annuity-receiving Indians congregated within our borders; and in the cultivation of the soil, to furnish a profitable and durable home market. These all present, however, such an aggregate of salient differences, such a contrast of circumstances, to be added to the different constitution of population before spoken of, that it is impossible to resist the conviction that the code of Wisconsin, whatever it is, should receive material alteration before it is established finally as the permanent law of Minnesota."

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

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

A slight modification of the law for summoning petit jurors seems also a proper subject for consideration. Under the present system, the petit jury is summoned to appear at 11 o'clock A. M. of the second day of the regular term. The non-attendance of the panel at the opening of the court, involves delay and expense, and not unfrequently protracts the terms of court beyond the first week, thereby imposing on the county treasuries an expense which could otherwise be avoided.

The laws, too, regulating marriage licenses, and the solemnization of marriage contracts, require modification. In remote districts of the unorganized counties, a compliance with the present statutes, on this head, is difficult and almost impracticable; and in a country where population is by no means inconve-

niently dense, the wisdom of a policy may well be questioned, which shall annex additional obstacles to those which naturally inhere in the premises.

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

The total amount of orders or warrants drawn by the Auditor upon the Treasurer of the Territory, as I learn from the former officer, is \$1031 50.

This includes the salaries of the territorial officers, and it is believed, all debts due from the Territorial Treasury.

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

Ramsey County, - - - - -	\$477,334 00
Washington, " - - - - -	228,860 48
Wabashaw, " - - - - -	33,208 00
Dakota, " - - - - -	31,020 00
Wahnahtha, " - - - - -	36,015 00

Total,

\$805,417 48

Upon this assessment, a tax of one mill on the dollar would yield a revenue of \$805,417; and as the taxable property in the Territory will unquestionably increase in a much greater ratio than the drafts upon the Treasury; I do not deem it advisable to recommend any increased taxation for Territorial purposes.

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

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

As the records of our counties are also necessarily deposited in unsafe and exposed buildings, it might be well for the Legislature to make it incumbent upon the Commissioners of the several counties to procure fire-proof safes for the deposit of public records and official papers. Many of these records constitute the monuments of title—once lost, they can never be replaced—and in view of the immense value which in future years will attach to them, and the inconvenience, injury, and fraud which their loss might occasion, too much prudence cannot be exercised for their preservation.

I commend to the fostering care of the Legislature, the agricultural interests of

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

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

In the mean time, in order that the generations of youth, which are now growing up to manhood, may receive benefit from this liberal provision of the Organic Act, it might be well to memorialize Congress for permission to rent these lands upon long leases; and as the endowment of a University will also naturally, in this connection, attract your attention, it might be proper farther to memorialize Congress for a grant of one hundred thousand acres of land, applicable and avail-

able, at a future day, for this most desirable object. The propriety of urging, at this time, the request, arises from the importance of making an early selection, with a view to secure a fair proportion of choice lands.

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

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

The improvement of other streams of the Territory—of the St. Peters, St. Croix, and Rum rivers—is also very desirable. It would expedite the sale and facilitate the settlement of the public lands, and by means of the former stream, open an easy communication, almost entirely by water, with the settlements on the Red River of the North. On the St. Croix, and Rum rivers are large bodies of excellent pine, indispensable and invaluable for building purposes, not alone to us, but to the communities resident on the Mississippi, as far as the Gulf of Mexico. On these, as well as on us, a small appropriation for the improvement of these tributary streams, would confer a benefit not to be measured by the paltry sum of money which the prosecution of the several works would require.

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

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

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

public lands contribute to the common welfare, I have no hesitancy in expressing my decided conviction, that Congress would lend a favorable ear, to a proper memorial on the subject, from the Legislative Assembly of Minnesota.

At the last session of the Legislature, Congress was memorialized for an appropriation to construct a military road from Fort Snelling to the mouth of the Sioux river on the Missouri; for appropriations to construct roads from Point Douglass to the St. Louis river, from St. Paul to Fort Gaines, from the Iowa line to Mendota, and from some point on the Mississippi river to the Winnebago agency at Long Prairie; for mail routes from St. Paul to Point Douglass, and from the Falls of St. Croix to Fond du Lac; for a Territorial prison; for the purchase of the Sioux Indian lands west of the Mississippi river; and for the extinction of the Indian title to a tract of country at Pembina. To all these requests, I am happy to state, Congress has responded in the affirmative, and made the appropriations necessary to carry into effect the several objects contemplated.

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

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

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

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

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

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

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

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

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

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

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

The Half-Breeds at Pembina have manifested a deep solicitude to participate in

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

The temper and condition of the large Indian tribes within our borders, will ever present questions fruitful of interest to the people of Minnesota. Although it may safely be assumed, that in the present circumstances of these tribes, no general war with the whites is to be apprehended, yet the petty depredations upon property, continually perpetrated by our red neighbors, are almost as annoying as a state of open hostility. In this respect, I believe all the tribes are alike guilty. So far as I learn, they do not wantonly destroy property; but the confused ideas of right which obtain among them—the faint distinctions which they draw in regard to the ownership of property, and the influences of that education, which accustoms them to hold every thing in common, lead them, when pressed by hunger, to commit every sort of vexatious larceny upon the property of our citizens.

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

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

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

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

I have thus, gentlemen, adverted to such matters of local interest as more immediately concern us as agents of the people of this Territory. The occasion

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

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

ALEX. RAMSEY.

ST. PAUL, Jan. 7th, 1851.

The Convention then adjourned to their respective Houses.

The House having again met:

Mr. Rice moved that a committee of three, be appointed to inform the Council that the House will again meet them in Joint Convention, this afternoon, at three o'clock, in the Hall of Representatives, for the purpose of going into the election of a Printer;

Which motion prevailed.

Messrs. Rice, Brunson and Ramsey, were appointed said committee.

On motion of Mr. Brunson,

The House adjourned until three o'clock P. M.

THREE O'CLOCK, P. M.

The committee appointed to inform the Council that this House would again meet them in Joint Convention, reported that they had performed the duty assigned them.

The Sergeant-at-Arms announced that the members of the Council were in attendance.

The roll of the House was then called, and Mr. Olmstead reported absent. Mr. Tilden moved that the Convention adjourn until Tuesday next, at ten o'clock, A. M.

Which was decided in the affirmative.

A division being called for and ordered, there were ayes—13; noes—10.

The Speaker announced a communication, which was read by the Clerk, as follows:

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

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

HOLE-IN-THE-DAY,
His X Mark.
Head Chief.

The Chief Clerk reported that he had made an arrangement with the Post Master of St. Paul, in conformity with a resolution of this day, and read the following letter:

SAINT PAUL, M. T. }
January 7, 1851. }

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

J. W. BASS, P. M.

Upon motion of Mr. Tilden,
The House adjourned.

WEDNESDAY, JANUARY 8, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll of the House having been called,

Messrs. Brunson, Ford, North, Olmstead, Ramsey, Randall, Rice, Tilden and Warren were reported absent.

There not being a quorum present, and the Sergeant-at-Arms being absent, the Speaker called upon the Fireman to notify the absent members to appear in their seats.

The roll having been called a second time,

Messrs. Brunson, Olmstead, Randall and Warren were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Rice moved to take from the table the resolution, substitute, and amendments of yesterday, relative to stationery;

Which motion prevailed.

Mr. Rice then moved that his substitute be amended by inserting the word "twenty," instead of the word "thirty;"

Which motion prevailed.

Mr. Trask moved that the substitute of Mr. Rice to Mr. Wells' resolution, as amended by Mr. Rice, be adopted;

Which motion prevailed.

On motion of Mr. Trask,

Ordered, That a committee of three be appointed to act with a similar committee on the part of the Council, to prepare and report Joint Rules for the government of the two branches of the Legislature;

Messrs. Trask, Ludden and Tilden, were appointed said committee.

Mr. Tilden moved that the Chief Clerk be directed to procure the printing of fifteen hundred copies of the Governor's message and accompanying documents, for the use of this House.

Mr. Brunson moved to amend, by adding one thousand copies in the English, and five hundred copies in the French languages;

Which was accepted.

The question being put on the adoption of the motion as amended,
It was disagreed to.

Mr. North moved that the Clerk be instructed to get one thousand copies of the Governor's message printed for the use of the members of this House.

Mr. Tilden moved to amend, by inserting after the word "printed," the words "in the English language."

And the question being put on the adoption of Mr. Tilden's amendment, it was disagreed to.

And a division having been called for and ordered, there were ayes—6; nays—7.

Mr. Brunson then offered the following amendment to the original motion.

Strike out all after the word "moved," and insert the words "that there be printed for the use of this House, one thousand copies of the Governor's message in the English language;"

Which was agreed to.

The question recurring on the original motion, as amended;

It was agreed to.

On motion of Mr. Randall,

Ordered, That the Clerk be directed to procure the translation of the Governor's message into the French language, and that five hundred copies thereof, thus translated, be printed.

On motion of Mr. Tilden,

The House adjourned until to-morrow at two o'clock, p. m.

THURSDAY, JANUARY 9, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Ford, Ramsey, Rice, Sloan, Taylor and Tilden were reported absent.

A quorum not being present, the Speaker directed the Sergeant-at-Arms to notify the absent members to appear in their seats.

The Journal of yesterday was read and corrected.

Petitions were presented as follows:

By Mr. Olmstead—the petition of Silas Henry Axtell, praying to be divorced from his wife, Catharine Maria Axtell.

Mr. Olmstead moved that the reading of said petition be dispensed with, and referred to a committee of three;

Which motion prevailed.

Messrs. Olmstead, Taylor and Ramsey, were appointed said committee.

By Mr. Trask—the petition of Orange Walker and others, asking a charter to construct a Boom across the St. Croix river, at some point between Osceola Mills and the Falls of St. Croix.

Mr. Olmstead introduced the following resolution:

Resolved, That the Historical Society have the use of this Hall to hold the an-

nual meeting of said Society, on next Monday afternoon;

Which, upon his motion, was adopted.

Mr. Trask gave notice, that on to-morrow, or some future day, he would introduce a bill for the erection of Capitol Buildings at the temporary seat of government, and for the location and erection of a Territorial Prison, and for other purposes.

Mr. Trask offered the following resolution:

Resolved, That the Clerk be directed to employ L. B. Wait, Esq., under the resolution of this House, heretofore adopted, to do the necessary writing usually done by an enrolling clerk; which,

On motion of Mr. Olmstead,

Was declared adopted.

A division being called for and ordered,

There were ayes—8; nays—7.

Mr. Tilden, on leave, gave notice, that on to-morrow, or some subsequent day, he would introduce a bill regulating tavern and grocery licenses.

Mr. Olmstead offered the following resolution:

Resolved, That the Chief Clerk, and Assistant Clerk, be allowed the same amount of stationery that is allowed to each member of this House;

Which resolution was adopted.

Mr. Brunson offered the following resolution:

Resolved, That James M. Goodhue be employed to print one thousand copies of the Governor's message, under the resolution of January 8th, 1851.

Mr. Randall offered the following resolution:

Resolved, That the Chief Clerk be authorized to procure for the reporters' desks, such stationery as may be necessary, to be paid for out of any moneys appropriated for the contingent expenses of the Legislature.

Mr. Rice offered the following amendment to Mr. Olmstead's resolution, viz:

By adding, "and that the Chief Clerk supply the various committees and reporters, with such stationery also, as they may require;"

Which amendment was accepted; and,

On motion of Mr. Olmstead,

The resolution as amended, was adopted.

On motion, Mr. Randall withdrew his resolution.

Mr. Ludden offered the following substitute to Mr. Brunson's resolution, which was accepted, viz:

Resolved, That a committee of three be appointed to procure the printing of one thousand copies of the Governor's message, authorized by the resolution of January 8th.

A call of the House was ordered, and Mr. Taylor reported absent.

On motion of Mr. Ludden,

Mr. Taylor was excused from attendance on this House this afternoon.

The question recurring on the adoption of the resolution of Mr. Brunson, as amended,

The question being put, and the ayes and nays being called for and ordered,

Those who voted in the affirmative were—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Randall, Tilden, Trask and Wells—9.

Those who voted in the negative were—Messrs. Gilman, North, Olmstead, Patch, Rice, Sloan, Warren and Ames, (Speaker)—8.

Mr. Randall moved to re-consider the vote on his resolution of yesterday, relative to the translation and printing of the Governor's message in the French language.

The question being put,

The Speaker not being able to decide, a division was ordered;

And there were ayes—9; nays—6.

So the motion prevailed.

Mr. Trask moved to postpone indefinitely, Mr. Randall's resolution;

And the question being put,

The Speaker not being able to decide, a division was ordered,

And there were ayes—8; nays—7.

A message from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:
 "MR. SPEAKER:—Messrs. Norris and Sturgis have been appointed a committee to act in conjunction with a similar committee appointed by the House, to report Joint Rules for the government of the two Houses of the Legislative Assembly during the present session.

The Council has adopted "a joint resolution, relative to furnishing papers to certain officers of the Territory;" in which the concurrence of the House is respectfully requested."

Mr. North, chairman of the committee appointed to prepare and report permanent rules for the government of the House during its present session, made the following report:

The committee appointed to revise and report Standing Rules for the government of this House, report, that they have had the subject under consideration, and would respectfully recommend the adoption of the Rules of the last session of this House, with amendments and additions as follows:

1st. Amend the 28th Rule, in the second line, by striking out the letter "a" from the word "comprehends," and substituting the word "propositions" for the word "questions."

2d. Insert after Rule 33, as Rule 34: "Any member may require a call of the House, and two-thirds of the members present, may suspend proceedings under such call."

3d. Amend the 37th Rule of the last session, by adding the following: "And no member shall leave the House, until the absent members are reported in their seats, or further proceedings under the call be dispensed with."

4th. Insert as Rule 42: "Every order, resolution or vote, to which the concurrence of the Council shall be necessary, shall be read to the House and laid on the table, on a day preceding that on which the same shall be moved, unless the House shall otherwise order."

DUTIES OF CLERK.

43. The Clerk of the House shall take an oath for the true and faithful discharge of the duties of his office, to the best of his knowledge and abilities; and he shall be deemed to continue in office until another be appointed.

44. All messages from the House to the Council, and the Governor, shall be carried by the Clerk, unless the House shall otherwise order.

45. All papers designed to be transmitted to the Governor or the Council, shall be carried by the Clerk or Assistant Clerk.

46. In case the Speaker shall be absent at the hour to which the House was adjourned, the Clerk shall preside until a Speaker *pro tem.* shall be chosen.

CHAPLAIN.

47. A Chaplain, or Chaplains, shall be appointed at the commencement of each session, in such manner as the House may direct; who shall perform religious services every morning, immediately after the House is called to order.

ELECTIONS.

48. All elections shall be by ballot, unless otherwise ordered, and when there shall not be a majority on the first ballot, the ballot shall be repeated until a majority shall be obtained; and in all ballottings, blanks shall be rejected, and not taken into the count in the enumeration of votes, or reported by the tellers.

COMMITTEES.

49. Fifteen standing committees shall be appointed at the commencement of each session, to consist of not less than three members each, viz:

- A Committee on Elections,
- A Committee on the Judiciary,
- A Committee on Internal Improvements,
- A Committee on Schools,
- A Committee on Territorial Affairs,
- A Committee on Finance,
- A Committee on Corporations,
- A Committee on Agriculture and Manufactures,
- A Committee on Roads,
- A Committee on Engrossed Bills,
- A Committee on the Militia,
- A Committee on Public Buildings,
- A Committee on Claims,
- A Committee on Printing,
- A Committee on Election Districts.

All of which is respectfully submitted.

J. W. NORTH, }
E. RICE, } Committee.
B. W. BRUNSON, }

On motion of Mr. Tilden,

The report was accepted, and the committee discharged.

Mr. North moved to strike out in the 34th Rule, the word "demand," and insert in place thereof, the word "require;"

Which motion prevailed.

On motion of Mr. Wells,

The rules reported by the committee as amended, were adopted as the permanent Rules of the House during its present session.

The Speaker announced the Standing Committees of the House for the present session, viz:

On Elections.—Messrs. Brunson, Ludden and Gilman.

On the Judiciary.—Messrs. Rice, North and Trask.

On Internal Improvements.—Messrs. Brunson, Patch and Gilman.

On Schools.—Messrs. North, Ramsey and Randall.

On Territorial Affairs.—Messrs. Warren, Trask and Ford.

On Finance.—Messrs. Ludden, Rice and Patch.

On Corporations.—Messrs. Tilden, Taylor and Gilman.

On Agriculture and Manufactures.—Messrs. Olmstead, Ford and Wells.

On Roads.—Messrs. Taylor, Gilman and Sloan.

On the Militia.—Messrs. Wells, Warren and Farribault.

On Public Buildings.—Messrs. Ramsey, Brunson and Patch.

On Claims.—Messrs. Randall, Ludden and Ford.

On Printing.—Messrs. Olmstead, Ludden and Patch.

On Election Districts.—Messrs. Trask, Ramsey and North.

Mr. Brunson asked to be excused from attendance on the House to-morrow; and

On motion of Mr. Rice,

He was excused.

Mr. Brunson offered the following resolution, which was adopted;

"Resolved, That the Chief Clerk be authorized to procure, or have made, a case for papers, for his use."

On motion of Mr. Wells,

The House adjourned.

FRIDAY, JANUARY 10, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Patch, Ludden, Rice, Tilden and Wells, were reported absent.

The Journal of yesterday was then read.

The Speaker announced the following Standing Committee of the House, for the present session, viz:

On Engrossed Bills.—Messrs. North, Ramsey and Tilden.

Mr. Olmstead, on leave, gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to provide for the permanent location of the seat of Government.

Mr. Rice offered the following resolution:

Resolved, That a committee of three be appointed to enquire and report, whether any newspaper publisher, or other person, has offered or made any gift of money, or other valuable thing, to members of this House, since their election, with intent to influence the act or vote of such members in favor of the appointment of such publisher to do the whole, or any portion of the Public Printing, and that said committee be authorized to send for persons and papers.

Mr. Wells moved that the resolution be laid on the table;

Which motion was lost.

The question recurring upon the adoption of the resolution, and having been put;

It was decided in the affirmative.

The Speaker appointed Messrs. Ludden, Trask and Olmstead, as the committee to procure the printing of one thousand copies of the Governor's message, under the resolution of yesterday.

The Speaker announced a "joint resolution, No. 1, Council File, relative to furnishing papers to officers of the Territory;" which,

On motion of Mr. North,

Was adopted.

Mr. Rice moved to re-consider the vote of yesterday, relative to the employing of an Enrolling Clerk;

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Ludden, Ramsey, Rice, Sloan, Taylor, Tilden and Warren—8.

Those who voted in the negative are—Messrs. Farribault, Ford, Olmstead, Patch, Randall, Trask, Wells and Ames, (Speaker)—8.

So the motion did not prevail.

On motion of Mr. Randall,

The House resolved itself into committee of the whole, on the executive message.

Mr. Rice in the chair.

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

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The roll having been called,

Messrs. Ford, Ramsey, Rice and Trask were reported absent.

The Speaker appointed Messrs. Rice, Taylor and Trask a committee, under the resolution of this morning, in relation to newspaper publishers, or other persons, offering bribes, &c., to members of this House.

On motion of Mr. Tilden;

The House resolved itself into committee of the whole on the executive message,

Mr. Rice in the chair,

And after some time spent therein, the committee rose, and by their chairman, reported progress, and asked and obtained leave to sit again.

Mr. Ludden, chairman of the select committee, appointed by resolution of yesterday, for procuring the printing of one thousand copies of the Governor's message, reported that they had performed that duty; which report,

On motion of Mr. Rice,

Was accepted, and the committee discharged.

On motion of Mr. Wells,

The House adjourned.

SATURDAY, JANUARY 11, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Ludden and Trask were reported absent.

The Journal of yesterday was then read.

Mr. Trask, on leave, gave notice, that on Monday, or some future day, he would ask leave to introduce a bill to incorporate the St. Croix Boom Company.

Mr. Trask, chairman of the select committee, appointed to prepare and report Joint Rules for the government of the two Houses in their joint action, reported as follows:

The Joint Committee of the two Houses, appointed to draft rules for the government of the two Houses in their joint action, have had the matter referred to them under consideration, and ask leave to report:

Your committee recommend the adoption of the joint rules of the two Houses, in force during the last session of the Legislature, for the government of the two Houses during their present session, with the following amendments:

Add Rule 16th, in joint convention of the two Houses, the Speaker of the House of Representatives shall preside.

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

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

J. S. NORRIS,	} Committee.
S. TRASK,	
H. L. TILDEN,	

Which report was accepted; and the committee discharged.

On motion of Mr. Rice,

Said report was adopted.

Mr. Rice moved that one hundred copies of the rules of this House, and joint rules, be printed for the use of this House;

Which motion prevailed.

On motion of Mr. Rice,

Said motion was re-considered.

Mr. Olmstead, from the select committee to which was referred the petition of Silas Henry Axtell, for a divorce from his wife, Catharine Maria Axtell, reported bill,

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

Which report was accepted, and the committee discharged.

Mr. Rice asked, and obtained leave to withdraw his motion relative to printing rules, and offered the following resolution:

Resolved, That one hundred copies of the Rules of this House, the Joint Rules of the Council and House, and the Rules of the Council, together with a list of the Standing Committees of the two Houses, be printed under the direction of the Clerk, for the use of the members of this House;" and

On motion of Mr. Wells,

The resolution was adopted.

Mr. Olmstead moved that Mr. Sloan, of Benton county, be added to the committee on public buildings.

Mr. Brunson offered an amendment to said motion,

"That Mr. Tilden, of Ramsey county, be added to the same committee."

The Speaker decided that the motion could not be so amended.

Mr. Olmstead asked, and obtained leave to withdraw his motion.

Mr. Olmstead then moved, that the Chair appoint two additional members to the committee on public buildings.

Mr. Brunson withdrew his amendment to the original motion.

The question being put on the adoption of Mr. Olmstead's motion,

It was decided in the affirmative.

The Speaker appointed Messrs. Olmstead and Trask, as additional members of said committee on public buildings.

On motion of Mr. Brunson,

The House resolved itself into a committee of the whole on the executive message;

Mr. Brunson in the Chair.

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

Resolved, That so much of the Governor's message as relates to a compilation and revision of the laws, be referred to the Committee on the Judiciary.

Resolved, That so much of the Governor's message as relates to the apportionment of Councillors and members of the House of Representatives, among the several counties, upon the basis of population, be referred to the Committee on Election Districts.

Resolved, That so much of the Governor's message as relates to the improvement of the Mississippi, and the construction of Telegraphs, be referred to the Committee on Internal Improvements.

Resolved, That so much of the Governor's message as refers to Territorial Expenditures, be referred to the Committee on Finance.

Resolved, That so much of the Governor's message as relates to education and the endowment of a University, be referred to the Committee on Schools.

Resolved, That so much of the Governor's message as relates to agriculture, and the pre-emption and sale of the public lands, be referred to the committee on Agriculture and Manufactures.

Resolved, That so much of the Governor's message as relates to the Indian tribes, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's message as relates to the solemnization of marriages, be referred to a select committee of three.

Resolved, That so much of the Governor's message as relates to public buildings, be referred to the Committee on Public Buildings.

Resolved, That so much of the Governor's message as relates to the safe keeping and preservation of public records, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's message as pertains to the half breeds of Pembina, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's message as pertains to the purchase

of the half-breed lands on Lake Pepin, be referred to the Committee on Territorial Affairs.

Resolved, That so much of the Governor's message as relates to the Library, be referred to the Committee on Schools.

Resolved, That so much of the Executive message as relates to courts, arbitrators, magistrates, and the alteration and amendment of laws, be referred to the Committee on the Judiciary.

On motion of Mr. Trask,

The resolutions were read and adopted.

Mr. North offered the following resolution:

Resolved, That the committee appointed to inquire and report whether any newspaper publisher, or other person, had offered or made any gift of money, &c., be instructed to inquire whether any newspaper publisher or other person, has made threats of personal violence to members of this House, or threats of any kind, with intent to influence the action of such members in their Legislative capacity, and that said committee be authorized to send for persons and papers.

The Speaker announced as a special committee on the solemnization of marriages,

Messrs. Ramsey, Ludden and Randall.

Mr. Wells moved to lay Mr. North's resolution on the table.

Mr. Brunson moved to amend the motion, by having the resolution indefinitely postponed.

A message from the Council by Joseph R. Brown, Secretary thereof.

"MR. SPEAKER:—The Council has passed No. 2, Joint Resolution, relative to compiling and revising the laws of Minnesota; in which the concurrence of this House is respectfully requested.

"The Council has adopted the Joint Rules of the two Houses of the last session, with the amendments proposed by the Joint Committee of the two Houses, appointed to prepare Joint Rules, as the rules for the government of the two Houses during the present session."

The question then recurring on the motion of Mr. Wells, to lay Mr. North's resolution on the table;

It was decided in the negative.

Mr. Brunson withdrew his amendment to Mr. Wells' motion.

Mr. Brunson then offered the following amendment to Mr. North's resolution, by adding:

"And that said committee be authorized to take into consideration any words of a threatening character, that were uttered by Hole-in-the-Day, in his speech of last Friday."

The question having been put,

The amendment was declared adopted.

A division being called for and ordered;

There were ayes—8; noes—7.

The members not having all voted,

The yeas and nays being called for,

And those who voted in the affirmative are—Messrs. Brunson, Ford, Ludden, Olmstead, Ramsey, Randall, Tilden, Trask and Wells—9.

Those who voted in the negative are—Messrs. Gilman, North, Rice, Patch, Sloan, Taylor, Warren and Ames, (Speaker)—8.

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

It was decided in the affirmative.

Mr. Brunson moved to adjourn until Monday next, at ten o'clock A. M.;

And the question being put,

The Chair not being able to decide, a division was ordered;

And there were ayes—10; nays—6.

And so the House adjourned.

MONDAY, JANUARY 13, 1851.

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

The roll having been called,

Messrs. Gilman, Olmstead, Rice and Sloan were reported absent.

The Journal of last Saturday was read and corrected.

Mr. Randall, on leave, gave notice, that on to-morrow, or some subsequent day, he would introduce a bill asking an incorporation of a General Manufacturing Establishment in the Territory of Minnesota.

The committee to whom was referred the resolution in relation to newspaper publishers, or other persons offering bribes, &c., to members of this House, made the following report:

To the House of Representatives of the Territory of Minnesota:

The undersigned committee, appointed pursuant to resolutions of this House' under date of January 10th and 11th, respectively, "to enquire and report whether any newspaper publisher, or other person, has offered or made any gift of money or other valuable thing, to members of this House since their election, with intent to influence the act or vote of such members in favor of the appointment of such publisher to do the whole, or any portion of the public printing;" and also, "to enquire whether any newspaper publisher or other person, has made threats of personal violence to members of this House, or threats of any kind, with intent to influence the action of such members in their legislative capacity;" and authorizing said committee "to take into consideration any words of a threatening character that 'was' uttered by Hole-in-the-Day, in his speech of last Friday;" have the honor to report:

That they have taken the testimony of Hon. John Rollins, of the Council, Hon. John W. North, Hon. D. T. Sloan and Hon. W. W. Warren, of this House, and also, the testimony of Mr. James H. Vincent, all which is hereto subjoined, and marked A.

The examination was strictly private, no person being present but the witnesses, the officers who administered the oaths, and James M. Goodhue Esq., publisher of the Pioneer newspaper, who was permitted to cross-examine the witnesses, and was informed by the committee, that any statement in writing, he desired to make would be received; to which he replied, that he had none to make.

Touching the facts set forth in said testimony, the committee express no opinion, but respectfully refer the same to this House, for such action in the premises, as in its wisdom, the House may deem fit to take.

The committee cannot withhold, however, an expression of the opinion, that upon general principles, attempts to control, or influence the action of legislative officers, by offering to them inducements, or considerations of personal advantage, are not only wrong in themselves, but have a tendency to poison and corrupt the channels of legislation, and thereby to subvert the rights of the people.

With reference to the procurement by such means, of offices in the gift of the Legislature, the reasoning contained in the following extract from a treatise upon the laws of England, (1 Russell on Crimes, p. 146,) from which country our system of Jurisprudence is mainly derived, is exactly applicable:

"Concerning the sale of offices of a public nature, it has been well observed, that nothing can be more palpably prejudicial to the good of the public, than to have places of the highest concernment, on the due execution whereof the happiness of both the king and people depends, disposed of, to those who are most able to pay for them; nor can anything be a greater discouragement to industry and virtue, than to see those places of trust and honor, which ought to be the rewards of persons, who, by their industry and diligence, have qualified themselves for them, conferred on those who have no other recommendation, but that of being the highest bidders; neither can anything be a greater temptation to officers, to

abuse their power by bribery and extortion, and other acts of injustice, than the consideration of having been at a great expense in gaining of their places, and the necessity of sometimes straining a point to make their bargains answer their expectations.

"The buying and selling such offices, has therefore been considered an offence *malum in se*, and indictable at common law."

That part of the second resolution above mentioned, which refers to the speech of Hole-in-the-Day, your committee have had no action upon, for the reason that no person has manifested sufficient interest in the remarks of that distinguished chief, to bring before your committee any affirmation in the premises, and they therefore, respectfully refer the matter back to the House.

All which is respectfully submitted.

EDMUND RICE,
SYLVANUS TRASK, } Committee.
JESSE TAYLOR,

St. Paul, January 13th, 1851.

Testimony marked A, referred to in the foregoing report.

*Territory of Minnesota, } ss.
County of Ramsey, }*

John Rollins being duly sworn, says:

A few words passed between Goodhue and myself, relating to the public printing; he inquired if I could give him my support for the printing. I replied that I had made no promises, and I should not pledge myself to any printer. He then said, he should remember me. This was on the third day, I think, of the session.

On yesterday, some conversation took place between Mr. Goodhue and Mr. North, respecting a communication from Mr. Goodhue to Mr. Warren. Mr. Goodhue said, that if any member of any committee, or of the Legislature, said that he had offered to bribe him, he would whip him, he might have said "man," but he also said "member." Mr. Goodhue appeared to be raving mad—a good deal excited—and repeated the threat several times.

[Reply to question by Mr. Goodhue.]

I do not recollect that Mr. Goodhue said he made a distinction between the statements of members in their legislative capacity, and men; but he might have said it. He was a good deal excited, and appeared to be anxious to get into a quarrel with Mr. North.

JOHN ROLLINS.

John W. North being duly sworn, says:

On last Tuesday or Wednesday, I met Mr. Goodhue near Mr. Lambert's office, and he desired to have some conversation about the public printing. He commenced talking about furnishing a printing press and type for St. Anthony. After talking some time without coming to any thing definitely, I asked him what he wished? What he proposed to do? He said if we would help him to the public printing, he would furnish a press for St. Anthony. The precise words I cannot state, but that was the proposition.

I made some objections to the manner of his conducting a press, and then asked him the value of the press intended for St. Anthony. He said the press was worth \$200, and the type was worth \$200; he seemed very desirous that I should help him to the printing, and said I would have an opportunity of doing so the next day, and that if I would, he would compensate, or satisfy, or return the favor to me—the words I can't give; but the idea conveyed to my mind was, that he would render me an equivalent or return the favor—conveying to me the idea of personal advantage; but in what way was not stated.

I had a conversation with him also, yesterday, in the Hall of the House of Representatives. He demanded of me in rather an abrupt manner, whether he had said any thing wrong to me, in the conversation above alluded to. I replied that he knew whether he had or not, and I declined giving him a direct answer. The conversation which followed, was stated in substance by Mr. Rollins. Mr.

Rollins said to him, he thought he would gain nothing by threatening members; and he replied, that he did not intend to threaten any member for what had been done in the House; but if any member stated *out* of the House, that he had attempted to bribe a member, he would whip him. I did not understand that the threat was intended for me exactly, though it would apply to me, for to a question he asked, whether I thought his note to Mr. Warren, looked like bribery? I replied that it did.

[Reply to questions by Mr. Goodhue.]

I recollect Mr. Goodhue said in the first conversation, that he had been negotiating with Mr. Steele, for the establishment of a press at St. Anthony; but I understood it to depend entirely upon his getting the public printing. I did not intend to bring Mr. Steele's name in question; but as it has been mentioned, I will state, that Mr. Steele had a conversation in reference to establishing a press at St. Anthony; but it was to depend entirely upon getting the public printing for Mr. Goodhue. I understood Mr. Goodhue to say, that he would furnish the press and type, and allow us to publish, edit and manage the paper as we thought fit.

J. W. NORTH.

James W. Vincent being duly sworn, says:

Last Monday or Tuesday, Mr. Goodhue called me over to the American House steps, and asked me if I knew Mr. Sloan, of Little Rock; I said I did; he asked what kind of a man he was, I said I didn't know much about him; but thought he would do; that he lived a little way above me. He said that they had been trying to injure him, and that he had laid in for the whole of the public printing. He asked me, as a favor, to see him, and try to get his vote for him, (Goodhue,) as printer; that money was no object; he said that time, money and labor was no object, but his object was to get all the printing. His precise words I cannot recollect; but I understood him that he wanted me to see Mr. Sloan, and that money being no object, any arrangement I could make with him would be all right.

I saw Mr. Goodhue the evening he carried around his papers, Thursday evening, I think, at Monti's; I called him into the back room and asked him if he had seen Mr. Sloan, he told me he had; that he had made arrangement with him, and that he (Sloan) was his friend, and that he (Goodhue) didn't forget his friends.

I saw Mr. Sloan; we took a walk, and I told him what Mr. Goodhue had said; and I told him I thought he could get two or three hundred dollars to go for Mr. Goodhue for the public printing, as he had told me that money was no object. Sloan replied, that probably some arrangement could be made; that he was poor, and Mr. Warren was poor; to see Goodhue, but to get the money first. I understood him to authorize me to make the arrangement with Goodhue; that the sum I had named might possibly answer, but to get the money. I made no further arrangement with Mr. Goodhue, except so far as I conversed with him at Monti's.

I met Mr. Goodhue yesterday morning; he said good morning Mr. Vincent, do you know what they have been doing in there? I said no; he said they are getting up a committee to investigate the Warren matter; I'll whip the whole God damned Rice fraternity.

J. W. VINCENT.

Thomas D. Sloan being duly sworn, says:

There has no printer paid or offered me any money. I thought from what Mr. Vincent said, he was to try whether he could get the money of Mr. Goodhue, that he was poor, as well as the balance of us, and that any thing to make a raise would do; that Mr. Goodhue's gold was as good as any body's. Mr. Goodhue has made me no offer, nor has he paid me any thing in consideration that I should vote for him. Mr. Goodhue has offered me no consideration whatever, for my vote.

(Mr. Sloan declined signing the above statement, which was made under oath; but the same was read to him, and he said that it was correct.)

William W. Warren being sworn, says:

In answer to a question put by Mr. Goodhue. Mr. Goodhue has never offered me any money, nor attempted to bribe me to secure my vote. The note shown

me by Mr. Goodhue, is the one received from him. I am not aware that any person has made use of the letter to create the impression that Mr. Goodhue has endeavored to bribe me. It has never left my hands except when I returned to Mr. Goodhue. I showed it to Mr. Rice.

I received the note between 9 and 10 o'clock in the evening; it was quite late. It was the same evening that Mrs. Goodhue called. Previous to receiving the note from Mr. Goodhue, I had a conversation with him in relation to voting for him for printer, and told him that I would make no pledges. I did not give him to understand that I wouldn't vote for him, but told him I was in favor of giving him a part; he wished me to pledge myself for that; but I refused. At the time he called upon me to give him back the note, I told him that had his note come after the printing question had been disposed of, I should have considered it a great kindness; but coming at the time it did, I considered it an inducement to lay me under obligations to waive my determination on the printing question. He said as a reason for demanding the note, that it had been falsely represented by Mr. Rice, as a bribe, he wished to show it, to correct false impressions. He said he would have it if he had to fight for it, and had to have a row. I told him I had not made a public use of it, and didn't intend to; that it had not left my hands. This I said before he threatened the row. Had the note been written without reference to the price of board, I should not have considered it in the light of an inducement; but being a comparative stranger to him, I could see no other construction to put upon it.

Mr. Warren further says:

That in the evening after the adoption of a resolution, by which we supposed Mr. Wait would be secured the office of enrolling clerk, Mr. Sloan called at my room and spoke as if he was dissatisfied, or very much aggrieved, as he supposed that Mr. Rice had deserted us, in not supporting a candidate from Benton county, and said he had made up his mind to support Mr. Goodhue for the printing, as he thought it would spite Mr. Rice. He asked me if I felt any interest in the printing question, and said he did not suppose our constituents in Benton County felt any interest in it. He said, he thought they would not care; and after telling him the course I intended to pursue, he said, as he was leaving, that he had made up his mind to go for Goodhue, for all the printing, and besides, that from a conversation he had with Mr. Vincent, he believed there was something to be made out of it; as money was no object with Goodhue, if he had all the printing. I could not swear that he was serious in the remark; he is an odd kind of a man and might have made it for another purpose. My impression was, he intended Mr. Rice should hear that he intended to go for Mr. Goodhue as he had hopes that it might induce Mr. Rice to vote for a re-consideration of the resolution above referred to, and with his assistance, we could get our candidate from Benton county, in the place of Mr. Wait.

W. W. WARREN.

Note from Mr. Goodhue to Mr. Warren, referred to in the affidavit of the latter.

ST. PAUL, January 6th, 1851.

MR. WARREN, My friend:—Mrs. Goodhue has had the pleasure of seeing yourself and lady, and says you are uncomfortably situated at the American House.

We are plain folks, and live in a plain way, and never intended to have any boarders except the young men who assist me in my printing office; but if I can do any kindness by offering you a room in my house and such fare as we have, for yourself and family, for the present, at least, you shall have quarters with us, without any reference to profit on my part, say, at a venture, at one half the price they charge you at the American House.

With high regard, I remain

Your obd't. servant.

JAMES M. GOODHUE,

HON. W. W. WARREN.

Territory of Minnesota, } ss.
County of Ramsey, }

I, P. P. Bishop, a Notary Public in the aforesaid county, do certify that the above named John Rollins, John W. North, J. H. Vincent, D. T. Sloan, and W. W. Warren, whose names are above subscribed, were severally sworn by me, in due form of law, on this 11th day of January, 1851, at St. Paul.

P. P. BISHOP,

Notary Public.

On motion of Mr. Tilden,

The report was accepted, and the committee discharged.

Mr. Trask, in pursuance of previous notice, and by leave, introduced,
No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company;
Which was read the first time.

Mr. Tilden, in pursuance of previous notice, and by leave, introduced
No. 3, H. of R. A bill, for an act regulating Tavern and Grocery Licenses;
Which was read the first time.

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

Was read the second time.

The Chair announced a joint resolution, C. F. No. 2; which,

On motion of Mr. Tilden,

Was taken from the table.

Mr. Rice asked for the reading of the resolution;

Which, on motion, was read.

Mr. Rice then moved its adoption.

The question was then put,

And the Chair being unable decide,

The ayes and nays were called for and ordered;

And those who voted in the affirmative are—Messrs. North, Patch, Rice, Trask,
Warren and Ames; (Speaker)—6.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden,
Ramsey, Randall, Sloan, Taylor, Tilden and Wells—10.

And so the resolution was not adopted.

On motion of Mr. Brunson,

The report of the committee on newspaper publishers or other persons, offering
bribes, &c., to members of this House;

Was taken up.

Mr. Brunson then moved that the whole matter be indefinitely postponed.

Mr. Rice moved to amend, by adding that the report be printed.

The Chair decided that the amendment could not be made.

Mr. Rice then moved to amend by striking out the word "indefinitely."

The question being put on the adoption of the amendment,

And the ayes nays being called for and ordered;

Those who voted in the affirmative are—Messrs. North, Patch, Rice, and
Warren—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford,
Ludden, Ramsey, Randall, Sloan, Taylor, Tilden, Trask, Wells and Ames,
(Speaker)—12.

And so the amendment was lost.

The question then recurring on Mr. Brunson's motion to postpone indefinitely,
It was decided in the affirmative.

Mr. Rice moved that fifty copies of the report be printed.

The Speaker decided the motion out of order.

Mr. Rice then withdrew his motion.

On motion of Mr. Brunson,

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

TUESDAY, JANUARY 14, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Gilman, Ludden and North, were reported absent.

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

On motion of Mr. Rice,

Mr. Gilman was excused from attendance on the House to-day.

The Speaker announced the following joint committees for the present session:

On Territorial Expenditures.—Messrs. Patch, Wells and Farribault.

On Legislative Expenditures.—Messrs. Trask, Rice and Ludden.

On Enrolled Bills.—Messrs. Olmstead, Randall and Ford.

On Engrossed Bills.—Messrs. North, Ramsey and Tilden.

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

On motion of Mr. Tilden,

Ordered, That the Chief Clerk notify the Council that the House of Representatives is now ready to meet them in Joint Convention for the purpose of electing a printer.

The Convention of the two Houses then met in the Hall of this House, pursuant to adjournment;

And the following proceedings were had:

The Secretary and Chief Clerk called the roll of their respective Houses;

And all were found to be present.

Mr. Brunson offered the following resolution:

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

Mr. Rice moved that the Convention take a recess of fifteen minutes, to enable the Hon. D. Gilman, who is sick, to appear in his seat, agreeably to his request.

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

And a division having been called for;

There were ayes—3; nays—9.

And so the motion was lost.

Mr. Olmsted, of the Council, moved to strike out all in Mr. Brunson's resolution relative to the act of 1849.

Mr. Norris offered the following substitute to Mr. Brunson's resolution:

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

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

Second. Shall be elected a printer to do the incidental printing of the House of Representatives.

Third. Shall be elected a printer to print the Journals of both Houses.

Fourth. Shall be elected a printer to print the Laws which may be authorized to be printed by the Legislature during its present session, and the person or persons so elected, shall be governed in all respects, by the act entitled "An Act to regulate the public printing and binding," approved Nov. 29th, A. D. 1849.

The question being put on the adoption of the substitute,

It was decided in the negative.

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Boal, Norris, Olmsted, Rollins, Sturgis, Gilman, North, Olmstead, Patch, Rice and Warren—11.

Those who voted in the negative are—Messrs. Burkleo, Forbes, McLeod, Loomis (President,) Farribault, Ford, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden, Trask, Wells and Ames, (Speaker)—15.

The question then recurring on Mr. Olmsted's amendment, and being put;

It was decided in the negative.

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Olmsted, Sturgis, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—9.

Those who voted in the negative are—Messrs. Burkleo, Forbes, Boal, McLeod, Norris, Rollins, Loomis (President,) Brunson, Farribault, Ford, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—18.

And so the amendment was lost.

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

And the question being put,

It was decided in the affirmative.

Mr. Olmsted, of the Council, moved to dispense with tellers, and vote *viva voce*.

The Speaker declared the motion out of order.

Mr. Olmsted, of the Council, then moved a re-consideration of the vote adopting Mr. Brunson's resolution;

The question being put,

And the Chair being unable to decide, a division was ordered;

And there were ayes—10; nays—15.

So the motion was lost.

Mr. Olmsted, of the Council, then renewed his motion, "that the vote be taken *viva voce*."

The President of the Council, then stated that he coincided with the Speaker in his decision, that the motion was out of order.

Mr. Trask moved that the Chair appoint two tellers, to receive and count the votes;

The question being put;

It was agreed to.

Whereupon, the Chair appointed Mr. McLeod, of the Council, and Mr. Rice, of the House, tellers.

And the ballots having been received and counted by the tellers, it appeared that the whole number of votes cast was 27—of which,

J. M. Goodhue received 15 votes.

D. A. Robertson " 1 "

Henniss & Vincent " " "

Goodhue & Robertson " 1 "

James W. Vincent " 1 "

Robertson & Henniss " 2 "

D. A. Robertson " 7 "

James M. Goodhue having received a majority of all the votes cast, was declared duly elected Printer for one year.

Mr. North moved that the Convention now proceed to elect a second printer.

Mr. Trask moved that the Convention adjourn *sine die*;

And the ayes and nays being called for and ordered;

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

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

So the Convention adjourned *sine die*.

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

On motion of Mr. Olmstead,

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

WEDNESDAY, JANUARY 15, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,
Messrs. Farribault, Ford, Gilman, Ludden, Olmstead, Ramsey, Randall, Rice and Sloan, were reported absent.

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

The Journal of yesterday was read and corrected.

Mr. North offered the following resolution:

Resolved, That the printing of the daily slips, containing the Journal of this House, be dispensed with.

On motion of Mr. Tilden,

The resolution was laid on the table until to-morrow.

Mr. Ludden offered the following joint resolutions:

Resolved, By the House of Representatives, the Council concurring therein, that George L. Becker, Allen Pierse and M. S. Wilkinson, be employed to assist the Judiciary Committees of the Council and House of Representatives, in compiling and revising the laws of this Territory. And that they be required to report their action from time to time to said committees, in season for the action of the Legislative Assembly thereon, at its present session.

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

On motion of Mr. North,

The resolution and was laid on the table until to-morrow.

No. 1, H. of R. A bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;

Was read the third time.

Mr. Rice moved that said bill be referred to the Committee on Internal Improvements.

Mr. Brunson moved to amend Mr. Rice's motion, by striking out "the Committee on Internal Improvements," and inserting in lieu thereof, "the Committee on the Judiciary."

The question being put,

The amendment was agreed to.

The question then recurring on the original motion, as amended;

And being put,

It was decided in the affirmative.

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

Was taken up; and

On motion of Mr. Trask,

Ordered, That the said bill be read a second time by its title, and that it be laid on the table and printed, and taken up in committee of the whole on Monday next.

No. 3, H. of R. A bill for an act regulating Tavern and Grocery licenses,

Was taken up; and

On motion of Mr. Brunson,

Ordered, That the said bill be read the second time by its title, and laid on the table and printed.

Mr. Tilden moved to re-consider the vote upon the joint resolution offered by Mr. Ludden, relative to employing certain individuals to assist in compiling and revising the laws of Minnesota; which was agreed to.

A call of the House was asked for and ordered;

Messrs. Gilman and Trask were reported absent.

On motion of Mr. Rice,

Mr. Gilman was excused from attendance on the House to-day.

The Sergeant-at-Arms reported the absent member in his seat.

Mr. Tilden moved the adoption of the resolution of Mr. Ludden.

Mr. Rice offered the following amendment, viz:

"By striking out after the word "concurring," and insert as follows:

"That the Hon. Justus C. Ramsey, Hon. B. W. Brunson, the Hon. James Wells, be appointed Commissioners to revise the Laws; and that they be empowered to call to their assistance the Hon. Chief Justice, Aaron Goodrich, and the Hon., the now Board of County Commissioners of Ramsey County; who shall be allowed in the aggregate, the sum of \$48 00 per day, to be certified and divided by his Excellency, the Governor."

The question being put, and the ayes and nays being called for and ordered,

Those who voted in the affirmative are—Messrs. North, Rice, Trask and Wells—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Olmstead, Patch, Ramsey, Randall, Sloan, Taylor, Tilden, Warren and Ames (Speaker)—13.

Mr. Olmstead moved to amend the original resolution, by striking out the name of George L. Becker, and inserting in lieu thereof, the name of Hon. B. B. Meeker.

The question being put,

It was disagreed to.

Mr. Rice moved to amend the original resolution, by striking out the name of George L. Becker, and inserting in lieu thereof, the name of James M. Goodhue.

The question being put,

It was disagreed to.

Mr. Trask moved to amend the original resolution, by striking out the names of Allen Pierce and M. S. Wilkinson, and inserting in lieu thereof, the names of T. E. Parker, Esq., and Hon. B. B. Meeker.

The Speaker called on Mr. Tilden to preside.

Mr. Tilden in the chair,

Mr. Ames moved that the question be put separately, as to the striking out, and as to inserting.

The question was then put on striking out the names of Allen Pierce and M. S. Wilkinson.

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Trask, Warren and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Rice, Sloan, Taylor, Tilden and Wells—10.

And so the motion was disagreed to.

Mr. Ames moved to strike out the name of George L. Becker.

The question being put,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Rice, Trask, Warren, Wells and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Randall, Sloan, Taylor and Tilden—9.

And so the motion was lost.

Mr. North moved to amend the original resolution, by inserting,

"That the Judiciary Committee be authorized to employ," and that the words "be employed," be stricken out.

The question being put upon said motion,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Randall, Rice, Trask, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Sloan, Taylor, Tilden and Wells—9.

And so the motion was disagreed to.

Mr. Ames moved that the original resolution be laid on the table.

The ayes and nays having been called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Rice, Trask, Warren, Wells and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Randall, Sloan, Taylor and Tilden—9.

And so the motion to lay on the table, was disagreed to.

Mr. Gilman moved that the three names in the original resolution be stricken out.

The ayes and nays having been called for and ordered.

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Trask, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden and Wells—9.

And so the motion was disagreed to.

Mr. Brunson moved that the House adjourn until two o'clock P. M.

The question being put,

And the Speaker not being able to decide, a division was ordered;

And there were ayes—8; nays—6.

And so the House adjourned.

TWO O'CLOCK, P. M.

The roll having been called,

Messrs. Ramsey and Rice were reported absent.

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

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

Mr. Wells moved that the joint resolution, relative to employing individuals to assist the Judiciary Committee in revising the laws, &c., be taken up;

The Speaker decided that the motion was not necessary, as the resolution was already before the House.

Mr. Trask moved to amend the original resolution, by striking out the names of G. L. Becker and A. Pierce, and inserting in their stead, Wm. P. Murray and T. E. Parker;

Which amendment was accepted by the mover of the original resolution.

The Speaker again called Mr. Tilden to the Chair.

Mr. Tilden in the Chair.

Mr. Ames moved to amend the resolution, by striking out the name of M. S. Wilkinson, and inserting in lieu thereof, the name of L. A. Babcock, Esq.;

Mr. Gilman moved a call of the House;

Which was ordered,

And Mr. Rice was reported absent.

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

The question being put on the amendment of Mr. Ames,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, North, Patch and Ames (Speaker)—5.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, Olmstead, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, Warren and Wells—13.

And so the amendment was lost.

Mr. Ames moved that the resolution be laid on the table;

At the request of Mr. North, Mr. Ames withdrew his motion to lay on the table.

Mr. North then moved to amend the resolution, by striking out all the names,

and authorizing the Committee to select one from St. Paul, one from Stillwater, and one from St. Anthony.

Mr. Brunson moved a call of the House;

Which was ordered,

Mr. Farribault was reported absent.

The Sergeant-at-Arms reported the absent member in his seat.

Mr. Olmstead moved to amend the amendment, by striking out St. Paul, Stillwater and St. Anthony;

Which was accepted.

The question was then taken on Mr. North's amendment,

And the Chair being unable to decide,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Trask, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden and Wells—9.

And so the amendment was lost,

Mr. North renewed his original amendment.

Mr. Ames moved the previous question;

Which motion prevailed.

The question being put on the adoption of the original resolution as amended by Mr. Trask,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Randall, Taylor, Tilden, Trask and Wells—10.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Patch, Rice, Sloan, Warren and Ames (Speaker)—8.

And so the resolution as amended, was adopted.

On motion of Mr. Olmstead,

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

THURSDAY, JANUARY 16, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Farribault and Wells were reported absent.

The Journal of yesterday was read and corrected.

Mr. Trask, in pursuance of previous notice, and by leave, introduced, No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota.

Which was read the first time.

The resolution of Mr. North, of yesterday, in relation to dispensing with the printing of daily slips,

Was taken up.

Mr. Patch moved its adoption.

Mr. Brunson moved to lay the resolution on the table

And the question being put,

It was decided in the affirmative.

On motion of Mr. Brunson,

The House adjourned.

FRIDAY, JANUARY 17, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Farribault, Olmstead, Rice, Sloan and Wells, were reported absent.

The Journal of yesterday was then read.

No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota,

Was taken up.

Mr. Trask moved that it be read a second time by its title, and laid on the table and printed, and taken up on Tuesday next in committee of the whole.

Mr. North moved to amend, as follows:

"That it be taken up in committee of the whole in three weeks from this day."

Mr. Tilden moved to amend the amendment, by inserting "one week" instead of "three weeks;"

Which amendment was accepted by the mover of the original motion.

The question being put on Mr. North's amendment;

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Patch, Rice and Warren—6.

Those who voted in the negative are—Messrs. Brunson, Ford, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Ames (Speaker)—9.

And so the amendment was disagreed to.

The question being put on the original motion as amended,

It was decided in the affirmative.

No. 3, H. of R. A bill to regulate Tavern and Grocery Licenses,

Was read a second time.

Mr. Trask moved that said bill be referred to the Committee on Finance.

Mr. Brunson moved that the House resolve itself into a committee of the whole for the consideration of the said bill.

Mr. Trask withdrew his motion to refer, &c.

The question being put on Mr. Brunson's motion,

It was decided in the affirmative.

So the House resolved itself into the committee of the whole;

Mr. Brunson in the chair.

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

On motion of Mr. Wells,

Ordered, That the question of concurrence in the said amendments be taken on them collectively.

The said amendments of the committee of the whole to the said bill were then concurred in.

Mr. Brunson offered the following amendment to the bill:

"In the fourth line of section 8, after the word 'same,' insert 'or by complaint before any justice of the peace having jurisdiction.'"

Mr. Tilden moved that the bill be referred to the Committee on the Judiciary;

The question being put on Mr. Brunson's amendment,

And the Chair not being able to decide, a division was ordered;

And there were yeas—7; nays—5.

And so the amendment was adopted.

Mr. Brunson offered to amend Mr. Tilden's motion,

"That the bill be engrossed instead of referred."

After some debate, Mr. Brunson withdrew his motion to engross.

The question being put on Mr. Tilden's motion,
It was decided in the affirmative.

On motion of Mr. Wells,
The House adjourned.

TWO O'CLOCK, P. M.

The roll was called,
And Messrs. Farribault, Rice and Wells, were reported absent.
There being no business before the House,

On motion of Mr. North,
The House adjourned until Monday next at two o'clock, P. M.

MONDAY, JANUARY 20, 1851.

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

The roll being called,
Messrs. Ludden, Ramsey, Rice, Taylor, Trask and Warren, were reported absent.

The Journal of Friday was then read.

The Committee on the Judiciary, to whom was referred a bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell, reported as follows:

To the House of Representatives of the Territory of Minnesota:

The Judiciary Committee, to whom was referred a "Bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell," have the honor to report, that they have had the same under consideration, together with the petition of the said Silas Henry Axtell, and the official certificate of the Hon. Henry A. Lambert, Judge of Probate for Ramsey county.

The facts set forth in the petition, are briefly these:

The parties married in 1839; their connection was an unhappy one; and finding themselves mutually dissatisfied, they agreed to a final separation in 1844, and the wife returned to her relatives. No attempts have been made to effect a reunion. No children or child sprung from the marriage; no property is involved, and no claim of alimony is made.

Mr. Axtell represents his wife "as a woman entirely unfit for the marriage state, having neither the inclination nor disposition to fulfil the proper conjugal duties mutually obligatory upon husband and wife; though to a stranger, her manner was freer than propriety would warrant."

From this, it would seem, that he at least, was deceived, and she turned out not to be "the woman he took her to be." Whether the difficulty was partially physical, does not appear but by inference. If no such defect existed, the petitioner could have no relief in a court of law on the ground of imposition.

We are to presume the facts set forth in the petition are true, as they are sworn to by the petitioner, who says himself, "that he has always borne a good character and unsullied reputation, a man of peaceable habits and disposition."

The petitioner is also sustained by the judicial certificate of a functionary whose peculiar office is to adjudicate upon matters coming under the head of "domestic relations," Judge Lambert certifying as follows:

"That in the summer of 1844, said Axtell being at my house in Dane county, Wisconsin, gave me the information precisely as set forth in his petition!"

The judge does not say that he believes the facts stated in the petition to be true; but leaves it to be inferred, we suppose, that having been stated twice alike, they are true, as a matter of course.

Seriously, it would be better, if Mr. Axtell had brought testimony directly corroborating his own statements. It is a dangerous practice to allow one party a divorce upon his own oath alone, and without notice to the other. But, Mr. Axtell has the reputation of being an upright man; he is known by many of the members of this body to be such; and it is more than probable that he has stated the facts truly.

By the laws of several of the States, a wanton abandonment and refusal by one party to live with the other for a given time, varying in different States, from one to five years, entitles the party aggrieved to an absolute divorce by application to the courts.

The case under consideration does not come within the letter of such laws; but in some degree, it is within the spirit of them. The parties have mutually abandoned and refused to live with each other, for faults in the conduct, habits, temper, disposition or person of each, reciprocally abhorrent to the other, and have persisted in such abandonment for seven years. If the wife had abandoned the husband, or the husband the wife, there would be a remedy for the forsaken party. Why not grant relief then, where there is an abandonment by each; for seven long years, for causes, physical, mental, or social, acquired or hereditary, which neither could tolerate, avoid, or overcome? We think there is no good reason to refuse it, especially as there are no collateral rights or interests which would be neglected, or hereafter require adjudication.

The remarks of the Executive in his late annual message, apply with as much force to this case as to defects in the law of which he speaks.

He says:—"The laws too, regulating marriage licenses and the solemnization of marriage contracts, require modification. * * *

"In a Country where population is by no means inconveniently dense, the wisdom of a policy may well be questioned, which shall annex additional obstacles to those which naturally inhere in the premises."

We simply refer to the argument of the Executive, but do not wish to be understood as adopting his views, applied by himself, especially, if he intended the laws to be so modified as to permit parties to enter into the marriage contract and abandon it at the pleasure of either.

Had the parties in question, a remedy at the hands of the courts, your committee would not recommend legislative action; but they have none; their case is a peculiar one, and we therefore, recommend the passage of the bill herewith returned, dissolving the marriage between the petitioner and his wife.

All of which is respectfully submitted.

ED. RICE,
J. W. NORTH, } Committee.

Mr. Randall, in pursuance of previous notice, and by leave, introduced No. 5, H. of R. A bill for a charter of the Minnesota General Manufacturing Association.

On motion of Mr. Olmstead,

Ordered, That the bill to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell, be engrossed and read the third time tomorrow.

A message from the Council by Joseph R. Brown, Esq., Secretary thereof,

"MR. SPEAKER:—The Council has adopted No. 1, H. of R. Joint Resolution relative to employing certain persons to assist in compiling and revising the Laws of Minnesota, with an amendment, in which the concurrence of this House is respectfully requested."

On motion of Mr. Olmstead,

The message from the Council was taken up.

Mr. Tilden moved that the amendment of the Council be disagreed to, and that a committee of conference, consisting of three members, be appointed to confer with a similar committee on the part of the Council, on said joint resolution.

The Chair decided that the motion was not necessary as to the question of disagreeing; but that the motion as to the appointing of a committee of conference would be in order after the question of concurring was disposed of.

The question being put upon concurring in the amendment of the Council to the joint resolution,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Trask; Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden and Wells—9.

And so the amendment was disagreed to.

The question being taken on Mr. Tilden's motion, as to the appointment of the committee of conference, &c.

It was decided in the affirmative.

Messrs. Tilden, Patch and North, were appointed said committee.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole, on No. 2, H. of R. A bill to incorporate the St. Croix Boom Company, Mr. Ramsey in the Chair.

And after some time spent therein, rose and reported the bill back to the House with amendments;

In which they asked the concurrence of the House.

The question being put on the several amendments separately,

They were all agreed to.

On motion of Mr. Trask,

Ordered, That the said bill be engrossed and read a third time to-morrow.

On motion of Mr. Patch,

The House adjourned.

TUESDAY, JANUARY 21, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Ludden, Ramsey and Rice, were reported absent.

The Journal of yesterday was then read.

Mr. Tilden, from the joint committee of conference, to which was referred the disagreeing vote of the two Houses on

No. 1, H. of R. Joint resolution relative to employing certain persons to assist in compiling and revising the Laws of Minnesota, made the following report:

The committee appointed on the 20th instant, to confer with a similar committee on the part of the Council, to consider joint resolution No. 1, of House of Representatives, relative to employing certain persons to assist in compiling and revising the Laws of Minnesota, report, that they have performed that duty, and the joint committee unanimously recommend the passage of said resolution as amended by the Council.

H. L. TILDEN, Chairman:

Mr. Tilden moved to re-consider the vote of yesterday, in which the House non-concurred in the amendment of the Council to said joint resolution.

The question being put,

It was decided in the affirmative.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed, the following, to-wit:

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

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

No. 5, H. of R. A bill for a charter of the Minnesota General Manufacturing Association,

Was read the second time by its title; and

On motion of Mr. Randall,

The bill was ordered to be printed and referred to the Committee on Corporations.

The following entitled bills were read the third time:

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

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company. And the question recurring on the passage of,

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

On motion of Mr. Wells,

Mr. Farribault was excused from voting on the said question.

The question having been put,

"Shall the bill pass?"

It was decided in the affirmative.

The question being on agreeing to the title of the bill,

On motion of Mr. Wells,

The title of said bill was agreed to informally.

The question having been put on the passage of

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

It was decided in the affirmative, and the title thereof agreed to.

The question recurring on concurring in the amendment of the Council to joint resolution,

No. 1, H. of R., relative to employing certain persons to assist in revising and compiling the Laws of Minnesota;

And being put,

It was decided in the affirmative.

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Ludden, Olmstead, Ramsey, Tilden and Trask, were reported absent.

Mr. North moved a call of the House;

Which was ordered.

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

On motion of Mr. North,

Further proceeding under the call of the House were dispensed with.

Mr. Brunson, Chairman of the Committee on Elections reported as follows:

"The Committee on Elections, to whom was referred the credentials of B. H. Randall and Alexander Farribault, sitting members from the seventh Council district, with instructions to 'enquire, ascertain and report, whether said sitting members are, by law, entitled to seats upon the floor of this House, and that said committee be authorized to send for persons and papers;' would respectfully report, that they have had the subject under their consideration, and respectfully submit the following report:

"The committee have examined the credentials of the said B. H. Randall and Alexander Farribault, and find that they are the same as read to this House by the Secretary of the Territory, on the first day of the present session, and have examined the law both in the Organic Act of the Territory, and statutes of the Territory, and your committee are of the opinion that they are in accordance

with the spirit and meaning of said laws, which your committee herewith attack marked 'A.'

"The committee by summons, required the attendance before them of John H. Stevens, whose evidence is herewith attached, marked 'B.'

"The committee have examined the duplicate poll books, or returns from the precinct of Mandota, of an election held on the second day of September, A. D. 1850, on file in the office of the Secretary of the Territory, and in the office of Register of Deeds for Ramsey county, a copy of which is hereunto attached, marked 'C.'

"Your committee would respectfully represent, that upon inquiry, they find that there are no County Commissioners, and consequently, no Clerk of the Board of Commissioners, within the county of Dakota, and that it would be an impossibility to give the usual notice as required in organized counties, and your committee are of opinion, that the act entitled 'an act regulating the time of holding general elections, and for other purposes,' approved the first day of November, A. D. 1850, and the 'joint resolution relative to Council Districts,' together with the proclamation of the Governor, of the 7th day of July, A. D. 1849, was sufficient to warrant the opening of the polls in said district, and the returns being made to the office of the Secretary of the Territory; and receiving the returns thus made, the certificate of the said Secretary, under the just seal of the Territory, is sufficient evidence of the election of the members to which they refer. Your committee would further represent, that the first Council District, as designated by the proclamation of the Governor, includes part of three counties, to-wit: part of Ramsey, part of Washington and Wabashaw counties; that it would be an impossibility for that District to make returns in the usual way as laid down in the statute for organized counties, and as an only resource, was compelled to make their returns to the Secretary of the Territory; and that all the credentials held by the members from that, the Stillwater and Marine Mills Districts are from the same source, your committee are, therefore, of opinion that the credentials of the sitting members from the Seventh Judicial District, are sufficient to warrant them in taking their seats as members of this House, and that they are by law, entitled to seats in this House.

"Your Committee have been unable to find in the laws of the Territory, any law in respect to the rights and privileges of persons living in, and upon Military Reservations of the Territory, either upon ceded or uncaded lands; your committee would respectfully suggest to the Legislature, the necessity of some action defining the rights and privileges of such persons.

BENJ. W. BRUNSON, }
J. D. LUDDEN, } Committee."
DAVID GILMAN, }

A

In section first of an "Act to establish the Territorial Government of Minnesota," approved March third, 1849, provides "That from and after the passage of this act, all that part of the Territory of the United States which lies within the following limits, to-wit: Beginning on the Mississippi river, at the point where the line of the 43d deg. 30 min. of north latitude crosses the same; thence running due west on said line, which is the northern boundary of the State of Iowa, to the northwest corner of the said State of Iowa; thence southerly, along the western boundary of said State, to the point where said boundary strikes the Missouri river; thence up the middle of the main channel of the Missouri river, to the mouth of White Earth river; thence up the middle of the main channel of the White Earth river, to the boundary line between the possessions of the United States and Great Britain; thence east and south of east, along the boundary line between the possessions of the United States and Great Britain, to Lake Superior; thence in a straight line to the northernmost point of the State of Wisconsin in Lake Superior; thence along the western boundary line of said State of Wisconsin to the Mississippi river; thence down the main channel of said river to the

place of beginning; be, and the same is hereby erected into a temporary government, by the name of the Territory of Minnesota: Provided, &c."

Section 4, same act, provides that "The Legislative power and authority of said Territory, shall be vested in a Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and a House of Representatives. The Council shall consist of nine members, having the qualification of voters as hereinafter prescribed; whose term of service shall continue two years.

"The House of Representatives shall, at its first session, consist of eighteen members, possessing the same qualifications as prescribed for members of the Council; and whose term of service shall continue one year."

The same section provides that, "An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the Council and Representatives; giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be; and the members of the Council and of the House of Representatives, shall reside in, and be inhabitants of the district for which they may be elected respectively. Previous to the first election, the Governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken, and the first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and he shall at the same time, declare the number of members of the Council and House of Representatives, to which each of the counties or districts shall be entitled under this act; the number of persons authorized to be elected, having the highest number of votes in each of said Council Districts for member of the Council, shall be declared by the Governor, to be duly elected to the Council; and in the same manner, members of the House of Representatives, &c."

"And the persons thus elected to the Legislative Assembly, shall meet at such place, on such day as the Governor shall appoint; but thereafter, the time, place and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties and districts, to the Council and House of Representatives according to the population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the Legislative Assembly, &c."

Section 5th of same act, provides, "That every free white male inhabitant, above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of holding office at all subsequent elections, shall be such as shall be prescribed by the Legislative Assembly, provided, &c."

Section 1 of "An act regulating the time of holding General Elections, and for other purposes," [Chap. III, page 6, Minnesota Laws,] approved the first day of November, A. D. 1849, provides,

"That the first general election in this Territory, shall be held on the fourth Monday in November next; but thereafter, the general election shall be held on the first Monday in September, in each and every year."

Section 5 provides, "That at the first election held in conformity to the provisions of this act, the polls shall be opened at such precincts as may have been established by law, within the limits of the several counties organized for county purposes, and such other precincts as may be designated and laid out by the Board of County Commissioners, in the several counties; and the elections shall be conducted and the returns made in conformity to the law to provide for and regulate general elections."

Section 6 provides "That the several Council Districts as established by the Governor in his proclamation of the 7th day of July, A. D. 1849, are hereby declared to be confirmed until otherwise provided for by the Legislative Assembly."

Section 1 of "An act to prescribe the qualification of voters and of holding office," [Chap. 4, Laws of Minnesota, page 6,] provides, "That all free white male inhabitants, over the age of twenty-one years, who shall have resided within

this Territory for six months next preceding an election, shall be entitled to vote at any election for Delegate to Congress, and for Territorial and County officers, provided, &c."

No. 6, Joint Resolution relative to Council Districts, [No. 6, page 163.] provides, "That the several Council Districts as established by proclamation of the Governor, July the 7th, 1849, are continued in force, as well as the manner of opening, conducting and closing said elections, making the returns thereof, as provided for in said proclamation." Approved 1st day of November, 1849.

In the proclamation, July 7, 1849, by the Governor, it is declared that "the country and settlements west of the Mississippi river, not included in the First and Sixth Council Districts, shall constitute the Seventh Council District, and be entitled to one Councillor and two Representatives in the Legislative Assembly;" "and it is hereby further ordered and directed, that the qualified voters of that portion of the First Council District west of the Mississippi, shall hold their election at the house of Augustine Rock, at Lake Pepin, &c., &c."

"The qualified voters of the Seventh Council District, will vote at the following places, viz:

"The voters of Mendota, Fort Snelling, Black Dog Village, Prairieville, Oak Grove, Traverse de Sioux and Crow Village, at the Lower Warehouse, in Mendota."

"The elections at the several polls shall be opened, organized and conducted, in all respects, as required by the laws in force of the Territory of Wisconsin, at the date of the admission of the State of Wisconsin, except as may be otherwise provided by the Organic Law of the Territory, or this proclamation; and the officers conducting said election, shall make a proper return of the persons voted for in their respective districts, as well as the number of votes they each received, into the office of the Secretary of the Territory of Minnesota, at St. Paul, on or before Tuesday, the 14th day of August next."

"At all places of election herein provided for, out of St. Croix, and in such of the precincts or voting places in said county, as have not been organized, the qualified voters present at the respective places of elections at the time of opening the polls, shall then and there proceed to elect or appoint three capable and discreet persons, possessing the qualifications of electors, to act as judges of the election; and said judges shall choose two persons, having similar qualifications with themselves, to act as clerks of the election."

B

COMMITTEE ROOM, }
House Representatives. }

John H. Stevens, being duly sworn, says:

That he was residing in Dakota county, in the Seventh Council District, at the time of the last general election, held Sep. 2, A. D. 1850.

Was not present at the time the poll was opened at the Mendota precinct; does not know of any notice of election being posted; was at the polls, or near the same, from 10 o'clock A. M., until the time the same were closed, about 4 o'clock, or may have been late as 5 o'clock, P. M. That there was a general attendance of the voters of the precinct, and knows of no one deprived of the privilege of voting who was entitled to vote.

At the election the year previous, there was no other notice given than that contained in the Governor's message; and at the last election, they assembled under the provisions of the joint resolution of the Legislative Assembly, approved Nov. 1st, A. D. 1849. I know of no objection having been made to the manner of opening, conducting or closing said polls.

To my knowledge, there were no votes cast for either of the sitting members in the House of Representatives from the Seventh Council District, that in my opinion, were not entitled to vote.

I am acquainted with Hazen Moore, J. B. Farribault and Nathaniel R. Brown, who served as judges of the said election, and John W. Brown, who served as

clerk, of said election; that they are citizens of the United States, and were, at that time, qualified voters of the precinct. I heard they, the judges, were elected by the electors there assembled, and sworn by Hypolite Dupuis, Esq., as I was informed at the time.

That the said justice of the peace, (Hypolite Dupuis,) holds his office by appointment of the Governor.

The voters generally, were residents of the Indian country and the military reservation of Fort Snelling.

To the best of my knowledge, neither of the now sitting members of the House Representatives from the Seventh Council District, hold any office of emolument under the Government of the United States.

JOHN H. STEVENS.

Sworn to, and subscribed before me, at the Committee Room of the House of Representatives, this 20th day of January, A. D. 1851.

BENJ. W. BRUNSON,

Chairman Committee on Elections.

C

[COPY.]

At a general election, held at the lower warehouse of Henry H. Sibley, in the precinct of Mendota, in the county of Dakota, and Territory of Minnesota, this 2d day of September, A. D. 1850, the following named persons were elected by the legal voters present, to perform the duties of judges of election, viz: Jean B. Farribault, Hazen Moore and Nathaniel R. Brown.

The following persons were also elected to act as clerks of said election, viz: Philander Prescott and John W. Brown.

At 9 o'clock of said day, the polls were opened by proclamation, and continued open until 4 o'clock of said day.

After the votes were counted, Mr. N. R. Brown was selected, and agreed to carry duplicate poll books of said election to the office of the County Clerk of Ramsey county, and of the Secretary of the Territory.

Witness our hands, this second day of September, A. D. 1850.

HAZEN MOORE,
J. B. FARRIBAULT,
NATHANIEL R. BROWN, } Judges of Election.

Attest.

JOHN W. BROWN,
PHILANDER PRESCOTT, } Clerks of Election,

We, Jean B. Farribault, Hazen Moore and Nathaniel R. Brown, having been elected to serve as judges of election, do solemnly swear that we will perform the duties according to law, and to the best of our abilities; that we will studiously endeavor to prevent fraud, deceit and abuse, in conducting the said election.

J. B. FARRIBAULT,
HAZEN MOORE,
NATHANIEL R. BROWN,

Sworn and subscribed to before me, this 2d day of Sep. A. D. 1851.

HYPOLITE DUPUIS,

Justice of the Peace,
Dakota County, Minnesota.

We, Philander Prescott and John W. Brown, having been duly elected to act as clerks of election, do solemnly swear that we will perform the duties thereof according to law, and to the best of our ability; that we will studiously endeavor to prevent fraud, deceit and abuse, in conducting the same.

PHILANDER PRESCOTT,
JOHN W. BROWN.

Sworn to, and subscribed before me, this second day of September, A. D. 1850.

HYPOLITE DUPUIS,

Justice of the Peace,

Dakota County, Minnesota.

At a general election for one Delegate to Congress, and two members of the House of Representatives, held in pursuance of law, at Mendota, in the county of Dakota, Territory of Minnesota, on Monday, the 2d day of September, A. D. 1850, the following named persons received the number of votes set opposite their respective names, for the following described offices, viz:

Henry H. Sibley had (78) seventy-eight votes for Delegate to Congress.

Alexander M. Mitchell had (3) three votes for Delegate to Congress.

Alexander Farribault had (76) seventy-six votes for member of the House of Representatives.

Benjamin H. Randall had (56) fifty-six votes for member of the House of Representatives.

Eli Pettijohn had (22) twenty-two votes for member of the House of Representatives.

John W. Brown had (1) one vote for member of the House of Representatives.

Certified by us,

J. B. FARRIBAULT,

HAZEN MOORE,

NATHANIEL R. BROWN,

} Judges of Election.

Attest.

JOHN W. BROWN,

PHILANDER PRESCOTT,

} Clerks of Election.

A true copy of the returns of an election held at Mendota, Dakota county, Minnesota Territory, on the 2d day of September, A. D. 1850, from the duplicate copies on file in the office of the Secretary of the Territory, and the clerk's office of Ramsey county.

Attest.

B. W. BRUNSON,

Chairman Com. Elections.

A message from the Council by Joseph R. Brown, Secretary thereof, as follows:

"MR. SPEAKER:—The Council has passed, No. 1, C. F., 'A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake Saint Croix, opposite Willowriver;'

In which the concurrence of this House is respectfully requested.

The Council has adopted the report of the Committee of Conference on No. 1, H. of R. "A joint resolution relative to employing certain person to assist in compiling and revising the laws of Minnesota."

Mr. Rice moved that the report of the Committee on Elections be accepted.

The Speaker decided that the motion was unnecessary, as a report from a Standing Committee was accepted as a matter of course.

The Sergeant-at-Arms reported all the absent members in their seats except Mr. Farribault, who could not be found.

On motion of Mr. Trask,

Ordered, That the message from the Council be now taken up.

No. 1, C. F. A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver;

Was read the first time.

Mr. Tilden moved that the report of the Committee on Elections be adopted.

Mr. Rice moved to amend,

"That the report be laid on the table until next Saturday."

Mr. Tilden withdrew his original motion, and moved that the report be laid on the table until Saturday next.

Which motion was agreed to.

On motion of Mr. Rice,

The House adjourned.

WEDNESDAY, JANUARY 22, 1851.

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

The roll having been called,

Messrs. Brunson, Farribault, Gilman, North, Rice and Trask, were reported absent.

The Journal of yesterday was then read.

Mr. Randall offered the petition of Ard Godfrey, praying for a charter for the building a bridge across Elk River, at or near the mouth of said river.

Mr. Olmstead offered the following resolution:

Resolved, That each member and officer of this House, be allowed thirty copies (including the twenty copies already ordered) of any newspaper printed in this Territory.

On motion of Mr. Warren,

The said resolution was adopted.

Mr. Randall offered the following resolution:

Resolved, That each member of this House be allowed to subscribe for any number of papers called the Dakota Friend, not exceeding twenty copies each month, and the same be paid for out of the moneys appropriated for the incidental expenses of the Legislature.

On motion of Mr. Olmstead,

The said resolution was adopted.

Mr. Warren gave notice, that on to-morrow, or some future day, he would ask leave to introduce a Bill for a change in the present boundaries of the counties of Wahnatah, Mankato, Itasca and Peimbin, and for the attachment of said counties for judicial purposes, to the present organized counties most convenient to their respective inhabitants.

No. 1, C. F. A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver.

Was read the second time.

Mr. Olmstead moved that the said bill be read the third time to-morrow.

Which was agreed to.

Mr. Brunson gave notice, that on to-morrow, or some subsequent day, he would introduce a bill for an act to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the Town of St. Paul.

On motion of Mr. Ford,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Ford, Gilman, Ludden, North, Olmstead, Patch, Ramsey, Rice, Sloan, Tilden, and Trask, were reported absent.

There not being a quorum present,

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

The roll having been called again,

Messrs. Ford, Gilman, Ludden, Patch, Ramsey, Rice and Sloan, were reported absent.

A quorum being present,

Mr. Brunson moved that the report of the Librarian be taken up and referred to the Committee on Territorial Expenditures.

Which was agreed to.

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

leave to introduce a bill granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river above the Falls of St. Anthony.

Mr. Tilden moved a call of the House,

Which was ordered.

And Messrs. Ford, Gilman, Ludden, Patch, Ramsey, Rice and Sloan were reported absent.

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

The Speaker directed the Messenger to notify all the members he could find to appear in their seats.

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

The question being put,

It was decided in the negative.

A division being called for and ordered;

There were yeas—8; nays—8.

Mr. Wells moved that the House adjourn;

The question being put,

And the Speaker being unable decide,

A division was ordered;

And there were ayes—7; nays—4.

So the House adjourned.

THURSDAY, JANUARY 23, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Rice, Sloan and Warren were reported absent.

The Journal of yesterday was then read.

Mr. Olmstead offered the following resolution:

Resolved, That in future, the calling of the roll of the House be dispensed with, unless ordered by the House;

The question having been put on the adoption of the resolution;

It was disagreed to.

Mr. North, in pursuance of previous notice, and by leave, introduced,

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

Which was read the first time.

Mr. Brunson, pursuant to previous notice, and by leave, introduced,

No. 7, H. of R. A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of St. Paul.

Which was read the first time.

A message from the Council by Joseph R. Brown, Esq., Secretary thereof,

“MR. SPEAKER:—The Council has concurred in,

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company, with amendments; in which the concurrence of this House is respectfully requested.

“The Council has ordered the report made by the Territorial Auditor to the Legislative Assembly, to be printed and referred to the Committee on Territorial Expenditures.”

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

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company, Was taken up;

And the 1st, 2d, 3d, 4th and 5th amendments of the Council were concurred in.

And the sixth and seventh amendments of the Council non-concurred in.

No. 1, C. F. A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver;

Was read the third time.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative; and the title thereof agreed to.

Mr. Ludden moved, "as the sixth amendment of the Council to,

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company, which was non-concurred in by the House," that a committee of conference be appointed, to confer with a similar committee on the part of the Council thereon.

Which motion prevailed.

And Messrs. Ludden, Trask and Rice were appointed said committee.

Mr. Rice offered the following resolution:

Resolved, That 41st rule of this House be suspended, and until otherwise ordered, the House shall adjourn from day to day, to the hour of half past nine o'clock, A. M.

The question being put on the adoption of the resolution,

The yeas and nays being ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, North, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, Warren and Ames, (Speaker)—16.

Those who voted in the negative are—Messrs. Olmstead, and Wells—2.

And so the resolution was adopted.

Mr. Rice gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to "provide for the exemption of certain personal and real property from levy and sale on execution."

Mr. Tilden, Chairman of the Committee on Corporations, made the following report:

The Committee on Corporations, to whom was referred House bill No. 5, "A bill for an act to charter the Minnesota General Manufacturing Association," having had said bill under consideration, report the same back to the House, and recommend its passage, with the following amendment:

In the second line in the last enactment, strike out the word "fifty," and insert "twenty."

On motion of Mr. Wells,

The House adjourned.

FRIDAY, JANUARY 24, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Brunson, Randall and Warren, were reported absent.

The Journal of yesterday was then read.

No. 5, H. of R. A bill for an act to incorporate the Minnesota General Manufacturing Association, was taken up.

Mr. Randall moved that said bill be engrossed and read a third time on Tuesday next.

Mr. Rice moved that the consideration of the bill be postponed for three weeks; Which motion prevailed.

No. 6, H. of R. A bill for an act granting to Franklin Steele, the right to establish and maintain a Ferry across the Mississippi river,

Was read the second time.

Mr. North moved that the bill be engrossed.

Mr. Tilden moved that the bill be laid on the table for the present.

Mr. Wells moved that the bill be laid on the table and printed;

Which motion prevailed.

No. 7, H. of R. A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of St. Paul,

Was read a second time.

Mr. Gilman moved that the said bill be laid on the table;

Which motion was disagreed to.

Mr. Rice moved that said bill be referred to the Committee on Corporations;

Which motion was agreed to.

Mr. Warren, in pursuance to previous notice, and by leave, introduced,

No. 8, H. of R. A bill for an act to change the boundaries of Wahnatah and Mahkahto counties, and to attach Wahnatah and Itasca counties, to the county of Benton for judicial purposes.

Which was read the first time.

On motion of Mr. Task,

The House resolved itself into a committee of the whole, for the consideration of,

No. 4, H. of R. A bill for an act to provide for the erection of Public Buildings in the Territory of Minnesota;

Mr. Rice in the Chair.

During the session of the committee, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker took the Chair for its reception, viz:

"MR. SPEAKER:—The Council has concurred in,

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

"The Council has appointed Messrs. Rollins, Burkleo and Forbes, a committee to confer with a similar committee on the part of the House, on the disagreeing vote of the two Houses on,

"No. 2, H. of R. A bill for an act to incorporate the Saint Creix Boom Company."

The Secretary then withdrew.

And the committee of the whole resumed its session.

And after some time passed therein, the committee rose, and by the chairman, reported the bill back to the House with amendments.

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

Mr. Brunson moved that the amendments be taken separately;

Which motion prevailed.

The question having been put on concurring in the first amendment of said committee,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, Warren and Wells—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, and Ames (Speaker)—9.

And so the amendment was not concurred in.

And the question having been put separately on the second and third amendments, they were concurred in.

The question having been put on concurring in the fourth amendment,

And the Speaker not being able to decide, a division was ordered;

And there were yeas—8; nays—8.

And so the amendment was not concurred in.

The question having been put separately on concurring in the fifth, sixth and seventh amendments of the committee;

They were severally concurred in.

Mr. Brunson moved that the bill be engrossed and read the third time on tomorrow.

Mr. Rice moved to amend the bill by striking out the word "Stillwater" and insert "Saint Paul," in the fourth line of section 1, and strike out "Stillwater" wherever it occurs in said bill, and insert "Saint Paul."

The Speaker decided, that Mr. Brunson's motion to engross, took precedence.

Mr. Brunson withdrew his motion for the present.

The question then recurring on Mr. Rice's amendment to the bill,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—11.

So the amendment was disagreed to.

Mr. Brunson renewed his motion to engross.

Mr. Rice offered the following amendment to the bill:

"Strike out Stillwater wherever it occurs in said bill, and insert St. Anthony."

The Speaker decided that the amendment was not in order until the motion of Mr. Brunson to engross was acted upon, as the motion was renewed and seconded before the motion of Mr. Rice to amend was made.

Mr. North moved to amend Mr. Brunson's motion, as follows:

"That it be engrossed and taken up one week from to-morrow."

Mr. Olmstead moved that the bill be referred to the Committee on Public Buildings;

The question being put,

And the ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Randall, Rice, Sloan, and Warren—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—9.

So the motion was disagreed to.

The question recurring on Mr. North's amendment to Mr. Brunson's motion,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Randall, Rice, Sloan and Warren—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—9.

And so the amendment was disagreed to.

Mr. Rice moved that the bill be laid on the table;

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Patch, Randall, Rice, Sloan and Warren—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

So the motion was disagreed to.

Mr. Olmstead then moved that the bill be indefinitely postponed.

The question being put,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Patch, Rice, Sloan and Warren—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—11.

So the motion was disagreed to.

Mr. Rice took an appeal from the decision of the Chair, deciding that the motion to amend the bill was not in order until after the motion to engross was disposed of.

And the question being put,

"Will the House sustain the decision of the Chair?"

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, and Warren—8.

So the decision of the Chair was sustained.

Mr. Warren moved that the House adjourn;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Randall, Rice, Sloan and Warren—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—9.

So the motion was lost.

The question recurring upon the motion of Mr. Brunson, that the bill be engrossed and read a third time to-morrow; was put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

So the motion prevailed.

And the bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Randall,

The House adjourned.

SATURDAY, JANUARY 25, 1851.

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

Prayer by the Rev. Mr. Neill.

The roll having been called,

Messrs. Ford, Ludden, Olmstead, Randall, Rice, Trask and Warren, were reported absent.

The Journal of yesterday was then read.

A quorum not being present for the transaction of business,

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

Mr. North, Chairman of the Committee on Engrossed Bills, reported as correctly engrossed:

No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota.

No. 8, H. of R. A bill to change the boundaries of Wahnahtah and Mahkahto counties, and to attach Wahnahtah and Itasca counties to the county of Benton for judicial purposes,

Was read a second time.

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

Mr. Warren moved that the said bill be engrossed and read a second time on Monday next;

Mr. Tilden moved that the bill be laid on the table;

Which motion was agreed to.

No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota,

Was read the third time.

And the question being put,

"Shall this bill pass?"

The ayes and nays being called for and ordered;
Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.
Those who voted in the negative are—Messrs. Gilman, North, Olmstead, Patch, Randall, Rice, Sloan, and Warren—8.

So the bill was passed.

Mr. Olmstead offered the following amendment to the title of the bill, viz:

“A bill to provide for carrying out a magnificent scheme of log-rolling, by which a presiding officer of this House and a Territorial Printer was elected.”

The Speaker decided that the amendment was highly indecorous, and directed the Clerk to hand the same back to the mover;

Which was done.

The original title of the bill was agreed to.

Mr. Ludden, Chairman of the Committee of Conference, made the following report:

The committee appointed to confer with a committee of the Council, upon Bill No. 2, H. of R., entitled “a bill for an act to incorporate the St. Croix Boom Company;” unanimously report:

Your committee would recommend the following amendment to said bill, viz:

Sec. 16. “The Legislature of this Territory shall have the right to alter or amend this act, at any time after the period of ten years from passage of this act.”

All of which is respectfully submitted.

J. D. LUDDEN,
SYLVANUS TRASK, } Committee of House,
EDMUND RICE,

Mr. Sloan offered the following resolution:

Whereas, the 8th section of the act to establish the Territorial Government of Minnesota, provides that “no person holding a commission or appointment under the United States, except Post Master, shall be a member of the Legislative Assembly:”

And whereas, Justus C. Ramsey has been sworn as a member of the House of Representatives whilst holding an office under the United States; therefore,

Resolved, That the Committee on Elections be instructed to inquire, whether the said Justus C. Ramsey holds the appointment of Messenger for the Governor, and whether he is legally entitled to a seat in the Legislative Assembly.

Mr. Tilden moved that the resolution be laid on the table;

Mr. Ludden moved to amend Mr. Tilden’s motion,

“That said resolution be indefinitely postponed;”

Which was accepted.

And the question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Ludden, North, Randall, Taylor, Trask, Warren, Wells and Ames, (Speaker)—11.

Those who voted in the negative are—Messrs. Gilman, Olmstead, Patch, Rice, Sloan, and Tilden—6.

Mr. North moved that the House adjourn;

The question being put,

And the Speaker not being able to decide,

A division was ordered,

And there were ayes—6; nays—9.

So the House refused to adjourn.

The Speaker announced as the special order of the day, the consideration of the report of the Committee on Elections, to whom was referred the credentials of B. H. Randall and Alexander Farribault, sitting members from the Seventh Council District.

On motion of Mr. Rice,

The consideration of said report was postponed until Monday next.

On motion of Mr. Trask,

The House adjourned until Monday next at two o’clock, P. M.

MONDAY, JANUARY 27, 1851.

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

The roll having been called,

Mr. Ford was reported absent.

The Journal of last Saturday was then read and corrected.

Mr. Olmstead moved that the Journal of Saturday be so amended, that his amendment to the title of the bill in relation to Public Buildings appear upon the Journal.

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Ludden, North, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, Warren and Ames (Speaker)—14.

Those who voted in the negative are—Messrs. Brunson, Farribault, and Wells—3.

So the amendment was ordered to be made.

Mr. Randall, from the Committee on Enrolled Bills, reported

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

As correctly enrolled.

When the Speaker signed the said act.

No. 8, H. of R. A bill to change the boundaries of Wahnatah and Mankahto counties, and to attach Wahnatah and Itasca counties to the county of Benton for judicial purposes,

Was taken up, and

On motion of Mr. Warren,

Ordered, To be referred to the Committee on Territorial Affairs.

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Was taken up.

On motion of Mr. Trask,

Ordered, That said bill be taken up in committee of the whole House, on to-morrow.

Mr. Brunson moved a call of the House, which was ordered;

Mr. Ford was reported absent.

The Sergeant-at-Arms not being present, the Fireman was directed to notify the absent member to appear in his seat.

The Fireman reported the absent member in his seat.

The report of the Committee on Elections was taken up, and

On motion of Mr. Trask,

The House adjourned.

TUESDAY, JANUARY 28, 1851.

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

The roll having been called,

Messrs. Gilman, Olmstead, Randall, Rice, and Tilden were reported absent.

The Journal of yesterday was then read.

Mr. Warren gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill, providing for the location of the county seat of Benton county by vote of the people.

The Speaker announced,
No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.

Mr. Warren moved a call of the House;

Which was ordered,

And the roll having been called,

Messrs. Brunson, Gilman, Olmstead and Tilden were reported absent.

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

Mr. Warren moved that further proceedings under the call of the House be dispensed with;

The question having been put,

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

And there were ayes—7; nays—5.

So the motion was agreed to.

On motion of Mr. North,

The House resolved itself into committee of the whole, for the consideration of,
No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

Mr. Trask in the chair,

During the session of the committee, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker took the chair for its reception, viz:

“MR. SPEAKER:—The Council has passed,

“No. 3, C. F. ‘Resolutions requesting the Secretary of War to employ additional agents for the survey of certain roads in the Territory of Minnesota.’

“No. 6, C. F. ‘A bill to incorporate the Mississippi Boom Company;’ and

“No. 4, C. F. ‘A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory.’

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The committee of the whole resumed its session;

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

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

They were severally concurred in.

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

The report of the Committee on Elections was taken up for further consideration.

On motion of Mr. Rice,

The House adjourned.

WEDNESDAY, JANUARY 29, 1851.

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

The roll having been called,

Messrs. Brunson, Farribault, Gilman, Olmstead, Ramsey and Rice were reported absent.

The Journal of yesterday was then read.

No. 3, C. F. Resolutions requesting the Secretary of War to employ additional agents for the survey of certain roads in the Territory of Minnesota,

Were read the first time.

No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory,

Was read the first time.

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

Was read the first time.

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Was taken up; and

On motion of Mr. North,

Was ordered to be engrossed and read a third time on to-morrow.

The report of the Committee on Elections was taken up for further consideration.

Mr. Rice moved a call of the House;

Which was ordered,

And the roll having been called,

Messrs. Farribault and Olmstead were reported absent.

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

On motion of Mr. Taylor,

Mr. Farribault was excused from attendance on the House to-day.

The Sergeant-at-Arms reported the absent member in his seat.

The question being put on the adoption of the report of the Committee on Elections and the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ford, Gilman, Ludden, Olmstead, Ramsey, Taylor, Tilden, Trask, Wells and Ames (Speaker)—11.

Those who voted in the negative are—Messrs. North, Patch, Rice, Sloan and Warren—5.

So the report of the committee was adopted.

Mr. Rice gave notice of his intention to withdraw as chairman of the Judiciary Committee.

Mr. Trask moved that the report of the Committee of Conference on

No. 2, H. of R. A bill for an act to incorporate the St. Croix Boom Company, be concurred in;

Which was agreed to.

On motion of Mr. North,

Mr. Rice was excused from serving as chairman of the Judiciary Committee.

Mr. Wells moved to adjourn;

Which was disagreed to.

The Speaker announced the re-organization of the Judiciary Committee, as follows:

Messrs. North, Ludden and Trask.

Mr. Ludden asked to be excused from serving on said committee; and,

On motion of Mr. Trask,

He was accordingly excused.

The Speaker then appointed Mr. Brunson in the place of Mr. Ludden on said committee.

On motion of Mr. Warren,

The House adjourned.

THURSDAY, JANUARY 30, 1851.

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

The roll having been called,

Messrs. Brunson, Olmstead, Ramsey, Rice, Sloan, Tilden and Trask, were reported absent.

The Journal of yesterday was then read.

Mr. North, from the Judiciary Committee, reported back to the House, with sundry amendments:

No. 3, H. of R. A bill for an act regulating Tavern and Grocery Licenses.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

No. 3, C. F. Resolutions requesting the Secretary of War to employ additional agents for the survey of certain roads in the Territory of Minnesota.

Was read the second time; and

On motion of Mr. Trask,

The 51st rule of this House was suspended;

And the said resolutions were read the third time by their title.

And the question being put,

"Shall the resolutions be concurred in?"

It was agreed to.

The title of said resolutions was then agreed to.

No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory,

Was read the second time.

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

Was read the second time.

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof,

"MR. SPEAKER:—The Council has concurred in,

"No. 4, H. of R. A bill to provide for the erection of Public Buildings in the Territory of Minnesota."

The Secretary then withdrew.

On motion of Mr. Wells,

Ordered, That No. 6, C. F. A bill to incorporate the Mississippi Boom Company,

Be laid on the table and printed.

On motion of Mr. Trask,

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Was read the third time by its title.

The question being put,

"Shall this bill pass?"

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, Patch, Ramsey, Randall, Rice, Taylor, Tilden, Trask, Warren, Wells and Ames (Speaker)—15.

Negative, Mr. Sloan—1.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Trask,

The House resolved itself into committee of the whole,

Mr. Olmstead in the chair,

For the consideration of,

No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory; also,

No. 3, H. of R. A bill, for an act regulating Tavern and Grocery Licenses;

After some time passed therein, the committee rose, and by their chairman, reported said bills back to the House with amendments;

In which they asked the concurrence of the House.

The amendments of the committee of the whole to both of said bills were concurred in by the House.

On motion of Mr. Trask,

Ordered, That No. 3, H. of R. A bill for an act regulating Tavern and Grocery Licenses,

Be engrossed and read the third time on to-morrow.

Mr. Trask moved that

No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory,

Be referred to the Committee on Corporations.

Mr. Rice moved to amend,

"That it be referred to the Committee on the Militia;"

Which amendment was accepted.

And the question being put,

It was agreed to.

The Speaker announced the following communication:

"ST. PAUL, January 30, 1851.

"Hon. M. E. Ames, Speaker of the House of Representatives:

"DEAR SIR:—Other imperative duties will prevent my attendance to the Chaplaincy, to which the House was pleased to elect me. Please announce my resignation of the office to the House.

"With many wishes for the prosperity of the Territory and the members individually,

I am, respectfully,

E. D. NEILL."

On motion of Mr. Wells,

The communication was accepted.

On motion of Mr. Wells,

The House adjourned.

FRIDAY, JANUARY 31, 1851.

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

The roll having been called,

Messrs. Brunson, Ford, North, Olmstead, Ramsey and Rice, were reported absent.

The Journal of yesterday was then read.

Mr. Trask offered the following resolution:

Resolved, That the Secretary of the Territory be requested to lay before this House a copy of the last census of the Territory of Minnesota, as made and returned by the Marshal of the Territory.

On motion of Mr. Trask,

The 33d rule of this House was suspended.

And the question being put,

The resolution was adopted.

Mr. Tilden, from the Committee on Corporations, to whom was referred

No. 7, H. of R. A bill for an act to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows,

Offered a majority and minority report, as follows:

"A majority of the Committee on Corporations, to whom was referred House bill,

No. 7, entitled 'A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows;'

"Report, that they have said bill under consideration, and report the same back to the House without amendment, and recommend its passage.

HENRY L. TILDEN.

JESSE TAYLOR."

"The minority of the committee, to whom was referred House bill, No. 7, on the files of the House of Representatives, entitled, 'A bill to incorporate St. Paul

Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul,' respectfully reports, that he dissents from the action of the majority, because he is unacquainted with the nature and character of the Independent Order of Odd Fellows; and because he is opposed to granting corporate privileges for purposes not distinctly made known and set forth. He would not be understood as intending to cast any unfavorable imputation upon the order referred to; on the contrary, he has reasons to believe that it is a good institution. But he is unwilling to legislate in the dark; and cannot, in his capacity of Representative, vote for the bill reported by the majority of the committee, and therefore, recommends that it be negatived.

DAVID GILMAN."

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 3, H. of R. A bill for an act regulating the sale of Spirituous Liquors.

On motion of Mr. Tilden,

Ordered, That No. 7, H. of R. A bill for an act to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul, Be engrossed and read the third time on to-morrow.

No. 3, H. of R. A bill for an act regulating the sale of Spirituous Liquors, Was read the third time.

And the question being put,

"Shall this bill pass?"

It was decided in the affirmative,

And the title thereof agreed to.

Mr. Wells moved that the House now proceed to the election of Chaplain, to fill the vacancy occasioned by the resignation of the Rev. Mr. Neill.

Mr. Brunson offered the following resolution:

Resolved, That the Speaker request the Rev. Mr. Hobart to officiate as Chaplain to this House for the balance of the session;

Mr. Wells withdrew his motion.

Mr. Gilman offered the following amendment to Mr. Brunson's resolution:

By adding after the words "Rev. Mr. Hobart," "Messrs. Parsons, Raveaux and Breck;"

The question being put on the adoption of the amendment,

It was decided in the affirmative.

A division being called for and ordered;

There were ayes—6; nays—9.

So the amendment was disagreed to.

Mr. Warren moved to amend,

"That the name of Mr. Hobart be stricken out, and the name of William T. Boutwell be inserted in lieu thereof;"

The question being put,

It was disagreed to.

The question recurring on the adoption of the original resolution,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, North, Olmstead, Ramsey, Randall, Rice, Taylor, Tilden, Trask and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Farribault, Ford, Gilman, Ludden, Patch, Sloan, Warren and Wells—8.

So the resolution was adopted.

Mr. Olmstead from the Joint Committee on Enrolled Bills, reported as correctly enrolled:

No. 1, C. F. A bill to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver;

Mr. Wells moved that the House adjourn until Monday next, at 2 o'clock p. m.

The question being put,

It was decided in the negative.

A division being called for and ordered;

There were ayes—8; nays—6.

So the House adjourned.

MONDAY, FEBRUARY 3, 1851.

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

The roll having been called,

Messrs. Ford, Olmstead, Ramsey, Rice, and Sloan were reported absent.

Prayer by the Rev. Mr. Hobart.

The Journal of last Saturday was then read.

The committee on Enrolled Bills, reported as follows:

"The Committee on Enrolled Bills, have examined and found carefully enrolled the following bills, viz:

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

"No. 4, H. of R. 'A bill to provide for the erection of Public Buildings in the Territory of Minnesota.'

B. H. RANDALL,
Chairman."

The Joint Committee on Enrolled Bills, reported as follows:

"The joint committee did, on the 31st. of January, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills:

"A bill entitled 'An act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;'

"A bill entitled 'An act to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake Saint Croix, opposite Willowriver.'

M. McLEOD, Council,
B. H. RANDALL, H. of R., } Committee."

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 7, H. of R. A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul,

Mr. North, from the Committee on Schools, made the following report, accompanied with

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota.

"The Committee on Schools, to whom was referred so much of the Governor's message, as relates to Schools, and the endowment of a University; and such portion as relates to the Territorial Library, respectfully ask leave to report:

"That they have had the subjects above mentioned under consideration, and unanimously concur in the views contained in the message of his Excellency. The education of the young is inseparably connected with all that pertains to the public weal. The children of the present, are the citizens and rulers of the future; and upon their education, depends the character and destiny of our infant commonwealth. The characters of all men are formed in a great degree, by the instruction and impressions received in early life. The man is a good or bad citizen, from the influence of early training. He is useful or pernicious as a member of society, in proportion as his intellectual and moral education has been attended to or neglected. Let every child in the community grow up under the influence of virtuous instruction; and the men and women of each succeeding generation, will be mentally and morally, what their instruction was calculated to make them. Men do not 'gather grapes of thorns, or figs of thistles;' neither does society gather virtuous citizens from the haunts of vice, or exalted minds from the abodes of ignorance and stupidity. On the contrary, the prison and the alms-house are every where supplied from the ranks of those who have been neglected in childhood; and the worst traits of human character are attributable, in a great degree, to a neglected or perverse education. To cultivate and encourage the right, is

far easier than to restrain the wrong. To cherish virtue is less expensive than to punish vice, and to govern and restrain the ignorant is far more difficult than to educate and fit men to govern themselves.

"Your committee find already existing, a system of schools established by an act of the last session of the Legislature, which, though it possesses some imperfections, has nevertheless, one feature which is a crown of glory to our new Territory—that is a provision for *Free Schools*. The principle is already established here, that every child in the community is entitled to an education at the public expense; and all experience has shown that the public welfare, as well as that of the individual, demands a system thus free and universal. We may well congratulate ourselves on having commenced with a system, which older States are now striving with great difficulty to adopt; that what with *us*, is the starting point of progress, is with *them*, the goal of their future hopes.

"To render the system already established, prosperous and efficient, your committee would respectfully concur in the recommendation of his Excellency, the Governor, that provision be made by law, for the appointment of a Superintendent of Common Schools. To accomplish that object, a provision has been already incorporated in a bill, which will soon be before this body, providing for the appointment of such an officer, and defining his powers and duties; together with such amendments to the present law as the committee deem necessary; which, it is hoped, will meet the approbation and concurrence of this House.

"In regard to the endowment of a University, to which his Excellency calls attention in his message, the committee would respectfully suggest, that in their opinion, the cause of education in the Territory demands the early establishment and endowment of an institution of learning, which shall afford to the youth of the Territory an opportunity of obtaining a liberal, scientific and classical education. And let it not be said that this is too early in our history to form the nucleus of such an institution. The foundations of some of the New England Universities were laid almost at the commencement of their colonies. As soon as the forests were cleared from their streets, and they had constructed dwellings for themselves, they immediately began to erect institutions of learning for their children. Harvard University, the first in the United States, was founded in 1638, eight years after the first settlement of Massachusetts Bay, and only eighteen years after the landing of the Pilgrims at Plymouth Rock. *There were at that time, only about half as many inhabitants in all New England, as are now residing in the Territory of Minnesota.*

"Yale College was also founded in the very infancy of the Connecticut colony. These Institutions, though small in their beginnings, have kept pace with the growth of our country, and have done more than any other, to give an impress of virtue, intelligence and refinement to our national character. Situated as we are, hundreds of miles removed from the institutions of the older States, there is the greater necessity of our having institutions of learning of our own. Besides, we have a country in healthfulness, and in most other respects, calculated to become the New England of the West. With proper energy on the part of her people, in the promotion of education, she may yet become to the West, what New England is to the Union.

"The committee would therefore, recommend the passage of an act, (a bill for which is herewith submitted,) to incorporate the 'University of Minnesota.' Though such an institution should not come to maturity in many years, it may now receive an endowment in lands, that will increase in value with the growth of the country, and when wanted, will be amply sufficient to erect and furnish an institution commensurate with our wants. In the mean time, its preparatory department may serve as an Academic Institution for the entire youth of the Territory.

"The committee therefore, respectfully concur in the recommendation of the Governor, that Congress be memorialized for a grant of land for the endowment of such a University.

"The committee having learned that the subject of the Territorial Library had been referred to the Committee on Territorial Expenditures, and that a bill for

the regulation of the Library is now before the Council, have deemed it unnecessary to take any action thereon.

All which is respectfully submitted.

J. W. NORTH, Chairman,
B. H. RANDALL, } Committee."
J. C. RAMSEY, }

No. 7, H. of R. A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul,

Was read the third time.

And the question being put,

"Shall the bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

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

Was taken up.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole;

Mr. Trask in the Chair.

For the consideration of said bill.

During the session of the committee, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker took the Chair for its reception, viz:

"MR. SPEAKER:—The Council has passed,

"No. 4, C. F. 'A resolution of the two Houses of the Legislature relative to the Annals of the Minnesota Historical Society, for 1851.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

And the committee of the whole resumed its session.

And after some time passed therein, the committee rose, and reported the bill back to the House with amendments.

The amendments were severally concurred in except the fourth.

Mr. Gilman offered the following amendment:

"Amend section 11, line 4, by inserting after the word 'down,' 'or going up.'

The question being put,

It was decided in the affirmative.

A division being called for and ordered;

There were yeas—6; nays—4.

So the amendment was concurred in.

Mr. Rice offered the following amendment:

"Amend section 2, by striking out all after the word 'company' in line 5."

The question being put,

And the yeas and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, Ludden, North, Patch, Rice, Sloan, Taylor, Tilden, Trask, Warren, Wells and Amos (Speaker)—13.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ramsey, and Randall—4.

And so the amendment was concurred in.

Mr. Wells offered the following amendment:

"In section 13, line 6, strike out the word 'two' and insert 'five.'"

The question being put,

The amendment was concurred in.

Mr. Ramsey offered the following amendment:

"Sec. 17. The proprietors of the present and future mills in the town of St. Paul, shall not, by any provisions of this bill, be prohibited from constructing side boom or booms, at such point or points, as they may select, between the lower mill in said town of St. Paul, and a point on said Mississippi river, at the lower extremity of the military reserve; and shall in no wise, while using the said side boom exclusively, be subject to charges provided for in this bill."

The question being put,
The amendment was concurred in.

On motion of Mr. Tilden,

Ordered, That the said bill as amended, be read the third time on to-morrow.

Mr. Tilden moved that the Hon. M. E. Ames have leave of absence from this House during the present week;

The question being put,
It was decided in the affirmative.

Mr. Trask moved that Hon. H. L. Tilden preside as Speaker, during the absence of Mr. Ames.

On motion of Mr. Rice,
The House adjourned.

TUESDAY, FEBRUARY 4, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Olmstead, Randall, Rice, Sloan and Warren, were reported absent.

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

The Journal of yesterday was then read.

Mr. Wells, from the Committee on the Militia, made the following report, accompanied with

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory.

"The Committee on the Militia, to which was referred,

"No. 4, C. F. 'A bill to authorize the establishment of Ferries and Bridges in this Territory,' respectfully report:

"That your committee has given the subject referred to their consideration, the attentive and careful consideration which its importance demanded.

"Your committee fully appreciate the honor conferred on them by this House, by assigning to them the Herculean task of submitting to this House for its consideration, a subject, no less grave and important, than a system for the establishment of Ferries and Bridges in this Territory.

"Your committee, composed as it is, of members of the House residing west of the Mississippi river, may truly be supposed to possess some experience in *crossing from one side to the other*, of our great 'national thoroughfare'—and also, may have been supposed to be anxious that all obstacles might be removed which have rendered the Halls of Legislation in our Territory less accessible to the members elected west of the Mississippi, than to those blessed with a residence east of that river. 'Practical experience should tend to perfection,' and your committee having to some extent, personally encountered and overcome difficulties incident to crossing and re-crossing the larger streams in this Territory, was no doubt, supposed, (and very justly too,) capable of grasping the subject, and of clearly demonstrating to the minds of the members of this House, all the improvements, necessary to make the system of *ferriage* now used in the West, and more particularly in our own beautiful Territory, perfectly equal in all its operations.

"Although it has been the general practice, in all Legislative bodies heretofore, to preserve a Legislative distinctness between the subjects of Ferries, Bridges, Roads, &c., and that of the Militia, and to appoint committees appropriate to each; yet in these days of improvement and progression, they have been found to be, like politicians, supporting profligate candidates, much more closely allied than was heretofore supposed; and there is no doubt, but the present, as well as

future generations, will accord to this honorable body, due credit for having discovered, and so judiciously acted upon, the close connection of those important subjects.

"The duties incident to a Committee on the Militia, in all Legislative bodies, may be supposed to lead to deep reflection on the condition, not only of the Militia, as a body, and its efficiency, but also of the adaptation of the country to facilitate the movements of this bulwark of Western defence.

"Nothing should impede the progress of troops, either in advance or retreat; and very many instances may be found in history, where the want of proper facilities for crossing streams have led to much hazard and toil. If there had been proper boats at Dow's ferry when the detachment under Major Lee reached that place, his little band of wearied troops would not have been compelled to endure the fatigue or hazard of a march to the new bridge across the Hackensack: the passage of the Yadkin, by Green, would most probably have resulted in the destruction and loss of a large part of his command, had he not obtained the timely use of boats; and the subsequent retention of those boats, added much to the security of his position. Historians very gravely intimate, although it is not asserted in so many words, that if there had been no bridge at Lodi, the memorable battle would not have been fought on it, nor the subsequent passage over it, of a large, but diminished army, been secured; and boats were found to be indispensable in facilitating the embarkation of the army under the brave, but unfortunate Moore, from a country that was evidently becoming too hot.

"The annals of all military operations teem with instances where great advantages have been derived from the operation of well regulated ferries; and in our own days, although our Territory has never, from its earliest settlement until the present day, experienced but one outbreak which called forth a display of military and militia powers; yet on that occasion, the efficiency of that chivalrous band of heroes, who rushed to the rescue of their fellow-citizens from the Tomakaw and Scalping Knife of the Winnebagoes, would have been much less conspicuous, had not the power of *steam* contributed much to effect the movements of our brave volunteers.

"Your committee, after due and deliberate reflection and much experience on the subject, can truly say, and have no doubt but the reflecting portion of this House will also admit, that fording a rapid stream, of whatever color, name or location it may be, if wide, and from five to ten or fifteen feet in depth, is certainly a matter of much inconvenience. Even our beautiful lakes, where a perceptible current does not exist, and where the zephyrs fan the smooth and mirror like surface until miriads of smiles are perceptible through the sunbeams, can be much more conveniently and expeditiously traversed in a good and commodious boat, with or without steam, than on a raft.

"Your committee are therefore of opinion, that Ferries and Bridges may be considered useful, and they certainly are convenient in crossing streams, particularly the large ones, even in a new country; and your committee do not believe the subject is one entirely above the comprehension of modern Legislators.

"Your committee would, however, respectfully state, that with their united wisdom, and the experience they have had in such matters, together with the deepest reflection on the subject, they have been unable to make such amendments to the bill referred to them, as to at all meet the views of your committee.

"Your committee consider the wants of our Territory would be much better met by the establishment of a general system, which would abolish the present one, of special legislation; but no feature of any principle of the kind is now contained in the bill.

"Your committee have much confidence in the ability of the people to select competent persons to administer the internal affairs of their country, and those persons so elected, being conversant with the wants of the various portions of their country, and more especially of the points towards which travel is more particularly directed, as well as those points where there is less travel, but where the wants of the few should be administered to, are thought to be much more compe-

tent to give general satisfaction, than the members of a Legislature, but one or two of whom are acquainted with the circumstances, and entirely without accountability to those interested.

"There are points where Ferries are now valuable, and a license would be eagerly sought, for a short period, and at a tax important to the finances of the county. Other points there are, where the peculiar location of the country is such, that a nominal tax, and long licenses are necessary to induce the persons to incur the expense of providing the necessary boats and other expenses incidental to the establishment of a ferry, still a few persons would be much benefited by the establishment of a ferry at such a point.

"Both our mothers, Wisconsin and Iowa, have, and do now act on this principle, on all large rivers, to the infinite advantage of their inhabitants; and your committee are clearly of opinion that the same system would much benefit Minnesota.

"Your committee much regret that no principle of the kind could be engrafted on the bill referred to. It appears to have been intended to perpetuate a system of special legislation on the subject of Ferries and Bridges, to which your committee is strongly opposed. Existing instances of the evils resulting therefrom, may now be found on the Mississippi and other streams in Iowa and Wisconsin.

"Failing in their attempt to engraft on the bill the necessary provisions to render it useful to the people, your committee respectfully recommend, as the best means of attaining the object desired, the adoption of the substitute herewith submitted for

"No. 4, C. F. 'A bill to authorize the establishment of Ferries and Bridges in this Territory.'

All of which is respectfully submitted.

JAMES WELLS,
Committee."

Mr. Rice moved that fifty thousand copies of the report be printed;

The question being taken,
It was decided in the negative.

On motion of Mr. North,
No. 8, H. of R. A bill for an act to incorporate the University of Minnesota,
Was read the second time by its title, and ordered to be printed and taken up in committee of the whole on next Thursday.

No. 6, C. F. A bill to incorporate the Mississippi Boom Company,
Was taken up, and

On motion of Mr. Trask,
It was read the third time by its title;
The question being put,
"Shall this bill pass?"

It was decided in the affirmative; and the title thereof agreed to.

A message from the Governor, by W. B. White, Esq., Private Secretary.

"MR. SPEAKER:—I have the honor to place in your hands a message from the Governor, in writing."

No. 4, C. F. A resolution of the two Houses of the Legislature relative to the Annals of the Minnesota Historical Society,

Was taken up; and

On motion of Mr. Wells,
Said resolution was adopted.

The message from the Governor was read, and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, February 4th, 1851. }

To the honorable, the Speaker of the House of Representatives:

"SIR:—I return to the House of Representatives, in which it originated, without my approval, a bill entitled 'an act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell,' presented me on Friday, the 31st ultimo.

"Waiving a discussion of the constitutionality and propriety of Legislative

divorces, I should be derelict to duty, if I failed to notice the entire nakedness and absence of evidence in support of the statement of the petitioner.

"The reports of the Judiciary Committees of the respective Houses, show that on the simple statement of Silas Henry Axtell, unsupported by other testimony, and without notice to his wife, who is now in a distant State, and who might thereby, be irreparably wronged, is predicated the action of the Legislative Assembly.

With great respect,

Your ob't. servant,

ALEX. RAMSEY."

No. 1, H. of R. An act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;

Returned by the Governor without his signature,

Was taken up;

The question then being put upon the re-consideration of said bill,

It was decided in the affirmative.

And the question then being,

"Shall the bill pass?"

And the ayes and nays being ordered;

Mr. Brunson moved a call of the House;

Which was ordered.

Messrs. Farribault, North and Olmstead, were reported absent.

Mr. Trask moved that Mr. Olmstead be excused from attendance on the House;

Mr. Rice moved to amend,

"That the Sergeant-at-Arms be excused from hunting for Mr. Olmstead;"

Mr. Gilman moved to amend,

"That Mr. Olmstead be excused from attendance on this House for one week;"

Which was agreed to.

The Sergeant-at-Arms reported Mr. North in his seat, and that Mr. Farribault was absent from town.

On motion of Mr. Trask,

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

The question recurring on the passage of,

No. 1, H. of R. An act to dissolve the marriage contract between Silas Henry Axtell and Catharine Maria Axtell;

Those who voted in the affirmative are—Messrs. Brunson, Ford, Gilman, Rice, Sloan, Taylor and Trask—7.

Those who voted in the negative are—Messrs. Ludden, North, Patch, Ramsey, Randall, Warren and Wells—8.

So the House refused to pass the bill.

On motion of Mr. Wells,

The House adjourned.

WEDNESDAY, FEBRUARY 5, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Rice, Trask and Wells, were reported absent.

There not being a quorum present,

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

The Journal of yesterday was then read.

Mr. Randall, from the Joint Committee on Enrolled Bills, submitted the following report:

"The Joint Committee did, on the 4th of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills.

"A bill entitled 'an act to incorporate the St. Croix Boom Company;'

"A bill entitled 'an act to provide for the erection of Public Buildings in the Territory of Minnesota.'

M. McLEOD, Council,
B. H. RANDALL, H. of R., } Committee."

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory.

Was read the first time.

On motion of Mr. Trask,

The report of the Committee on the Militia, substituting

No. 9, H. of R. for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory;

Was accepted.

Mr. Trask moved that said bill be engrossed and read the third time on tomorrow.

The Speaker remarked that the motion was out of order inasmuch as it had not been read the second time.

Mr. Trask then withdrew his motion.

On motion of Mr. Wells,

The rules were so far suspended that the bill was read the second time by its title,

On motion of Mr. Trask,

The said bill was laid on the table and ordered to be printed.

A message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in the first, second, third, fifth and sixth amendments made by this House to

"No. 6, C. F. 'A bill to incorporate the Mississippi Boom Company;' and have non-concurred in the fourth and seventh amendments made by this House to said bill.

"The Council has passed

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

"And have concurred in

"No. 3, H. of R. 'A bill for an act regulating the sale of spirituous liquors;'

"No. 6, H. of R. 'A bill for an act granting to Franklin Steele, the right to establish and maintain a Ferry across the Mississippi river,' with amendments.

"In all of which the concurrence of this House is respectfully requested."

The message from the Council was taken up.

No. 3, H. of R. A bill for an act regulating the sale of Spirituous Liquors, returned from the Council with an amendment;

Was taken up;

The question being put on concurring in the amendment of the Council,

It was agreed to.

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Returned from the Council with amendments;

Was taken up, and the said amendments read.

The question being put on concurring in the first amendment of the Council,

It was concurred in.

The question was then put on concurring in the second amendment of the Council to said bill;

And said amendment was not concurred in.

Mr. Patch moved that said bill be referred to the Committee on Corporations;

The question being put,

It was decided in the affirmative.

And a division being called for and ordered;

There were ayes—6; nays—5.

So the motion was agreed to.

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

Returned from the Council with their non-concurrence in the fourth and seventh amendments made by this House to said bill,

Was taken up.

On motion of Mr. Ramsey,

Said bill was referred to the Committee on Corporations.

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

Was taken up and read the first time.

On motion of Mr. Trask,

The vote referring to the Committee on Corporations,

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

Was re-considered.

On motion of Mr. Ludden,

The vote referring to the Committee on Corporations,

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

Was re-considered.

Mr. Trask offered the following resolution:

Resolved, That the Chief Clerk of the House, be requested to inquire of the committee to which was referred so much of the Governor's message as relates to the solemnization of marriages, at what time of the session they intend to report, and whether by bill, or otherwise.

The question being put upon the adoption of the resolution,

It was decided in the affirmative.

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

Was again taken up.

Mr. North moved that a Committee of Conference be appointed to confer with a similar committee on the part of the Council on the amendments of the Council to said bill;

The question being put,

And the Speaker not being able decide,

A division was ordered;

And there were ayes—7; nays—6.

So the motion prevailed.

Messrs. North and Ludden were appointed said committee.

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

Was again taken up.

Mr. Ramsey moved that a Committee of Conference be appointed to confer with a similar committee on the part of the Council on the amendments of the Council to said bill.

The question being put,

It was decided in the affirmative.

A division being called for and ordered;

There were ayes—9; nays—2.

So the motion prevailed;

And Messrs. Ramsey and Gilman were appointed said committee.

On motion of Mr. Randall,

The House adjourned.

THURSDAY, FEBRUARY 6, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Rice and Wells, were reported absent.

The Journal of yesterday was then read.

Mr. North, from the Committee on Schools, reported

No. 10, H. of R. A bill for an act to establish and maintain Common Schools.

No. 7, C. F. A bill to provide for the appointment of a Librarian and for other purposes, was,

On motion of Mr. Trask,

Read the second time by its title and laid on the table.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Wells in the Chair;

For the consideration of,

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries and Bridges in this Territory.

During the session of the committee of the whole, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker resumed the chair for its reception, viz:

"MR. SPEAKER:—The Council has concurred in

"No. 7, H. of R. 'A bill to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul.'"

Then the Secretary withdrew.

The committee of the whole resumed its session;

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

The question then recurring on concurring in the amendments by the House,

They were severally read and concurred in.

Mr. Brunson offered the following amendment to the bill;

"Strike out 'five' and insert 'three,' in the third line of section 3."

And the question being put,

It was decided in the negative.

Mr. Brunson offered the following amendment to the title of the bill;

"Strike out the words 'and bridges.'"

The question being put

The amendment was agreed to.

On motion of Mr. Rice,

Ordered, That the bill be engrossed and read the third time on to-morrow.

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota, Was taken up.

On motion of Mr. Trask,

Said bill was laid on the table.

On motion of Mr. Brunson,

The report of the Committee on Schools was taken up, and

No. 10, H. of R. A bill for an act to establish and maintain Common Schools, reported by said committee,

Was read the first time by its title.

Mr. Brunson moved that the rules be so far suspended that the said bill be read the second time by its title.

The question being put,

And the members not all voting,

A division was called for and ordered;

And there were ayes—12; nays—1.

So the motion prevailed.

And the bill was read the second time by its title.

On motion of Mr. Wells,

Said bill was laid upon the table and ordered to be printed.

Mr. North, from the Judiciary Committee, reported by bill, as follows:

"No. 11, H. of R. A bill for revising and consolidating the general statutes of this Territory."

On motion of Mr. Trask,

The bill reported by the Judiciary Committee was read the first time by its title, and ordered to be printed.

On motion of Mr. Wells,

The House adjourned.

FRIDAY, FEBRUARY 7, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Gilman, Ramsey, Rice and Warren were reported absent.

A quorum not being present,

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

The Journal of yesterday was then read.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries.

Mr. North, from the Committee of Conference on

No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Reported as a substitute,

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.

The report of the Committee was taken up, and the substitute read the first time.

On motion of Mr. North,

The rules were so far suspended, that the substitute of the committee was read the second time by its title.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole;

Mr. Ludden in the Chair,

For the consideration of

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.

During the session of the committee of the whole, the following message was received from the Council by J. R. Brown, Esq., Secretary thereof; when the Speaker resumed the chair for its reception, viz:

"MR. SPEAKER:—His Excellency, the Governor, has notified the Council, that he did, on the third day of February, A. D. 1851, approve and sign an act to provide for laying out a Territorial Road from St. Anthony to the west bank of Lake St. Croix, opposite Willowriver."

The Secretary then withdrew.

The committee of the whole resumed its session;

And after some time spent therein, rose and by their chairman, reported the bill back to the House with an amendment;

Which was concurred in by the House.

Mr. Rice offered the following amendment to the bill:

"Strike out in the eight section, the words 'or repeal,' and all after the word 'act,' and insert the word 'or' between the words 'alter' and 'amend.'"

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ford, Gilman, Ludden, Patch, Ramsey, Rice, Sloan, Taylor, Tilden, Trask and Warren—12.

Those who voted in the negative are—Messrs. Farribault, North, Randall, and Wells—4.

So the amendment was concurred in.

The following message was received from the Governor, by W. B. White, Esq., Private Secretary, viz:

"MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing."

On motion of Mr. North,

Ordered, That No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river,

Be engrossed and read the third time on to-morrow.

The message from the Governor was read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 7th, 1851.

"To the honorable Speaker of the House of Representatives:

"SIR:—I have examined and approved the following bills, to-wit:

"An act to provide for the erection of Public Buildings in the Territory of Minnesota.

"An act to incorporate the St. Croix Boom Company.

Very respectfully,

Your obedient servant,

ALEX. RAMSEY."

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries in this Territory;"

Was taken up and read the third time.

The question being put,

"Shall the bill pass?"

It was decided in the affirmative,

And the title thereof was agreed to.

On motion of Mr. Trask,

No. 10, H. of R. A bill for an act to establish and maintain Common Schools.

Was taken up,

And the House resolved itself into a committee of the whole,

Mr. Randall in the chair,

Having said bill under consideration.

After some time spent therein, the committee of the whole arose, and by their chairman, reported the bill back to the House with amendments, and asked leave to sit again;

Which was granted.

Mr. North moved that the House adjourn until two o'clock p. m.

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—8; nays—6.

So the House adjourned.

TWO O'CLOCK, P. M.

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

The roll being called,

Messrs. Brunson, Farribault, Gilman, Ludden, Ramsey, Rice, Taylor and Warren, were reported absent.

A quorum not being present,

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

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Randall in the chair,

For the consideration of

No. 10, H. of R. A bill for an act to establish and maintain Common Schools; and also,

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

After some time passed therein, the committee rose, and by their chairman, reported the bills back to the House with sundry amendments to each;

In which they asked the concurrence of the House.

The amendments to

No. 10, H. of R. A bill for an act to establish and maintain Common Schools;

Were severally read;

And the 1st, 2d and 3d amendments of the committee were severally concurred in.

Mr. Brunson offered the following amendment to the fourth amendment of the committee of the whole:

"Sec. 24. An act entitled 'an act to establish and maintain Common Schools,' approved the 1st day of November, A. D. 1849, is hereby repealed."

The question being put,

Said amendment was concurred in.

On motion of Mr. Rice,

The vote adopting Mr. Brunson's amendment was re-considered.

Mr. North offered the following amendment:

"Strike out section 24, and insert as a substitute the following:

"All laws heretofore existing in this Territory, in relation to Common Schools, are hereby repealed."

The question being put,

The amendment was concurred in.

On motion of Mr. Trask,

The said bill was ordered to be engrossed and read the third time to-morrow.

The amendments to

No. 7, C. F. A bill to provide for the appointment of a Librarian and for other purposes,

Were severally read,

And the 1st, 2d, 3d, 4th, 5th, 6th and 7th amendments of the committee of the whole were concurred in.

And the question being put upon concurring in the 8th amendment of the committee,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Rice and Tilden—5.

Those who voted in the negative are—Messrs. Ford, North, Patch, Ramsey, Randall, Sloan, Trask, Warren and Wells—9.

So the amendment was not concurred in.

On motion of Mr. Trask,

Ordered, That the said bill be read the third time on to-morrow.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:
 "The Committee on Enrolled Bills, have examined and found correctly enrolled,

"No. 7, H. of R. A bill to incorporate St Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the Town of St. Paul.

"No. 3, H. of R. A bill for an act regulating the sale of Spirituous Liquors.

B. H. RANDALL,
 Chairman."

Mr. Patch moved that the House adjourn;

The question being put,

And the Speaker not being able to decide, a division was ordered;

And there were yeas—7; nays—4.

So the House adjourned.

SATURDAY, FEBRUARY 8, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Gilman, Ramsey, Rice, Sloan and Warren were reported absent.

A quorum not being present.

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

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river; and

No. 10, H. of R. A bill for an act to establish and maintain Common Schools.

The Speaker announced the following communication from the Secretary of the Territory:

Which was read.

MINNESOTA TERRITORY, SECRETARY'S OFFICE, }
 St. Paul, February 7, 1851. }

"To the honorable Speaker of the House of Representatives:

"SIR:—The following resolution, adopted on the 31st ultimo, by your branch of the Legislative Assembly of the Territory of Minnesota, has been furnished me by the Chief Clerk of your honorable body, in these words, to-wit:

"Resolved, 'That the Secretary of the Territory be requested to lay before this House, a copy of the last census of the Territory of Minnesota, as made and returned by the Marshal of the Territory.'

"In answer to which, I beg leave respectfully to state, that the last census of the Territory has been handed to me by the Marshal, since the adoption of said resolution; and by inspection of the same, I find it would take a clerk a number of days to make a copy thereof, which the resolution, by its terms, seems to require, and which I will have the honor to furnish at the earliest period it can be accomplished, if such a copy is deemed necessary. But I am informed by the mover thereof, Hon. S. Trask, that only a statement of the aggregate population of the several counties of the Territory is needed; upon which an apportionment for legislative purposes may be made; agreeably to this suggestion, I subjoin herewith, a statement of the population in the aggregate, of the several counties of the Territory, as shown by the Marshal's returns, remaining on file in this

office. If any other, or more particular information is wanted from the detailed returns of the Marshal, it will afford me pleasure to furnish the same.

Benton County,	-	-	-	-	-	-	-	-	418
Dakota	"	-	-	-	-	-	-	-	586
Itasca	"	-	-	-	-	-	-	-	99
Makata	"	-	-	-	-	-	-	-	142
Pembina	"	-	-	-	-	-	-	-	1135
Ramsey	"	-	-	-	-	-	-	-	2227
Wabashaw	"	-	-	-	-	-	-	-	243
Wahnahta	"	-	-	-	-	-	-	-	178
Washington	"	-	-	-	-	-	-	-	1104

Aggregate population of the Territory, - - - - - 6,192
All which is respectfully submitted.

C. K. SMITH,
Secretary."

No. 7, C. F. A bill providing for the appointment of Librarian,
Was taken up; and

On motion of Mr. Trask,

Was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

No. 10, H. of R. A bill for an act to establish and maintain Common Schools,

Was taken up; and

On motion of Mr. Wells,

It was read the third time by its title,

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river,

Was taken up; and

On motion of Mr. North,

It was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. North moved that the House adjourn until Monday next at 2 o'clock, P. M.

The question being put,

It was decided in the negative.

A division being called for,

There were ayes—7; nays—3.

So the House adjourned.

MONDAY, FEBRUARY 10, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Ford, Gilman, Rice, Sloan and Warren were reported absent.

The Journal of last Saturday was then read.

Mr. Randall offered the following resolution:

Resolved, That a further suspension of the 41st rule of for the government of this House, be dispensed with.

On motion of Mr. Trask,

The said resolution was adopted.

The following message was received from the Council by J. R. Brown, Esq., Secretary thereof:

"MR. SPEAKER:—The Council has concurred in the 1st, 2d, 3d, 5th and 6th amendments made by this House, to

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

"And have non-concurred in the fourth amendment made by this House, to said bill.

"The Council has adopted the report of the Committee of Conference on the disagreeing vote of the two Houses to

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

"The Council has passed No. 1, C. F. 'A memorial to Congress for a grant of land to endow a University.'

In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The message from the Council was taken up.

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

Was taken up.

And the fourth amendment to said bill, was,

On motion of Mr. Wells, receded from.

No. 1, C. F. Memorial to Congress for a grant of land to endow a University.

Was taken up and read the first time.

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota,

Was taken up, and

On motion of Mr. Rice,

Was re-committed to the Committee on Schools.

Mr. Ramsey, from the Committee of Conference appointed to confer on the disagreeing vote of the two Houses on a bill to incorporate the Mississippi Boom Company;

Made the following report, which was accepted, viz:

"The Joint Committee of the two Houses, recommend that the following be adopted as a substitute to the amendment of the House to the 11th section, viz:

"Add to section 11 the words 'and the said Boom Company shall be required to complete a good and sufficient boom or booms, for securing all logs and hewa timber floating down said Mississippi river, as above provided, on or before the first day of May, A. D. 1852.'

"The committee further recommend the following as a substitute for the 17th section, as adopted by the House, viz:

"SEC. 17. All persons having logs in said boom or booms or having logs or other timber floating down the Mississippi to said boom, may have the said logs or other timber turned out of said boom or booms loose, without rafting the same; and the price of boomage in such case, shall not exceed one half the amount allowed under the provisions of this act for booming and rafting: *Provided*, That the said Boom Company shall not be held accountable for the loss of any logs or other timber, resulting from the so turning out of said logs or other timber."

On motion of Mr. Ludden,

The report of the committee was accepted, and the committee discharged.

Mr. Tilden moved that the report of the committee be adopted.

Mr. Brunson moved to amend,

"That the substitutes reported by the committee be adopted;"

Which was accepted.

And the question being put on concurring in the report of the Committee of Conference,

It was decided in the affirmative.

Mr. Trask offered the following resolution:

Resolved, That a committee of three be appointed to confer with the Territorial Printer, and ascertain how much delay will be occasioned by printing the reports of the Judiciary Committee.

Mr. Ludden moved that the Journal of last Friday be corrected, as follows:

"Strike out after the words, 'Mr. North, from the Committee of Conference on No. 6, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river, and reported as a substitute;' and insert,

"On leave, introduced,

"No. 12, H. of R. A bill for an act granting to Franklin Steele, the right to establish and maintain a Ferry across the Mississippi river."

"Strike out, 'The report of the committee was taken up, and the substitute was read the first time.'

"And insert, 'The bill was read the first time.'

"Strike out the words, 'The substitute of the committee,' and insert the word 'Bill.'"

The question being put,

The motion prevailed.

The question then recurring on the adoption of Mr. Trask's resolution, was put, And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Patch, Rice, Sloan, Trask and Ames (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Warren and Wells—9.

So the resolution was not adopted.

On motion of Mr. Wells,

The House adjourned.

TUESDAY, FEBRUARY 11, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson Ramsey, Rice, Tilden and Warren, were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Patch presented the petition of W. Richardson and 59 others, praying for an additional ferry across the Mississippi river, at the lower end of the village, below the Falls, called St. Anthony city; and

On motion of Mr. Patch,

The petition was referred to the Committee on Corporations.

Mr. Ludden presented the petition of W. H. C. Folsom and 51 others, residents of the vicinities of St. Croix Falls and Snake River, praying for the erection and constitution of a new county, to be called the county of Chisago; and

On motion of Mr. Ludden,

Said petition was referred to the Committee on Internal improvements.

Mr. Gilman offered the following resolution:

Resolved, That each member of this House be and is hereby authorized to subscribe for ten copies of the Watab Reveille.

Mr. Wells moved that the resolution be rejected.

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Sloan, Wells and Ames, (Speaker)—4.

Those who voted in the negative are—Messrs. Ford, Gilman, Ludden, North, Patch, Rice, Taylor, Tilden and Trask—9.

So the motion was disagreed to.

Mr. Gilman, moved that the resolution be adopted.

Mr. Rice offered the following amendment to the resolution:

By adding "to be paid for out of any moneys appropriated for the contingent expenses of the Legislature."

Mr. Tilden moved a call of the House;

Which was ordered;

And Messrs. Brunson and Warren, were reported absent.

In the absence of the Sergeant-at-Arms,

The Fireman was directed to notify the absent members to appear in their seats.

The Fireman reported the absent members in their seats.

The question being put on the adoption of Mr. Rice's amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Patch, and Rice—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford Ludden, Randall, Sloan, Taylor, Tilden, Trask, Warren, Wells and Ames (Speaker)—12.

So the amendment was disagreed to.

Mr. Rice moved to amend the resolution by striking out 'Watab Reveille,' and insert 'The Dakota Friend;'

Which motion was disagreed to.

The question recurring on the adoption of the resolution,

And being put,

It was decided in the affirmative.

Mr. North, from the Committee on Schools, to whom was referred

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota,

Reported as a substitute therefor a bill with the same number and title.

Mr. Randall, from the Committee on Enrolled Bills, reported as correctly enrolled, the following bill:

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

The report of the Committee on Schools was accepted; and

On motion of Mr. Trask,

The said bill was laid on the table and ordered to be printed.

No. 1, C. F. Memorial to Congress for a grant of land to endow a University,

Was read the second time.

Mr. Trask moved that the rules be so far suspended that the memorial be read the third time by its title;

Which motion was agreed to.

The question being put,

"Shall this memorial pass?"

It was decided in the affirmative,

And the title thereof was agreed to.

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Was taken up, and

On motion of Mr. Brunson,

Said bill was read the second time by its title.

On motion of Mr. Trask,

Ordered, That the said bill be taken up in committee of the whole this afternoon.

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Ramsey, Rico, Sloan, Tilden and Warren, were reported absent.

On motion of Mr. North,
The House resolved itself into a committee of the whole;
Mr. North in the Chair,
For the consideration of,
No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

During the session of the committee of the whole, the following message was received from the Council, by J. R. Brown, Esq., Secretary thereof; when the Speaker resumed the chair for its reception, viz:

"MR. SPEAKER:—The Council has passed,

"No. 12, C. F. A bill to provide for the establishment and maintainance of Common Schools."

"The Council has concurred in

"No. 12, H. of R. 'A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;' and

"No. 9, H. of R. Substitute for No. 4, C. F. 'A bill to authorize the establishment and regulation of Ferries,' each with amendments.

"In all of which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

And the committee of the whole resumed its session.

The committee rose, and the Speaker of the House not being present,

On motion of Mr. Ramsey,

Ordered, That a committee be appointed to notify the Speaker that his presence was required in the House.

Whereupon Mr. Ramsey was appointed said committee.

On motion of Mr. Trask,

Mr. Wells was appointed Speaker, *pro tem*.

Mr. North, from the committee of the whole, then reported the bill back to the House without amendment.

On motion of Mr. Trask,

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Ramsey, from the committee to notify the Speaker, &c., reported that he was now present.

The Speaker then resumed the Chair.

On motion of Mr. Trask,

The message from the Council was taken up.

No. 12, C. F. A bill to provide for the establishment and maintainance of Common Schools,

Was taken up.

Mr. North moved that the said bill be laid on the table, and that a committee of three be appointed to confer with a similar committee on the part of the Council on the said bill.

No. 12, H. of R. A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;

Was taken up for the consideration of the amendments made by the Council;

The question being put upon concurring in the first amendment of the Council to said bill,

And the Speaker not being able to decide,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, Patch, Ramsey, Rice, Sloan, Taylor, Trask and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Farribault, North, Randall, and Wells—4.

So the amendment was concurred in.

The question being put on concurring in the second amendment of the Council to said bill,

It was decided in the affirmative.

No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries,

Was taken up for the consideration of the amendments of the Council.

The 2d, 3d, 4th and 5th amendments of the Council to said bill were concurred in;

And the 1st and 6th amendments were non-concurred in.

On motion of Mr. Wells,

The House adjourned.

WEDNESDAY, FEBRUARY 12, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Farribault, Gilman, Ramsey, Rice, Tilden and Warren were reported absent.

The Journal of yesterday was then read.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

"The Joint Committee did, on the 11th of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills.

"A bill entitled 'an act to incorporate St. Paul Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of St. Paul.'

"A bill entitled 'an act regulating the sale of spirituous liquors;'

"A bill entitled 'an act to incorporate the Mississippi Boom Company.'"

M. McLEOD, Council, } Committee."
B. H. RANDALL, H. of R., }

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Was taken up, and

On motion of Mr. North,

Was read the third time.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative,

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

Mr. Trask moved to amend the title by inserting the words, "the 9th, 10th and 11th chapters of,"

And the question then being on agreeing to the amendment,

It was decided in the affirmative.

A division being called for and ordered;

There were ayes—2; nays—1.

The ayes and nays being then called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ramsey, Rice, Taylor, Tilden, Trask, Warren and Ames, (Speaker)—8.

Those who voted in the negative are—Messrs. Ford, Gilman, Ludden, North, Patch, Randall and Sloan—7.

So the amendment was concurred in.

The question being put, upon agreeing to the title of the bill as amended,

It was decided in the affirmative.

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called.

Messrs. Farribault, Ford, Randall, Rice, Tilden and Warren were reported absent.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Trask in the Chair;

For the consideration of part of chapter 11, and chapters 12 and 13 of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

During the session of the committee of the whole, the following message was received from the Council by J. R. Brown, Esq., Secretary thereof; when the Speaker resumed the chair for its reception, viz:

"MR. SPEAKER:—The Council has passed chapter 2, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The committee of the whole resumed its session;

And after some time passed therein, the committee rose, and by their chairman, reported said chapters, and part of a chapter of said bill back to the House with amendments;

In which they asked the concurrence of the House.

On motion of Mr. Wells,

The amendments were concurred in collectively.

Mr. Ludden moved that the first fourteen sections of chapter 13 be stricken out.

Mr. North moved to amend line 1st in the 15th section of chapter 13, by striking out the words, "this chapter," and inserting the words "the preceding chapters;"

Which motion prevailed.

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof, viz:

"MR. SPEAKER:—The Council has receded from its first amendment made to "No. 9, H. of R. Substitute for No. 4, C. F. 'A bill to authorize the establishment and regulation of Ferries;'

"And have refused to recede from its sixth amendment, being the second amendment of the Council to said bill, non-concurred in by this House."

The Secretary then withdrew.

The question recurring upon the motion of Mr. Ludden to strike out the first fourteen sections of chapter 13, of said bill,

And being put,

It was decided in the affirmative.

Mr. Rice moved to amend,

"That the numbers of sections be so amended, so as to read 1, 2, 3, 4, 5, instead of 14, 15, 16, 17 and 18;"

"And that the words 'this chapter' in the 1st line of the 13th section be stricken out, and the words 'the preceding chapters,' be inserted."

Which motion prevailed.

On motion of Mr. Brunson,

The title of chapter 13 was stricken out.

On motion of Mr. Brunson,

Said chapters, and part of a chapter of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory;

Were ordered to be engrossed and read the third time on to-morrow.

On motion of Mr. Brunson,
 The messages from the Council were taken up.
 No. 9, H. of R. Substitute for No. 4, C. F. A bill to authorize the establishment and regulation of Ferries;
 Was taken up; and
 On motion of Mr. Rice,
 The 6th amendment of the Council to said bill was concurred in.
 Chapter 2, of bill
 No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,
 Was taken up; and
 On motion of Mr. Brunson,
 Read the first time by its title.
 On motion of Mr. Brunson,
 The rules were so far suspended that the said bill was read the second time by its title.
 On motion of Mr. North,
 Ordered, That said bill be taken up in committee of the whole on to-morrow.
 On motion of Mr. Randall,
 The House adjourned.

Spurse
 WEDNESDAY, FEBRUARY 13, 1851.

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

Prayer by the Rev. Mr. Parsons.
 The roll having been called,
 Messrs. Farribault, Ford, Rice, Tilden and Wells were reported absent.
 The Journal of yesterday was then read.
 Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed, chapters 11, 12 and 13, of
 No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.
 Mr. Randall, from the Committee on Enrolled Bills, reported as correctly enrolled:
 A bill for an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.
 A bill for an act providing for the appointment of a Librarian, and for other purposes.

B. H. RANDALL,
 Chairman.

The Speaker then signed said acts.
 No. 8, H. of R. A bill for an act to incorporate the University of Minnesota,
 Was taken up;
 Mr. Patch moved a call of the House;
 Which was ordered,
 And Mr. North reported absent.
 The Sergeant-at-Arms was directed to notify the absent member to appear in his seat.
 The Sergeant-at-Arms reported Mr. North in his seat.
 On motion of Mr. Trask,
 The House resolved itself into a committee of the whole,
 Mr. Rice in the chair,
 For the consideration of
 No. 8, H. of R. A bill for an act to incorporate the University of Minnesota; and also, chapter 2, of bill

No. 13. C. F. A bill for revising and consolidating the general statutes of the Territory.

During the session of the committee of the whole, a message was received from the Governor, by W. B. White, Esq., Private Secretary;

When the Speaker resumed the chair for its reception, viz:

"MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing."

The Private Secretary then withdrew.

And the committee of the whole resumed its session.

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

No. 8, H. of R. A bill for an act to incorporate the University of Minnesota, with amendments.

In which they asked the concurrence of the House.

Also, chapter 2, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, without amendment.

The question recurring on concurring in the amendment of the committee of the whole to House bill No. 8,

They were severally concurred in.

Mr. Brunson moved to amend the bill, as follows:

"Strike out in first line, section 13, after the word 'at,' the words, 'or near the Falls of St. Anthony,' and insert the words, 'such place as the Board of Regents may select.'"

Mr. Wells offered the following amendment to Mr. Brunson's amendment;

"Strike out all after the enacting clause;"

The Speaker remarked that the amendment of Mr. Wells, was not in the form of an amendment to Mr. Brunson's amendment, and therefore, Mr. Brunson's motion would be put.

The question recurring on concurring in the amendment of Mr. Brunson,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, and Wells—2.

Those who voted in the negative are—Messrs. Farribault, Ford, Gilman, Ludden, North, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, and Ames (Speaker)—14.

So the amendment was not concurred in.

The question recurring on concurring in the amendment of Mr. Wells,

The ayes and nays being called for and ordered;

Mr. Wells voted in the affirmative.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, North, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask and Ames (Speaker)—15.

So the amendment was not concurred in.

Mr. Ludden offered the following amendment to the bill:

"By adding section 20; The Legislative Assembly may, at any time, alter, amend, modify or repeal this act."

The question being put,

The amendment was concurred in.

Mr. Rice offered the following amendment to the bill:

"Amend section 10, line first, by striking out the word 'four,' and inserting 'five,' and add after the fourth subdivision, '5,' 'the department of agriculture.'"

The question being put,

The amendment was concurred in.

On motion of Mr. North,

The said bill was ordered to be engrossed and read the third time on tomorrow.

Chapter 2, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

On motion of Mr. Trask,

Read the third time by its title.

The question being put,

"Shall this chapter of the revision pass?"

It was decided in the affirmative.

Mr. Brunson, from the Committee on Internal Improvements, reported as follows:

"The Committee on Internal Improvements, to whom was referred the petition of W. H. C. Folsom and others, 'citizens of the Territory of Minnesota, and residing in the vicinity of St. Croix Falls and Snake River,' praying for the 'erection and constitution of a new county, to be called Chisago, entitled to all the powers, privileges and immunities, enjoyed and exercised by other organized counties of this Territory,' within the following boundaries, to-wit: 'Beginning at a point on the river St. Croix, where the township line between towns 32 and 33, north of range 19, west of the 4th principal meridian, crosses said river; thence running west on said town line to its intersection with range line between 21 and 22; thence north on said range line to the south line of town 36; thence west on said line to the range line between 23 and 24; thence north on said range line to the south boundary line of the county of Itasca; thence east along the south boundary line of the county of Itasca, to the boundary between the Territory of Minnesota and State of Wisconsin; thence on said boundary line between Minnesota and Wisconsin, to the place of beginning;' would respectfully report that they have had the matter under consideration, and are of the opinion, that the prayer of the petitioners should be granted, with the following amendment, to wit: Instead of the line between ranges 23 and 24, the line should be on the line between ranges 22 and 23 west; and would therefore recommend the following as an additional section to chapter 1, of No. 13, 'A bill for revising and consolidating the general statutes of the Territory,' to wit:

"That so much of the said Territory as is contained within the following boundaries, be, and the same is hereby erected into a separate county, which shall be known by the name of Chisago; to wit: 'Beginning at a point on the St. Croix river, where the township line between townships 32 and 33, north of range 19, west of the 4th principal meridian, intersects said river; thence west on said township line to its intersection with the range line between ranges 21 and 22, west; thence north on said range line to its intersection with the southern boundary line of township 36, north; thence west on said township line to its intersection with the range line between ranges 22 and 23 west; thence north on said range line to its intersection with the northern boundary line of township 36 north; thence due north to the southern boundary line of Itasca county; thence in a south easterly direction along said county line to the eastern boundary line of the aforesaid Territory, thence on said boundary line to its intersection with the St. Croix river; thence down said river to the place of beginning;' *Provided*, That no special election shall be required to elect county officers for said county; but the said officers shall be elected at the next general election held in this Territory; who shall qualify and enter upon the discharge of their duties of office, on the first day of January, 1852.

All which is respectfully submitted.

BENJ. W. BRUNSON,
EDWARD PATCH,
DAVID GILMAN, } Committee."

On motion of Mr. Ludden,

Said report was adopted.

Part of chapter 11 and chapters 12 and 13 of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

On motion of Mr. Brunson,
Was read the third time by its title.
The question being put,
"Shall these chapters of the revision pass?"
It was decided in the affirmative.
The question recurring on agreeing to the title of the bill,
Mr. North offered the following amendment:
"A part of the 11th chapter and the 12th and 13th chapters, of bill
"No. 11, H. of R. For revising and consolidating the general statutes of the
Territory;"
Which motion was concurred in.
And the title of the bill as amended, was agreed to.
The message from the Governor was then read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 13, 1851. }

"To the honorable Speaker of the House of Representatives:
"SIR:—I have examined and approved,
"An act regulating the sale of Spirituous Liquors."
"An act to incorporate St. Paul Lodge, No. 2, of the Independent Order of
Odd Fellows, of the town of St. Paul."
Very respectfully,
Your obedient servant,
ALEX. RAMSEY."

On motion of Mr. Wells,
The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.
The roll being called,
Messrs. Brunson, Farribault, Ford, Ludden, Olmstead, Ramsey, Rice, Warren and Wells, were reported absent.
Mr. North, from the Judiciary Committee, reported,
Chapters 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, of
No. 11, H. of R. A bill for revising and consolidating the general statutes of
the Territory.
Mr. North, from the Select Committee of Conference on
No. 12, C. F. A bill to provide for the establishment and maintainance of Common Schools;
Reported the bill back to the House, and asked to be discharged from further
action thereon.
The question being put,
It was decided in the affirmative:
No. 12, C. F. A bill to provide for the establishment and maintainance of Common Schools,
Was taken up and read the first time.
On motion of Mr. North,
The rules were so far suspended that the bill was read the second time by its
title.
Mr. Brunson moved that the said bill be referred to a select committee of five;
Which motion was agreed to.
And Messrs. Trask, Ludden, Rice and Tilden, were appointed said committee.
The Speaker announced that chapters 9, 10 and 11, of
No. 11, H. of R. A bill for revising and consolidating the general statutes of
the Territory,
Was ready for commitment or engrossment.

Mr. Brunson moved a call of the House;

Which was ordered;

Messrs. Olmstead and Wells were reported absent.

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

Mr. North moved that further proceedings under the call of the House be dispensed with;

Which motion was disagreed to.

Mr. Tilden moved that the House adjourn;

The Speaker stated that a motion to adjourn was not in order pending the proceedings under the call of the House.

A message from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has negatived, by refusing to order to a third reading,

"No. 10, H. of R. A bill for an act to establish and maintain Common Schools.

"The Council has passed,

"No. 2, C. F. A memorial to Congress relative to unpaid appropriations.

"In which the concurrence of this House is respectfully requested."

"His Excellency, the Governor, has notified the Council, that he did, on the 13th day of February, A. D. 1851, examine and approve an act to incorporate the Mississippi Boom Company."

The Secretary then withdrew.

Mr. North took an appeal from the decision of the Chair, as to adjourning;

The question being put,

"Shall the decision of the Chair stand as the judgment of the House?"

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, North, Patch, Randall, Rice, Tilden, Trask and Warren—10.

Those who voted in the negative are—Messrs. Brunson, Ludden, Ramsey, Sloan and Taylor—5.

So the decision of the Speaker was sustained.

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

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, North, Randall, Sloan and Ames (Speaker)—7.

Those who voted in the negative are—Messrs. Gilman, Ludden, Patch, Ramsey, Rice, Taylor, Tilden, Trask, and Warren—9.

So the motion was lost.

Mr. Tilden moved that the Hon. M. E. Ames be excused from attendance on the House, this evening;

The Speaker decided the motion out of order.

From which decision, Mr. Tilden took an appeal.

The question being put,

"Shall the decision of the Chair stand as the judgment of the House?"

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, North, Patch, Ramsey, Randall, Rice, Sloan, Trask and Warren—13.

Those who voted in the negative are—Messrs. Taylor, and Tilden—2.

So the decision of the Chair was sustained.

Mr. Randall moved a re-consideration of the vote refusing to suspend further proceedings under the call of the House;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford,

North, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Warren and Ames (Speaker)—12.

Those who voted in the negative are—Messrs. Gilman, Ludden, Patch and Trask—4.

So the motion was agreed to.

Mr. Tilden moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, North, Randall, Sloan, Taylor and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Gilman, Ludden, Patch, Ramsey, Rice, Trask and Warren—7.

So the motion was lost.

Mr. Trask moved that Mr. Ludden be excused from attendance on the House this evening;

The Speaker decided the motion out of order.

The Fireman was directed to assist the Sergeant-at-Arms in finding the absent members.

Mr. Trask moved to re-consider the vote refusing to suspend further proceedings under the call of the House;

The question being put,

It was decided in the affirmative.

And a division being called for and ordered;

There were ayes—9; nays—6.

So the motion prevailed.

Mr. Tilden moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, North, Patch, Randall, Sloan, Taylor, Tilden, Trask and Ames (Speaker)—11.

Those who voted in the negative are—Messrs. Gilman, Ludden, Ramsey, Rice and Warren—5.

So the motion prevailed.

Mr. Rice moved a call of the House;

The Chair decided that a call of the House was not in order, as proceedings under a call had just been dispensed with, and no other proceedings having intervened.

On motion of Mr. North,

The rules were so far suspended, that chapters 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Were read the first and second times by their title.

On motion of Mr. Tilden,

The said chapters of the bill were laid on the table and ordered to be printed.

Mr. Ramsey moved a call of the House,

Which was ordered;

Messrs. Olmstead, and Wells were reported absent.

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

Mr. Tilden moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Patch, Ramsey, Randall, Sloan Taylor, Tilden and Trask—9.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, North, Rice, Warren and Ames (Speaker)—7.

So the motion was disagreed to.

The Fireman reported that the absent members could not be found by him.

Mr. Trask moved that the House take a recess of one hour and a half;

The Speaker decided the motion out of order.

Mr. Tilden moved to re-consider the vote refusing to suspend further proceedings under the call of the House;

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, Ludden, North, Ramsey, Rice, Taylor, Tilden and Trask—10.

Those who voted in the negative are—Messrs. Brunson, Patch, Randall, Sloan, Warren and Ames (Speaker)—6.

So the motion was agreed to.

Mr. Tilden moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in affirmative are—Messrs. Farribault, Ford, Gilman, Ludden, North, Ramsey, Rice, Taylor, Tilden and Trask—10.

Those who voted in the negative are—Messrs. Brunson, Patch, Randall, Sloan, Warren and Ames (Speaker)—6.

So the motion was disagreed to.

Mr. Trask moved that the House adjourn;

The Speaker decided the motion out of order.

An appeal being taken, the decision of the Chair was sustained.

The Speaker called Mr. Rice to the Chair.

Mr. Trask moved that the House adjourn;

The Speaker *pro tem.* decided the motion out of order.

An appeal was taken,

And the Speaker decided that an appeal could not be taken,

Mr. North moved that a vote of thanks be tendered the member who first moved a call of the House;

The Speaker decided the motion out of order.

The Sergeant-at-Arms reported that Mr. Olmstead could not be found, and that he had notified Mr. Wells to appear in his seat.

Mr. North then moved that further proceedings under the call of the House be dispensed with;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Patch, Randall, Rice, Taylor and Trask—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, Ludden, Ramsey, Sloan, Tilden, Warren and Ames (Speaker)—9.

So the motion was disagreed to.

The Speaker *pro tem.* ordered the Sergeant-at-Arms to take what force was necessary, and compel the absent members to appear in their seats.

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

Mr. Wells moved that the House adjourn;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North and Warren—3.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, Ludden, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden, Trask, Wells and Ames (Speaker)—15.

So the House refused to adjourn.

A call of the House was ordered;

Mr. North was reported absent.

The Sergeant-at-Arms reported the absent member in his seat.

Mr. Patch moved to adjourn.

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, North, Patch, Randall, Rice, Taylor, Trask and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, Olmstead, Ramsey, Sloan, Tilden, Warren and Wells—9.

So the House refused to adjourn.

Mr. Warren moved to re-consider the vote;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, North, Patch, Randall, Rice, Taylor, Trask, Warren, Wells and Ames (Speaker)—11.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, Olmstead, Ramsey, Sloan and Tilden—7.

So the vote was re-considered.

Mr. Trask moved that the House adjourn;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, North, Patch, Ramsey, Randall, Rice, Taylor, Trask, Warren and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Brunson, Ford, Gilman, Ludden, Olmstead, Sloan, Tilden and Wells—8.

So the House adjourned.

FRIDAY, FEBRUARY 14, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Farribault, Ludden, Olmstead, Rice and Wells were reported absent.

The Journal of yesterday was then read and corrected.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

Substitute for House bill No. 8, entitled a bill for an act to incorporate the University of Minnesota.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills:

“No. 1, C. F. ‘A memorial to Congress for a grant of land to endow a University.’

Chapter 2 of

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,
Chairman.”

Substitute for House bill No. 8, A bill for an act to incorporate the University of Minnesota;

Was taken up, and

On motion of Mr. Trask,

Was read the third time by its title.

The question being put,
 "Shall this bill pass?"

It was decided in the affirmative; and the title thereof agreed to.

No. 5, H. of R. A bill for an act to charter the Minnesota General Manufacturing Association,

Was taken up; and

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Ludden in the chair,

Having said bill under consideration.

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

On motion of Mr. Randall,

The amendments of the committee of the whole to said bill were concurred in collectively.

Mr. Trask moved that the bill be engrossed and read the third time on tomorrow.

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Patch, Ramsey, Rice, Tilden and Trask—6.

Those who voted in the negative are—Messrs. Farribault, Ford, Ludden, North, Randall, Sloan, Taylor, Warren, Wells and Ames (Speaker)—10.

So the motion was disagreed to.

No. 2, C. F. A memorial to Congress relative to unpaid appropriations,

Was taken up and read the first time.

On motion of Mr. Brunson,

The rules were so far suspended that the said memorial was read the second time by its title.

Mr. Ramsey offered the following amendment to the memorial, viz:

"Your memorialists further represent, that an appropriation was made at the last session of the Legislature, of one hundred dollars, to Henry A. Lambert for bringing up the records of bills in a permanent form after the adjournment of the Legislature, rendered necessary by the fact that, at the opening of the session, no books could be found proper to be used as a permanent record; which amount up to this time, has not been recognized or audited by the Comptroller of the Treasury. Your memorialists would respectfully ask that the payment of said appropriation be provided for."

The question being put on concurring in the amendment,

It was decided in the affirmative.

On motion of Mr. Wells,

The memorial was laid on the table and ordered to be printed.

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed chapters 1, 3, 4 and 5, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has also concurred in the (H. of R.) 8th and 9th articles of (C. F.) chapter 8, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory,' with amendments.

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

On motion of Mr. Wells,

The House adjourned until Monday next, at two o'clock p. m.

MONDAY, FEBRUARY 17, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Ford, Ludden, Rico, Sloan, Tilden and Wells, were reported absent.

The Journal of last Friday was then read.

M. Olmstead presented the petition of Marcelle Couturier, for a divorce from his wife, Margaret Couturier.

On motion of Mr. Olmstead,

Said petition was referred to a select committee, consisting of Messrs. Olmstead, Ramsey and Ludden.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, have examined and found correctly enrolled,

"No. 9, H. of R. Substitute for No. 4, C. F. 'A bill to authorize the establishment and regulation of Ferries.

B. H. RANDALL,
Chairman."

The Speaker then signed said act.

No. 2, C. F. A memorial to Congress relative to unpaid appropriations,

Was taken up; and

On motion of Mr. Rice,

Said memorial was referred to the Committee on Claims.

Chapter 1, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was read the first time.

Chapter 3 of said bill was read the first time.

The following message was received from the Council by J. R. Brown, Esq., Secretary thereof:

"MR. SPEAKER:—The Council has concurred in H. of R. Article 10 of C. F., chapter 8, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;' with amendments.

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

Chapters 4 and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Trask,

Were read the first time by their titles.

On motion of Mr. Trask,

The rules were so far suspended, that chapters 1, 3, 4 and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were read the second time by their titles.

Chapters 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, of bill

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

Were taken up; and

On motion of Mr. North,

The House resolved itself into a committee of the whole,

Mr. Ludden in the Chair;

Having said chapters under consideration.

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

H. of R., 8th article of C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up for the consideration of the amendments of the Council thereto, And the question being put separately upon the amendments of the Council, They were severally concurred in.

H. of R., 9th article of C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory;

Were taken up for the consideration of the amendments of the Council thereto, And the question being put separately upon the amendments of the Council, They were severally concurred in.

H. of R. No. 10, of chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendments of the Council thereto; Which were read.

On motion of Mr. Trask,
The House adjourned.

TUESDAY, FEBRUARY 18, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Ford, Gilman, Rice and Sloan, were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Randall, from the Joint Committee on Enrolled Bills, reported as follows:

"The Joint Committee did, on the 18th of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills.

"A bill entitled 'an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river;'

"A bill entitled 'an act to authorize the establishment and regulation of Ferries;'

"A memorial to Congress for a grant of land to endow a University."

M. McLEOD, Council,
B. H. RANDALL, H. of R., } Committee."

H. of R., 10th article of C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendments of the Council thereto; And the question being put separately upon the amendments of the Council, They were severally concurred in.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed chapters 6 and 7, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"And have concurred in a substitute for House bill

"No. 8, entitled 'A bill for an act to incorporate the University of Minnesota.'

"And the 12th and 13th chapters of bill

"No. 11, H. of R. 'A bill for revising and consolidating the general statutes of the Territory;'

"With amendments, and amendments to the titles of both.

"In all of which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

A substitute for House bill

No. 8, entitled a bill for an act to incorporate the University of Minnesota, Was taken up for the consideration of the amendments of the Council thereto.

The question being put separately upon the amendments of the Council,

They were severally concurred in.

Chapters, from 17 to 31 inclusive, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Were taken up, and

On motion of Mr. Wells,

The House resolved itself into a committee of the whole;

Mr. Warren in the Chair,

For the consideration of said chapters.

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

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll being called,

Messrs. Brunson, Farribault, Ford, Ramsey, Sloan and Tilden, were reported absent.

C. F. Chapters 6 and 7, of

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up, and

On motion of Mr. North,

Were read the first time by their titles.

On motion of Mr. North,

The House resolved itself into a committee of the whole,

Mr. Warren in the chair,

Having under consideration chapters, from 17 to 31 inclusive, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

A message from the Council, by J. R. Brown, Esq., Secretary thereof; was announced,

When the Speaker resumed the chair for its reception, viz:—

"MR. SPEAKER:—The Council has passed,

"No. 3, C. F. 'A memorial to Congress asking for a donation of land to the county of Benton.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The committee of the whole resumed its session;

And after some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House with amendments;

And asked the concurrence of the House therein.

On motion of Mr. Rice,

The House adjourned.

WEDNESDAY, FEBRUARY 19, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Farribault, Randall, Rice and Warren, were reported absent.

The Journal of yesterday was then read.

On motion of Mr. North,

Leave was given the Committee on Enrolled Bills to amend the report made by them on yesterday, by striking out chapter 2 of

An act revising and consolidating the general statutes of the Territory.

Mr. Tilden, from the Committee on Corporations, made the following report:

"The Committee on Corporations, to whom was referred the petition of W. Richardson, and others, praying that W. A. Cheever have the right to establish and maintain a Ferry across the Mississippi river, at the lower end of St. Anthony city; having had the same under consideration, report the following bill:

'No. 13, H. of R. 'A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.'

H. L. TILDEN,
Chairman."

Said bill was read the first time.

On motion of Mr. Tilden,

The rules were so far suspended, that the bill was read the second time by its title.

On motion of Mr. Trask,

Said bill was laid on the table.

No. 3, C. F. A memorial to Congress asking for a donation of land to the county of Benton;

Was read the first time.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed C. F., chapters 8, 13, 14 and 16, of bill

'No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

C. F., chapters 6 and 7, of

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Trask,

Read the second time by their titles.

Chapters 12 and 13, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory;

Were taken up for the consideration of the amendment of the Council thereto;

The question being put,

The amendment was concurred in:

Chapters, from 17 to 31 inclusive, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Were taken up for the consideration of the amendments made thereto by the committee of the whole.

The amendments of the committee of the whole to chapters 17, 18, 19, 23, and the first amendments to chapter 24, were severally concurred in.

The question being put upon concurring in the second amendment to chap. 24, And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ludden, Olmstead, Randall, Sloan and Trask—6.

Those who voted in the negative are—Messrs. Farribault, Ford, North, Patch, Ramsey, Rice, Taylor, Tilden, Warren, Wells and Ames (Speaker)—11.

So the amendment was not concurred in.

Mr. Randall offered the following amendment:

“Strike out the words, ‘all times,’ in the first line of the ninth section of chapter 24, and insert ‘any time;’”

Which amendment was concurred in.

The amendments of the committee of the whole to chapters 25 and 26, were severally concurred in.

Mr. Ludden moved to amend,

“By striking out the 4th section of chapter 26.”

A message from the Governor, was announced by W. B. White, Esq., Private Secretary.

“MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing.”

The Private Secretary then withdrew.

The question recurring on the amendment offered by Mr. Ludden,

And being put,

It was decided in the negative.

A division being called for and ordered;

There were yeas—7; nays—6.

So the amendment was concurred in.

Mr. Ludden offered the following amendment to the amendment of the committee of the whole, to section 3 of chapter 26:

“By inserting after the word ‘sum,’ the words ‘not less than ten;’”

Which amendment was concurred in.

The amendments of the committee of the whole to chapters 29 and 30, were severally concurred in.

Mr. North moved to re-consider the vote concurring in the amendment of the whole striking out chapter 30;

Which motion did not prevail.

On motion of Mr. Brunson,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll being called,

Messrs. Ford, Ludden and Randall, were reported absent.

Chapters, from 17 to 31, inclusive, of

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,

Were taken up.

Mr. Rice offered the following amendment, as a substitute for section 4, of chapter 23:

“SEC. 4. Indians are hereby declared to be competent witnesses in cases arising under the provisions of this act; but the same objections may be made to their competency, and the same rules shall govern in the admission of their testimony that may be made, and that govern as to other witnesses;”

Which amendment was concurred in.

Mr. Tilden asked, and obtained leave to introduce a chapter concerning seals, as a substitute for section 30, of unauthorized banking;

Which was read the first time.

On motion of Mr. Tilden,

The rules were so far suspended that said chapter was read the second time by its title.

Mr. Trask moved that chapter 17, of the public printing be re-committed to the Committee on Printing; and that chapters, from 18 to 31 inclusive, be engrossed and read the third time on to-morrow;

Mr. Rice moved that the questions be taken separately;

Which motion prevailed.

And the question being put upon referring said chapter to the Committee on Printing,

It was decided in the negative.

A division being called for and ordered;

There were ayes—3; nays—5.

So the motion did not prevail.

On motion of Mr. Tilden,

Said chapters, from 18 to 31 inclusive, were ordered to be engrossed and read the third time on to-morrow.

On motion of Mr. Olmstead,

Ordered, That C. F., chapter 1, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Be taken up and considered in committee of the whole, in one week from to-day.

On motion of Mr. Warren,

The House resolved itself into a committee of the whole;

Mr. Patch in the Chair.

For the consideration of C. F., chapters 6 and 7, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House with amendments;

And asked the concurrence of the House therein.

Mr. Wells moved that the amendments be concurred in collectively,

Which motion did not prevail.

The question being put on concurring in the amendment to chapter 6,

It was concurred in.

The question being put upon adopting the amendment as a substitute for chapter 6,

It was decided in the affirmative.

Mr. Rice offered the following amendment to the substitute, viz:

"Add to section 5—'Provided that the judgment or decision of the circuit court in term time, or the decision of a judge thereof in vacation, as the case may be, may be removed to the supreme court by writ of error, or in such other manner as is provided for removing causes from the district to the supreme court: *And provided further*, That appeals may be taken from the decision of a judge of probate to the district court, as in probate cases; in all which cases, the party removing any such judgment or decision by writ of error or appeal, shall file in the proper court, a bond to the opposite party, in such sum, and with such sureties, as shall be prescribed by the judge thereof; conditioned for the payment of all costs that may be properly taxed against him.'"

Which amendment was concurred in.

On motion of Mr. Trask,

The rules were so far suspended, that said substitute for chapter 6, was read the first and second times by its title.

On motion of Mr. Tilden,

Ordered, That said substitute be engrossed and read the third time on to-morrow.

The question being put upon concurring in the amendment of the committee of the whole to C. F., chapter 7, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

The amendment was concurred in.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following bill:

"Substitute for House bill No. 8, 'A bill for an act to incorporate the University of Minnesota, at the Falls of St. Anthony.'

B. H. RANDALL,
Chairman."

On motion of Mr. North,

Ordered, That C. F. chapter 7, of bill No. 13, C. F., be read the third time on to-morrow.

The message from the Governor was read, and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, February 19, 1851. }

To the honorable, the Speaker of the House of Representatives:

"Sir:—I have examined and approved,

"An act to authorize the establishment and regulation of Ferries."

"An act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river."

Very respectfully,

Your obedient servant,

ALEX. RAMSEY."

Mr. Ludden, by leave, introduced

No. 1, H. of R. A memorial to the Secretary of War for a continuation of certain explorations in the Territory of Minnesota;

Which was read the first time.

The Speaker signed the following acts:

An act providing for the appointment of a Librarian, and for other purposes.

An act to incorporate the University of Minnesota at the Falls of St. Anthony.

On motion of Mr. Wells,

The House adjourned.

THURSDAY, FEBRUARY 20, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Farribault, Ludden, Olmstead, Ramsey, Rice and Wells, were reported absent.

The Journal of yesterday was then read and corrected.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

Substitute for C. F., chapter 6, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

And H. of R., chapters, from 17 to 31 inclusive, of bill

No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory.

No. 1, H. of R. A memorial to the Secretary of War for a continuation of certain explorations in the Territory of Minnesota,

Was taken up and read the second time.

On motion of Mr. Trask,
Ordered, That said memorial be engrossed and read the third time on to-morrow.
No. 3, C. F. Memorial to Congress asking for a donation of land to the county of Benton,
Was taken up; and
On motion of Mr. Ludden,
Was read the second time by its title.
On motion of Mr. Warren,
Said memorial was referred to the Committee on Territorial Affairs.
Substitute for C. F., chapter 6, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.
Was taken up; and
On motion of Mr. Randall,
Was read the third time by its title.
The question being put,
"Shall this substitute for chapter 6 pass?"
It was decided in the affirmative.
H. of R., chapters from 17 to 31 inclusive, of bill
No. 11, H. of R. A bill for revising and consolidating the general statutes of the Territory,
Were taken up; and
On motion of Mr. Patch,
Were read the third time by their titles.
On motion of Mr. North,
Chapter 22, regulating the sale of spirituous liquors, was laid on the table.
The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:
"MR. SPEAKER:—The Council has passed, C. F. chapters 32, 33, 35, 36, 37 and 38, of bill
"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'
"In which the concurrence of this House is respectfully requested."
The Secretary then withdrew.
The question recurring upon Mr. North's motion, to lay on the table chapter 22, regulating the sale of spirituous liquors,
And being put,
It was decided in the affirmative.
The question then recurring upon the passage of said chapters, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30 and 31,
And being put,
It was decided in the affirmative,
C. F. chapter 7, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,
Was taken up; and
On motion of Mr. North,
Read the third time by its title.
The question being put,
"Shall this chapter pass?"
It was decided in the affirmative.
On motion of Mr. Patch,
No. 13, H. of R. A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river,
Was taken up.
Mr. Trask offered the following amendment to the bill;
Which was concurred in.

"Add section 6: The Legislative Assembly may, at any time, alter, amend, modify, or repeal this act."

On motion of Mr. Tilden,

Said bill was ordered to be engrossed and read the third time on to-morrow.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Randall in the chair,

For the consideration of chapters 3, 4, and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

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

On motion of Mr. Warren,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Ford, Olmstead, Rice, Sloan and Warren, were reported absent.

C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, was,

On motion of Mr. Trask,

Read the first time by its title.

On motion of Mr. Trask,

The rules were so far suspended, that the said chapter was read the second time by its title.

C. F., chapter 13, of bill No. 13, C. F., was,

On motion of Mr. Wells,

Read the first time by its title.

On motion of Mr. Wells,

The rules were so far suspended, that said chapter was read the second time by its title.

C. F., chapter 14, of bill No. 13, C. F., was,

On motion of Mr. Patch,

Read the first time by its title; and

On motion of Mr. Patch,

The rules were so far suspended, that said chapter was read the second time by its title.

C. F., chapter 16, of bill No. 13, C. F., was,

On motion of Mr. Randall,

Read the first time by its title; and,

On motion of Mr. Patch,

The rules were so far suspended, that said chapter was read the second time by its title.

C. F., chapters 32, 33, 35, 36, 37, and 38 of bill No. 13, C. F., were,

On motion of Mr. Randall,

Read the first time by their titles; and,

On motion of Mr. Brunson,

The rules were so far suspended, that said chapters were read the second time by their titles.

On motion of Mr. Tilden,

The House resolved itself into a committee of the whole,

Mr. Ramsey in the chair.

For the consideration of C. F., chapters 3, 4 and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

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

On motion of Mr. Randall,

The House adjourned.

FRIDAY, FEBRUARY 21, 1851.

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

Prayer by the Rev. Mr. Parsons.

The roll having been called,

Messrs. Brunson, Farribault, Rice and Warren were reported absent.

The Journal of yesterday was then read.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 13, H. of R. A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.

Mr. Randall, from the Joint Committee on Enrolled Bills, made the following report:

"The joint committee did, on the 21st of February, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills:

"A bill entitled 'An act providing for the appointment of a Librarian, and for other purposes.'

"A bill entitled 'An act to incorporate the University of Minnesota, at the Falls of St. Anthony.'

M. McLEOD, Council, } Committee."
B. H. RANDALL, H. of R., }

No. 13, H. of R. A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river,

Was taken up; and

On motion of Mr. Randall,

Was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

C. F., chapters 3, 4 and 5, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were again taken up; and

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Ford in the chair.

Having said chapters under consideration.

A message from the Council, by J. R. Brown, Esq., Secretary thereof; was announced,

When the Speaker resumed the Chair for its reception, viz:

"MR. SPEAKER:—The Council has passed C. F., chapters 39, 40, 41, 42, 43, and 44, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested.

"The Council has concurred in the amendment made by this House to C. F., chapter 7, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has concurred in H. of R., chapters 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, and 31; chapters 17, 23, 24 and 25, with amendments.

"In which the concurrence of this House is respectfully requested.

"The Council has refused to concur in the amendment made by this House to C. F., chapter 6, reported as a substitute for chapter 6, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'"

The Secretary then withdrew.

The committee of the whole resumed its session;

And after some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House with amendments;

In which they asked the concurrence of the House.

On motion of Mr. Trask,

All the amendments, except the sixth, to chapter 3, were concurred in collectively.

And the question being put upon concurring in the sixth amendment of the committee of the whole;

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Olmstead, Patch, Randall, Rice, Sloan, Trask and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Taylor, Tilden and Wells—6.

So the amendment was concurred in.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed,

No. 1, H. of R. A memorial to the Secretary of War for the continuation of certain explorations in the Territory of Minnesota.

Mr. Wells moved to adjourn;

The question being put,

And the Speaker being unable to decide, a division was ordered;

And there were ayes—6; nays—8.

So the House refused to adjourn.

On motion of Mr. Trask,

The amendments to chapter 4, were concurred in collectively.

Mr. Randall offered the following amendment to chapter 4, article 3;

"Strike out the first word in sections 1, 4 and 5;"

Which amendment was concurred in.

Mr. Trask offered the following amendment:

"Strike out the first word in sections 4 and 5, of article 2;"

Which amendment was concurred in.

The first and second amendments to chapter 5, were concurred in.

On motion of Mr. Trask,

The rules were so far suspended, that chapters 3, 4 and 5, were read the third time now by their titles.

The question being put upon the passage of chapters 3, 4 and 5, separately,

They were severally passed, and the titles thereof severally agreed to.

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll being called,

Messrs. Brunson, Farribault, Sloan, Warren and Wells, were reported absent.

No. 1, H. of R. A memorial to the Secretary of War for the continuation of certain explorations in the Territory of Minnesota;

Was taken up, and
On motion of Mr. Randall,
Read the third time by its title.
The question being put,
"Shall this memorial pass?"
It was decided in the affirmative, and the title thereof agreed to.
C. F., chapters 8, 13, 14, 16, 32, 33, 35, 36, 37 and 38, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the
Territory,
Were taken up.
On motion of Mr. Tilden,
Messrs. Trask and Randall were excused from attendance on the House during
this afternoon and to-morrow.
Mr. Patch moved that the House adjourn until Monday next at 2 o'clock, p. m.
The question being put,
And the ayes and nays being called for and ordered;
Those who voted in the affirmative are—Messrs. Olmstead, Patch, Ramsey,
Rice and Taylor—5.
Those who voted in the negative are—Messrs. Ford, Ludden, North, Tilden,
and Ames (Speaker)—5.
So the House refused to adjourn.
Mr. North then moved that the House adjourn;
Which motion did not prevail.
Mr. Tilden moved a call of the House;
Which was ordered;
The roll being called,
Messrs. Brunson, Farribault, Sloan, Warren and Wells, were reported absent.
Mr. Olmstead moved that further proceedings under the call of the House
be dispensed with;
The question being put,
And the ayes and nays being called for and ordered;
Those who voted in the affirmative are—Messrs. North, Olmstead, Patch, Tay-
lor and Warren—5.
Those who voted in the negative are—Messrs. Ford, Ludden, Ramsey, Rice,
Sloan, Tilden and Ames (Speaker)—7.
So the motion was disagreed to.
Mr. Tilden moved to re-consider the vote refusing to suspend further proceed-
ings under the call of the House;
Which motion prevailed.
Mr. Tilden then moved to suspend further proceedings under the call of the
House;
A division being ordered;
There were ayes—9; nays—2.
So the motion prevailed.
Mr. Patch moved that the House adjourn until Monday next, at 2 o'clock p. m.
The question being put,
It was decided in the affirmative,
A division being called for and ordered;
There were ayes—8; nays—2.
So the House adjourned.

MONDAY, FEBRUARY 24, 1851.

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

Prayer by the Rev. Mr. Hobart.
The roll having been called,

Messrs. Farribault, Ford, Ludden, Olmstead, Ramsey, Rice, Sloan and Tilden were reported absent.

Mr. Gilman presented the petition of N. Myrick, and fifty-four others, praying that the location of county seat of Benton county, may, by an act of the Legislative Assembly, now sitting, be determined by the vote of the qualified voters of said county, at the next regular election.

On motion of Mr. Rice,

Said petition was referred to the Committee on Corporations.

Mr. Patch presented the petition of Daniel Stinchfield and eighty-two others, praying for a road from the Falls of St. Anthony, to the Falls of St. Croix;

And on his motion, said petition was referred to the Committee on Corporations.

Mr. Ludden presented the petition of Ansell Smith, and eleven others, praying for a road from the Falls of St. Croix, to the Falls of St. Anthony;

And on his motion, said petition was referred to the Committee on Corporations.

Mr. Warren, from the Committee on Territorial Affairs, to whom was referred No. 3, C. F. A memorial to Congress asking for a donation of land to the county of Benton,

Reported the same back to the House with an amendment.

Said memorial was read the second time, laid on the table, and ordered to be read the third time to-morrow.

On motion of Mr. Trask,

C. F., chapters 39, 40, 41, 42, 43 and 44, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Trask,

The rules were so far suspended that said chapters were read the first and second times by their titles.

H. of R., chapters, from 17 to 31 inclusive, were taken up for the consideration of the amendments of the Council.

The amendment to chapter 17, was,

On motion of Mr. Randall,

Read the first and second time by its title.

Chapter 23 was taken up for the consideration of the amendments of the Council thereto,

The first and second amendments to said chapter, were concurred in.

Mr. Trask offered the following amendment to the first amendment of the Council to chapter 23:

"Strike out the word 'appropriation,' in the sixth line of section 4;"

Which amendment was concurred in.

Section 24 was taken up for the consideration of the amendment of the Council thereto,

And the amendment was concurred in.

Section 25 was taken up for the consideration of the amendments of the Council thereto.

Mr. North moved to amend the first amendment as follows:

"After the word 'license,' insert 'may be granted.'"

Which amendment was concurred in.

The amendment of the Council, as amended, was concurred in.

Mr. Trask offered the following amendment to the second amendment of the Council to chapter 25:

"Insert after the word 'serenade,' the words 'or shiverree;'"

Which amendment was concurred in.

Mr. Gilman offered the following amendment:

"Insert after the word 'shiverree,' 'or gabiloring bands, who shall use tin horns, corn stalk fiddles, pumpkin vine whistles, cow bells, tin-pans or other instruments;"

Which amendment was concurred in.

The question recurring upon concurring in the amendment of the Council, as amended;

The question being put,
And the ayes and nays being called for and ordered;
Those who voted in the affirmative are—Messrs. Farribault, Ludden, Randall, Taylor, Trask and Wells—6.

Those who voted in the negative are—Messrs. Brunson, Gilman, North, Patch, Ramsey, Rice, Sloan, Warren and Ames (Speaker)—9.

So the amendment was not concurred in.

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof, viz:

“MR. SPEAKER:—The Council has passed C. F., chapters 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56 of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

Chapter 6, substitute for chapter 6, C. F., was taken up; and

The question being put,

“Shall the House recede from its amendment?”

It was decided in the negative.

Mr. Brunson asked and obtained leave, and made the following report:

“The special committee, to whom was referred

“No. 12, C. F. ‘A bill to provide for the establishment and maintainance of Common Schools,’

“Would report that they have had the subject under their consideration, and would respectfully submit

“No. 14, H. of R. ‘A bill to establish and maintain Common Schools.’

“As a substitute for said bill.

B. W. BRUNSON,
SYLVANUS TRASK,
EDMUND RICE,
J. D. LUDDEN,
H. L. TILDEN,

Committee.”

No. 14, H. of R. A bill to establish and maintain Common Schools,

Was read the first time.

On motion of Mr. North,

The rules were so far suspended, that the said bill was read the second time by its title.

No. 3, C. F. A memorial to Congress asking for a donation of land to the county of Benton,

Was read the second time; and

On motion of Mr. Trask,

Ordered, That said memorial be laid on the table and read the third time on to-morrow.

Chapter 8, and chapters, from 32 to 38 inclusive;

Were taken up; and

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Wells in the Chair;

For the consideration of said chapters.

After some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House without amendments;

On motion of Mr. Wells,

The House resolved itself into a committee of the whole;

Mr. Taylor in the Chair,

For the consideration of chapter 8, and chapters, from 32 to 38 inclusive, of C. F., bill No. 13.

After some time passed therein, the committee rose, and by their chairman, reported progress, and asked leave to sit again; which was granted.

Mr. Trask moved that the House adjourn until 7 o'clock this evening;

The question being put,

And a division being called for and ordered;

There were yeas—8; nays—6.

Two-thirds of the members not voting in the affirmative, the motion to adjourn did not prevail.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills, viz:

Article 8, article 9, article 10 and article 11, of chapter 8, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,
Chairman.”

Mr. Wells moved to adjourn until to-morrow morning at 9 o'clock.

Mr. Trask moved to amend, by moving to adjourn until 7 o'clock this evening.

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ludden, North, Patch, Randall, Rice, Sloan, Tilden, Trask and Ames, (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, Ramsey, Taylor, Warren and Wells—7.

So the House adjourned until 7 o'clock this evening. •

SEVEN O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Olmstead, Patch, Rice, Taylor, Tilden, Warren and Wells, were reported absent.

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

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Gilman in the chair,

For the further consideration of C. F., chapter 8, and chapters, from 32 to 38 inclusive, of C. F. bill No. 13.

After some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House, with sundry amendments to each.

In which they asked the concurrence of the House.

On motion of Mr. Trask,

The House adjourned.

TUESDAY, FEBRUARY 25, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ludden, Olmstead, Ramsey, Rice, Sloan, Tilden, Warren, and Wells, were reported absent.

The Journal of yesterday was then read.

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

leave to introduce a bill to incorporate the St. Paul and St. Anthony Railroad Company.

C. F., chapters from 45 to 56 inclusive,

Were taken up and read the first time.

On motion of Mr. Trask,

The rules were so far suspended, that the said chapters were read the second time by their titles.

No. 3, C. F. A memorial to Congress asking for a donation of land to the county of Benton;

Was taken up; and

On motion of Mr. Trask,

Was read the third time by its title.

The question being put,

"Shall this memorial pass?"

It was decided in the affirmative, and the title thereof agreed to.

C. F., chapter 8, and chapters, from 32 to 38 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up for the consideration of the amendments made thereto by the committee of the whole.

The first amendment of the committee of the whole to chapter 8, was concurred in.

The question being put upon concurring in the second amendment of the committee of the whole to chapter 8,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, North, Patch, Rice, Sloan, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Ludden, Ramsey, Randall, Taylor, and Trask—6.

So the amendment was concurred in.

The 3d, 4th and 5th amendments of the committee of the whole were severally concurred in.

The question being put upon concurring in the sixth amendment to said chapter, And the ayes and nays being called for and ordered;

Those who voted in affirmative are—Messrs. Ford, Gilman, North, Patch, Rice, Sloan, Warren and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

So the amendment was not concurred in.

The seventh amendment to said chapter, was not concurred in.

Mr. Brunson offered the following amendment to the bill:

"Strike out all after the word 'county,' in the 5th line of section 4, article 31, to the word 'year,' inclusive, in the 6th line."

Which amendment was concurred in.

Chapter 32 was taken up for the consideration of the amendments of the committee of the whole thereto;

The first, and only amendment to said chapter, was concurred in.

Chapter 35 was taken up for the consideration of the amendments of the committee of the whole thereto;

The 1st, 2d and 3d amendments to said chapter, were severally concurred in.

Chapter 37 was taken up for the consideration of the amendments of the committee of the whole thereto;

The amendment striking out said chapter, was concurred in.

Chapter 38 was taken up for the consideration of the amendments of the committee of the whole;

The 1st and 2d amendments to said chapter, were concurred in.

Mr. North offered the following amendment to chapter 38:

"Strike out of the second line of section 14, the words 'by the same persons;'"

Which amendment was concurred in.

On motion of Mr. Trask,

Ordered, That chapter 8, and chapters, from 32 to 38 inclusive, except chapter 37, be read the third time on to-morrow.

No. 14, H. of R. A bill for an act to establish and maintain Common Schools, Was taken up; and

On motion of Mr. Trask,

Was laid upon the table and ordered to be printed;

On motion of Mr. Trask,

The House resolved itself into a committee of the whole;

Mr. Ford in the Chair.

For the consideration of C. F., chapter 13, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

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

Mr. Wells, on leave, introduced

No. 2, H. of R. Memorial to Congress, praying that the 15th section of the act of Congress of the 4th of September, 1841, may be amended, &c.;

Which was read the first time.

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll being called,

Messrs. Brunson, Farribault, Ford, North, Olmstead, Randall, Rice, Sloan, and Warren were reported absent.

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

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Trask in the chair,

For the consideration of C. F., chapters 13, 14, 15, 16 and 17 inclusive, and chapters, from 39 to 56 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported chapters 13, 14, 16, 17, 39, 40 and 41, back to the House with amendments.

In which they asked the concurrence of the House.

And asked and obtained leave to sit again, on chapters, from 42 to 56 inclusive.

C. F., chapter 13, was taken up for the consideration of the amendments of the committee of the whole thereto;

And the 1st, 2d and 3d amendments to said chapters, were severally concurred in.

C. F., chapter 14, was taken up for the consideration of the amendments of the committee of the whole thereto;

The first, and only amendment to said chapter, was concurred in.

The Speaker announced that chapters 16, 33, 36, 39, 40 and 41, were open for amendment.

On motion of Mr. Trask,

C. F., chapters 13, 14, 15, 16, 39, 40 and 41, were ordered to be read the third time on to-morrow.

On motion of Mr. Brunson,

Chapter 17 was laid on the table and ordered to be printed.

On motion of Mr. Patch,

The House adjourned.

WEDNESDAY, FEBRUARY 26, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, North, Ramsey, Rice, Sloan, Taylor, Warren and Wells, were reported absent.

The Journal of yesterday was then read and corrected.

No. 3, H. of R. A memorial to Congress, praying that the 15th section of the act of Congress of the 4th of September, 1841, may be amended, &c.,

Was taken up; and

On motion of Mr. Patch,

Was read the second time by its title.

Mr. Trask moved that said memorial be laid on the table and printed, and taken up ten days hence, in committee of the whole;

Which motion prevailed.

C. F., chapters 8, 13, 14, 16, 32, 33, 35, 36, 38, 30, 40 and 41,

Were taken up; and

On motion of Mr. Randall,

Read the third time by their titles.

The question being put,

"Shall these chapters pass?"

It was decided in the affirmative; and the titles thereof agreed to.

On motion of Mr. Warren,

The House resolved itself into a committee of the whole,

Mr. Trask in the chair,

For the consideration of C. F., chapter 1, and chapters from 42 to 56 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

During the session of the committee of the whole, a message was received from the Governor, by W. B. White, Esq., Private Secretary;

When the Speaker resumed the chair for its reception, viz:

"MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing."

The Private Secretary then withdrew,

And the committee resumed its session.

And then a message was announced from the Council by J. R. Brown, Esq., Secretary thereof;

When the Speaker again resumed the chair for its reception, viz:

"MR. SPEAKER:—The Council has concurred in the sixth, and has refused to concur in the first, second, third, fourth, fifth, seventh and eighth amendments made by this House, to C. F., chapter 3, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has concurred in the first, second, third, fourth, fifth, seventh, tenth and eleventh, and refused to concur in the sixth, eighth and ninth amendments made by this House, to C. F., chapter 4, of the same bill.

"The Council has concurred in the first, and refused to concur in the second amendment made by this House, to chapter 5, of the same bill.

"The Council has concurred in,

"No. 1, H. of R. 'A memorial to the Secretary of War, for a continuation of certain explorations in the Territory of Minnesota.'

"The Council has passed,

"C. F., chapters 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69 and 70, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The committee of the whole resumed its session.

And after some time passed therein, the committee rose and by their chairman, reported progress on said chapters, and asked and obtained leave to sit again.

On motion of Mr. Brunson,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called.

Messrs. Farribault, Ford and Wells were reported absent.

The message from the Governor was then read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 26, 1851. }

"To the honorable Speaker of the House of Representatives:

"SIR:—I have examined and approved, 'An act to incorporate the University of Minnesota, at the Falls of St. Anthony.'

With great respect,

Your ob't. servant,

ALEX. RAMSEY."

On motion of Mr. Randall,

The House resolved itself into a committee of the whole,

Mr. Trask in the chair.

For the consideration of C. F., chapter 1, and chapters, from 42 to 56 inclusive, of

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

After some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House with amendments;

And asked the concurrence of the House therein.

C. F., chapter 1, was taken up for the consideration of the amendments of the committee of the whole thereto.

On motion of Mr. Brunson,

The amendments to said chapter, except the 15th amendment,

Were concurred in collectively.

On motion of Mr. Patch,

A call of the House was ordered;

The roll having been called,

Messrs. Randall and Wells were reported absent.

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

Mr. Warren moved that Mr. Wells be excused from attendance on the House for ten days;

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—4; nays—12.

So the motion did not prevail.

Mr. Warren then moved that Mr. Wells be excused from attendance on the House this afternoon;

Which motion prevailed.

Mr. Brunson moved that further proceedings under the call of the House be dispensed with;

The question being put,
And a division being ordered;
There were ayes—9; nays—4.

Two-thirds of the members present not having voted in the affirmative,
The motion did not prevail.

Mr. Brunson moved that Mr. Randall be excused from attendance on the House this afternoon;

The question being put,
And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Rice, Taylor, Tilden and Trask—9.

Those who voted in the negative are—Messrs. Gilman, North, Olmstead, Patch Sloan, Warren and Ames (Speaker)—7.

So the motion prevailed.

Mr. Rice moved that further proceedings under the call of the House be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms reported Mr. Randall in his seat, and that Mr. Wells was not in town.

Mr. Brunson moved to adjourn;

The Chair decided that a motion to adjourn was not in order pending a call of the House.

Mr. Warren moved that further proceedings under the call of the House be dispensed with;

The Speaker here remarked, that proceedings under a call of the House could not be dispensed with, without two-thirds of the members present voting in the affirmative.

The question then recurring upon the motion of Mr. Warren,
And a division being ordered;

There were ayes—12.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

The 15th amendment of the committee of the whole to C. F., chapter 1, was taken up for consideration.

On motion of Mr. Brunson,

Mr. Ford was excused from voting on said amendment.

The question being put upon concurring in the 15th amendment of the committee of the whole to C. F. chapter 1,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Patch, Trask, Warren and Ames (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Rice, Sloan, Taylor and Tilden—9.

So the amendment was not concurred in.

Mr. Trask moved that the rules be so far suspended, that C. F., chapter 1, and chapters, from 42 to 56 inclusive, be read the third time by their titles, this afternoon;

The question being put,
And a division being ordered;

There were ayes—16.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

The said chapters were then read the third time by their titles.

And the question being put,

“Shall chapter 1, and chapters, from 42 to 56 inclusive, pass?”

It was decided in the affirmative, and the titles thereof agreed to.

The message from the Council was taken up and read.

On motion of Mr. Brunson,

The House adjourned.

THURSDAY, FEBRUARY 27, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ramsey, Randall, Rice, Taylor and Tilden, were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Patch, in pursuance of previous notice, and by leave, introduced,

No. 15, H. of R. An act to incorporate the St. Paul and St. Anthony Railroad Company;

Which was read the first time.

Mr. Tilden moved that the rules be so far suspended, that said bill be read the second time by its title, and laid upon the table and be printed.

The question being put,

And a division being ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

The message from the Council of yesterday, was taken up.

C. F., chapter 3, of bill

'No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

Was taken up for the consideration of the amendments of this House, which were non-concurred in by the Council.

Mr. Tilden moved that the House recede from its amendments to said chapter;

The question being put,

And the Speaker being unable to decide,

And a division being ordered;

There were yeas—3; nays—7.

So the House refused to recede from its amendments.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

'MR. SPEAKER:—The Governor, has notified the Council, that he did, on the 25th day of February, A. D. 1851, approve and sign, 'An act providing for the appointment of a Librarian, and for other purposes.'

'The Council has appointed Messrs. Boal and Olmsted, a committee to confer with a similar committee to be appointed by this House, on the disagreeing vote of the two Houses, on the amendment made by this House to C. F., chapter 6, of bill

'No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

'And the appointment of said committee is respectfully requested.

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

'No. 3, C. F. 'A memorial to Congress, asking for a donation of land to the county of Benton.'

'The Council has concurred in the second, third, fourth, fifth, sixth and seventh, and has refused to concur in the first amendment made by this House to C. F., chapter 8, of bill

'No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

'The Council has concurred in the second and third, and refused to concur in the first amendment made by this House, to C. F., chapter 13, of the same bill.

'The Council has concurred in the amendments made by this House, to C. F., chapters 14, 32 and 38, of the same bill.

'The Council has concurred in the second, amended and concurred in the third,

and refused to concur in the first amendment made by this House, to C. F., chapter 35, of the same bill.

"The Council has refused to concur in the amendment made by this House, to C. F., chapter 37, of the same bill."

The Secretary then withdrew.

Mr. Trask moved that the amendments to chapter 3, be considered separately;

The Speaker decided that the question could not be put upon receding from the amendments separately, after the House had refused to recede from them collectively.

Mr. North took an appeal from the decision of the Chair.

The question being put,

"Shall the decision of the Chair stand as the judgment of the House?"

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, Ludden, Sloan and Tilden—6.

Those who voted in the negative are—Messrs. North, Randall, Taylor, and Trask—4.

So the decision of the Chair stands as the decision of the House.

C. F., chapter 4, of bill No. 13, C. F., was taken up for the consideration of the amendments of this House thereto, which were non-concurred in by the Council.

On motion of Mr. Trask,

The House receded from their amendments to said chapter, in gross.

C. F., chapter 5, was taken up for the consideration of the amendments of this House, which were non-concurred in by the Council.

On motion of Mr. Tilden,

The amendments were receded from collectively.

C. F., chapters from 57 to 70 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up.

Mr. North moved that the rules be so far suspended that said chapters be read the first and second times by their titles;

The question being put,

And a division being ordered;

There were ayes—13.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

C. F., chapters, from 57 to 70 inclusive, were read the first and second times by their several titles.

On motion of Mr. Trask,

The House resolved itself into a committee of the whole,

Mr. Tilden in the chair,

For the consideration of C. F., chapters 67 and 68, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

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

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Farribault, Olmstead, Randall, Taylor and Warren were reported absent.

On motion of Mr. Rice,

The House resolved itself into a committee of the whole,
Mr. Ford in the chair,
For the further consideration of C. F., chapters 67, and 68, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the
Territory.

And after some time passed therein, the committee rose, and by their chairman,
reported the said chapters back to the House with amendments;

In which they asked the concurrence of the House.

Mr. Trask moved that the amendments to said chapters, made in committee of
the whole, be acted upon in gross; .

Which motion did not prevail.

C. F., chapter 67, was taken up for the consideration of the amendments of the
committee of the whole thereto.

The question being put upon concurring in the first amendment to said chapter,
And a division being called for and ordered;

There were ayes—8; nays—3.

So the amendment was concurred in.

The question being put upon concurring in the second amendment,
And a division being called for and ordered;

There were ayes—3; nays—4.

So the amendment was not concurred in.

The question being put upon concurring in the third amendment,
And a division being called for and ordered;

There were ayes—5; nays—5.

So the amendment was not concurred in.

The question being put upon concurring in the fourth amendment,
And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Ludden, North,
Ramsey, Randall, Sloan, Tilden, Trask and Ames (Speaker)—9

Those who voted in the negative are—Messrs. Brunson, Ford, and Rice—3.

So the amendment was concurred in.

The fifth amendment to said chapter was concurred in.

The sixth amendment was not concurred in.

The question being put upon concurring in the 7th amendment,
And a division being called for and ordered;

There were ayes—7; nays—3.

So the amendment was concurred in.

The question being put upon concurring in the eight amendment,
And a division being called for and ordered;

There were yeas—3; nays—8.

So the amendment was not concurred in.

The question recurring upon concurring in the ninth amendment of the com-
mittee of the whole to chapter 67;

Mr. Rice offered the following amendment to the amendment:

“Strike out ‘or other female;’ ”

Which amendment to the amendment, was adopted.

And the question then recurring upon concurring in the amendment as amended,
And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Olmstead, Rice,
Sloan, and Trask—5.

Those who voted in the negative are—Messrs. Brunson, Ford, Ludden, North,
Patch, Ramsey, Randall, Tilden and Ames (Speaker)—9.

So the amendment was not concurred in.

Mr. Ludden moved to strike out section 6, of chapter 67;

And the question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, Ludden, North,
Patch, Ramsey, Sloan, Tilden and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Brunson, Ford, Olmstead, Randall, Rice and Trask—6.

So the amendment was concurred in.

C. F., chapter 68, was taken up for the consideration of the amendments of the committee of the whole thereto.

On motion of Mr. Brunson,

The eighth sub-division of section 1, of the amendment to said chapter, was stricken out.

The question then recurring upon concurring in the amendment of the committee of the whole as amended;

And being put, it was concurred in.

Mr. Rice moved that chapter 68 be referred to a select committee;

Which motion prevailed.

And Messrs. Rice, Ludden and Olmstead were appointed said committee.

Mr. Tilden moved that the rules of this House be so far suspended, that chapters, from 57 to 70 inclusive, except chapter 68, be read the third time by their titles now;

And a division being ordered;

There were ayes—10.

Two-thirds of all the members present having voted in the affirmative,

The motion prevailed.

And C. F., chapters, from 57 to 70 inclusive, except chapter 68, were read the third time by their separate titles.

And the question being put,

“Shall these chapters pass?”

It was decided in the affirmative, and the titles thereof agreed to.

The message from the Council was taken up and read.

Mr. Trask moved that a committee of conference be appointed to confer with a similar committee already appointed on the part of the Council, on the disagreeing vote on C. F., chapter 6, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Which motion prevailed.

And Messrs. Trask and Rice were appointed said committee.

On motion of Mr. Trask,

The House adjourned.

FRIDAY, FEBRUARY 28, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Gilman, Olmstead, Ramsey, Randall, Rice, Sloan, Taylor and Warren, were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Trask introduced joint resolution,

No. 2, H. of R. For the meeting of the two Houses of the Legislature in joint convention, for the election of Regents for the University of Minnesota;

On motion, said resolution was adopted.

Mr. Rice gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill granting to John Banfill, the right to establish and maintain a ferry across the Mississippi river.

Mr. Tilden, from the Committee on Corporations, made the following report:

“The Committee on Corporations, to whom was referred the petition of Ansell Smith and others, citizens of St. Croix Falls, and Daniel Stinchfield and others,

citizens of St. Anthony, praying for the laying out and establishment of a Territorial Road from St. Anthony Falls, in Ramsey county, to the Falls of St. Croix, in Washington county; having had said petition under consideration, beg leave to report the following bill:

H. L. TILDEN,
D. GILMAN,
JESSE TAYLOR,
Committee."

No. 16, H. of R. A bill to provide for laying out a territorial road from the village of St. Anthony Falls, to Falls of St. Croix;

Was read the first time.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following bills and memorial, viz:

"No. 3, C. F. 'A memorial to Congress asking for a donation of land to the county of Benton.'

"Chapters 7, 16, 32, 36 and 40 of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

The message from the Council of yesterday was taken up.

C. F., chapter 8, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the first amendment of this House, which was not concurred in by the Council.

Mr. Rice moved that the House recede from its amendments to said chapter;

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—7; nays—4.

So the amendment was receded from.

C. F., chapter 13, of the same bill, was taken up for the consideration of the first amendments of this House, which was non-concurred in by the Council.

The question being put,

"Shall the House recede from its amendment?"

And a division being called for and ordered;

There were ayes—7; nays—5.

So the amendment was receded from.

C. F., chapter 35, of the same bill, was taken up for the consideration of the first amendment of this House, which was non-concurred in by the Council.

The question being put,

The amendment was receded from.

C. F., chapter 37 of the same bill, was taken up for the consideration of the amendment of this House, which was non-concurred in by the Council.

The question being put,

"Shall the House recede from its amendment?"

It was decided in the negative.

On motion of Mr. Randall,

The House resolved itself into a committee of the whole,

Mr. Warren in the chair,

For the consideration of C. F., chapter 17, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory. Also,

No. 14, H. of R. A bill to establish and maintain Common Schools. Also,

No. 15, H. of R. A bill for an act to incorporate the St. Paul and St. Anthony Railroad Company.

After some time passed therein, the committee rose, and by their chairman, reported C. F., chapter 17, back to the House with amendments.

In which they asked the concurrence of the House.

And asked and obtained leave to sit again upon bills No. 14 and 15, H. of R.

On motion of Mr. Tilden,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Ford, Gilman, North, Sloan and Tilden, were reported absent.

Mr. Trask moved that the House adjourn until Monday next at 2 o'clock, P. M.

The question being put,

And a division being called for and ordered;

There were yeas—6; nays—2.

So the House adjourned.

MONDAY, MARCH 3, 1851.

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

Prayer by the Rev. Mr. Hobart.

The Journal of last Friday was then read.

Mr. Trask offered No. 3, H. of R. Joint resolution providing for the election of a suitable person to do the binding of the Laws and Journals of the present session;

On motion of Mr. Tilden,

Said resolution was adopted.

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

No. 17, H. of R. A bill granting to John Banfill the right to establish and maintain a ferry across the Mississippi river;

Which was read the first time.

Mr. Trask moved that the rules be so far suspended, that said bill be now read the second time by its title;

Which motion prevailed.

And the bill was read the second time by its title.

Mr. Wells moved that said bill be laid upon the table and printed;

The question being put,

And the Speaker being unable to decide, a division was ordered;

And there were ayes—1; nays—4.

On motion of Mr. Ludden,

Said bill was laid on the table.

No. 16, H. of R. A bill to provide for laying out a territorial road from the village of St. Anthony Falls, to the Falls of St. Croix,

Was read the second time.

Mr. Tilden moved that the rules be so far suspended, that said bill be engrossed and read the third time this afternoon.

The question being put,

There were ayes—10; nays—1.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

Chapter 17, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendments of the committee of the whole thereto.

The several amendments of the committee to said chapter, were concurred in by the House.

Mr. Tilden moved that chapter 17 be read the third time now.

On motion of Mr. Ludden,

Said chapter was laid on the table.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 16, H. of R. A bill to provide for laying out a territorial road from the village of St. Anthony Falls, to the Falls of St. Croix,

On motion of Mr. Randall,

Said bill was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Randall,

The House resolved itself into a committee of the whole,

Mr. Randall in the chair.

Having under consideration,

No. 14, H. of R. A bill to establish and maintain Common Schools; also,

No. 15, H. of R. A bill for an act to incorporate the St. Paul and St. Anthony Railroad Company.

After some time passed therein, the committee rose, and reported said bills back to the House with amendments to each;

And asked the concurrence of the House therein.

No. 14, H. of R., was taken up for the consideration of the amendments of the committee of the whole thereto;

The first, and only amendment to said bill, was concurred in.

No. 15, H. of R., was taken up for the consideration of the amendments of the committee of the whole thereto;

Mr. Randall offered the following amendment to the last amendment of the committee of the whole to said bill:

"Strike out the word 'ten' and insert the word 'fifteen;'"

Which amendment was adopted.

On motion of Mr. Wells,

The amendments of the committee of the whole to said bill as amended, were concurred in.

Mr. Trask offered the following amendment to said bill:

"Strike out of section 2, the words 'or to do such other business as the President and Directors may think advisable for the benefit of said company, and of giving mortgages, issuing certificates and evidences of indebtedness, signed by President and countersigned by the Secretary.'"

Mr. Ludden offered the following amendment to Mr. Trask's amendment:

"Strike out of section 2, the words 'and of borrowing such sums of money, on loan, from time to time, as may be necessary to enable them to complete their said road, or to do such other business as the President and Directors may think advisable for the benefit of said company, and giving of mortgages, issuing certificates and evidence of indebtedness, signed by the President and countersigned by the Secretary.'"

The question being put upon concurring in the amendment to the amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farrihault, Gilman, Ludden, Randall, Sloan, Taylor, Trask and Wells—9.

Those who voted in the negative are—Messrs. Ford, North, Olmstead, Patch, Ramsey, Rice, Warren and Ames (Speaker)—8.

So the amendment to the amendment, was concurred in.

The question then being put upon concurring in the amendment as amended,
And the ayes and nays being called for and ordered;
Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford,
Ludden, Randall, Sloan, Taylor, Trask and Wells—9.

Those who voted in the negative are—Messrs. Gilman, North, Olmstead, Patch,
Ramsey, Rice, Warren and Ames (Speaker)—8.
So the amendment as amended, was adopted.

Mr. Ludden offered the following amendment to the bill:

“Add to section 2: ‘and the stockholders shall be individually liable for all
debts of the company;’”

The question being put upon the adoption of said amendment,
And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford,
Gilman, Ludden, North, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Tay-
lor and Ames (Speaker)—14.

Those who voted in the negative are—Messrs. Trask, Warren and Wells—3.
So the amendment was adopted.

Mr. Trask offered the following amendment to the bill:

“Strike out all after the word ‘company,’ in the ninth line of section 4.”

Mr. North moved that said bill be referred to the Committee on Corporations;

The question being put,
And the Speaker not being able to decide,
A division was ordered;

And there were ayes—7; nays—7.

So the motion did not prevail.

The question recurring upon the adoption of Mr. Trask’s amendment,
And being put,

It was decided in the negative.

Mr. Rice offered the following amendment to bill

No. 14, H. of R. A bill to establish and maintain Common Schools;

“Add to the end of section 2: ‘Not otherwise appropriated by law.’”

On motion of Mr. Randall,

H. of R. Bills No. 14 and 15, were ordered to be engrossed and read the third
time on to-morrow.

On motion of Mr. Randall,

The House adjourned.

TUESDAY, MARCH 4, 1851.

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

Prayer by the Rev. Mr. Hobart.

The Journal of yesterday was then read and corrected.

Mr. Ludden offered the petition of Thomas F. Morton, for a divorce from his
wife, Mary Morton.

On motion of Mr. Ludden,

Said petition was referred to a special committee, consisting of Messrs. Lud-
den, Ramsey and Randall.

Mr. North, from the Committee on Engrossed Bills, reported as correctly en-
grossed:

No. 14, H. of R. A bill to establish and maintain Common Schools; also,

No. 15, H. of R. A bill for an act to incorporate the St. Paul and St. Anthony
Railroad Company.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

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

"Chapters 14, 33, 39 and 41, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

Mr. Tilden asked and obtained leave, to introduce

No. 18, H. of R. A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet;

Which was read the first time.

On motion of Mr. Tilden,

Said bill was referred to a select committee of three;

Messrs. Tilden, Trask and Ramsey, were appointed said committee.

On motion of Mr. Trask,

No. 14, H. of R. A bill to establish and maintain Common Schools,

Was taken up and read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative; and the title thereof agreed to.

On motion of Mr. Wells,

No. 15, H. of R. A bill for an act to incorporate the St. Paul and St. Anthony Railroad Company,

Was taken up and read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Rice,

No. 17, H. of R. A bill granting to John Banfil the right to establish and maintain a Ferry across the Mississippi river,

Was taken from the table; and

On motion of Mr. Rice,

Read the third time.

And the question being put,

"Shall the bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. North,

C. F., chapter 17, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken from the table, and read the third time by its title;

The question being put,

"Shall this chapter pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Olmstead and Warren, were reported absent.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in

"No. 2, H. of R. 'Joint resolution for the meeting' of the two Houses of the Legislature, for the purpose of electing Regents for the University of Minnesota."

"The Council has appointed Messrs. Forbes and Sturgis, a committee to confer with a similar committee of this House, on the disagreeing vote of the two Houses, on C. F., chapter 3, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The appointment of which committee by the House, is respectfully requested.

"The Council has refused to adhere to the vote non-concurring in the amendment made by this House, to C. F., chapter 37, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has concurred in the first and second, and refused to concur in the third and fourth amendments made by this House to C. F., chapter 67, of the same bill.

"The Council has concurred in

"No. 3, H. of R. 'Joint resolution providing for the election of a suitable person to do the binding of the Laws and Journals of the present session.'

"The Council has concurred in the first, third, fifth, eighth, ninth and thirteenth, has amended and concurred in the sixth, seventh, eleventh and sixteenth, and has refused to concur in the second, fourth, tenth, twelfth, fourteenth, fifteenth, seventeenth and eighteenth amendments of this House to C. F., chapter I, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"And the concurrence of this House is respectfully requested to said amendments.

"A communication, addressed to the Council and House of Representatives, by J. M. Goodhue, Printer, has been laid on the table, and entered on the Council Journal; and a copy is herewith reported."

The Secretary then withdrew.

Mr. Trask moved that a committee of two be appointed, to inform the Council, that the House is now ready to meet them in joint convention, for the purpose of electing twelve Regents for the University of Minnesota; and a suitable person to do the pressing and binding of the Laws and Journals of the present session of the Legislative Assembly;

Messrs. Trask and Olmstead were appointed said committee.

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

Mr. Rice moved a call of the House;

The roll having been called,

Messrs. Farribault and Warren were reported absent.

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

On motion of Mr. Trask,

Mr. Farribault, was excused from attendance on the House this afternoon;

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

The Sergeant-at-Arms announced the Council in attendance, to meet the House in joint convention.

On motion of Mr. Rice,

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

The convention of the two Houses then met in the Hall of this House; and the following proceedings were had:

The Secretary and Chief Clerk, called the roll of their respective Houses,

And all were found to be present.

On motion of Mr. Trask,

The convention then proceeded to elect twelve Regents for the University of Minnesota;

Messrs. Ludden and Norris were appointed tellers.

And the ballots having been received and counted by the tellers;

It appeared that the whole number of votes cast was 26; of which,

Alex. Ramsey	received	25 votes.
H. H. Sibley	"	22 "
C. K. Smith	"	23 "
W. R. Marshall	"	24 "
H. M. Rice	"	21 "
F. Steele	"	25 "
I. Atwater	"	19 "
B. B. Meeker	"	23 "
A. Vanvorhes	"	22 "
G. L. Becker	"	8 "
S. Nelson	"	17 "
N. C. D. Taylor	"	23 "
J. W. Furber	"	14 "
A. D. Foster	"	12 "
Rev. J. A. Myrick	"	2 "
Rev. Mr. Ayr	"	6 "
S. B. Lowry	"	3 "
M. E. Ames	"	1 "
C. W. Borup	"	1 "
N. W. Taylor	"	1 "
W. L. Larned	"	1 "
Mr. Bartlett	"	1 "
William Sturgis	"	1 "
J. M. Goodhue	"	1 "
Blank ballot,		1

The following named gentlemen having received a majority of all the votes cast, were declared duly elected Regents of the University of Minnesota, viz:

Gov. Alexander Ramsey, Hon. H. H. Sibley, Hon. C. K. Smith, Wm. R. Marshall, H. M. Rice, F. Steele, I. Atwater, Hon. B. B. Meeker, A. Vanvorhees, J. W. Furber, S. Nelson, N. C. D. Taylor.

Mr. Trask offered the following resolution:

Resolved, That the Secretary of the Council and Chief Clerk of the House, deposite the names of the Regents in a box, and the President of the Council proceed to draw therefrom. The first four names drawn from the box, shall hold their office six years; the next, four years; and the last two years.

The question being put upon the adoption of said resolution,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Burkleo, Boal, Norris, Olmsted, Rollins, Sturgis, Loomis (President,) Ford, Ludden, North, Patch, Rice, Tilden, Trask and Ames (Speaker)—15.

Those who voted in the negative are—Messrs. Forbes, McLeod, Brunson, Gilman, Olmstead, Ramsey, Randall, Sloan, Taylor, Warren and Wells—11.

So the resolution was adopted.

Alex. Ramsey, H. H. Sibley, B. B. Meeker, and A. Vanvorhes, being the first four names drawn from the box, were declared elected for six years.

F. Steele, I. Atwater, J. W. Furber, and N. C. D. Taylor, being the second four names drawn from the box, were declared elected for four years.

C. K. Smith, W. R. Marshall, H. M. Rice, and S. Nelson, being the last four names drawn from the box, were declared elected for two years.

Mr. Trask moved that the convention now proceed to the election of a suitable person to do the pressing and binding of the Laws and Journals of the present Legislative Assembly, by a *vive voce* vote;

Which motion prevailed.

The rolls being called, the vote resulted as follows:

Mr. Burkleo	voted for	J. P. Owens.
" Boal	"	"
" Forbes	"	"
" McLeod	"	W. G. LeDuc.

Mr. Norris	voted for	D. A. Robertson.
" Olmsted	"	"
" Rollins	"	"
" Sturgis	"	"
" Loomis	"	J. P. Owens.
" Brunson	"	"
" Ford	"	D. A. Robertson.
" Gilman	"	"
" Ludden	"	J. P. Owens.
" North	"	D. A. Robertson.
" Olmstead	"	"
" Patch	"	"
" Ramsey	"	J. P. Owens.
" Randall	"	D. A. Robertson.
" Rice	"	"
" Sloan	"	J. P. Owens.
" Taylor	"	"
" Tilden	"	"
" Trask	"	D. A. Robertson.
" Warren	"	"
" Wells	"	J. P. Owens.
" Ames	"	D. A. Robertson.

D. A. Robertson received 14 votes; J. P. Owens received 11 votes; W. G. LeDuc received 1 vote.

D. A. Robertson having received a majority of all the votes cast, was declared duly elected, to do the pressing and binding of the Laws and Journals of the present session of the Legislative Assembly.

Mr. Wells moved that the convention adjourn *sine die*;

The question being put,

And the Chair being unable to decide, a division was ordered;

And there were ayes—11; nays—7.

So the convention adjourned *sine die*.

The House was called to order by the Speaker.

On motion of Mr. Warren,

The House adjourned.

WEDNESDAY, MARCH 5, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ford, Olmstead, Ramsey and Sloan, were reported absent.

The Journal not having been received from the printer in time,

On motion of Mr. Ludden,

The reading thereof was dispensed with.

Mr. Wells offered the following resolution:

Resolved, That the Chief Clerk of this House be instructed to procure from the Secretary of the Council, a copy of their Journal daily, and have the same printed as daily slips, for the use of this House;

Mr. Tilden moved to lay said resolution on the table;

And the question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—5; nays—4.

So the motion prevailed.

Mr. North offered the following resolution:

Resolved, That the printing of the daily slips for this House be dispensed with;

Mr. Wells moved to lay said resolution upon the table;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Ludden, Taylor, Tilden, Trask and Wells—7.

Those who voted in the negative are—Messrs. Gilman, North, Olmstead, Patch, Rice, Warren and Ames, (Speaker)—7.

So the motion to lay on the table was lost.

Mr. Rice moved that said resolution be adopted;

On motion of Mr. Taylor,

A call of the House was ordered.

The roll having been called,

Messrs. Brunson, Ramsey, Randall and Sloan were reported absent.

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

Mr. Warren moved that further proceedings under the call of the House be dispensed with;

The question being put, and a division ordered;

There were ayes—10; nays—4.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

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

The question recurring upon the adoption of the resolution,

And being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Rice and Warren—6.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Sloan, Taylor, Tilden, Trask, Wells and Ames (Speaker)—11.

So the resolution was not adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters and memorial, viz:

"Chapters 38 and 42, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"No. 1, H. of R. 'A memorial to the Secretary of War for a continuation, of certain explorations in the Territory of Minnesota.'

B. H. RANDALL,
Chairman."

The Speaker then signed said memorial.

The last message from the Council was then taken up;

Mr. Trask moved that a Committee of Conference be appointed to confer with a similar committee, already appointed by the Council, on the disagreeing vote of the two Houses on

C. F., chapter 3, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

Which motion prevailed.

Whereupon, the Speaker appointed Messrs. Trask and Rice said committee.

C. F. chapter 67, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendments which were non-concurred in by the Council;

It appearing that two amendments to said chapter, made by the House, had been lost, and not considered upon by the Council,

On motion of Mr. Brunson,

The Chief Clerk was directed to notify the Council of the fact, and return chapter 67 to the Council, together with the amendments, and ask their concurrence therein.

C. F., chapter 1, of same bill, was taken up for the consideration of the amendments of the Council to the amendments of the House, and the amendments of the House to said chapter, which were non-concurred in by the Council.

The question being put upon agreeing to the amendment of the Council to the sixth amendment of the House to said chapter,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, North, Olmstead, Rice, Sloan and Wells—7.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, Patch, Ramsey, Randall, Taylor, Tilden, Trask, Warren and Ames (Speaker)—11.

So the House refused to agree.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has concurred in the amendments made by this House to the amendments of the Council, to H. of R., chapter 17, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“The Council has concurred in the amendment of this House, to the first amendment of the Council to H. of R., chapter 23, of same bill.

“The Council has concurred in the amendment of this House, to the first amendment of the Council to H. of R., chapter 25, of same bill.

“The Council has concurred in the amendment of this House to the first amendment of the Council to H. of R., chapter 25, of the same bill.

“And has receded from the second amendment to said chapter.

“The Council has passed C. F., chapter 71, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

On motion of Mr. Brunson,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called.

Messrs. Ford, Gilman, Patch and Rice, were reported absent.

C. F., chapter 1, of C. F., bill No. 13, was again taken up, for the consideration of the amendments of the Council to the amendments of the House, and the amendments of the House to said chapter which were non-concurred in by the Council.

The amendment of the Council to the seventh amendment of the House to said chapter, was taken up for consideration;

When Mr. Ludden offered the following as a substitute for the amendment of the Council, viz:

“The returns of said election shall be made to, and the certificates of election issued by the Clerk of the Board of Commissioners of Washington county.”

Which substitute was adopted.

The second amendment of the House, which was non-concurred in by the Council, was taken up;

And the question being put,

“Shall the House recede from its amendment?”

It was decided in the negative.

The question being put upon receding from the fourth amendment of the House which was non-concurred in by the Council,

It was decided in the negative.

The question being put upon receding from the tenth amendment of the House, non-concurred in by the Council,

It was decided in the negative.

The question being put upon receding from the eighth amendment of the House, non-concurred in by the Council,

And a division being called for and ordered;

There were ayes—5; nays—6.

So the House refused to recede.

The question being put upon agreeing to the amendment of the Council to the eleventh amendment of the House.

And the ayes and nays being called for and ordered;

Those who voted in affirmative are—Messrs. North, Olmstead Rice, and Wells—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, Ludden, Patch, Ramsey, Randall, Sloan, Taylor, Tilden, Trask, Warren and Ames (Speaker)—13.

So the amendment was not agreed to.

The question being put upon receding from the twelfth amendment of the House, not concurred in by the Council,

It was decided in the negative.

The question being put upon receding from the fourteenth amendment of the House, not concurred in by the Council,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Olmstead, Randall, and Wells—5.

Those who voted in the negative are—Messrs. Brunson, Gilman, Ludden, North, Patch, Ramsey, Rice, Sloan, Taylor, Tilden, Trask, Warren and Ames (Speaker)—13.

So the House refused to recede.

The House refused to recede from the fifteenth, seventeenth and eighteenth amendments, which were non-concurred in by the Council; and refused to agree to the amendment of the Council to the sixteenth amendment of the House to said chapter.

The Speaker announced as part of the message of the Council, a communication from J. M. Goodhue, the Public Printer; which was read, and is as follows:

ST. PAUL, MONDAY MORNING, }
March 3, 1851. }

To the honorable, the Council and House of

Representatives, of the Territory of Minnesota:

The undersigned begs leave respectfully to represent, that, *Whereas*, it appears by the Journal of the Council of Friday, the 31st ult., that two chapters, viz: chapters 72 and 73, of bill No. 13, C. F., a bill for revising and consolidating the general statutes of the Territory, were that day reported to the Council, and, under the rules, should have been immediately placed in my hands, as Public Printer, to print; but that said two chapters, (except so much of one of them as is printed and sent horewith to the Council, and a little more thereof; but not enough for a form, now standing in type,) have not yet been placed in my hands; that we are, and have been, anxiously waiting for copy, our cases filled with type; that if we had been furnished with sufficient copy, we could to-day, have furnished you with nearly or quite, one hundred pages of bills—that this delay of the work of ten hands, is a very serious inconvenience and loss to the undersigned and to those in his employ—that it does not appear by the Journal, that any such delay was contemplated, expected, or warranted by you—that the undersigned has spared no labor, inconvenience or expense, to do the printing with all possible despatch, consistent with careful accuracy, and desires to stand acquitted of any accusation of negligence or delay.

The undersigned believes, that the *reasons* why said two chapters have not been promptly placed in his hands to print, and the *cause* of this delay of the public business, demand your searching inquiry.

Very respectfully, your obd't. servant,

JAMES M. GOODHUE,
Printer.

Mr. Olmstead moved that the communication be laid upon the table, and taken up and considered in committee of the whole, on the first day of April next;

Which motion did not prevail.

Mr. Patch moved that ten thousand copies of said communication be printed for the use of the Minnesota Historical Society;

Which motion prevailed.

Mr. Warren moved that a committee of three be appointed, "to make the searching inquiry, alluded to in the communication;"

Which motion prevailed.

Messrs. Warren, Sloan and Olmstead were appointed said committee.

C. F., chapter 71, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

On motion of Mr. Trask,

Read the first time by its title.

On motion of Mr. North,

The rules were so far suspended, that said chapter was read the second time by its title.

On motion of Mr. Randall,

Said chapter was laid on the table, and ordered to be taken up and considered in committee of the whole on to-morrow.

Mr. Warren moved the House adjourn;

The question being put,

And the Speaker being unable to decide, a division was ordered;

And there were ayes—9; nays—3.

So the House adjourned.

THURSDAY, MARCH 6, 1851.

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

The roll having been called,

Messrs. Brunson, Gilman, Patch, Rice and Sloan, were reported absent.

The Journal of yesterday was then read.

Mr. Wells gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill providing for the encouragement of agriculture and stock growing.

Mr. Tilden made the following report:

"The select committee, to whom was referred a bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet, submit the testimony taken in the case, and report the bill back to the House, and recommend its passage.

H. L. TILDEN, }
S. TRASK, } Committee."
J. C. RAMSEY, }

No. 18, H. of R. A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet.

Was read the second time.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:
"The Committee on Enrolled Bills, have examined and found carefully enrolled the following chapters:

"Chapter 35, 66 and 70, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

The Speaker announced a communication upon his table, from James M. Goodhue, Public Printer;

Which was read, and is as follows:

ST. PAUL, THURSDAY MORNING, }
March 6th, 1851. }

*To the honorable, the House of Representatives,
of the Territory of Minnesota:*

The undersigned has to beg the indulgence of your honorable body, for not having in readiness this morning, the whole of the very large edition of the letter of yesterday, ordered to be printed upon the motion of Mr. Patch. By the utmost exertion, I have been able to complete only nine thousand copies; of which, the most are not yet stitched and covered; but I shall spare no exertion to have the whole number completed within a few more hours.

I remain, very respectfully,

Your obd't. servant,

JAMES M. GOODHUE,
Printer.

Mr. Tilden asked for the reading of the testimony taken in the case of *Marinas P. Bennet and Sarah A. Bennet*; which was read.

Mr. Tilden moved that the rules be so far suspended, that

No. 18, H. of R. A bill to dissolve the marriage contract between *Marinas P. Bennet and Sarah A. Bennet*;

Be read the third time now.

The question being put,

And a division being ordered;

There were ayes—12.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

Said bill was read the third time,

And the question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Randall,

The House resolved itself into a committee of the whole,

Mr. Wells in the chair.

Having under consideration, C. F., chapter 71, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory.

During the session of the committee, the following message from the Council by Joseph R. Brown, Esq., was announced,

When the Speaker resumed the chair for its reception, viz:

"MR. SPEAKER:—The Council has negatived, by indefinitely postponing,

"No. 17, H. of R. 'A bill granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.'

"And have negatived, by refusing to order to a third reading,

"No. 16, H. of R. 'A bill to provide for laying out a territorial road from the village of St. Anthony Falls, to Falls of St. Croix.'

"The Council has passed C. F., chapter 71, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The committee of the whole resumed its session.

After some time passed therein, the committee rose, and by their chairman, reported said chapter back to the House with amendments;

In which they asked the concurrence of the House.

On motion of Mr. Wells,

The amendments of the committee of the whole were concurred in collectively.

Mr. Warren offered the following amendment to the chapter, viz:

"In section 12, article 3, second line, strike out 'Itasca and,' and in third line, strike out 'Mahkahto and Wahnakta,' and insert 'Meeker and Itasca.'"

Which amendment was adopted.

On motion of Mr. Trask,

C. F., chapter 71, was read the third time by its title.

The question being put,

"Shall this chapter pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Gilman, Olmstead, Ramsey, Rice, Sloan, Tilden and Warren were reported absent.

The Speaker called Mr. Tilden to the Chair.

Mr. Ames moved that the vote by which

No. 18, H. of R. A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet, be reconsidered;

Which motion prevailed.

Mr. Ames then asked and obtained the unanimous consent of the House, and offered the following amendment to the bill:

"SEC. 2. The control, care and education of the children of said Sarah A. Bennet, shall be, and the same is hereby given to their mother, the said Sarah A. Bennet, until they arrive at full and lawful age."

Said amendment was adopted.

And the question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. Ames moved the House adjourn;

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Patch, Ramsey, Sloan, Taylor, Tilden, Trask, Warren, Wells and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Ford and North—2.

So the House adjourned.

FRIDAY, MARCH 7, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Gilman, Olmstead and Sloan were reported absent.

The Journal of yesterday was then read.

Mr. Ludden introduced No. 4, H. of R. Joint resolution, instructing the Joint Judiciary Committee to make their final report to the Legislature, at a certain time, therein specified;

The question being put upon the adoption of the resolution,
And the Speaker being unable to decide, a division was ordered;
And there were ayes—8; nays—5.
So the resolution was adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:
"The joint committee did, on the 6th day of March, A. D. 1851, present to his
Excellency, the Governor of Minnesota Territory, for his examination and ap-
proval, the following entitled memorial:

"A memorial to Congress asking for a grant of land to the county of Benton.
M. McLEOD, Council,
B. H. RANDALL, H. of R., } Committee."

Mr. Wells, in pursuance of previous notice, and by leave, introduced
No. 19. H. of R. A bill providing for the encouragement of agriculture and
stock growing, in the Territory of Minnesota;
Which was read the first time.

Mr. Ludden, from the select committee made the following report, viz:

"The committee, to whom was referred the petition of Thomas F. Morton,
praying to be divorced from his wife, Mary Morton, would respectfully report, that
they have had the same under consideration, and are of opinion that the prayer
of the petitioner should be granted.

"The testimony in the case is herewith submitted to the House; and, in the
opinion of your committee, affords abundant evidence to support the affidavit of
the petitioner, and sufficient reason for granting the relief asked for.

"Your Committee, would therefore, recommend the passage of the following
bill:

J. D. LUDDEN,
J. C. RAMSEY,
B. H. RANDALL, } Committee."

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing
existing between Thomas F. Morton and Mary Morton,

Was read the first time.

On motion of Mr. Wells,

The report of the select committee was accepted, and the committee discharged.

Mr. Randall moved that the rules be so far suspended, that H. of R. No. 20,
be read the second time now by its title;

A division was ordered;

And there were ayes—12.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And said bill was read the second time by its title.

Mr. Brunson moved that the rules be so far suspended, that bill No. 19, H. of
R. be read the second time by its title;

The question being put,

And a division being ordered;

There were ayes—13.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And said bill was read the second time.

C. F., chapter 72, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the
Territory,

Was taken up; and

On motion of Mr. Randall,

Said chapter was read the first time by its title.

Mr. Wells moved that the rules be so far suspended, that said chapter be read
the second time now by its title;

The question being put,

And a division being ordered;

There were ayes—12.

Two-thirds of the members present having voted in the affirmative,
The motion prevailed.

And the said chapter was read the second time by its title.

On motion of Mr. North,
The House resolved itself into a committee of the whole;
Mr. Brunson in the Chair,
Having under consideration,

No. 19, H. of R. A bill providing for the encouragement of agriculture and stock growing, in the Territory of Minnesota; also,

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton; also,

C. F., chapter 72, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported bills No. 19 and 20, H. of R., back to the House without amendments; and memorial to Congress, No. 2, with an amendment;

In which they asked the concurrence of the House.

And reported progress on C. F., chapter 72, of bill No. 13, C. F., and asked and obtained leave to sit again, for the consideration of said chapter.

The question being put upon concurring in the amendment of the committee of the whole to said memorial,

It was concurred in.

Mr. Brunson offered the following amendment to the memorial:

“Strike out the word ‘file,’ and insert the word ‘make,’ in the ninth line of said memorial;”

Mr. Trask moved that bill No. 19, H. of R. and bill No. 20, H. of R., be engrossed and read the third time on to-morrow.

Mr. Rice asked that the question might be taken on the bill separately;

The question being put, on

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton,

It was decided in the affirmative.

On motion of Mr. Wells,

Leave of absence was granted to Mr. Ames for this afternoon and to-morrow.

Mr. Rice nominated Mr. Trask Speaker *pro tem*.

And the question being put,

Mr. Trask was unanimously elected.

Mr. Trask in the Chair,

Mr. Ames moved that the rules be so far suspended, that No. 19, H. of R., be engrossed and read the third time now;

The question being put,

And a division being ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

Mr. North, from the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed,

No. 19, H. of R. A bill providing for the encouragement of agriculture and stock growing, in the Territory of Minnesota.

The question being put,

“Shall this bill pass?”

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Gilman, Patch, Taylor, Trask, Wells and Ames—7.

Those who voted in the negative are—Messrs. North, Ramsey, Randall, Rice, and Sloan—5.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Brunson,

The House adjourned until to-morrow morning, at 10 o'clock, A. M.

SATURDAY, MARCH 8, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Ludden, North, Rice, Sloan, Tilden and Wells, were reported absent.

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

The Journal of yesterday was then read.

Mr. Ramsey, from the Committee on Engrossed bills, reported as correctly engrossed,

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.

No. 2, H. of R. Memorial to Congress, praying that the 15th section of the act of Congress of the 4th of September, 1841, may be amended, &c.;

Was taken up; and

Mr. Rice offered the following amendment to the memorial:

"Amend, line 3, from the bottom, by striking out all after the word 'who,' to, and including the word 'lands;' and insert 'settle upon unsurveyed land, (not reserved by the United States,) to which the Indian title has been extinguished.'"

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—4; nays—3.

So the amendment was adopted.

Mr. Rice then offered the following amendments to the memorial:

Which were adopted.

"Strike out in lines 2 and 3, the words, 'when the Indian title is extinguished,' and strike out in lines 3 and 4, after the word 'instalments,' the words 'and on failure to pay any instalment when due, to forfeit all previous payments and all improvements made;'"

On motion of Mr. Tilden,

The said memorial was ordered to be engrossed and read the third time on Monday next.

Mr. Randall, from the Committee on Claims, made the following report:

"The Committee on Claims, to whom was referred,

"No. 2, C. F. 'A memorial to Congress relative to unpaid appropriations,'

"Have had the same under consideration, and submit the following report:

"That your committee find no law of Congress which restricts the Legislature of any Territory in the appropriation of any sum, which they may deem reasonable and just, for the printing done for the Legislature, at any session thereof—nor can they find any law prohibiting the Legislature from requiring duties to be performed connected with the session, by any person or persons, after the adjournment of said session, and appropriating a reasonable compensation therefor.

"By an act of Congress, approved August 29th, 1842, your committee find a provision, prohibiting the payment of enrolling clerks for the two Houses, or the payment of any appropriation for extra services to any clerk of the Legislature.

"Your committee, therefore, deem it inexpedient to memorialize Congress for payment of any appropriation made in contravention of any law of Congress; but believe the appropriation of \$243 to A. V. Fryer, and \$100 each, to Joseph R. Brown and H. A. Lambert, for enrolling and engrossing, if paid, must be paid from the Territorial Treasury.

"The unpaid appropriations, now contained in the memorial for printing, and for labor performed after the adjournment of the Legislature, your committee be-

lieve, should be paid by the General Government, out of the fund appropriated to cover the deficiency in the appropriation for the expenses of the first session of the Legislative Assembly of Minnesota.

B. H. RANDALL, }
J. D. LUDDEN, } Committee."
J. A. FORD, }

No. 2, C. F. A memorial to Congress relative to unpaid appropriations,
Was taken up.

Mr. Ludden offered the following amendment to the memorial:

"In line 8, third division, strike out the words 'to be paid,' and insert the word 'claimed;'"

The question being put, the amendment was adopted.

Mr. Randall offered the following amendment to the memorial:

"Strike out the word 'refund' and insert 'pay,' and strike out the words 'still due,' and insert 'claimed.'"

The question being put, the amendment was adopted.

On motion of Mr. Gilman,

Said memorial was laid on the table.

Mr. Randall, from the Committee on Enrolled Bills, submitted the following report:

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following chapters:

"Chapters 48, 49, 50 and 69, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'"

B. H. RANDALL,
Chairman."

Mr. Olmstead moved that the House adjourn until Monday morning next at 10 o'clock;

The question being put,
And the Speaker being unable to decide,
A division was ordered;
And there were ayes—7; nays—5,
So the House adjourned.

MONDAY, MARCH 10, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Gilman, Ludden, Olmstead, Sloan, Tilden and Warren, were reported absent.

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

The Journal of last Saturday was then read.

No. 20, H. of R. A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton,

Was taken up and read the third time.

And the question being put,

"Shall the bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. Rice, from the committee, to whom was referred C. F., chapter 68, made the following report:

To the House of Representatives, of the Territory of Minnesota:

"The committee, to whom was referred chapter 68 of the revision, have had the same under consideration, and have the honor to report a substitute therefor, which, with some omissions and slight modifications, is the same as the chapter reported by the Judiciary Committee.

"With but one exception, there is no essential difference between the causes of divorce enumerated in the chapter referred to us, and those specified in the substitute, and the only essential difference in other respects is, that the former declares in general terms, that 'the district court has jurisdiction of all the causes of divorce and alimony and guardianship, connected therewith;' while the latter specifies in what manner, and to what extent such jurisdiction may be exercised. The former, leaves the mode of administering, and the extent of relief, to be ascertained from the various commentaries of writers upon law and equity, and from the reported decisions of ecclesiastical and equity courts—the principles collected and established from which are termed 'unwritten law;' while the latter defines in plain terms all the remedies which, according to the principles and usages of courts of equity in this country, are applicable to the subject of divorce, and as incident thereto, of alimony and guardianship, and which are termed 'written law.' The former has the advantage of brevity, but leaves the incidental rights of parties and their wards, to be ascertained by lawyers who, it is said, often disagree, and by courts, which are sometimes mistaken; while the latter, places the whole subject, and all the remedies and disabilities connected with it, at full length upon the statute—and is designed to be 'in ordinary and concise language, without repetition, and in such a manner as to enable a person of common understanding to know what is intended.'

"All which is respectfully submitted.

EDMUND RICE,
J. D. LUDDEN.

February 10, 1851.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 3, H. of R. A memorial to Congress, praying that the 15th section of the act of Congress of the 4th of September, 1841, may be amended, &c.

On motion of Mr. Wells,

Said memorial was read the third time by its title.

The question being put,

"Shall the memorial pass?"

It was decided in the affirmative; and the title thereof agreed to.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Ludden in the chair,

For the consideration of C. F., chapter 72, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported the said chapter back to the House with amendments;

In which they asked the concurrence of the House.

On motion of Mr. Tilden,

The said amendments were adopted in gross.

On motion of Mr. North,

The rules were so far suspended, that said chapter was read now, the third time by its title.

The question being put,

"Shall the said chapter pass?"

It was decided in the affirmative, and the title thereof agreed to.

The report of the select committee, to whom was referred C. F., chapter 68, Was taken up; and

On motion of Mr. North,

Said report was accepted, and the committee discharged.

On motion of Mr. Randall,
Said report was adopted.
On motion of Mr. North,
H. of R., substitute for C. F., chapter 68, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the
Territory,
Was read the third time by its title.
And the question being put,
"Shall this chapter pass?"
It was decided in the affirmative, and title thereof agreed to.
On motion of Mr. Randall,
No. 2, C. F., Memorial to Congress, relative to unpaid appropriations,
Was taken from the table; and
On motion of Mr. Wells,
The said memorial was postponed indefinitely.
Mr. Wells moved that the House adjourn;
And the question being put,
It was decided in the negative.
A division being called for and ordered;
There were yeas—7; nays—4.
So the House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.
The roll having been called,
Messrs. Brunson, Gilman, North, Ramsey and Warren, were reported absent.
Mr. Ludden, from the select committee to whom was referred the petition of
Marcelle Couturier for a divorce from his wife, Margaret, reported as follows:
"The committee, to whom was referred the petition of Marcelle Couturier, for
a divorce from his wife, Margaret Couturier, beg leave to report:
"That they have had the same under consideration, and are of opinion that the
prayer of the petitioner should be granted.
"The testimony in reference to the case, consists of the affidavits of Joseph R.
Brown and Margaret Couturier; which affidavits are herewith submitted.
S. B. OLMSTEAD, }
J. C. RAMSEY, } Committee."
J. D. LUDDEN, }

Mr. Rice moved that the House adjourn;
The question being put,
It was decided in the affirmative.
A division being called for and ordered;
There were ayes—8; nays—7.
So the House adjourned.

TUESDAY, MARCH 11, 1851.

The House met pursuant to adjournment, and was called to order by the
Speaker.
Prayer by the Rev. Mr. Hobart.
The roll having been called,
Messrs. Brunson, Ford, Gilman, Olmstead, Ramsey, Randall, Sloan, Tilden
and Warren, were reported absent.
The Journal of yesterday was then read.

Mr. Trask offered the following resolution:

Resolved, That a committee of three be appointed to examine and measure the printing done by J. M. Goodhue, for the last Legislative Assembly, and report thereon as soon as practicable.

On motion of Mr. Trask,

Said resolution was adopted.

Whereupon Messrs. Trask, Brunson and Ramsey were appointed said committee.

Mr. Ludden gave notice as follows:

That on to-morrow, or some future day, he would introduce a bill for the divorce of Marcelle Couturier from his wife, Margaret Couturier.

Mr. Wells offered the following resolution:

Resolved, That no bills or memorials be received in this House, after the twentieth instant;

On motion of Mr. Rice,

The said resolution was laid on the table.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapter:

Articles 1, 2, 3, 4, 5, 6 and 7, of chapter 8, and chapters 4, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 47 and 51, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

The following message was received from the Council by Joseph R. Brown, Esq., the Secretary thereof, viz:

"MR. SPEAKER:—Mr. Sturgis has been excused from serving on the committee appointed to confer on the disagreeing vote of the two Houses on C. F., chapter 3, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"And Mr. Norris has been appointed on said committee.

"The Council has concurred in

"No. 14, H. of R. 'A bill to establish and maintain Common Schools,' with amendments, and an amendment to the title thereof,

"In which the concurrence of this House is respectfully requested.

"The Council, upon consideration of the amendments of this House, which were lost, to C. F., chapter 67, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"Concurred in the second, and refused to concur in the first of said amendments.

"The Council has appointed Messrs. McLeod and Burkleo, a committee to confer with a similar committee to be appointed by this House, on the disagreeing vote of the two Houses, on C. F., chapter 1, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"And the appointment of a similar committee is respectfully requested.

"The Council has negatived, by indefinitely postponing,

No. 4, H. of R. Joint resolution instructing the Joint Judiciary Committee to make their final report, at a certain time therein specified.

"The Council has passed

"No. 17, C. F., 'A bill to incorporate St. Paul Division, No. 1, Sons of Temperance.'

"In all which the concurrence of this House is respectfully requested.

"The Council has concurred in

"No. 18, H. of R. 'A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet.'

"The Council has passed,

"No. 15, C. F. 'A bill granting to Charles E. Dole and others, the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony, and Sauk Rapids;'

"And C. F., chapter 73, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In all which the concurrence of this House is respectfully requested.

"The Council has concurred in,

"No. 13, H. of R. 'A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.'"

The Secretary then withdrew.

Mr. Brunson gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill, supplementary to an act entitled

"An act to incorporate the town of St. Paul, in the county of Ramsey," approved Nov. 1, 1849.

The message from the Council was then taken up; and

No. 14, H. of R. A bill to establish and maintain Common Schools;

Was taken up for the consideration of the amendments of the Council thereto;

The first, second, third, fifth, sixth, eighth, ninth, tenth, and eleventh amendments of the Council to said bill, were severally concurred in by the House.

And the fourth and seventh amendments of the Council to said bill, were not concurred in.

C. F., chapter 67, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the first amendment of this House, which was lost; and which was not concurred in by the Council,

The question being put,

"Shall this House recede from the amendment?"

It was decided in the affirmative.

A division being called for and ordered;

There were ayes—10; nays—0.

So the House receded from the amendment.

No. 15, C. F. A bill granting to Charles E. Dole and others, the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony and Sauk Rapids;

Was taken up, and read the first time.

No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance;

Was taken up, and read the first time.

C. F., chapter 73, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

On motion of Mr. North,

Was read the first time by its title.

Mr. North moved that C. F., chapter 73, and C. F., bills No. 15 and 17, be read the second time by their titles;

The question being put,

And two-thirds of the members present voting in the affirmative,

The motion prevailed.

On motion of Mr. North,

The House resolved itself into a committee of the whole,

Mr. Ford in the chair,

For the consideration of

No. 17, C. F. A bill granting to Charles E. Dole and others, the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony and Sauk Rapids; also,

No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance.

During the session of the committee of the whole, a communication from the Council was announced by J. R. Brown, Esq., Secretary thereof;

When the Speaker resumed the chair for its reception, viz:

MR. SPEAKER:—The Council respectfully requests this House to return to the Council for further action,

“No. 17, H. of R. ‘A bill granting to John Banfill the right to establish and maintain a ferry across the Mississippi river;’

“The Council has concurred in the substitute adopted by this House to C. F., chapter 68, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“The Council has concurred in the first, second, third, fifth, sixth, seventh and eighth, and have amended and concurred in the fourth amendments of this House, to C. F., chapter 72, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

The Secretary then withdrew.

When the committee of the whole resumed its session.

After some time passed therein, the committee rose, and by their chairman, reported bill No. 15, C. F., back to the House with amendments;

In which they asked the concurrence of the House.

And reported progress on bill No. 17, C. F., and asked and obtained leave to sit again, for the further consideration of said bill:

On motion of Mr. Trask,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Rice, Sloan, Warren and Wells were reported absent.

Mr. Trask moved that a committee of two, be appointed by this House, to confer with a similar committee appointed on the part of the Council, on the disagreeing vote of the two Houses, on C. F., chapter 1, of the revision;

The question being put,

The motion prevailed.

The Speaker called upon the House to make their nominations;

When Mr. Trask remarked that he did not intend to convey that idea by his motion.

On motion of Mr. Gilman,

The vote by which Mr. Trask’s motion was adopted, was re-considered.

On motion of Mr. Olmstead,

Ordered, That a committee of two be appointed by the Speaker, to confer with a similar committee appointed on the part of the Council, on the disagreeing vote of the two Houses on C. F., chapter 1, of the revision;

Whereupon the Speaker appointed Messrs. Olmstead and Rice, said committee.

Bill No. 15, C. F., was taken up for the consideration of the amendments of the committee of the whole thereto;

Mr. Tilden moved that said bill be indefinitely postponed.

On motion of Mr. North,

A call of the House was ordered.

The roll being called,

Messrs. Farribault, Rice, Warren and Wells were reported absent.

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

The Sergeant-at-Arms reported all the absent members in their seats except Mr. Warren, who was absent from town.

Mr. Olmstead moved that further proceedings under the call of the House be dispensed with;

The question being put,
And a division being ordered;
There were ayes—13.

Two-thirds of the members present having voted in the affirmative,
The motion prevailed.

The question recurring on the motion of Mr. Tilden, for the indefinite postponement of the bill,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Gilman, Ludden, Olmstead, Ramsey, Sloan, Taylor and Tilden—9.

Those who voted in the negative are—Messrs. Ford, North, Patch, Randall, Rice, Trask, Wells and Ames (Speaker)—8.

So the motion prevailed.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Olmstead in the chair,

For the consideration of

No. 17, C. F., A bill to incorporate St. Paul Division, No. 1, Sons of Temperance; also,

C. F., chapter 73 of No. 13, C. F. of the revision.

After some time passed therein, the committee rose.

The Speaker being absent,

On motion of Mr. Olmstead,

Mr. Randall was elected Speaker *pro tem*.

The committee of the whole by their chairman, reported progress, and asked and obtained leave to sit again.

Mr. Olmstead moved that the House adjourn;

The question being put,
And the Speaker being unable to decide,
A division was ordered;
And there were ayes—5; nays—1.

So the House adjourned.

WEDNESDAY, MARCH 12, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Ludden, North, Ramsey, Sloan, Tilden, Trask, Warren and Wells, were reported absent.

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

The Speaker called Mr. Tilden to the chair.

Mr. Sloan presented a memorial of Catharine Wells, praying for a divorce from her husband, George Wells.

Mr. Rice moved that the said memorial be referred to a select committee of three;

Whereupon the Chair appointed Messrs. Ludden, Olmstead and Taylor said committee.

No. 21, H. of R. A bill for an act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier,

Was read the first time.

No. 22, H. of R. A bill supplementary to an act entitled 'An act to incorporate the town of St. Paul, in the county of Ramsey;' approved Nov. 1, 1849,

Was read the first time.

On motion of Mr. Rice,

The rules were so far suspended, that said bill was read the second time by its title and ordered to be printed.

Mr. Rice moved that

No. 17, H. of R. A bill granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river,

Be returned to the Council for further action, agreeably to the request thereof.

The question being put,

The motion prevailed.

C. F., chapter 72, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for the consideration of the amendment of the Council to the 4th amendment of this House to said chapter.

The question being put,

The amendment was agreed to.

Mr. Farribault, through Mr. Wells, moved a re-consideration of the vote of yesterday, by which

No. 15, C. F. A bill granting to Charles E. Dole and others, the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony and Sauk Rapids, was indefinitely postponed.

On motion of Mr. Brunson,

A call of the House was ordered.

The roll being called,

Messrs. Gilman, North and Warren were reported absent.

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

Mr. Olmstead moved that further proceedings under the call of the House be dispensed with;

The question being put, and a division being ordered;

There were ayes—10; nays—3.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

The question recurring upon the motion of Mr. Farribault, to re-consider,

And being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Patch, Rice, Trask, Wells and Ames (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Ludden, Ramsey, Randall, Sloan, Taylor and Tilden—7.

So the motion to re-consider did not prevail.

Mr. Olmstead having refused to vote on said motion to re-consider, and objection having been made;

Mr. Ames moved that Mr. Olmstead be excused from voting on said question;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Patch, Randall, Rice, Trask, Wells and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Brunson, Ludden, Ramsey, Sloan, Taylor and Tilden—6.

So the said motion prevailed.

Mr. Rice, from the select committee of conference, on the disagreeing vote of the two Houses, on C. F. chapter 3, of the revision, made the following report:

"To the House of Representatives:

"The committee appointed to confer with a similar committee of the Council, touching the disagreeing vote of the two Houses, on the amendments of this House, to C. F. chapter 3, of the revision, have the honor to report that they have performed the duty assigned them, and they unanimously recommend that the House do recede from the first, second and fourth amendment.

"That the third amendment be amended in line 15, section 11, by striking out all after the word 'houses,' and inserting 'need not be deposited as above provided, until the expiration of thirty days after the adjournment of the Legislative Assembly;'

"That the fifth amendment be amended by substituting therefor, the following, as section 16:

"The Librarian, in addition to other duties assigned him by law, shall also have the custody of the furniture and property appertaining to the chambers of the Legislative Assembly, and to the respective committee rooms thereof; and shall be liable on his official bond, for any loss or injury to such furniture or property, arising from negligence or misconduct; and he shall also prepare for the accommodation of members, the respective chambers of the Legislative Assembly, previous to each annual session thereof.'

"That the seventh amendment be amended in line 3, section 18, by striking out (in addition to the amendment of the House) also the words 'time they serve as such officers,' and insert 'session of the Legislative Assembly;'

"And that the Council concur in the eighth amendment.

SYLVANUS TRASK, } Committee."
EDMUND RICE, }

March 11, 1851.

On motion of Mr. Wells,

The report of said committee was accepted, and the committee discharged.

On motion of Mr. Brunson,

The House resolved itself into a committee of the whole,

Mr. Wells in the chair,

For the consideration of

No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance; also,

C. F., chapter 73, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

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

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Wells in the Chair,

For the further consideration of

No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance;

Also, chapter 73 of the revision.

After some time passed therein, the committee rose, and by their chairman, reported said chapter and bill back to the House without amendments.

On motion of Mr. Ludden,

C. F., chapter 73, of the revision, was laid on the table.

No. 17, C. F. A bill to incorporate St. Paul Division, No. 1, Sons of Temperance,

Was taken up, and read the third time.

And the question being put,

"Shall this bill pass?"

It was decided in the affirmative, and title thereof agreed to.

On motion of Mr. Tilden,

The House adjourned,

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Ludden, Olmstead, Ramsey, Sloan, Taylor, Tilden, Trask, Warren and Wells were reported absent.

Mr. Randall moved a call of the House;

Which was ordered.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Ludden, Olmstead, Ramsey, Sloan, Taylor, Tilden, Trask, Warren and Wells, were reported absent.

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

The Speaker called Mr. Patch to the Chair.

On motion of Mr. Brunson,

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

On motion of Mr. Brunson,

The House adjourned.

THURSDAY, MARCH 13, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, Olmstead, Ramsey, Sloan and Warren, were reported absent.

No. 21, H. of R. A bill for an act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier,

Was taken up, and read the second time.

On motion of Mr. Trask,

The said bill was ordered to be engrossed and read the third time on to-morrow.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The joint committee did, on the 12th day of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following memorials:

"A memorial to the Secretary of War for the continuation of certain explorations in the Territory of Minnesota.

"A memorial to Congress asking for a donation of land to the county of Benton.

WM. STURGIS, Council, }
B. H. RANDALL, H. of R., } Committee."

Mr. Tilden offered the following resolution:

Resolved, That the hour to which the House shall stand adjourned from day to day, shall be 9 o'clock A. M., and 2 o'clock P. M., unless otherwise ordered by this House.

The question being put upon the adoption of the resolution,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Gilman, Ludden, Patch, Ramsey, Randall, Sloan, Taylor, Tilden and Trask—10.

Those who voted in the negative are—Messrs. Ford, Rice, Wells and Ames (Speaker)—4.

So the resolution was adopted.

On motion of Mr. Patch,
C. F., chapter 73, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken from the table.

Mr. Ludden offered the following amendment to the chapter:

"Insert as substitute for section 100, 'personal property to the amount of five hundred dollars, belonging to any person or family, shall be exempt from sale under any execution, writ of attachment, or any other final process of a court;'"

The following message from the Council, by J. R. Brown, Esq., Secretary thereof, was received, viz:

"MR. SPEAKER:—The Council has adopted the report of the committee of conference on C. F., chapter 3, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has concurred in

"No. 20, H. of R. 'A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.'

"The Council has negatived, by striking out the enacting clause, of

"No. 15, H. of R. 'A bill for an act to incorporate the St. Paul and St. Anthony Railroad Company.'

"The Council has receded from the fourth and seventh amendments made by the Council, to C. F., chapter 30, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;' reported as

"No. 14, H. of R. 'A bill to establish and maintain Common Schools;' in which this House refused to concur.

"The Council has passed,

"No. 16, C. F. 'A bill to incorporate the St. Anthony Boom Company;' and C. F. chapters, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84 of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In all which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The question recurring upon Mr. Ludden's amendment,

And being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Patch, Ramsey, Taylor and Trask—4.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, Randall, Rice, Sloan, Tilden, Wells and Ames (Speaker)—11.

So the amendment was not concurred in.

Mr. Rice offered the following amendment to said chapter 73, of bill No. 13, C. F.:

"Amend section 101, line 1, by striking out 'section 101,' and inserting '10;' and insert the word 'are,' after the word 'section' in line 2."

Which was agreed to.

Mr. Trask offered the following amendment to the chapter:

"Strike out the last four words of the tenth sub-division of section 100;"

Which amendment was agreed to.

On motion of Mr. Tilden,

C. F., chapter 73, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was read the third time by its title.

The question being put,

"Shall this chapter pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Tilden,

The report of the select committee of conference, on the disagreeing vote of the two Houses, on C. F., chapter 3, of the revision, was taken up and adopted.

The message from the Council was taken up.

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company,

Was read the first time.

C. F., chapters, from 74 to 84 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Randall,

Were read the first time by their title.

Mr. Rice moved that

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company,

Be indefinitely postponed.

The Speaker called Mr. Tilden to preside.

Mr. Patch moved that the House adjourn;

The question being put,

And the Speaker being unable to decide,

A division was ordered;

And there were ayes—9; nays—3.

So the House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Ford, Ludden, Olmstead, Ramsey and Warren, were reported absent.

On motion of Mr. Rice,

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company;

Was laid on the table for one week.

C. F., chapters from 74 to 84 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up; and

Mr. Randall moved that the rules be so far suspended, that the said chapters be read the second time by their titles.

The question being put,

And a division being ordered;

There were ayes—11.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And the said chapters were read the second time by their titles.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Brunson in the chair,

Having under consideration, C. F., chapters from 74 to 84 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House without amendment.

Mr. Wells moved that the rules be so far suspended, that chapters from 76 to 84 inclusive, be read the third time now by their titles;

The question being put,

And a division being ordered;

There were ayes—9.

Two-thirds of all the members present having voted in the affirmative,

The motion prevailed.

And said chapters were read the third time by their several titles.

The question being put,

"Shall these chapters pass?"

It was decided in the affirmative, and the titles thereof agreed to.

Mr. Trask moved that C. F., chapter 75 of the revision, be referred to a select committee of three;

Which motion prevailed.

Whereupon the Speaker appointed Messrs. Trask, Taylor and Gilman, said committee.

Mr. Rice moved that the rules be so far suspended, that C. F., chapter 74, of the revision, be read the third time now by its title;

The question being put,

A division was ordered;

And there were ayes—11.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And the said chapter was read the third time by its title.

And the question being put,

"Shall this chapter pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Rice,

The House adjourned.

FRIDAY, MARCH 14, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Ludden, Olmstead, Ramsey, Randall, Rice, Sloan, Trask, Warren and Wells, were reported absent.

The Journal of yesterday was then read.

Mr. Farribault presented the account of Alexis Bailly, for thirteen days per diem allowance as member of the House of Representatives, at its last session; which account,

On motion of Mr. Ludden,

Was referred to the Committee on Territorial Expenditures.

Mr. Olmstead gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to authorize G. W. Sweet to establish and maintain a ferry across the Mississippi river, at the head of Sauk Rapids.

Mr. Trask, from the joint committee of conference, on the disagreeing vote on C. F., chapter 6, of the revision, reported as follows:

To the House of Representatives:

"The joint committee of the two Houses appointed to confer upon the disagreeing vote on chapter 6, of the revision, have conferred thereon, and recommend that the Council concur in the amendment of the House.

"Without giving their reasons at length, the committee are of the opinion that if the amendment, (being a substitute,) became the law, it will render the settlement of contests easy, expeditious and certain.

"It enables parties to command the power of courts of record to obtain the testimony of witnesses, as well as to enforce decisions when made, and also the payment of costs. It leaves to the respective Houses of the Legislative Assembly the ancient privilege of taking testimony at such times and places and before such persons—or not take any at all—as to them may seem proper. It prescribes the manner of removing contested cases to the supreme court; but gives no new

right—the right of appeal would exist without such provision. It has been in practical operation in the late Territory of Wisconsin for ten years, and more recently, in this Territory, and, it is believed, proved satisfactory to all.

Respectfully submitted.

SYLVANUS TRASK, } Committee."
EDMUND RICE, }

March 13, 1851.

The question being put upon the adoption of said report,

It was decided in the affirmative.

Mr. Tilden, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 21, H. of R. A bill for an act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier.

Said bill was taken up, and read the third time.

And the question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

No. 22, H. of R. A bill supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,

Was taken up; and

On motion of Mr. Rice,

Referred to the Committee on Corporations.

Mr. Randall offered the following resolution:

Resolved, That the Chief Clerk of this House, be instructed to procure such additional help as may be necessary to do the enrolling for the present session of the Legislature;

The question being put upon the adoption of said resolution,

It was decided in the affirmative.

On motion Mr. Gilman,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Gilman, Ludden, Olmstead, Sloan, and Warren were reported absent.

Mr. Tilden moved to adjourn until Monday next, at 9 o'clock A. M.,

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Rice, Taylor, Tilden, Trask and Wells—8.

Those who voted in the negative are—Messrs. Patch, Ramsey, Randall and Ames, (Speaker)—4.

So the House adjourned.

MONDAY, MARCH 17, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ford, North, Ramsey, Tilden and Warren were reported absent.

The Journal of last Friday was then read.

Mr. Randall, from the Committee on Enrolled Bills, reported as follows:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills and chapters:

"No. 13, H. of R. 'A bill for an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.'

"No. 18, H. of R. 'A bill to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet.'

"No. 20, H. of R. 'A bill for an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.'

"And chapters 5, 52, 53 and 56, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

Mr. Wells moved to adjourn;

The question being put,

And the Chair being unable to decide, a division was ordered;

And there were ayes—6; nays—4.

So the House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Olmstead, Rice, Warren and Wells were reported absent.

The following message from the Governor, was announced by W. B. White, his Private Secretary, viz:

"MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing;"

Which was read, and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, March 14, 1851. }

To the honorable, the Speaker of the House of Representatives:

"SIR:—I have examined and approved,

"No. 1, H. of R. 'A memorial to the Secretary of War for a continuation, of certain explorations in the Territory of Minnesota.'

Very respectfully,

Your obedient servant,

ALEX. RANSEY."

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has adopted the report of the committee of conference, on C. F., chapter 6, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has amended and concurred in the first, and concurred in the second amendment of this House, to C. F., chapter 73, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has negatived, by refusing to order to a third reading,

"No. 19, H. of R. 'A bill providing for the encouragement of agriculture and stock growing, in the Territory of Minnesota.'

"The Council has passed C. F., chapters 85, 86, 87, 88, 89, 90 and 91, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested.

"His Excellency, the Governor, has notified the Council that he has examined and approved,

"A memorial to Congress asking for a donation of land to the county of Benton."

"The Council has concurred in

"No. 17, H. of R. 'A bill granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.'

"The Council has passed, C. F., chapters 92, 93, 94, 95 and 96, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested.

"The Council has concurred in

"No. 21, H. of R. 'A bill for an act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier.'"

The Secretary then withdrew.

The message from the Council was taken up.

C. F. chapter 73, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for consideration of the amendment of the Council to the second amendment of the House to said chapter.

The question being put,

The amendment was agreed to.

C. F., chapters, from 85 to 96 of the revision, were taken up; and

On motion of Mr. Randall,

Were read the first time by their titles.

Mr. Trask moved that the rules be so far suspended, that the said chapters be read the second time by their titles;

The question being put,

And a division being ordered,

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And the said chapters were read the second time by their titles.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Wells in the chair,

For the consideration of C. F., chapters, from 85 to 96 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose; and the Speaker of the House being absent,

On motion of Mr. Trask,

Mr. Gilman was elected Speaker, *pro tem*.

The chairman of the committee of the whole, then reported that the committee had arisen on account of there not being a quorum present.

Mr Brunson then moved that the House adjourn;

The Speaker *pro tem*. decided the motion out of order.

Mr. Trask moved a call of the House; which was ordered.

And the roll having been called,

Messrs. Ludden, Olmstead, Patch, Ramsey, Taylor, Tilden, Warren and Ames (Speaker) were reported absent.

On motion of Mr. Brunson,

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

Mr. Trask moved that the House adjourn;

The question being put,

It was decided in the affirmative.

And a division being called for and ordered;

There were ayes—6; nays—3.

So the House adjourned.

TUESDAY, MARCH 18, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Farribault, Ford, Ludden, Olmstead, Ramsey, Rice, Sloan, Taylor, Tilden, Warren and Wells were reported absent.

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

The Journal of yesterday was then read.

Mr. Brunson gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to incorporate the St. Paul Institute.

Mr. Trask, from the select committee, to whom was referred C. F., chapter 75, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Made the following report, viz:

"The select committee, to which was referred chapter (75) seventy-five, of the revision, would beg leave to make the following report:

"That they have had the same under consideration, and in the opinion of your committee, the whole chapter needs a thorough and careful examination and revision. Your committee would therefore beg leave to return the chapter to the House, and ask that it be recommitted to the Joint Judiciary Committee, to be amended, altered and modified as they, in their united wisdom, shall deem proper and expedient.

SYLVANUS TRASK, } Committee."
JESSE TAYLOR, }

The question being put upon the adoption of said report,

It was decided in the affirmative.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

"Chapters, 13, 43, 44, 45 and 46 of bill

"No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory."

B. H. RANDALL,
Chairman."

C. F., chapters, from 85 to 96 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Rice,

The House resolved itself into a committee of the whole,

Mr. Trask in the chair,

For the further consideration of said chapters 85 to 96 inclusive, of No. 13, C. F., of the revision.

After some time passed therein, the committee rose, and by their chairman, reported the said chapters back to the House with amendments;

And asked the concurrence of the House therein.

The question being put upon concurring in the amendment of the committee of the whole, to chapter 92,

It was concurred in.

The question being put upon concurring in the amendments of the committee of the whole, to chapter 95,

They were concurred in.

The question being put upon concurring in the amendments of the committee of the whole, to chapter 96,

They were severally concurred in.

On motion of Mr. Trask,

C. F., chapters, from 85 to 96 inclusive, of bill No. 13, C. F., were read the third time by their title.

The question being put,

"Shall these chapters pass?"

It was decided in the affirmative; and the titles thereof agreed to.

The Speaker called Mr. North to the Chair.

Mr. Ames asked and obtained the unanimous consent of the House, and introduced,

No. 4, H. of R. A memorial to Congress relative to the construction of a Railroad,

Which was read the first time.

On motion of Mr. Rice,

The rules were so far suspended, that the said memorial was read the second time by its title, laid on the table, and ordered to be printed.

On motion of Mr. Tilden,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Ford, Gilman, Olmstead, Ramsey, Taylor, Tilden, Warren and Wells were reported absent.

Mr. Rice moved that the following resolution, which was adopted on Thursday, March 13th, 1851, be rescinded, viz:

"Resolved, That the hour to which this House shall stand adjourned, from day to day, shall be 9 o'clock A. M., and 2 o'clock P. M., unless otherwise directed by this House."

And the question being put,

The motion prevailed.

On motion of Mr. Randall,

The House adjourned.

WEDNESDAY, MARCH 19, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Ludden, Rice, Sloan and Warren were reported absent.

The Journal of yesterday was then read.

Mr. Patch presented the petition of Lardner Bostwick and one hundred and two others, praying for a charter to construct a boom for the safety of logs above the Falls of St. Anthony.

On motion of Mr. Patch,

The said petition was referred to the Committee on Corporations.

Mr. Gilman presented the petition of E. B. Price and twenty-three others, residents and citizens of Benton county, praying that the seat of justice of Benton county may be located by a vote of the citizens of said county, at the next ensuing election;

Also, the petition of Paul H. Beaulieu and fifty-six others, citizens of Benton county, and the counties attached to it for judicial purposes, praying that the seat

of justice of Benton county, may be located at a spot designated by a majority of the voters of said county, at the next general election.

On motion of Mr. Ludden,

Said petitions were referred to the Joint Committee of Conference on the disagreeing vote of the two Houses, on chapter 1, of the revision.

Mr. Brunson presented the petition of Chauncey Hobart and sixty others, praying for a charter for School District No. 2, of St. Paul.

Mr. Brunson, in pursuance of previous notice, and by leave, introduced No. 23, H. of R. A bill to incorporate the St. Paul Institute;

Which was read the first time.

On motion of Mr. Brunson,

The rules were so far suspended, that said bill was read the second time by its title.

On motion of Mr. Wells,

Said bill was laid on the table and ordered to be printed.

Mr. Randall, from the Committee on Enrolled Bills, made the following reports:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills and chapters:

"No. 17, H. of R. 'A bill granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.'

"No. 21, H. of R. 'A bill to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier.'

No. 17, C. F., A bill to incorporate the St. Paul Division, No. 1, Sons of Temperance.'

"And chapters, 3, 6 and 54, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

"The Joint Committee did, on the 18th of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills:

"A bill entitled 'an act granting to William A. Cheever the right to establish and maintain a Ferry across the Mississippi river.'

"A bill entitled 'an act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton.'

"A bill entitled 'an act to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet.'

JAMES S. NORRIS, Council, }
B. H. RANDALL, H. of R., } Committee."

The Speaker announced to the House the annual report of the Treasurer of the Territory,

Which was read.

Mr. Tilden, from the Committee on Corporations, to whom was referred,

No. 22, H. of R. A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849; made the following report:

"The Committee on Corporations, to whom was referred House bill

"No. 22. A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849, having had said bill under consideration, report the same back to the House, and recommend its passage, with the following amendment:

"Strike out the words 'and that part of the south east quarter of section thirty-one, east of Hoyt's addition and Whitney's & Smith's addition, and the south west quarter of section thirty-two, in township number twenty-nine north, range twenty-two west, and lot No. 1, in section number five, in township number twenty-eight, north range twenty-two, west of the fourth principal meridian.'

H. L. TILDEN,
DAVID GILMAN, }
JESSE TAYLOR, } Committee."

On motion of Mr. Rice,

Said report was accepted.

Mr. Rice gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to repeal an act, entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey.'

No. 22, H. of R. A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849; was,

On motion of Mr. Rice,

Laid on the table.

Mr. Ludden, from the select committee to whom was referred the memorial of Catharine Wells, made the following report:

"The committee, to whom was referred the petition of Catharine Wells, asking to be divorced from her husband, George Wells, and that she may have the care and custody of their child, have had the same under consideration, and would respectfully report:

"This petition has been strongly contested before the committee. Able counsel was employed by each party, and a large number of witnesses examined. Subsequently, an arrangement was made by the parties, that prevents the necessity of bringing a large part of the testimony before the House.

"The petitioner, Catharine Wells, asks leave to withdraw so much of her petition as relates to the care and guardianship of her child, and only asks to be divorced from her husband, George Wells.

"The husband, George Wells, unites with his wife in asking that her petition for a divorce may be granted, and ask leave to withdraw the testimony offered by him before the committee.

"Your committee have therefore, submitted a part only of the testimony offered by the petitioner, that submitted herewith being sufficient, as your committee think, to establish the allegations upon which the petition is based.

"In the course of this examination, it has been shown that a lack of harmony between the parties was apparent to their relatives, within a few months after their marriage—later, a great degree of indifference is shown, then an aversion—a strong dislike—until at present, they utterly refuse to "affiliate."

"They only unite in asking to be separated; the husband has already left his wife, and the parties appear in a transition disuniting state, and appeal to the Legislative Assembly to do for them, what their united persevering effort has failed to accomplish—to sever the unyielding tie that binds two unwilling hearts.

"By the testimony submitted herewith, it is shown that, for nearly two years, the parties have lived in a constant quarrel; the husband, repeatedly threatening to kill his affectionate wife, and in several cases actually inflicting blows upon one who is deemed to be defenceless, obliging her, in some cases, to summon her neighbors to protect her from the striking propensities of her natural protector.

"By other testimony, it is manifest to your committee, that each party has been accustomed to maintain a great degree of suspicious vigilance upon the actions of the other, and that the effect has been to weaken, in some degree, the perfect confidence that is supposed to exist between those associated matrimonially.

"Your committee are of opinion, that the prayer of the petitioner, so far as it relates to granting a divorce, should be granted—they would therefore, recommend the enactment of the following bill.

"All of which is respectfully submitted.

J. D. LUDDEN,
S. B. OLMSTEAD, } Committee."
JESSE TAYLOR,

No. 24, H. of R. A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife,

Was read the first time.

On motion of Mr. Tilden,

The report of the select committee on the memorial of Catharine Wells, was accepted.

The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof:

“MR. SPEAKER:—The Council has passed C. F., chapters 97, 98 and 99, of bill “No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The message from the Council was then taken up.

C. F., chapters 97, 98 and 99, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Randall,

Were read the first time by their titles.

Mr. Randall moved that the rules be so far suspended, that the said chapters be read the second time by their titles.

The question being put,

And a division being ordered;

There were ayes—12.

Two-thirds of all the members present having voted in the affirmative,

The motion prevailed.

And the said chapters were read the second time by their titles.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Olmstead in the chair,

For the consideration of C. F., chapters 97, 98 and 99, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House without amendment.

On motion of Mr. Ludden,

The House again resolved itself into a committee of the whole,

Mr. Olmstead in the chair,

For the further consideration of the said chapters.

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House with amendments.

And asked the concurrence of the House therein.

The question being put upon concurring in the amendments of the committee of the whole to chapter 99,

They were severally concurred in.

Mr. Tilden moved that the rules be so far suspended, that said chapters be read now, the third time by their titles;

The question being put,

A division was ordered;

And there were ayes—9.

Two-thirds of all the members present having voted in the affirmative,

The motion prevailed,

And said chapters were read the third time by their titles.

And the question being put,

“Shall these chapters pass?”

It was decided in the affirmative.

And the titles of chapters 97 and 98, were agreed to.

Mr. Rice offered the following amendment to the title of chapter 99:

“Amend the title of chapter 99, by inserting after the word ‘laborers,’ the words ‘and others;’”

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Gilman, Ludden, Olmstead, Ramsey, Randall, Sloan, Tilden, Trask, and Wells, were reported absent.

On motion of Mr. Trask,

The House adjourned.

THURSDAY, MARCH 20, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Ramsey, Rice and Sloan were reported absent.

On motion of Mr. Olmstead,

The reading of the Journal of yesterday was dispensed with.

Mr. Trask gave notice that on to-morrow, or some future day, he would introduce a bill for an act supplementary to an act to provide for the erection of public buildings in the Territory of Minnesota.

Mr. Randall gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill granting to James M. Goodhue, the right to establish and maintain a ferry across the Mississippi river, at the Lower Landing at the town of St. Paul.

Mr. Rice, in pursuance of previous notice, and on leave, introduced

No. 25, H. of R. A bill to repeal an act entitled 'An act to incorporate the town of St. Paul, in the county of Ramsey;' approved Nov. 1, 1849,

Which was read the first time.

Mr. Wells moved that the rules be so far suspended, that the said bill be read the second time by its title.

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of all the members present having voted in the affirmative,

The motion prevailed.

And said bill was read the second time by its title.

Mr. Wells moved that the bill be laid on the table and printed;

Mr. Olmstead called for a division of the question,

The question being put as to laying the bill on the table,

It was decided in the affirmative.

The question then being put as to printing the bill,

It was decided in the negative.

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company,

Was taken up; and

On motion of Mr. North,

Was referred to a select committee of three, consisting of Messrs. North, Randall and Trask.

No. 24, H. of R. A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife,

Was taken up, and read the second time.

Mr. Rice moved that the rules be so far suspended that the bill be now read the third time by its title.

The question being put,
And a division being ordered;
There were ayes—12.
Two-thirds of the members present having voted in the affirmative,
The motion prevailed.
And said bill was read the third time by its title.

The question being put,
"Shall the bill pass?"
It was decided in the affirmative, and the title thereof agreed to.

No. 4, H. of R. A memorial to Congress relative to the construction of a Railroad,

Was taken up; and
On motion of Mr. Rice,
Read the third time.

The question being put,
"Shall this memorial pass?"

It was decided in the affirmative, and the title thereof agreed to.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed C. F., chapters 100, 101 and 102, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;'

"In which the concurrence of this House is respectfully requested.

"The Council has concurred in the amendments made by this House, to C. F., chapters 92, 95 and 96, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'"

The Secretary then withdrew.

The message from the Council was then taken up;

C. F., chapters 100, 101 and 102, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Trask,
Read the first time by their titles.

On motion of Mr. North,

The rules were so far suspended, that the said chapters were read the second time by their titles.

On motion of Mr. North,

The House resolved itself into a committee of the whole,

Mr. Rice in the Chair,

Having under consideration, C. F., chapters 100, 101 and 102, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

After some time passed therein, the committee rose, and by their chairman, reported said chapters back to the House with an amendment to chapter 102,

In which they asked the concurrence of the House.

The question being put upon concurring in said amendment of the committee of the whole,

It was decided in the affirmative.

Mr. Wells moved to amend chapter 102, "by striking out sections 26 and 27;"

The question being put upon concurring in the amendment,

It was decided in the negative.

Mr. Trask moved to amend chapter 100,

"By striking out the word 'death,' in the first sub-division of section 1, and inserting the words 'imprisonment for life;'"

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. North, Randall, Rice, Tilden, Trask, Warren and Ames, (Speaker)—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ford, Ludden, Ramsey, Sloan, Taylor and Wells—8.

So the amendment was not agreed to.

Mr. Rice offered the following amendment to chapter 102,

“Amend section 2, by striking out the words, ‘it shall be the duty of the Governor to,’ and insert ‘the Governor may, in his discretion;’ and add at the close of the first sub-division, the words ‘and until such warrant be issued and executed, such prisoner shall, unless discharged by due course of law, remain in solitary confinement;’”

The question being put upon agreeing to said amendment,

It was decided in the affirmative.

Mr. Wells moved that chapters 101 and 102, be laid on the table;

Which motion did not prevail.

Mr. North then moved that the rules be so far suspended, that the said chapters be now read the third time by their titles;

The question being put,

And a division being ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And the said chapters were read the third time by their titles.

The question being put,

“Shall these chapters pass?”

It was decided in the affirmative, and titles thereof agreed to.

On motion of Mr. Randall,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Brunson, Gilman, Ludden, North, Olmstead, Ramsey, Taylor, Tilden, and Warren were reported absent.

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

The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has passed C. F., chapters 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’”

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The message from the Council was taken up.

C. F., chapters, from 103 to 114 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Tilden,

Were read the first time by their titles.

Mr. Wells moved that the rules be so far suspended, that said chapters be read the second time by their titles;

The question being put,

And a division being ordered;

There were ayes—13.

Two-thirds of all the members present having voted in the affirmative,

The said motion prevailed.

And said chapters were read the second time by their titles.

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

No. 16, C. F. A bill to incorporate the St. Anthony Boom Company,

Made the following report:

"The select committee, to whom was referred Council bill, No. 16, C. F. A bill to incorporate the St. Anthony Boom Company, ask leave to report that they have had the same under consideration, and recommend the following amendments, to wit:

"1st. Strike out section 12, and substitute in place thereof, the following:

"SEC. 12. The said Company shall, within twelve months from the passage of this act, construct one or more good and sufficient booms, at, or above the mouth of Rice Creek, for the purpose of stopping, separating and retaining logs; and the said Company shall be responsible for all logs or hewn timber coming down the said river, the owner or owners of which shall have requested any member of said Company to have the same stopped in their boom; and shall pay to such owner or owners, all damages that may be sustained in consequence of not stopping the said logs; and the said Company shall sort out the said logs and timber according to their several marks, and if required, shall raft the same out of said boom sufficiently securely to run to the mills at the Falls of St. Anthony, so called, and shall deliver the same to the several owners thereof, at or near the foot of said boom; or may turn into the pond east of the Mississippi and near the said Falls, all such logs or hewn timber as the owner or owners thereof shall request to be turned in: *Provided*, That nothing herein contained shall be so construed as to require said Company to turn into said pond any logs or hewn timber after said pond shall be sufficiently filled: *And provided*, That said Company shall not be responsible for any logs turned into said boom or booms, after retaining the same for a period of thirty days. But for all logs or hewn timber turned into said pond, the said Company shall not be entitled to any pay for rafting or running the same. And all logs delivered out of said pond, shall be delivered at the head of the large island above the said Falls."

"2d. Add to section 15, the following, to wit: "

"And nothing herein contained shall be so construed as to prevent any person from constructing side booms, and fastening rafts at any place within the limits of this charter, excepting the grounds occupied by the booms of said Company, and one mile of shore on the west bank of the river, below the foot of each boom, which said Company shall have for the purpose of rafting and fastening rafts."

J. W. NORTH,
B. H. RANDALL,
SYLVANUS TRASK, } Committee."

On motion of Mr. Trask,

Said report was adopted, and the committee discharged.

On motion of Mr. North,

Said bill was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Wells,

The House resolved itself into a committee of the whole;

Mr. Ludden in the Chair,

Having under consideration, C. F., chapters from 103 to 114 inclusive, of bill No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

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

On motion of Mr. Wells,

The House adjourned.

FRIDAY, MARCH 21, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Olmstead, Rice, Sloan, Tilden and Warren were reported absent.

The Journal of yesterday was then read.

Mr. Trask, in pursuance of previous notice, and on leave introduced No. 26, H. of R. Supplement to an act to provide for the erection of Public Buildings in the Territory of Minnesota;

Which was read the first time.

Mr. Wells moved that the rules be so far suspended, that the said bill be read the second time by its title;

The question being put,

And a division being ordered;

There were yeas—13.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And said bill was read the second time by its title.

Mr. Randall, from the Committee on Enrolled Bills, made the following report: "The Committee on Enrolled Bills have examined and found correctly enrolled, the following chapters:

Chapters 30, 55 and 60, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

C. F., chapters from 103 to 114 inclusive, of bill

No. 13. C. F. A bill for revising and consolidating the general statutes of the Territory, and bills

No. 23, H. of R. A bill to incorporate the St. Paul Institute; and

No. 25, H. of R. A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1st, 1849,

Were taken up; and

On motion of Mr. Wells,

The House resolved itself into a committee of the whole,

Mr. Olmstead in the Chair,

For the consideration of said bills, and for the further consideration of said chapters.

After some time passed therein, the committee rose, and by their chairman, reported said bills and chapters back to the House with amendments.

In which they asked the concurrence of the House.

The following message was received from the Governor, by W. B. White, Esq., his Private Secretary, viz:

"MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing."

Which was read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, March 21st, 1851.

"To the honorable Speaker of the House of Representatives:

"SIR:—I have examined and approved,

"An act granting to William A. Cheever the right to establish and maintain a ferry across the Mississippi river."

"An act to dissolve the marriage contract existing between Thomas F. Morton and Mary Morton."

"An act to dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet."

Very respectfully,
Your ob't. servant,
ALEX. RAMSEY."

No. 23, H. of R. A bill to incorporate the St. Paul Institute,
Was taken up for the consideration of the amendments of the committee of the whole thereto;

The question being put upon concurring in the first and second amendment,
They were concurred in.

The question being put upon concurring in the third amendment of the committee of the whole to said bill,

Mr. Brunson offered the following as a substitute for section 4:

"SEC. 4. The six trustees aforesaid shall hold their offices respectively, as follows, to wit:

"The two persons receiving the highest number of votes, shall hold their office three years; the two persons receiving the next highest number of votes, two years; the next, one year; and should there be a tie, it shall be determined by lot;"

Which amendment was adopted.

The question being put upon concurring in the fourth and fifth amendments of the committee of the whole,

Mr. Brunson offered the following amendment to the bill:

"Section 5, line 2, strike out 'one,' and insert 'two,' and strike out all after the word 'years' in the third line;"

Which was agreed to.

Mr. North offered the following amendment to the bill:

"In the third line of the sixth sub-division of section 8, after the word 'degrees' insert the words, 'and grant diplomas, which shall certify the proficiency of the pupils of said Institute;'"

The question being put upon the adoption of said amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Olmstead, Patch and Wells—5.

Those who voted in the negative are—Messrs. Brunson, Farrihault, Gilman, Ludden, Ramsey, Randall, Rice, Taylor, Tilden, Trask, Warren and Ames (Speaker)—12.

So the motion was disagreed to.

Mr. North then offered the following amendment to the bill:

"Add to the sixth sub-division of section 8, the following:

"And all other School Districts in this Territory, shall have the same power of conferring degrees as is given by this section to the Second District in St. Paul;"

The question being put upon the adoption of said amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. North, Olmstead, Patch and Wells—4.

Those who voted in the negative are—Messrs. Brunson, Farrihault, Ford, Gilman, Ludden, Ramsey, Randall, Rice, Tilden, Trask, Warren and Ames (Speaker)—12.

So the amendment was disagreed to.

On motion of Mr. Randall,

Ordered, That said bill be engrossed and read the third time on to-morrow.

Mr. Brunson moved that the House adjourn until Monday next, at 10 o'clock, A. M.;

The question being put,

It was decided in the negative.

A division being called for and ordered:

There were ayes—7; nays—7.

The Speaker voting in the affirmative, the motion prevailed.

So the House adjourned.

MONDAY, MARCH 24, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Patch, Sloan and Wells were reported absent.

On motion of Mr. Randall,

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

Mr. Randall offered joint resolution No. 5, H. of R., as follows:

Resolved by this House, the Council concurring therein, that the present session of the Legislative Assembly shall adjourn without day, on Monday, the 31st day of March, 1851."

Mr. Olmstead offered the following amendment to the resolution, viz:

'Strike out 'Monday the 31st,' and insert instead thereof, 'Saturday, the 29th.'"

The question being put upon concurring in the amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Olmstead, Rice, Sloan and Warren—6.

Those who voted in the negative are—Messrs. Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Ames (Speaker)—7.

So the amendment was disagreed to.

The question being put upon the adoption of the resolution,

It was decided in the affirmative.

Mr. Olmstead, from the committee of Conference, to whom was referred the disagreeing vote of the two Houses, on C. F., chapter 1, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, made the following majority report:

"A majority of the committee on conference, to whom was referred chapter 1, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"Respectfully beg leave to report, that they have taken into due consideration, the disagreeing votes of the Council and House of Representatives on said chapter, and respectfully recommend as follows:

"That the House recede from their amendment, by which the name of 'Mecker' was inserted instead of 'Cass.'

"Your committee, (a majority of them,) believing that there was not any sufficient or good grounds for the change; and the said name of 'Cass' having been first inserted, they recommend its adoption.

"A majority of your committee, also recommend, that the Council recede from their amendment to the county lines of Washington, by which a new county, to be called 'Douglass,' was contemplated to be laid off. The organization of said county not to take effect until 1852.

"We believe there is no urgent necessity for any change in the original lines of Washington county, for the formation of said county of Douglass at this early day.

"And further, your committee respectfully recommend that the House recede from their amendment, intended to effect a change in the present county seat of Benton, as established last session. Believing that it is not the general wish of the people at this time, that the said petition of a change in the locality of their county seat, should be submitted to them.

"All of which is respectfully submitted.

M. McLEOD,
SAML. BURKLEO,
S. B. OLMSTEAD,
Committee of Conference

Mr. Olmstead, on the part of the minority of the committee of conference, offered the following report:

"To the House of Representatives:

"The undersigned, one of the committee appointed to confer with a similar committee of the Council, on concurring in the disagreeing vote of the two Houses on chapter 1, of the revision, dissents from the report of the majority of the joint committee, so far as it relates to the location of the county seat of Benton county; If they fail to see any reason for changing the county seat, they certainly fail to give any reason why it should not be left to the people to do it if they please.

"It is paying a poor compliment to the people of a county, to refuse them the privilege of locating their seat of justice.

"More than one hundred and twenty citizens of the county, have petitioned for that privilege; and a strong presumption therefore, arises, that some change is necessary. It should be borne in mind, that the people themselves, have as yet, had no voice in the matter.

"At the last session of the Legislature, the seat of justice was fixed at the same time the county was organized, and no election of Councillors has since taken place; but four new members of the House have since been elected, three of whom, are of the opinion, that the people and their interests, imperatively demand a modification of the chapter. It is conceded that no county buildings have been erected, and that none will be, within the next eighteen months or two years; and before the expiration of that time, at least two general elections will have taken place, at either of which, the people could decide upon a location without expense or trouble.

"The question then arises, whether they are as competent to decide upon a location as the present Legislative Assembly. Or is it, that it is a dangerous power for them to exercise? Would they be likely to make a location that would endanger the interests of the Territory at large? If so, the undersigned fails to see it; and he is of the opinion that the House should not recede from its amendment relating to said county seat.

"All of which is respectfully submitted.

EDMUND RICE,

Of the House Committee."

March 21, 1851.

Mr. Olmstead moved that the report of the majority of the committee be adopted.

Mr. Tilden gave notice, that on to-morrow, or some future day, he would introduce a bill relative to the location of the county seat of Benton county.

Mr. North moved the report of the majority of the committee be laid on the table;

The question being put,

And the Speaker being unable to decide,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Gilman, North, Rice, Sloan, Taylor and Warren—6.

Those who voted in the negative are—Messrs. Brunson, Ludden, Olmstead, Ramsey, Randall, Tilden, Trask, Wells and Ames (Speaker)—9.

So the motion was disagreed to.

The question being put upon the adoption of the report of the majority of the committee of conference,

Mr. Wells moved a call of the House;

Which was ordered.

And Messrs. Farribault and Ford were reported absent.

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

The Speaker called Mr. Trask to the Chair.

Mr. Olmstead moved that further proceedings under the call of the House be dispensed with;

The question being put,

And a division being ordered;

There were ayes—3; nays—5.

So the motion did not prevail.

The Sergeant-at-Arms reported that Mr. Farribault was in his seat, and that Mr. Ford was not in town.

Mr. Randall moved that further proceedings under the call of the House be dispensed with;

The question being put,

And a division having been ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

The question then recurred upon the motion to adopt the majority report,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Gilman, Ludden, North, Olmstead, Patch, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—14.

Those who voted in the negative are—Messrs. Rice, Sloan, and Warren—3.

So the majority report was adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

“Chapters 57, 58, 80, 81, 82, 83 and 84 of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory.’

B. H. RANDALL,

Chairman, H. of R. Committee.”

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 23, H. of R. A bill to incorporate the St. Paul Institute.

Mr. Tilden asked and obtained leave, and introduced,

No. 27, H. of R. A bill supplementary to an act for revising and consolidating the general statutes of the Territory; and also entitled chapter 1, of the division of the Territory into counties, and their boundaries.

Which bills were read the first time.

Mr. Tilden moved that the rules be so far suspended, that the bill be read the second time by its title;

The question being put,

And a division being ordered;

There were ayes—15.

Two-thirds of the members present having voted in the affirmative,

The said motion prevailed.

And said bill was read the second time by its title.

Mr. Brunson offered the remonstrance of Louis Roberts and sixty others, praying that the act entitled

“An act to incorporate the town of St. Paul, in the county of Ramsey,” approved the 1st day of Nov. 1849, may not be repealed.

On motion of Mr. Rico,

Said remonstrance was referred to the Committee on Corporations.

On motion of Mr. Brunson,

No. 27, H. of R., was referred to the Judiciary Committee.

No. 28, H. of R. A bill to incorporate the St. Paul Institute,

Was taken up; and

On motion of Mr. Olmstead,

Read the third time by its title.

The question being put,

“Shall this bill pass?”

It was decided in the affirmative, and the title thereof agreed to.

No. 26, H. of R. Supplement to an act to provide for the erection of Public Buildings in the Territory of Minnesota,

Was taken up;
Mr. Ames moved that said bill be referred to a select committee, who should report on to-morrow;

Which motion prevailed.

Whereupon, the Speaker *pro tem.* appointed Messrs. Brunson, Randall and Ludden said committee.

On motion of Mr. North,
C. F., chapters from 103 to 114 inclusive, of bill
No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up for the consideration of the amendments of the committee of the whole thereto;

The question being put upon concurring in the first, second, third and fourth amendments of the committee of the whole to chapter 108,

They were severally concurred in.

On motion of Mr. Rice,
The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called.

Messrs. Brunson, Ford, Gilman, Ludden, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Taylor and Tilden, were reported absent.

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

C. F., chapter 109, of the revision, was again taken up for the consideration of the amendments of the committee of the whole thereto;

The question being put upon concurring in the first amendment of the committee to said chapter,

It was non-concurred in.

The second amendment to said chapter, was concurred in.

The first amendment of the committee of the whole to chapter 110, was concurred in.

The second amendment to said chapter, was non-concurred in.

The third and fourth amendments of the committee of the whole to said chapter, were concurred in.

On motion of Mr. Wells,

Chapters from 103 to 114, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were read the third time by their titles.

The question being put,

"Shall these chapters pass?"

It was decided in the affirmative, and the titles thereof agreed to.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in all the amendments made by this House to C. F., chapter 99, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory,' with an amendment to the third of said amendments;

"In which the concurrence of this House is respectfully requested.

"The Council has concurred in the second, and refused to concur in the first amendment made by this House, to C. F., chapter 102, of the same bill.

"The Council has adopted the report of the committee appointed to confer on the disagreeing vote of the two Houses, on C. F., chapter 1, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has concurred in the first, fourth and fifth, has amended and concurred in the second, and has refused to concur in the third amendment made by this House, to C. F., chapter 71, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

The Secretary then withdrew.

The message from the Council was then taken up.

The House concurred in the amendment of the Council to the third amendment of the House, to C. F., chapter 99, of the revision.

The House refused to recede from the third amendment to C. F., chapter 71, of the revision, which was non-concurred in by the Council, and concurred in the amendment of the Council to the second amendment of the House to said chapter.

The House refused to recede from their first amendment to C. F., chapter 102, of the revision, which was non-concurred in by the Council.

Mr. Rice moved a re-consideration of the vote referring to the Judiciary committee,

No. 27, H. of R. A bill supplementary to an act for revising and consolidating the general statutes of the Territory; and also, entitled chapter 1, of the division of the Territory into counties, and their boundaries;

Which motion prevailed.

On motion of Mr. Tilden,

Ordered, That said bill be engrossed and read the third time on to-morrow.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The joint committee did, on the 22d day of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bills:

"A bill entitled 'an act to dissolve the marriage contract between Marcello Couturier and his wife, Margaret Couturier.'

"A bill entitled 'an act granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.'

M. McLEOD, Council,

B. H. RANDALL, H. of R., } Committee."

On motion of Mr. Tilden,

The House adjourned.

TUESDAY, MARCH 25, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson and Ludden were reported absent

On motion of Mr. Gilman,

The reading of the Journal of yesterday was dispensed with.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 27, H. of R. A bill supplementary to an act for revising and consolidating the general statutes of the Territory; and also, entitled chapter 1, of the division of the Territory into counties, and their boundaries.

Mr. North, from the Judiciary Committee, to whom was recommitted C. F., chapter 75, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Reported the same back to the House with amendments.

No. 27, H. of R. A bill supplementary to an act for revising and consolidating the general statutes of the Territory; and also, entitled chapter 1, of the division of the Territory into counties, and their boundaries,

Was taken up; and

On motion of Mr. Wells,
Was read the third time by its title.
The question being put,
"Shall this bill pass?"
It was decided in the affirmative, and the title thereof agreed to.
The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof, viz:
"MR. SPEAKER:—The Council has concurred in the amendments made by this House, to
"No. 16, C. F. 'A bill to incorporate the St. Anthony Boom Company.'
"The Council has concurred in
"No. 5, H. of R. 'Joint resolution relative to the adjournment of the present session of the Legislature.'
"The Council has concurred in the second, amended and concurred in the third, and refused to concur in the first and fourth amendments made by this House, to C. F., chapter 108, of bill
"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;'
"The Council has concurred in the amendments made by this House, to C. F., chapter 109, of the same bill.
"The Council has concurred in the first, and refused to concur in the second and third amendments made by this House, to C. F., chapter 110, of the same bill.
"The Council has appointed Messrs. Boal and Sturgis a committee, to confer with a similar committee to be appointed by this House, on the disagreeing vote of the two Houses on chapter 102, of the same bill.
"And the appointment of a committee on the part of this House is respectfully requested.
"The Council has refused to adhere to the disagreeing vote on the third amendment made by this House, to C. F., chapter 71, of the same bill.
"The Council has concurred in,
"No. 4, H. of R. 'A memorial to Congress relative to the construction of a Railroad;' and
"No. 24, H. of R. 'A bill for an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife.'
"The Council has passed C. F., chapters 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, and 38, of
"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'
"In all which the concurrence of this House is respectfully requested."
The Secretary then withdrew.
C. F., chapter 75, of bill No. 13, C. F., of the revision,
Was taken up; and
On motion of Mr. Trask,
The amendments made thereto by the Judiciary Committee, were adopted.
On motion of Mr. Trask,
The said chapter was read the third time by its title.
The question being put,
"Shall this chapter pass?"
It was decided in the affirmative, and the title thereof agreed to.
The Speaker called Mr. Trask to the Chair.
The message from the Council was taken up;
C. F., chapters 108 and 110, were taken up for the consideration of the amendments of the House, which were non-concurred in by the Council.
The House receded from the first amendment to C. F., chapter 108.
And the question being put,
"Shall the House recede from their 4th amendment to said chapter?"
And the Chair being unable to decide, a division was ordered;

There were ayes—5; nays—5.

The Chair voting in the negative,

The House refused to recede from said amendment.

The House receded from their second and third amendments, which were non-concurred in by the Council, to C. F., chapter 110, of the revision.

Mr. Rice moved to re-consider the vote by which the House refused to recede from the fourth amendment to C. F., chapter 108, of the revision;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, North, Randall, Trask and Wells—6.

Those who voted in the negative are—Messrs. Brunson, Ford, Gilman, Patch, Ramsey, Sloan and Taylor—7.

So the motion to re-consider did not prevail.

C. F., chapters from 115 to 138 inclusive, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. —,

Were read the first time by their titles.

Mr. North moved that the rules be so far suspended, that the said chapters be read the second time by their titles;

A division being ordered;

There were ayes—12.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And said chapters were read the second time by their several titles.

Mr. Olmstead moved that the rules be so far suspended that said chapters be now read the third time by their titles;

The question being put,

And a division being ordered;

There were ayes—13.

Two-thirds of the members present having voted in the affirmative,

The said motion prevailed.

And the said chapters were read the third time by their several titles.

The question being put,

“Shall these chapters pass?”

It was decided in the affirmative, and the titles thereof agreed to.

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has passed,

“No. 18, C. F. ‘A bill for the Apportionment of Representation in this Territory.’

“No. 19, C. F. ‘A bill for locating a Territorial Road, between points therein specified;’ and

No. 5, C. F. ‘Memorial to Congress relative to settlers on sections No. 16 and 36.’

“In all which the concurrence of this House is respectfully requested.

The Secretary then withdrew.

Mr. North moved that a committee of two be appointed to confer with a similar committee, already appointed on the part of the Council, on the disagreeing vote of the two Houses on C. F., chapter 102, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Which motion prevailed.

Whereupon, Messrs. North and Ford were appointed said committee.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory,

Was taken up, and read the first time.

Mr. Wells moved that the rules be so far suspended, that the said bill be read the second time now;

Mr. Rice moved to amend,
 "That the bill be postponed indefinitely;"
 Mr. Tilden moved to adjourn;
 The question being put,
 And the ayes and nays being called for and ordered;
 Those who voted in the affirmative are—Messrs. Farribault, Ramsey, Randall,
 Taylor, Tilden, Trask and Wells—7.
 Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead,
 Patch, Rice, Sloan and Warren—8.
 So the House refused to adjourn.
 Mr. Wells moved a call of the House;
 Which was ordered.
 The roll having been called,
 Messrs. Brunson, Ludden and Ames were reported absent.
 Mr. Rice moved that Mr. Ames be excused; and also, that all the absent mem-
 bers members be excused;
 The Speaker *pro tem.* decided that said motion was out of order.
 Pending the call of the House,
 Mr. Warren moved that further proceedings under the call of the House be
 dispensed with;
 The question being put,
 And a division being ordered,
 There were ayes—8; nays—6.
 Two-thirds of the members present not having voted in the affirmative,
 The motion did not prevail.
 Mr. Tilden moved that the House adjourn;
 The question being put,
 The Chair being unable to decide,
 The ayes and nays were called for and ordered;
 Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden,
 Ramsey, Randall, Taylor, Tilden, Trask, and Wells—9.
 Those who voted in the negative are—Messrs. Ford, Gilman, North, Olm-
 stead, Patch, Rice, Sloan and Warren—8.
 So the House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.
 The roll having been called,
 Messrs. Brunson, Farribault, Olmstead, Ramsey, Taylor and Wells, were re-
 ported absent.
 Mr. Rice moved that the Hon. M. E. Ames be excused from attendance on this
 House, this evening and to-morrow;
 Which motion prevailed.
 On motion of Mr. Rice,
 Mr. Trask was elected Speaker *pro tem.*
 No. 19, C. F. A bill for locating a Territorial Road between points therein
 specified,
 Was read the first time.
 No. 5, C. F. Memorial to Congress, relative to settlers on sections No. 16
 and 36,
 Was read the first time.
 Mr. Tilden moved that the rules be so far suspended, that the memorial be read
 the second time by its title;
 The question being put,
 And a division being ordered;
 There were ayes—8.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And the said memorial was read the second time by its title.

Mr. Tilden moved a call of the House;

Which was ordered.

The roll having been called,

Messrs. Brunson, Farribault, Olmstead, Ramsey, Taylor and Wells were reported absent.

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

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

The question being put,

And a division having been ordered;

There were ayes—9; nays—5.

Two-thirds of the members present not having voted in the affirmative,

The motion did not prevail.

Mr. Tilden moved that Mr. Olmstead be excused from attendance on this House this evening;

The Speaker *pro tem.* decided that said motion was out of order, during the pendency of the call of the House.

Mr. Randall moved that the House adjourn;

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Ford, Gilman, Patch, Rice, Sloan, Warren and Wells—8.

Those who voted in the negative are—Messrs. Brunson, Randall, Taylor, Tilden and Trask—5.

So the House adjourned.

WEDNESDAY, MARCH 26, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson, Farribault, Ford, Warren and Wells were reported absent.

On motion of Mr. Gilman,

The reading of the Journal of yesterday was dispensed with.

Mr. North, from the committee of Conference, to whom was referred the disagreeing vote of the two Houses, on C. F., chapter 102, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, made the following majority report:

"The committee of conference, to whom was referred the House amendment to section 2, of chapter No. 102, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;' on the disagreeing vote of the two Houses, ask leave to report:

"That they have had the same under consideration, and unanimously recommend that the House recede from the said amendment.

JAS. McBOAL, Council,

WM. STURGIS,

J. W. NORTH, H. of R.,

J. A. FORD,

} Committee."

On motion of Mr. Rice,
Said report was adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:
 "The Joint Committee did, on the 25th of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bill:

"A bill entitled 'an act to incorporate St. Paul Division, No. 1, Sons of Temperance.'

M. McLEOD, Council,
 B. H. RANDALL, H. of R. } Committee."

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

"Chapters 96, 97 and 98, of bill,

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
 Chairman."

No. 19, C. F. A bill for locating a Territorial Road between points therein specified,

Was taken up, and read the second time.

Mr. North moved that the rules be so far suspended, that the said bill be now read the third time by its title;

The question being put,

And a division being ordered;

There were yeas—5.

Two-thirds of the members present not having voted in the affirmative,

The motion did not prevail.

Mr. Olmstead moved to amend the bill,

"By striking out the third section thereof;"

Which motion prevailed.

Mr. Olmstead moved that the rules be so far suspended, that the said bill be now read the third time by its title;

Mr. Ludden moved that the said bill be indefinitely postponed;

The question being put,

And the yeas and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Farribault, Gilman, Ludden, Olmstead, Ramsey, Randall, Sloan and Taylor—8.

Those who voted in the negative are—Messrs. Brunson, Ford, North, Patch, Rice, Tilden, Trask and Wells—8.

So the motion was disagreed to.

On motion of Mr. Tilden,

Said bill was referred to the Committee on Roads.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory, Was taken up; and

Mr. Olmstead moved that the further consideration of the bill be postponed until Friday next.

Mr. Olmstead moved a call of the House; which was ordered.

And Mr. Warren was reported absent.

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

The Sergeant-at-Arms reported that Mr. Warren was in his seat.

On motion of Mr. North,

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

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed,

"No. 21, C. F. A bill to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes; and

"Joint resolution relative to correcting certain chapters of the revision.

"In all which the concurrence of this House is respectfully requested.

"The Council has adopted the report of the joint committee of conference, on C. F., chapter 102, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'"

The Secretary then withdrew.

Mr. Rice moved that the House adjourn;

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

So the House refused to adjourn.

Mr. Brunson moved a call of the House;

Which was ordered.

And the roll being called,

Mr. Ludden was reported absent.

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

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

Two-thirds of the members present not having voted in the affirmative,

The motion did not prevail.

Mr. Rice moved that the House adjourn;

Mr. Brunson moved a call of the House;

Which was ordered.

And all the members were reported present.

The question being put upon the motion to adjourn,

And the Chair being unable to decide,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice and Sloan—7.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Warren and Wells—10.

So the House refused to adjourn.

Mr. North moved a call of the House;

Which was ordered.

The roll being called,

Mr. Olmstead was reported absent.

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

The Sergeant-at-Arms reported that Mr. Olmstead was in his seat.

Mr. Rice moved that further proceedings under the call of the House be dispensed with;

The Speaker *pro tem.* decided that a motion to suspend further proceedings under a call of the House, was not necessary when the Sergeant-at-Arms had reported the absent members in their seats.

Mr. Gilman moved a call of the House; which was ordered.

The roll having been called,

Mr. Sloan was reported absent.

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

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

Mr. Olmstead moved that further proceedings under the call of the House be dispensed with;

The Speaker decided as before, that the motion was not in order.

From which decision Mr. Rice took an appeal.

The question being put,

“Shall the decision of the Chair stand as the decision of this House?”

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

So the decision of the Chair was sustained by the House.

Mr. Rice moved that the House adjourn;

The question being put,

And the ayes and nays being called for and ordered,

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ford, Gilman, Ludden, North, Olmstead, Patch, Ramsey, Randall, Rice, Sloan, Taylor, Tilden and Warren—15.

Those who voted in the negative are—Messrs. Trask and Wells—2.

So the House adjourned.

TWO O'CLOCK, P. M.

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

The roll having been called,

Messrs. Farribault, Ford, Ramsey and Wells were reported absent.

Mr. Gilman moved that the House adjourn until to-morrow, at 2 o'clock p. m.;

Mr. Brunson moved a call of the House;

Which was ordered.

And the roll being called,

Messrs. Farribault, Ford and Ramsey were reported absent.

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

Mr. Patch moved to adjourn;

Mr. Brunson moved a call of the House;

Mr. Olmstead moved that the absent members be excused;

The Speaker decided that the motion to excuse was out of order pending the call of the House.

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

The question being put,

And a division being ordered;

There were ayes—11.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed.

On motion of Mr. North,

The message from the Council was taken up.

No. 21, C. F. A bill to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes,

Was taken up, and read the first time.

Mr. North moved that the rules be so far suspended, that said bill be read the second time by its title;

Mr. Ludden moved that the bill be laid on the table;

The question being put,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Ludden, Ramsey, Taylor and Tilden—6.

Those who voted in the negative are—Messrs. Brunson, Farribault, Gilman, North, Olmstead, Patch, Rice, Sloan, Trask, Warren and Wells—11.

So the motion did not prevail.

The question then recurring on Mr. North's motion to suspend the rules, &c.,
And being put,
And a division being ordered;
There were ayes—10.

Two-thirds of the members present having voted in the affirmative,
Said motion prevailed.

And said bill was read the second time by its title.

Mr. Brunson, from the select committee, made the following report:

"The committee, to whom was referred

"No. 26, H. of R. Supplement to 'An act to provide for erection of Public Buildings in the Territory of Minnesota,'

"Would report, that they have had the same under consideration, and would respectfully submit the following bill as a substitute.

BENJ. W. BRUNSON, }
J. D. LIDDEN, } Committee."
B. H. RANDALL, }

No. 28, H. of R. Substitute for No. 26, H. of R. Supplementary to an act to provide for the erection of Public Buildings in the Territory of Minnesota,
Was read.

Mr. North moved that the rules be so far suspended, that said bill be read the second time by its title.

The Speaker decided that the motion was not necessary, as the substitute assumed the position of the original bill, which was upon its second reading.

On motion of Mr. North,

The report of the committee was adopted.

On motion of Mr. North,

The House resolved itself into a committee of the whole,

Mr. Brunson in the Chair,

Having under consideration,

No. 21, C. F. A bill to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes; and

No. 28, H. of R. A substitute for No. 26, H. of R. Supplement to an act to provide for the erection of Public Buildings in the Territory of Minnesota.

After some time passed therein, the committee rose, and by their chairman, reported said bills back to the House; the former without an amendment, and the latter with an amendment.

In which they asked the concurrence of the House.

Mr. Rice offered the following amendment to bill No. 28, H. of R., substitute for No. 26, H. of R.:

"Amend section 2, by striking out the words 'Governor is,' and insert 'qualified members of the board are;'"

Mr. Patch moved a call of the House;

Which was ordered.

The roll having been called,

Messrs. Gilman, Olmstead, and Ramsey were reported absent.

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

Mr. Tilden moved that the absent members be excused from attendance on the House this afternoon;

The Speaker decided the motion out of order pending the call of the House.

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

The question being put upon Mr. Rice's amendment,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Randall; Taylor, Tilden, Trask and Wells—8.

So the amendment was not agreed to.

Mr. North offered the following amendment:

"Seventh line, section 2, after the word 'act,' insert 'or should any Commissioner elected and qualified, refuse to co-operate with the other Commissioners in the erection of the Public Buildings;'"

And the question being put upon agreeing to said amendment,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Randall, Taylor, Tilden, Trask and Wells—8.

So the amendment was not agreed to.

Mr. Tilden moved that said bill be engrossed and read the third time on to-morrow;

Which motion prevailed.

On motion of Mr. Rice,

The rules were so far suspended, that

No. 21, C. F. A bill to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes,

Was read the third time by its title;

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

Joint resolution relative to correcting certain chapters of the revision,

Was taken up and read, and

On motion of Mr. Rice, adopted.

Mr. Rice moved No. 5, C. F. Memorial to Congress, relative to settlers on sections No. 16 and 36, be taken up.

The question being put,

And a division being ordered;

There were ayes—6; nays—7.

So the motion did not prevail.

Mr. Brunson moved that No. 18, C. F. A bill for the apportionment of representation in this Territory, be now taken up;

Mr. Patch moved a call of the House;

Which was ordered.

And the roll being called,

Messrs. Olmstead and Sloan were reported absent.

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

Mr. Rice asked leave of absence for a few minutes;

Which was granted.

Mr. Brunson moved that further proceeding under the call of the House be dispensed with;

Mr. North moved a call of the House;

The Speaker decided that the motion was out of order.

Mr. North then moved that the House adjourn;

Mr. Tilden moved that the absent members be excused from attendance on this House this afternoon;

The Speaker decided the motion out of order.

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in the amendments made by this House, to C. F., chapter 75, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"The Council has refused to adhere to the non-concurrence in the 4th amendment made by this House, to C. F., chapter 108, of the same bill.

"The Council has passed, C. F., chapters 139, 140, 141 and 142, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

Mr. Rice moved that the House adjourn until the first day of April next.

The Speaker decided said motion out of order.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The third amendment of this House, to C. F., chapter 108, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory,'

"Which was amended and concurred in by the Council, and returned to the Council without action on the part of this House on said amendment, is herewith returned, for the action of this House thereon."

The Secretary then withdrew.

Mr. North moved that further proceedings under the call of the House be dispensed with;

The question being put,

And a division being ordered;

There were ayes—12.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

Mr. North moved that the last message from the Council be taken up;

Mr. Tilden moved that the absent members be excused from attendance on the House this evening;

Mr. North moved that Mr. Tilden's motion be laid on the table;

Mr. North moved a call of the House;

Which was ordered.

The roll being called,

Messrs. Olmstead and Rice were reported absent.

The Messenger was directed to notify the absent members to appear in their seats.

Mr. Tilden moved that Messrs. ~~Olmstead~~ and Rice be excused from attendance on this House, this afternoon;

The Speaker *pro tem.* decided said motion out of order.

The Sergeant-at-Arms reported Mr. Rice in his seat, and that Mr. Olmstead could not be found.

On motion of Mr. Warren,

The House adjourned.

THURSDAY, MARCH 27, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Ford, Gilman, North, Olmstead, Patch, Ramsey, Rice, Sloan and Warren were reported absent.

The Journal of yesterday was then read and corrected.

Mr. Rice offered the following preamble and resolution:

WHEREAS, The completion of the revision of the laws, and the appropriation for the adjustment of the Legislative and Territorial expenditures, are highly important and necessary to be acted upon immediately, be it therefore,

Resolved, That all unfinished business be taken up and acted upon as soon as may be; and that

No. 18, C. F. A bill for the Apportionment of Representation in the Territory, be postponed and considered on Saturday next.

Mr. Brunson moved that the resolution be laid on the table until Saturday next;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Randall, Taylor, Tilden, Wells and Ames (Speaker)—8.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, Trask and Warren—9.

So the motion was disagreed to.

Mr. Patch moved that the resolution be adopted;

Mr. Brunson moved that the resolution be laid on the table until to-morrow;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Randall, Taylor, Tilden, Trask and Wells—8.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, Warren and Ames (Speaker)—9.

So the motion was disagreed to.

The Speaker called Mr. Olmstead to the chair.

Mr. Ames moved to amend the resolution offered by Mr. Rice as follows:

“That the bill be postponed until to-morrow, and then taken up as the special order of the day;”

Which amendment was accepted.

The question being put upon the adoption of the resolution as amended,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, and Wells—9.

So the resolution was not adopted.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 28, H. of R. Substitute for No. 26, H. of R. A bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota.

Mr. Trask, from the select committee, reported as follows:

“The special committee appointed to measure the incidental printing done by James M. Goodhue, by order of the Legislative Assembly of this Territory at the last session, would respectfully report, that they have carefully performed that duty, and find that the whole amount of incidental printing done by the said Goodhue, was 1,793,180 ems; and find by reference to appropriation bill of that session, that the said Goodhue, was allowed for one million ems, leaving a balance in his favor of seven hundred and ninety-three thousand, one hundred and eighty ems. Your committee would also report, that by an order of the House, the said Goodhue had translated and printed, the message of the Governor, in the German language, and are of the opinion that the sum of one hundred dollars should be allowed him for such translation; that being the amount allowed to Louis M. Oliver, for translating the same into French.

SYLVANUS TRASK,
B. W. BRUNSON,
J. C. RAMSEY, } Committee.”

On motion of Mr. Wells,

Said report was accepted, and the committee discharged.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills, memorial and chapters:

“An act to incorporate the St. Anthony Boom Company.”

“An act to dissolve the marriage contract between George Wells and Catharine Wells, his wife.”

"Memorial to Congress relative to the construction of a Railroad."

"And chapters 1, 61, 62, 63, 64, 65, 72, 74, 76, 78, 79, 80, 87, 88, 89, 90, 91 and 95, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

Mr. Taylor, from the Committee on Roads, made the following report:

"The Joint Committee on Roads, to whom was referred bill

"No. 19, C. F. 'A bill for locating a Territorial Road, between points therein specified;'

"Have had the same under consideration, and respectfully submit the following report:

"As the road contemplated by the bill, is entirely of a local character, your committee are of opinion that the bill, as amended by the House, should not pass. And as the construction of the road appears to be of doubtful expediency, it is but right that it be left to the action of the counties interested.

"Your committee would therefore, recommend that the bill be indefinitely postponed.

"All which is respectfully submitted.

JESSE TAYLOR,
D. GILMAN,
DAVID T. SLOAN, } Committee."

On motion of Mr. Wells,

Said report was adopted.

The message from the Council was taken up;

C. F., chapters 139, 140, 141 and 142, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Wells,

Were read the first time by their titles.

Mr. North moved that the rules be so far suspended, that the said chapters be read the second time by their titles;

The question being put,

And a division being ordered;

There were ayes—10; nays—5.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed.

And said chapters were read the second time by their titles.

A message from the Governor was announced, by W. B. White, Esq., his Private Secretary, viz:

"MR. SPEAKER:—I have the honor to communicate to you a message from the Governor, in writing."

The last message from the Council of yesterday, was taken up.

C. F., chapter 108 of the revision, was taken up for the consideration of the amendment of the Council to the third amendment of the House to said chapter,

The question being put,

The amendment was agreed to.

No. 28, H. of R. Substitute for No. 26, H. of R. A bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota,

Was taken up; and

On motion of Mr. Trask,

Read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in
 "No. 23, H. of R. A bill to incorporate the St. Paul Institute."
 The Secretary then withdrew.
 The Governor's message was then read, and is as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
 St. Paul, March 27, 1851.

"To the honorable Speaker of the House of Representatives:

"SIR:—I have examined and approved,

"An act granting to John Banfill the right to establish a Ferry across the Mississippi river."

"An act to dissolve the marriage contract between Marcelle Couturier and his wife, Margaret Couturier."

Very respectfully,
 Your ob't. servant,
 ALEX. RAMSEY."

Mr. Brunson moved that

No. 22, H. of R. A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849,
 Be taken up, and ordered to be engrossed and read the third time on to-morrow;

Mr. Rice moved to amend, that

No. 25, H. of R. A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1st, 1849,

Be taken up, and ordered to be engrossed and read the third time on to-morrow;

The question being put upon concurring in Mr. Rice's amendment,

The Speaker being unable to decide,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, Gilman, North, Patch, Ramsey, Rice, Sloan, Taylor, Tilden and Warren—10.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Randall, Trask, Wells and Ames (Speaker)—7.

So the amendment was adopted.

And No. 25, H. of R., was ordered to be engrossed and read the third time on to-morrow.

The question being put upon Mr. Brunson's motion,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Trask, Wells and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Patch, Rice, Sloan, Tilden and Warren—8.

So the motion prevailed.

And No. 22, H. of R., was ordered to be engrossed and read the third time on to-morrow.

Mr. Randall offered the following resolution:

Resolved, That No. 18, C. F., A bill for the Apportionment of Representation in the Territory, be taken up and considered in committee of the whole, this afternoon.

Mr. Brunson moved that the House adjourn;

The question being put,

And a division being ordered,

There were ayes—6; nays—8.

So the House refused to adjourn.

Mr. Wells moved that Mr. Randall's resolution be adopted;

The Speaker decided that the resolution had not yet been received by the House.

On motion of Mr. Brunson,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Mr. Ford was reported absent.

Mr. Rice asked and obtained the unanimous consent of the House, and introduced, the following joint resolution:

Resolved, (the Council concurring,) that the 18th joint rule of the two Houses, be, and the same is hereby suspended;

The question being put upon the adoption of the resolution,
It was decided in the affirmative.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory,
Was taken up; and

On motion of Mr. Tilden,

Read the second time by its title.

On motion of Mr. Tilden,

The House resolved itself into a committee of the whole,

Mr. Brunson in the chair,

For the consideration of said bill, and C. F., chapters 139, 140, 141 and 142,
of the revision.

After some time passed therein, the committee rose, and by their chairman, reported said bill and chapters back to the House with amendments;

And asked the concurrence of the House therein.

C. F., chapter 140, of the revision, was taken up for the consideration of the amendment of the committee of the whole to said chapter,

The question being put, the amendment was concurred in.

Mr. Olmstead offered the following amendment to chapter 141:

"Add to section 1, 'and in case no apportionment bill be passed at the present session of the Legislature, so much of chapter 2 of the laws of Minnesota, passed at the last session of the Legislature, shall remain in force as does not conflict with the provisions of the revised statutes.'"

The question being put upon the adoption of said amendment,

The ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Ford, North, Olmstead, Patch, Rice, Sloan, Warren and Ames (Speaker)—9.

Those who voted in the negative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask and Wells—9.

So the amendment was not adopted.

Mr. Brunson offered the following amendment to chapter 141:

"Add to section 1, 'an act to establish and maintain Common Schools;'"

Which amendment was adopted.

Mr. Ludden moved that C. F., chapters 139, 140, 141 and 142, of the revision, be laid on the table, and taken up and read the third time on Saturday next;

The question being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

Those who voted in the negative are—Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren—8.

So the motion prevailed.

Mr. North, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 22, H. of R. A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849; and

No. 25, H. of R. A bill to repeal an act, entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849.

Mr. Rice offered the following amendment to No. 18, C. F.:

"Strike out all after the enacting clause, and insert the following:

"Sec. 1. That the Council and House of Representative Districts, shall be, and remain as is hereinafter provided by law."

"Sec. 2. 'All that portion of Washington county south of the range line between townships 28 and 29, north, shall constitute the First Council District, and be entitled to elect one member of the House of Representatives; and the county generally, shall also be entitled to elect one additional member of the Council, and two members of the House of Representatives.'

"That portion of said county embracing the precinct of Stillwater, shall constitute the Second Council District, and be entitled to elect one member of the Council.

"The precinct of Stillwater shall constitute one Representative District, and be entitled to elect three members of the House of Representatives.

"Sec. 3. 'The counties of Itasca and Chisago, (including the Marine precinct, partly in the county of Washington,) shall constitute the Third Council District, and be entitled to elect one member of the Council, and shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.'

"Sec. 4. 'The counties of Dakota and Wabashaw, shall constitute the Fourth Council District, and be entitled to elect one member of the Council.

"The county of Dakota shall constitute one Representative District, and be entitled to elect two members of the House of Representatives.

"The county of Wabashaw shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.'

"Sec. 5. 'All that portion of the county of Ramsey, embracing the precinct of St. Paul, and that portion southeast of the same, shall constitute the Fifth Council district, and be entitled to elect three members of the Council.'

"Sec. 6. 'The precincts of St. Anthony and Little Canada, and all that portion of the county of Ramsey north of the same, shall constitute the Sixth Council District, and be entitled to elect two members of the Council.

"The precinct of St. Paul shall constitute one Representative District, and be entitled to elect five members of the House of Representatives.

"The precinct of Little Canada shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.

"The precinct of St. Anthony, and that portion of the county of Ramsey lying north of the same, shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.

"Sec. 7. 'The counties of Benton, Cass and Pembina, shall constitute the Seventh Council District, and be entitled to elect two members of the Council.

"The counties of Benton and Cass, shall constitute one Representative District, and be entitled to elect four members of the House of Representatives.

"The county of Pembina shall constitute one Representative District, and be entitled to elect one member of the House of Representatives.'

"Sec. 8. 'The returns of the election of members from the counties of Itasca and Chisago, shall be made to the Register of the county of Washington.

"The returns from the counties of Wabashaw and Dakota, shall be made to the Register of Deeds of the county of Ramsey.

"The returns from the counties of Pembina and Cass, shall be made to the Register of Deeds of the county of Benton; and the votes returned from said counties, shall be canvassed, and certificates issued in accordance with the statutes providing for the regulation of general elections."

The Speaker called Mr. Ludden to the chair.

On motion of Mr. North,

The House adjourned.

FRIDAY, MARCH 28, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Ford, Gilman, North, Olmstead, Patch, Rice, Sloan and Warren were reported absent.

The Speaker suggested to the House, that there was no quorum present, as required by the 40th rule of the House.

By the 40th rule of the House, eleven members constitute a quorum. This is somewhat different from the general parliamentary rule, which makes a majority of a Legislative body, a quorum to transact business.

By the 65th rule of the House, not less than two-thirds of the members of the House present can change or rescind a rule of the House, and then a motion to change a rule must lie over one day, before it can be acted on.

By another clause of the same rule, two-thirds of members present could suspend the rule. Therefore, two-thirds of the members present could suspend the rule under the general parliamentary rule, that a majority constitutes a quorum.

The House may order a call of its members, and compel the attendance of absentees, or may adjourn; or if any member should move to suspend the 40th rule and it were carried by a vote of two-thirds of those present, the rule would be suspended.

Mr. Trask moved that the 40th standing rule of this House be suspended during this day;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed.

Mr. Brunson, upon the request of Mr. Olmstead, moved that he be excused from attendance on this House for the remainder of the session;

Which motion prevailed.

On motion of Mr. Randall,

The reading of the Journal of yesterday was dispensed with.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—No action appears to have been had by this House, on the third and fourth amendments made by this House, to C. F., chapter 67, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"In which the Council refused to concur, and said chapter is herewith returned, to enable this House to take action thereon."

The Secretary then withdrew.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following chapters:

"Chapters 73, 77, 99, 103, 106, 115, 116, 117, 118, 119, 120, 122, 123, 134, 135, 59, 100, 101, 104, 110, 111, 112, 113, 114, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'"

B. H. RANDALL,

Chairman."

Mr. Tilden gave notice, that on to-morrow, he would introduce a resolution that the 40th rule of this House be rescinded;

The message from the Council was taken up.

C. F., chapter 67, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Was taken up for consideration of the amendments made thereto by this House which were non-concurred in by the Council,

The question being put upon receding from the said amendment,

It was decided in the affirmative.

No. 22, H. of R. A bill supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,

Was taken up, and read the third time.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

No. 25, H. of R. A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,

Was taken up, and read the third time.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. Trask moved that

No. 18, C. F. A bill for the Apportionment of Representation in the Territory, be taken up;

The Speaker remarked, that the motion was unnecessary, as the bill would come up in the usual order of business.

The Chief Clerk remarked that said bill had been secretly abstracted some time during the last night, from the possession of the Clerk, by some person or persons unknown, and by breaking open the desk in which the same was deposited, with other bills and papers of the House, and could not be found.

On motion of Mr. Tilden,

The Chief Clerk was directed to inform the Council by message, of the facts in relation to the loss of said bill.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has rejected on a second reading,

"No. 25, H. of R. 'A bill to repeal an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849.'

"The Council has concurred in 'No. 6, H. of R. Joint resolution to suspend the 18th joint rule of the two Houses.'

"The Council has ordered

"No. 18, C. F. 'A bill for the apportionment of Representation in the Territory,' to be engrossed from the engrossed copy on file in the Council, and said bill has been again passed by the Council; and the concurrence of this House therein is respectfully requested."

The Secretary then withdrew.

The message from the Council was taken up.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory,

Was taken up; and

On motion of Mr. Randall,

Was read the first time by its title.

Mr. Wells moved that the rules be so far suspended, that the said bill be read the second time by its title;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed.

And said bill was read the second time by its title.

On motion of Mr. Tilden,

The House resolved itself into a committee of the whole,

Mr. Ludden in the chair,
For the consideration of No. 18, C. F. A bill for the Apportionment of Representation in the Territory.

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

Mr. Ludden offered the following amendment to the bill:

“Amend line 4, section 9, by striking out the word ‘six’ and insert ‘three;’”

The question being put upon adopting the amendment,

It was disagreed to.

Mr. Randall moved that the rules be so far suspended, that the said bill be now read the third time by its title;

The Speaker called Mr. Randall to the chair.

Mr. Ames moved that the said bill be laid on the table;

The question being put,

And the Speaker being unable to decide,

The ayes and nays were called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Tilden, Trask, Wells and Ames (Speaker)—6.

Those who voted in the negative are—Messrs. Ludden, Ramsey, Randall and Taylor—4.

So the motion prevailed.

On motion of Mr. Ames,

The House adjourned.

TWO O’CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Messrs. Farribault, Ford, Gilman, North, Olmstead, Patch, Rice, Sloan, and Warren were reported absent.

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

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

“Chapters 136, 137 and 138, of bill

“No. 13, C. F. ‘A bill for revising and consolidating the general statutes of the Territory;’

B. H. RANDALL,
Chairman.”

On motion of Mr. Randall,

No. 18, C. F. A bill for the Apportionment of Representation in the Territory,

Was taken from the table.

On motion Mr. Randall,

Said bill was ordered to be taken up, and read the third time on to-morrow morning.

On motion of Mr. Brunson,

The House adjourned.

SATURDAY, MARCH 29, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,
Messrs. Ford, Gilman, North, Patch, Rice, Sloan and Warren were reported absent.

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

The Journal of yesterday was then read.

Mr. Tilden, in pursuance of previous notice, introduced the following resolution:

Resolved, That the 40th rule of this House be, and the same is hereby rescinded.

The question being put upon the adoption of the resolution,

And a division being ordered;

There were ayes—9.

Two-thirds of the members present having voted in the affirmative,

The resolution was adopted.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The joint committee did, on the 28th day of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills and memorials:

"A memorial to Congress relative to the construction of a Railroad."

"A bill entitled an act to dissolve the marriage contract between George Wells and Catharine Wells, his wife."

"A bill entitled an act to incorporate the St. Anthony Boom Company."

M. McLEOD, Council,

B. H. RANDALL, H. of R., } Committee."

C. F., chapters 139, 140, 141 and 142, of bill

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,

Were taken up; and

On motion of Mr. Randall,

Read the third time by their titles.

The question being put,

"Shall these chapters pass?"

It was decided in the affirmative.

The titles of chapters 139, 140 and 142, were agreed to.

Mr. Trask offered the following amendment to the title of chapter 141:

"Strike out the word 'all' before 'acts;'"

Which amendment was adopted.

The title of said chapter as amended, was agreed to.

No. 18, C. F. A bill for the Apportionment of Representation in the Territory,

Was taken up; and

On motion of Mr. Wells,

Read the third time by its title.

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—His Excellency, the Governor, has notified the Council, that he did, on the 27th day of March, 1851, examine and approve,

"An act to incorporate the St. Paul Division, No. 1, Sons of Temperance."

"The Council has passed No. 5, C. F. Joint resolution relative to correcting enrolled chapters.

"The Council has concurred in the amendment made by this House, to C. F., chapter 140, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

"And have concurred in the first, and amended and concurred in the second amendments made by this House, to C. F., chapter 141, of the same bill.

"In all which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

The question recurring upon the passage of

No. 18, C. F., A bill for the Apportionment of Representation in the Territory, and being put,

And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden, Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

There were none who voted in the negative.

So the bill passed, and the title thereof was agreed to.

Mr. Brunson moved that a committee of three be appointed to investigate the matter in relation to the abstraction of No. 18, C. F. A bill for the Apportionment of Representation in the Territory, from the Clerk's desk;

Whereupon, the Speaker appointed Messrs. Brunson, Tilden and Wells said committee.

The Speaker announced the following communication upon his table, which was read, and is as follows:

"To the Speaker of the House of Representatives, of the Territory of Minnesota:

"The undersigned, members of the House of Representatives, hereby tender their resignation respectively, as members of said House.

JOHN A. FORD,

DAVID GILMAN,

DAVID T. SLOAN,

WM. W. WARREN,

EDWARD PATCH,

JOHN W. NORTH,

EDMUND RICE.

St. Paul, March 29th, 1851.

Mr. Wells moved that the above resignations be accepted by the House;

Which motion prevailed.

Mr. Tilden moved that a committee of three be appointed by this House, to ascertain the amount of unfinished business to be attended to, the present session of the Legislature;

Messrs. Tilden, Randall and Wells were appointed said committee.

The message from the Council was taken up.

On motion of Mr. Brunson,

No. 5, C. F. Joint resolution relative to correcting enrolled chapters,

Was taken up; and

On motion of Mr. Tilden,

Said resolution was read by its title.

The question being put upon the adoption of the resolution,

It was adopted.

C. F., chapter 141, of the revision, was taken up for the consideration of the amendment of the Council to the second amendment of the House to said chapter,

The question being put upon agreeing to the amendment,

It was agreed to.

On motion of Mr. Wells,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker.

The roll having been called,

Mr. Farribault was reported absent.

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

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bill and chapters:

"A bill for an act to incorporate the St. Paul Institute."

"And chapters 139, 140 and 142, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'

B. H. RANDALL,
Chairman."

Mr. Tilden, from the select committee, made the following report:

"The select committee, appointed by this House to ascertain the amount of unfinished business to be attended to at the present session, beg leave to report:

"That the appropriation bill and the correction of errors, (as authorized by a joint resolution of the two Houses,) to bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;' is all that remains requiring the action of this House.

H. L. TILDEN,
Chairman."

Mr. Brunson offered the following resolution:

Resolved, That the Secretary of the Territory be requested to furnish this House with any bill or accounts, he may have in his possession, to be paid out of the moneys appropriated for the expenses of the present Legislative Assembly;

Mr. Brunson moved that the resolution be unanimously adopted;

The question being put,

And a division being ordered;

There were ayes—10; nays—0.

So the resolution was unanimously adopted.

Mr. Ludden moved that the House adjourn until 7 o'clock this evening;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

So the House adjourned.

SEVEN O'CLOCK, P. M.

The House was called to order by the Speaker.

A quorum not being present for the transaction of business,

On motion of Mr. Randall,

The House adjourned.

MONDAY, MARCH 31, 1851.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Brunson and Randall were reported absent.

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

The Journal of last Saturday was then read and corrected.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following chapters:

"Chapters 9, 10, 11, 12 and 141, of bill

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory.'"

B. H. RANDALL,
Chairman."

Mr. Brunson, from the select committee, made the following report:

"The Committee of Investigation, to whom was referred the matter of the abstraction of No. 18, C. F., a bill to apportion the Territory of Minnesota into Representative Districts, would respectfully report, that they have examined on

oath, B. W. Lott, Chief Clerk of this House; Taylor Dudley, Assistant Clerk; Wm. Cove, Sergeant-at-Arms; E. B. Sloan, Fireman, and Wm. J. Blake, whose affidavits are respectively hereunto attached.

"Your committee have been unable to get any clue to the matter, or the person who abstracted the bill.

"All of which is respectfully submitted.

B. W. BRUNSON,
H. L. TILDEN,
JAS. WELLS,
Committee of Investigation."

On motion of Mr. Trask,

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

A message from the Governor, was announced by W. B. White, Esq., his Private Secretary, viz:

"MR. SPEAKER:—I have the honor to communicate a message from the Governor, in writing;"

Which was read, and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, March 31, 1851. }

To the honorable, the Speaker of the House of Representatives:

"SIR:—I have examined and approved,

"A memorial to Congress, relative to the construction of a Railroad."

"An act to dissolve the marriage contract between George Wells and Catharine Wells, his wife."

Very respectfully,
Your obedient servant,

ALEX. RAMSEY."

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has passed, 'No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory,' containing chapters, from 1, to 142 inclusive, with the exception of 15, 22 and 37, which chapters were negatived.

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following bill:

"No. 18, C. F. 'A bill for the Apportionment of Representation in the Territory.'"

B. H. RANDALL,
Chairman."

No. 13, C. F. A bill for revising and consolidating the general statutes of the Territory, containing chapters from 1, to 142 inclusive, with the exception of chapters 15, 22 and 37; was taken up.

On motion of Mr. Tilden,

Said bill was read the first time by its title.

Mr. Wells moved that the rules be so far suspended, that the said bill be now read the second time by its title;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed.

And the said bill was read the second time by its title.

Mr. Randall moved that the rules be so far suspended, that said bill be now read the third time by its title;

The question being put,
 And a division being ordered;
 There were ayes—10.
 Two-thirds of the members present having voted in the affirmative,
 The motion prevailed.
 And said bill was read the third time by its title.
 The question being put,
 "Shall this bill pass?"

And the ayes and nays being called for and ordered;
 Those who voted in the affirmative are—Messrs. Brunson, Farribault, Ludden,
 Ramsey, Randall, Taylor, Tilden, Trask, Wells and Ames (Speaker)—10.

There were none who voted in the negative.
 So the bill passed, and the title thereof agreed to.

The following message from the Council, was received by J. R. Brown, Esq.,
 Secretary thereof, viz:

"MR. SPEAKER:—The Council has concurred in,

"No. 22, H. of R. A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey,' approved November 1, 1849; and

"No. 28, H. of R. Substitute for No. 26, H. of R. A bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota; each with an amendment.

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

No. 22, H. of R. A bill supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849,

Was taken up for the consideration of the amendment of the Council to said bill.

The question being put,

The amendment was concurred in.

No. 28, H. of R. Substitute for No. 26, H. of R. A bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota,

Was taken up for the consideration of the amendment of the Council to said bill.

The question being put,

The amendment was concurred in.

On motion of Mr. Ludden,

No. 5, C. F. Memorial to Congress, relative to settlers on sections No. 16 and 36, was taken from the table.

On motion of Mr. Trask,

Said memorial was read the third time by its title.

The question being put,

"Shall this memorial pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. Randall, from the Committee on Enrolled Bills, made the following reports:

"The Joint Committee did, on the 31st of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bill:

"A bill entitled 'an act for the Apportionment of Representation in the Territory.'

M. McLEOD, Council,
 B. H. RANDALL, H. of R. } Committee."

"The Committee on Enrolled Bills have examined and found correctly enrolled, the following bill:

"No. 13, C. F. 'A bill for revising and consolidating the general statutes of the Territory;' including chapters from 1 to 142 inclusive, with the exception of chapters 15, 22 and 37."

B. H. RANDALL,
 Chairman."

Mr. Ludden offered joint resolution No. 7, H. of R. Relative to establishing a precinct in the county of Itasca;

Which was read the first time.

Mr. Ludden moved that the rules be so far suspended, that said resolution be read the second time by its title;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed.

And the resolution was read the second time by its title.

Mr. Wells moved that the rules be so far suspended, that said resolution be read the third time by its title;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

The motion prevailed.

And said memorial was read the third time by its title.

The question being put,

“Shall the resolution pass?”

It was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Trask,

The House adjourned.

TWO O'CLOCK, P. M.

The House was called to order by the Speaker

The roll having been called,

All the members were reported present.

The Journal of this morning was then read.

A message from the Governor was announced, by W. B. White, Esq., his Private Secretary, viz:

“MR. SPEAKER:—I have the honor to communicate a message from the Governor, in writing.”

Which was read, and is as follows:

‘TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, March 31, 1851. }

“To the honorable Speaker of the House of Representatives:

“SIR:—I have examined and approved,

“An act to incorporate the St. Paul Institute.”

Very respectfully,

Your ob't. servant,

ALEX. RAMSEY.”

Mr. Randall, from the Committee on Enrolled Bills, made the following reports:

“The joint committee did, on the 31st of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills:

“A bill entitled ‘an act for revising and consolidating the general statutes of the Territory,’ including chapters from 1 to 142, with the exception of chapters 15, 22 and 37.

“A bill entitled ‘an act to incorporate the St. Paul Institute.’

M. McLEOD, Council,

B. H. RANDALL, H. of R., }

} Committee.”

“The Committee on Enrolled Bills, have examined and found correctly enrolled, the following bills, viz:

"A bill entitled 'a bill to amend an act to provide for the erection of Public Buildings in the Territory of Minnesota,' approved A. D. 1851.

"A bill supplementary to an act entitled 'an act to incorporate the town of St. Paul, in the county of Ramsey, approved Nov. 1, 1849.'

B. H. RANDALL,
Chairman."

"The Committee on Enrolled Bills, have examined and found correctly enrolled, the following memorial, viz:

"A memorial to Congress, relative to settlers on sections No. 16 and 36.

B. H. RANDALL,
Chairman."

A call of the House was ordered;

And the roll being called,

Messrs. Ramsey, Randall, Tilden and Trask were reported absent.

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

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

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The joint committee did, on the 31st of March, A. D. 1851, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills and memorial, viz:

"A memorial to Congress relative to settlers on sections No. 16 and 36.

"A bill entitled 'an act to amend an act to provide for erection of Public Buildings in the Territory of Minnesota,' approved A. D. 1851.

"A bill entitled 'an act supplementary to an act to incorporate the town of St. Paul, in the county of Ramsey,' approved Nov. 1, 1849.

M. McLEOD, Council, }
B. H. RANDALL, H. of R., } Committee."

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has negatived, on a third reading,

"No. 27, H. of R. 'A bill supplementary to an act for revising and consolidating the general statutes of the Territory;' and also, entitled chapter 1, of the division of the Territory into counties, and their boundaries.

"And has negatived, by indefinitely postponing,

"No. 2, H. of R. 'A memorial to Congress, praying that the 15th section of the act of Congress of 4th September, 1841, may be amended, &c.'

"The Governor has notified the Council, that he has examined and approved,

"An act to incorporate the St. Anthony Boom Company;

"An act to authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes;

"An act for the Apportionment of Representation in the Territory; and

"An act for revising and consolidating the general statutes of the Territory.

"The Council has passed,

"No. 20, C. F. A bill to incorporate the St. Peters' Lumbering and Manufacturing Company.

"In which the concurrence of this House is respectfully requested."

The Secretary then withdrew.

A call of the House was ordered;

And Mr. Tilden was reported absent.

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

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

The message from the Council was taken up; and

No. 20, C. F. A bill to incorporate the St. Peters' Lumbering and Manufacturing Company,

Was read the first time.

Mr. Ludden moved that the rules be so far suspended, that the said bill be read the second time by its title.

The question being put,
And a division being ordered;
There were ayes—9.

Two-thirds of the members present having voted in the affirmative,
Said motion prevailed.

And said bill was read the second time by its title.

Mr. Trask offered the following amendment to the bill:

“Strike out the word ‘general’ wherever it occurs in the bill, and insert in lieu thereof, the word ‘Legislative;’”

The question being put upon the adoption of said amendment, it was agreed to.

Mr. Wells moved that the rules be so far suspended that the said bill be read the third time now by its title;

The question being put,
And a division being ordered;
There were ayes—7; nays—2.

Two-thirds of the members present having voted in the affirmative,
Said motion prevailed.

And said bill was read the third time by its title.

The question being put,
“Shall this bill pass?”

Mr. Wells moved that Capt. W. B. Dodd, have permission to address the House upon said bill.

Which motion prevailed.

Mr. Ramsey asked to be excused from voting upon the passage of said bill.

The question being put,
And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ludden, Tilden and Wells—4.

Those who voted in the negative are—Messrs. Farribault, Randall, Taylor, Trask and Ames (Speaker)—5.

So Mr. Ramsey was not excused.

The question recurring upon the passage of said bill,
And the ayes and nays being called for and ordered;

Those who voted in the affirmative are—Messrs. Brunson, Ludden, Randall, Trask, Wells and Ames (Speaker)—6.

Those who voted in the negative are—Messrs. Farribault, Ramsey, Taylor and Tilden—4.

So the bill passed, and the title thereof was agreed to.

The Speaker called Mr. Taylor to the chair.

A message from the Governor, was announced by W. B. White, Esq., his Private Secretary, viz:

“MR. SPEAKER:—I have the honor to communicate a message to you, from the Governor, in writing.”

Which was read; and is as follows:

MINNESOTA TERRITORY, EXECUTIVE DEPARTMENT, }
St. Paul, March 31st, 1851.

“To the honorable Speaker of the House of Representatives:

“SIR:—I have examined and approved,

“An act to amend an act entitled ‘an act to provide for the erection of Public Buildings in the Territory of Minnesota,’ approved A. D. 1851.

“An act supplementary to an act entitled ‘an act to incorporate the town of St. Paul, in the county of Ramsey,’ approved Nov. 1st, 1849,

Very respectfully,

Your obdt servant.

ALEX. RAMSEY.”

The following message was received from the Council, by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has passed ‘No. 8, C. F. Joint resolution relative to adjournment.’”

“In which the concurrence of this House is respectfully requested.”

The Secretary then withdrew.

The message from the Council was taken up.

No. 8, C. F. Joint resolution relative to adjournment of the Legislature, was read; and

On motion of Mr. Wells,

Was adopted.

The following message from the Council, was received by Joseph R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has concurred in the amendment of this House to

“No. 20, C. F. ‘A bill to incorporate the St. Peters’ Lumbering and Manufacturing Company.’

“His Excellency, the Governor, has notified the Council, that he has examined and approved,

“A memorial to Congress, relative to settlers on sections No. 16 and 36.”

The Secretary then withdrew.

Messrs. Forbes and Norris, a committee from the Council, reported that they had finished all the business before them, and were ready to adjourn *sine die*; and that the Council had also appointed a committee to wait upon his Excellency, the Governor, and inform him of the same, and to enquire of him if he has any further communications to lay before the two Houses of the Legislature.

Mr. Ludden offered the following resolution:

Resolved, That a select committee of two, be appointed on the part of this House, to act in conjunction with a similar committee to be appointed on the part of the Council, to wait on his Excellency, the Governor, and inform him that the two Houses have completed the business before them, and inquire of him if he has any further communications to lay before either branch of the Legislative Assembly at its present session.

The question being put upon the adoption of the said resolution,

It was adopted.

Whereupon Messrs. Ludden and Wells were appointed said committee.

Mr. Tilden offered the following resolution:

Resolved, That the thanks of each member of this House, are hereby tendered to the Hon. Michael E. Ames, for the able, energetic and impartial manner in which he has presided over the deliberations of this House during the present session of the Legislative Assembly.

The question being put upon the adoption of the resolution,

It was unanimously adopted.

Mr. Randall offered the following resolution:

Resolved, That the thanks of each member of this House, are justly due, and are hereby tendered to B. W. Lott, Chief Clerk, Taylor Dudley, Assistant Clerk, and other officers of the House, for their efficient services, and gentlemanly deportment during the present session.

The question being put upon the adoption of the resolution,

It was unanimously adopted.

The following message from the Council, was received by J. R. Brown, Esq., Secretary thereof, viz:

“MR. SPEAKER:—The Council has appointed Messrs. Burkleo and Sturgis, a committee, to act in conjunction with a similar committee, to be appointed by this House, to wait on his Excellency, the Governor, and enquire if he has any further communications to lay before the two Houses of the Legislature.

“And the appointment of a similar committee by this House, is respectfully requested.”

The Secretary then withdrew.

Mr. Trask moved that a committee of two be appointed, to inform the Council that there was no further business before the House of Representatives at its present session, and that they were now ready to adjourn *sine die*.

Which motion prevailed.

And Messrs. Trask and Tilden were appointed said committee.

On motion of Mr. Trask,

The House took a recess of half an hour.

Mr. Ludden, from the joint committee, appointed to wait on the Governor, &c., made the following report:

"The joint committee, appointed to wait on the Governor, and to inform him that there is no further business before the Legislative Assembly, and to enquire whether he has any further communications to make to either House, would respectfully report, that they have performed that duty, and have been requested by his Excellency, to state to the House, that he has no other communication to make, than to urgently request them to make provision by appropriation, for the payment of the Legislative expenses.

J. D. LUDDEN,

Committee of the House."

Mr. Randall, from the Committee on Enrolled Bills, made the following report:

"The Committee on Enrolled Bills, beg leave to report, that they have examined and found correctly enrolled, the following bill, viz:

"A bill to incorporate the St. Peters' Lumbering and Manufacturing Company.

B. H. RANDALL,

Chairman."

Mr. Ludden moved a re-consideration of the vote by which the House resolved to appoint a committee to inform the Council that there was no further business before them;

Which motion prevailed.

Mr. Trask, from the Committee on Legislative Expenditures, reported, No. 29, H. of R. An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota;

Which was read the first time.

Mr. Brunson moved that the rules be so far suspended, that the bill be read the second time;

The question being put,

And a division being ordered;

There were ayes—10.

Two-thirds of the members present having voted in the affirmative,

Said motion prevailed; and

On motion of Mr. Brunson,

Said bill was read the second time by its title.

Mr. Tilden offered the following amendment to the bill:

"Add E. B. Sloan's account, for \$——;"

The question being put,

The amendment was adopted.

Mr. Tilden moved that the name of H. L. Tilden be stricken out where it first appears in the bill;

Which motion prevailed.

Mr. Wells moved the following amendment to the bill;

"To James Wells, for bringing the election returns from the precinct of Washaw, for the year 1849, \$10 00;"

Which amendment was adopted.

Mr. Trask moved that the bill be amended, by inserting

"For C. K. Smith, \$300 00;"

Which motion did not prevail.

Mr. Trask moved that said bill be engrossed and read the third time now;

Which motion prevailed.

Mr. Tilden, from the Committee on Engrossed Bills, reported as correctly engrossed:

No. 29, H. of R. An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.

On motion of Mr. Tilden,

The rules were so far suspended, that said bill was read the third time by its title.

The question being put,

"Shall this bill pass?"

It was decided in the affirmative, and the title thereof agreed to.

Mr. Tilden moved a call of the House;

Which was ordered.

The roll having been called,

The members were all reported present.

The following message was received from the Council by Joseph R. Brown, Esq., Secretary thereof, viz:

"MR. SPEAKER:—The Council has postponed until to-morrow, at 10 o'clock,

"No. 29, H. of R. An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota."

The Secretary then withdrew.

Mr. Wells moved that a committee of two be appointed to inform the Council, that there was no further business before the House, and that they were ready to adjourn *sine die*;

Which motion prevailed.

Messrs. Wells and Ludden were appointed said committee.

After a short absence, the committee reported that they had performed the duty assigned them.

On motion of Mr. Tilden,

The report of the committee was accepted, and the committee discharged.

Mr. Ramsey moved that the House adjourn *sine die*;

When the Speaker rose, and delivered the following valedictory:

"GENTLEMEN:—The Legislative business of our session is about to close, and the associations which we have formed here, in the discharge of our public duties, are about to be dissolved; and the authority extended to us by our constituents, about to be returned to their hands; and our actions to be approved or disapproved by the people, who are, under the principles of free government; happily, the source of all political power, and the only tribunal to whom their Representatives are accountable for their political actions.

"Our session has been an exciting and laborious one; extended, by an act of Congress, from the time fixed by the 'Organic Act,' to the period of 'ninety days,' to enable the present session to undertake and complete a general revision of the Laws for the Territory, it greatly increased the labors as well as the responsibilities of the session.

"And gentlemen, allow me to congratulate you, upon the consummation of the revision of an entire code of laws for the Territory, which your final action has this day adopted.

"Aside from a revision of the laws, many exciting measures, both of general, and local interest, have occupied your attention, and received your final action.

"Measures, upon which, gentlemen entertained, (no doubt,) an honest difference of opinion, which produced heated discussions and much warmth of feeling; and which have been disposed of in a manner, that I doubt not, will receive the approbation of a majority of the people of Minnesota.

"And I believe, the amount of business which has been introduced and disposed of by this Assembly, during its present session, has been equal, and probably much greater, than that of any session of a Territorial Legislature of the same length.

"And could I feel as strongly assured, that no bad result would grow out of this hasty revision of the laws, arising from the inadequacy of time allowed us for its completion, as I do of the pure motives, and untiring industry of every member in the Hall of this House to serve their constituents and promote the best interests of the Territory, I should leave you with unmingled feelings of pleasure.

"I assumed the responsible duties of presiding over the deliberations of this House, relying more upon your kind indulgence and friendly aid, than from any consciousness of my own ability; and I am happy to assure you, that my expectations in that regard, have been more than realized.

"In laboring to promote, (as we believe,) the best general interests of the Territory at large, as well as the local interests of our immediate constituency, and in sustaining those interests—I regret to say, we have at times, been brought in collision, and feelings of disquietude and unkindness excited.

"But on all occasions, that great, sacred, and conservative principle of our government, (the majority principle,) which pervades all our free institutions, and to which, the Representatives, as well as their sovereign constituents, all owe obedience; a principle well recognized in the general parliamentary laws, both of this country and England, has been applied to control and guide our actions.

"The resolution which has just passed this House, in terms so flattering, and adopted with such unanimity, affords me satisfaction, that my honest intentions have not been misconstrued by you.

"Gentlemen, I thank you for so handsome a tribute; which I regard rather as a token of your generosity, than of my own merit.

"Allow me also, to thank you all, for that uniform support, which you have kindly afforded me by your counsels, in the discharge of my duties as a presiding officer.

"Gentlemen, we are about to adjourn without day; and let me assure you, each and all, that you have my best wishes for a safe return to your constituents, your families and friends, and for your prosperity and happiness in all future life."

The question then being put,

"That the House do now adjourn *sine die*?"

It was decided in the affirmative.

And the House was declared to be adjourned *sine die*.

APPENDIX
TO THE
JOURNAL OF THE HOUSE OF REPRESENTATIVES.

ANNUAL REPORT OF THE TERRITORIAL AUDITOR.

*To the Honorable, the Council and House of
Representatives, of the Legislature of Minnesota:*

Agreeably to the fourth section of the act establishing the office of Territorial Auditor and regulating his duties, I proceed to lay before you, my annual statement of the funds of the Territory.

The Territorial tax, authorized by the last Legislature of Minnesota, from which alone, our revenue is derived, amounts, as will appear by the charges upon the books of this office, an exemplification of which is hereto annexed, and marked "Schedule B," to the sum of eight hundred and six dollars and forty-four cents. It will be perceived, that the counties of Ramsey, Washington, Wabashaw, Dakota and Wahnata, only have returned the assessed value for property taxed for county purposes; and the above sum is estimated upon returns from those counties alone; the additional returns yet to be received, it will, it is believed, increase the above amount by about fifty dollars. None of this amount has as yet, been paid into the Territorial Treasury.

The amount of debts due from the Treasury, as will appear from a transcript of the Auditor's books hereto annexed and marked "Schedule A," is eleven hundred and eighty-one dollars and fifty cents. Of this amount, four hundred and eighty-one dollars and fifty cents, has accrued from locating and surveying roads, and seven hundred dollars, for salaries of officers. The balance against the Territory, therefore, as it now appears upon the books of this office, is three hundred and seventy-five dollars and six cents. To this, is probably to be added the expense of "laying out and establishing a Territorial Road from Rum River to Crow Wing," of which no returns have been received, and on account of which no demands have been made. The tax, however, to be charged to the unreturned counties, will in some measure, counterbalance the debt of any due on account of such road; and I think it may be safely estimated that the Territorial debt of this year will not exceed four hundred dollars.

In view of the foregoing facts, and conscious of the great importance of establishing the credit of our infant Territory upon a firm basis, deeming too, that our wiser policy would be to avoid contracting debts year after year against the Treasury, I have thought it my duty, in this first report, and have therefore taken the liberty to recommend a measure for the consideration of the Legislature, which I judge, will avoid the evils consequent upon a lack of confidence in the

Treasury of the Territory. The balance against the Treasury, but four hundred dollars, viewed in one light, is but little; but when, in a Territory like ours, this is due to many different individuals, in small sums, who confidently expect payment on the presentation of a warrant, and when too, the amount of the circulating medium is so disproportioned to the large amount of business carried on in the Territory, the non-payment of warrants for any length of time, is calculated to create distrust and lessen the confidence of the community. Under such a state of the finances, therefore, contractors for any public work of the Territory, and all in fact, who from any cause, expect to receive payment from the Treasury, would be induced necessarily, to charge much higher for their services, or materials furnished, than would be the case were they confident of a prompt discharge of their claims; and thus the Territory, in its inability to pay, would be obliged to contract debts, which under a different state of things, would have been unnecessary.

The inability of the Treasury to meet such warrants would also oblige their holders to realize from private individuals, the money at ruinous rates of discount, and in addition to the great evil of a depreciated credit, and the hawking about of Territorial paper, for every variety of sums at much less than par, a still more serious private injury would result to the holders of warrants, since it would be the poorer class, and those who necessarily rely upon the prompt payment for their services, &c., who would thus be forced to sacrifice their rights to their necessities. This existing for any length of time, the result would be, that the services required by the Territory, would only be performed at exorbitant prices by those who could afford to wait for their remuneration; and the poor man, whom legislation is designed to protect as well as the rich, would, having greater confidence in a private individual's purse than in a doubtful Territorial Treasury, perform the same services under a sub-contractor, at prices far less than the Territory first agreed to pay, and perhaps, for less than those services were really worth; and in consequence, the richer man would pocket the surplus of the contract and enjoy a monopoly of all Territorial expenditures at the expense of his poorer neighbor, and of the Territory itself. It would be unnecessary for me to suggest further reasons for the measure I now offer, as the more capable reflection of the Legislature, will at once discover those which I have failed to advance, I would recommend, therefore, that a loan of five hundred dollars, upon such terms and for such length of time, as to the Legislature shall seem proper, be authorized to be procured for the benefit of the Treasury. It is firmly believed that this sum, with the Territorial tax due from the several counties, will at once pay off all warrants drawn upon, and all debts existing against the Treasury; and in the opinion of the Auditor, there will be little difficulty in procuring such loan within the limits of our own Territory. The loan itself, will then be the only outstanding liability, and the amount of the revenue of the next two years will so far increase above the expenses of the Territory, that it is confidently believed the second year's revenue, if not the first, will be amply sufficient to discharge all the Territorial expenses, and, in addition, to take up this loan; thus leaving the Territory entirely free from debt and with a firm and unshaken credit. In support of this estimation, I would refer the Legislature to the expenses of this year as compared with the probable expenses of the next. With the exception of the salaries, the calls upon the Treasury have been exclusively for laying out and establishing roads; an item of expense, which, as a matter of course, will hereafter be much diminished; and in this connection, I would suggest to the Legislature the propriety of requiring all roads hereafter laid out and established, to be located and surveyed at the expense of the counties through which they pass and which they may benefit, with such exceptions and restrictions as the Legislature may see fit to create. One other argument in support of the foregoing estimation, is the ratio of increase of value of taxable property; by referring to the schedule hereto annexed and marked "C," the amount of assessed property for the year 1849, will be found to have been \$414,936, and for the year 1850, as per schedule "B," \$806,437, being an increase in one year, of \$391,501, in fact, nearly doubling itself in twelve months. It is true, that in the assessment of 1849, property on

the west side of the Mississippi was not assessed; but it is equally true, that no returns from Benton and other counties, are included in the assessment of 1850. If then the amount of taxable property in the Territory has doubled itself, or nearly so, in the past twelve months, it would not be unreasonable to presume that the next year's assessment will present an increase of fifty per cent., at a moderate calculation; which will make the assessed value for the year 1851, \$1,209,656, and the amount of Territorial revenue, \$1,209 50, exclusive of the unreturned counties of this year, which would of course, still further increase the amount of Territorial tax.

With these suggestions, this report is respectfully submitted.

JONATHAN E. McKUSICK,

Territorial Auditor.

Territorial Auditor's Office, Dec. 31st, 1850.

SCHEDULE A.

INDEBTEDNESS OF THE TERRITORY.					DOLLS.	CTS.
For Warrant No. 1,	drawn in favor of	Mahlon Black,			77	70
" " 2,	" "	Albert Harris,			63	30
" " 3,	" "	Harvey Wilson,			43	30
" " 4,	" "	Abel Wilcox,			42	30
" " 5,	" "	John Howard,			14	80
" " 6,	" "	Thomas S. Speak,			14	80
" " 7,	" "	John Folstrom,			13	30
" " 8,	" "	John A. Ford,			24	00
" " 9,	" "	Jacob Mosier,			24	00
" " 10,	" "	Benj. Gervais,			14	00
" " 11,	" "	John R. Cluit,			14	00
" " 12,	" "	Daniel Williams,			7	50
" " 13,	" "	Robert Kennedy,			16	00
" " 14,	" "	H. W. Morse,			7	50
" " 15,	" "	John Rockwell,			7	50
" " 16,	" "	L. A. Babcock,			62	50
" " 17,	" "	" "			62	50
" " 18,	" "	" "			125	00
" " 19,	" "	J. E. McKusick,			50	00
" " 20,	" "	" "			100	00
" " 21,	" "	B. W. Brunson,			16	00
" " 22,	" "	" "			37	50
" " 23,	" "	Theo. Furber,			20	00
" " 24,	" "	Calvin A. Tuttle,			50	00
" " 25,	" "	" "			50	00
" " 26,	" "	" "			50	00
" " 27,	" "	J. W. Furber,			24	00
For salary of Adjutant General, not yet drawn for,					150	00
Recapitulation, - - - - -					\$1181	50
Indebtedness on account of locating and surveying roads, \$481 50						
Indebtedness on account of salaries, - - - - - 700 00					1181	50

SCHEDULE B.

TERRITORIAL REVENUE.					
RAMSEY COUNTY.				Ter. Tax.	
Lands, town lots and out lots, returned assessed at	\$231,123	00		DOLLS.	CTS.
Improvements, - - - - -	98,485	00			
Personal property, - - - - -	58,966	00			
Merchandize, - - - - -	88,760	00			
Tax of one mill upon the dollar, upon total - -	\$477,344	00		477	33
WASHINGTON COUNTY.					
Lands, town lots and out lots, returned assessed at	\$84,736	48			
Improvements, - - - - -	83,448	00			
Merchandize, - - - - -	25,076	00			
Personal property, - - - - -	35,600	00			
Tax of one mill upon the dollar, upon total - - -	\$228,860	00		228	86
WABASHAW COUNTY.					
Merchandize, returned assessed at - - - -	\$11,025	00			
Personal property, - - - - -	22,183	00			
Tax of one mill upon the dollar, upon total - -	\$33,208	00			
DAKOTA COUNTY.					
Property returned assessed in aggregate, at - - -	\$31,020	00		31	02
Tax of one mill upon the dollar upon amounts returned,					
WAHNATA COUNTY.					
Property returned assessed in aggregate at - - -	\$36,015	00		36	62
Tax of one mill upon the dollar upon amounts returned,					
Recapitulation, exclusive of the county of Benton and others, un-					
returned.					
Ramsey County, total - - - - -	\$477,334	00			
Washington " " - - - - -	228,860	48			
Wabashaw " " - - - - -	33,208	00			
Dakota " " - - - - -	31,020	00			
Wahnata " " - - - - -	36,015	00			
Tax of one mill on the dollar, on - - - -	\$806,437	48		806	44

SCHEDULE C.

**ASSESSED VALUE OF PROPERTY OF THE COUNTY OF ST. CROIX, MINNESOTA
TERRITORY, FOR THE YEAR 1849.**

First District, including Stillwater, Marine Mills, Falls of St. Croix and Snake River.	
Real estate,	\$ 40,322 50
Personal property,	112,668 00
Second District, including St. Paul and Point Douglass.	
Real estate,	\$106,422 00
Personal property,	69,836 00
Third District, including Falls of St. Anthony, Sauk Rapids and Crow Wing.	
Real estate,	\$31,027 50
Personal property,	54,660 00

RECAPITULATION.				DOLLARS.	DOLLARS.
First District, Real estate,	-	-	-	40,322 50	
Personal property,	-	-	-		112,668 00
Second District, Real estate,	-	-	-	106,422 00	
Personal property,	-	-	-		69,836 00
Third District, Real estate,	-	-	-	31,027 50	
Personal property,	-	-	-		54,660 00
Totals,	-	-	-	177,772 00	237,164 00
					177,772 00
Grand total,	-	-	-		414,936 00

ANNUAL REPORT OF THE TREASURER OF THE TERRITORY OF MINNESOTA.

TREASURER'S OFFICE,
St. Paul, March 15, 1851. }

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

GENTLEMEN:—The Treasurer of the Territory, in compliance with the duties assigned him by law, submit to the Honorable Council and House of Representatives, of the Territory of Minnesota, the following report of the receipts and disbursements of the public money, commencing on the first of November, 1850, and ending the fifteenth of March, 1851.

GENERAL REVENUE.

Total assessed value of taxable property,	-	-	-	-	\$806,417 50
Territorial revenue, as returned by Auditor,	-	-	-	-	806 44
Received from Treasurer of Washington County,	-	-	-	-	226 90
Received from Treasurer of Ramsey County,	-	-	-	-	268 00
<hr/>					
Total amount received,	-	-	-	-	\$ 496 90
Auditor's drafts cancelled,	-	-	-	-	492 90
Balance in Treasury March 15th,	-	-	-	-	4 00
Whole amount of Auditor's drafts,	-	-	-	-	1031 50
Deficiency of Territorial Revenue,	-	-	-	-	225 06
<hr/>					

TAXES UNPAID.

Due from Washington County,	-	-	-	-	-	\$ 33 17
Due from Ramsey County,	-	-	-	-	-	276 37
<hr/>						
Total,	-	-	-	-	-	\$309 54
<hr/>						
Amount of Auditor's drafts outstanding,	-	-	-	-	-	\$538 60
<hr/>						

The foregoing report is herewith submitted.

C. A. TUTTLE,
Treasurer of Minnesota Territory.

N. B. I am not aware of any returns from Benton County. Also, Washington County refuses to pay, or collect from Wabashaw County.

INDEX
TO THE
JOURNAL OF THE HOUSE OF REPRESENTATIVES.

A

- AXTELL, S. H.**
Appointed Sergeant-at-Arms *pro tem.*, 4.
Petition of, praying to be divorced from his wife, 27.
 " " referred to a select committee, 27.
 " " committee on, reported, 32.
Bill for divorce of, (see No. 1, H. of R.)
- ASSISTANT CLERK OF THE HOUSE.**
Appointed *pro tem.*, 4.
Elected, 9.
Sworn in, 9.
Allowed stationery same as members, 28.
- AMES, M. E.**
Elected Speaker of the House, 6.
Address of, to the House, 6.
Leave of absence granted to, 94, 72, 138, 174.
Vote of thanks to, 198.
Valedictory of, 200.
- ATKINSON, W.**
Elected Messenger of Council, 12.
- ADDRESS.**
Of Speaker, on taking his seat, 6.
 " " at the close of the session, 200.
- AGRICULTURE AND MANUFACTURES.**
Committee on, appointed, 30.
Bill for encouragement of, (see No. 19, H. of R.)
- APPROPRIATION BILL.**
Rules relative to, 32.
- AUDITOR OF PUBLIC ACCOUNTS.**
Report of, referred to Committee on Territorial Expenditures, 57.
Report of, (see Appendix,) 203.
- APPROPRIATIONS, UNPAID.**
Memorial to Congress relative to, (see No. 2, C. F.)
- ACCOUNTS.**
Of Alexis Bailey—presented and referred, 152.
- APPORTIONMENT OF REPRESENTATION.**
Bill relative to, (see No. 18, C. F.)
- ADJOURNMENT.**
Joint resolution relative to, (see No. 8, C. F.)
Sine die, motion for, 200.

B

BRUNSON, B. W.

Appointed Chairman *pro tem.* 4.

BROWN, JOSEPH R.

Elected Secretary of the Council, 12.

Messages from Council by, 5, 13, 29, 34, 48, 55, 57, 59, 61,
71, 76, 78, 79, 84, 87, 89, 94, 98, 100, 101, 102, 106, 108,
116, 119, 127, 135, 143, 145, 150, 160, 162, 163, 170, 172,
176, 180, 181, 183, 187, 190, 193, 194, 196, 197, 198, 200

BOOM.

Petition for, across St. Croix river, 27.

Bill to incorporate St. Croix Company, (see No. 2, H. of R.)

Bill to incorporate Mississippi Company, (see No. 6, C. F.)

BRIDGES.

Bill to authorize the establishment and regulation of, (see 4, C. F.)

BINDER.

Of the Laws and Journals.

Joint resolution relative to election of, (see No. 2, H. of R.)

Elected, 130.

BALLOTING.

For Speaker of the House, 5, 6.

" Chief Clerk, 7, 8.

" Assistant Clerk, 9.

" Sergeant-at-Arms, 9,

" Messenger, 9, 10.

" Fireman, 10.

" Chaplain, 10.

" Regents of University, 129.

" Binder of Laws and Journals, 129.

BILLS.

House of Representatives file of.

No. 1.—*To dissolve the marriage contract between Silas Henry Artell and Ca
Maria Artell.*

Introduced and read the first time, 33.

Read the second time, 39.

Read the third time, 42.

Referred to the Committee on the Judiciary, 42.

Reported back by " " " 47.

Ordered to be engrossed, 48.

Reported correctly engrossed, 49.

Read the third time, 50.

Passed and title agreed to, 50.

Concurred in by Council, 59.

Reported correctly enrolled, 63.

Signed by the Speaker of the House of Representatives, 63

Presented to the Governor, 69.

Returned by the Governor with his objections, 74.

Vote passing, reconsidered, 75.

House refused to pass, 75.

No. 2.—*To incorporate the St. Croix Boom Company.*

Notice for leave to introduce, 32,

Introduced and read the first time, 39.

Read the second time, 42.

Laid on the table and ordered to be printed, 42.

Considered in committee of the whole, 49.

Ordered to be engrossed, 49.

Reported correctly engrossed, 49.

BILLS.

Read the third time, 50.
 Passed and the title agreed to, 50.
 Amended by the Council, 57.
 Amendments non-concurred in by the House, 58.
 Committee of Conference appointed by House of Rep., 58.
 " " " " by Council, 59.
 Report of Committee of Conference, 62.
 Report of Committee of Conference adopted by House, 65.
 Reported correctly enrolled, 69.
 Presented to the Governor, 76.
 Approved, 80.

No. 3.—To regulate Tavern and Grocery Licenses.

Introduced and read the first time, 39.
 Read the second time, 42.
 Laid on the table and ordered to be printed, 42.
 Read the second time, 46.
 Considered in committee of the whole, 46, 66.
 Referred to the Committee of the Judiciary, 46.
 Reported back by the committee with amendments, 66.
 Ordered to be engrossed, 66.
 Reported correctly engrossed, 68.
 Read the third time, 68.
 Passed and title agreed to, 68.
 Concurred in by Council, 76.
 Amendment concurred in by the House, 76.
 Reported correctly enrolled, 82.
 Presented to the Governor, 88.
 Approved, 93.

No. 4.—To provide for the erection of Public Buildings in the Territory of Minnesota.

Notice for leave to introduce, 28.
 Introduced and read the first time, 45.
 Read the second time, laid on the table and ordered to be printed, 46.
 Considered in committee of the whole, 59.
 Ordered to be engrossed, 61.
 Reported correctly engrossed, 61.
 Read the third time, 61.
 Passed and the title agreed to, 62.
 Concurred in by the Council, 66.
 Reported correctly enrolled, 69.
 Presented to the Governor, 76.
 Approved, 80.

No. 5.—To charter the Minnesota General Manufacturing Association.

Notice for leave to introduce, 35.
 Introduced and read the first time, 48.
 Read the second time, 50.
 Ordered to be printed and referred to Com. on Corporations, 50.
 Reported back by the committee, 58.
 Consideration of, postponed three weeks, 58.
 Taken up and considered in committee of the whole, 98.

No. 6.—For an act granting to Franklin Steele the right to establish and maintain a Ferry across the Mississippi river.

Notice for leave to introduce, 57.
 Introduced and read the first time, 57.
 Read the second time, 58.
 Laid on the table and ordered to be printed, 58.
 Considered in committee of the whole, 64.
 Ordered to be engrossed, 65.

BILLS.

Reported correctly engrossed, 66.
 Read the third time, 66.
 Passed and the title agreed to, 66.
 Passed by the Council with amendments, 76.
 Referred to the Committee on Corporations, 76.
 Vote referring to the Committee on Corporations re-considered.
 Committee of Conference appointed by House, 77.
 Committee of Conference reported (No. 12, H. of R. as
 tute,) 79.

*No. 7.—To incorporate St. Paul Lodge, No. 2, of the Independent Order
 Fellows, of St. Paul.*

Notice for leave to introduce, 56.
 Introduced and read the first time, 57.
 Read the second time, 59.
 Referred to Committee on Corporations, 59.
 Reported back by majority of committee, 67.
 Minority report, 67.
 Ordered to be engrossed, 68.
 Reported correctly engrossed, 69.
 Read the third time, 71.
 Passed and title agreed to, 71.
 Concurred in by the Council, 78.
 Reported correctly enrolled, 82.
 Presented to the Governor, 88.
 Approved, 93.

*No. 8.—To change the boundaries of Wahnatah and Mahkahto counties, and
 attach Wahnatah and Itasca counties to the county of Benton for judicial pur-*

Notice for leave to introduce, 56.
 Introduced and read the first time, 59.
 Read the second time, 61.
 Referred to the Committee on Territorial Affairs, 63.

No. 8, 2d.—To incorporate the University of Minnesota.

Introduced by Committee on Schools, 69.
 Read the second time and ordered to be printed, 74.
 Laid on the table, 78.
 Re-committed to Committee on Schools, 84.
 Reported back by committee, 86.
 Report accepted, 86.
 Laid on the table and ordered to be printed, 86.
 Considered in committee of the whole, 90.
 Ordered to be engrossed, 91.
 Reported correctly engrossed, 97.
 Read the third time, 97.
 Passed and the title agreed to, 98.
 Amended and concurred in by Council, 100.
 Amendments of Council concurred in, 101.
 Reported correctly enrolled, 105.
 Signed by the Speaker of the House, 105.
 Presented to the Governor, 108.
 Approved, 117.

*No. 9.—Substitute for No. 4, (C. F.) to authorize the establishment and re-
 of Ferries and Bridges in this Territory.*

Introduced by Committee on the Militia, 76.
 Read the first time, 76.
 Read the second time, 76.
 Laid on the table and ordered to be printed, 76.

BILLS.

Considered in committee of the whole, 78.
 Ordered to be engrossed, 78.
 Reported correctly engrossed, 79.
 Read the third time, 80.
 Passed and title agreed to, 80.
 Amended and concurred in by Council, 87.
 Amendments non-concurred in by House, 88.
 Council refuse to recede, 89.
 House concur, 90.
 Reported correctly enrolled, 99.
 Signed by the Speaker of the House, 99.
 Presented to the Governor, 100.
 Approved, 105.

No. 10.—To establish and maintain Common Schools.

Reported by Committee on Schools, 78.
 Read the first time, 78.
 Read the second time, 79.
 Laid on the table and ordered to be printed, 79.
 Considered in committee of the whole, 80, 81.
 Ordered to be engrossed, 81.
 Reported correctly engrossed, 82.
 Read the third time, 83.
 Passed and title agreed to, 83.
 Negatived by Council, 94.

No. 11.—For Revising and Consolidating the General Statutes of this Territory.

Introduced, 79.
 Read the first time and ordered to be printed, 79.
 Read the second time, 86.
 Considered in committee of the whole, 87.
 Ordered to be engrossed, 87.
 Reported correctly engrossed, 88.
 Read the third time, 88.
 Passed and title amended and agreed to, 88.
 Chapters 11, 12 and 13, of, considered in com. of the whole, 89.
 " " " " ordered to be engrossed, 89.
 " " " " Reported correctly engrossed, 90.
 " " " " read the third time, 93.
 " " " " passed, 93.
 " " " " amended & concurred in by Council, 101
 " " " " amendments concurred in by House, 102
 Chapters 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31,
 of, introduced, 93.
 Read the first and second time, 95.
 Considered in committee of the whole, 99, 101.
 Chapters from 18 to 31 inclusive, ordered to be engrossed, 104.
 " " " " reported correctly engrossed, 105.
 " " " " read the third time, 106.
 " " " " passed and title agreed to, 106.
 " " " " amended and passed by the Coun-
 cil, 109.
 Chapter 17 laid on the table and ordered to be printed, 115.
 " " considered in committee of the whole, 123.
 " " amended by the House, 123.
 " " laid on the table, 125.
 " " taken up and read the third time, 127.
 " " passed and title agreed to, 127.

BILLS.

- No. 12.—Substitute for (No. 6, H. of R.)—For an act granting to Franklin the right to establish and maintain a Ferry across the Mississippi river*
 Introduced and read the first time, 79.
 Read the second time, 79.
 Considered in committee of the whole, 79.
 Ordered to be engrossed, 80.
 Reported correctly engrossed, 82.
 Read the third time, 83.
 Passed and title agreed to, 83.
 Journal changed relative to, 85.
 Amended and concurred in by Council, 87.
 Amendments of Council concurred in, 87.
 Reported correctly enrolled, 90.
 Signed by the Speaker of the House, 90.
 Presented to the Governor, 100.
 Approved, 105.
- No. 13.—To grant William A. Cheever the right to establish and maintain a ferry across the Mississippi river.*
 Introduced and read the first time, 102.
 Read the second time, 102.
 Ordered to be engrossed, 107.
 Reported correctly engrossed, 108.
 Read the third time, 108.
 Passed and the title agreed to, 108.
 Concurred in by the Council, 144.
 Reported correctly enrolled, 154.
 Presented to the Governor, 158.
 Approved, 165.
- No. 14.—To establish and maintain Common Schools.*
 Introduced, 112.
 Read the first and second time, 112.
 Laid upon the table and ordered to be printed, 115.
 Considered in committee of the whole, 123, 125.
 Ordered to be engrossed, 126.
 Reported correctly engrossed, 126.
 Read the third time, 127.
 Passed and title agreed to, 127.
 Amended and concurred in by the Council, 143.
 Part of amendments concurred in and part non-concurred in
 Council receded from amendments, 150.
- No. 15.—To incorporate the St. Paul and St. Anthony Railroad Company.*
 Notice for leave to introduce, 114.
 Introduced and read the first time, 119.
 Read the second time, laid on table and ordered to be printed
 Considered in committee of the whole, 125.
 Ordered to be engrossed, 126.
 Reported correctly engrossed, 126.
 Read the third time, 127.
 Passed and title agreed to, 127.
 Negatived by Council, 150.
- No. 16.—To provide for laying out a Territorial Road from the village of St. Anthony Falls, to the Falls of St. Croix.*
 Introduced and read the first time, 123.
 Read the second time, 124.
 Ordered to be engrossed, 124.
 Reported correctly engrossed, 125.
 Read the third time, 125.
 Passed and title agreed to, 125.
 Negatived by the Council, 135.

BILLS.

No. 17.—*Granting to John Banfill the right to establish and maintain a Ferry across the Mississippi river.*

Notice for leave to introduce, 122.
 Introduced and read the first and second time, 122.
 Laid on the table, 122.
 Taken from the table and read the third time, 127.
 Passed and the title agreed to, 127.
 Negatived by the Council, 135.
 A message requesting the return of, 145.
 Returned to the Council by request, 147.
 Concurred in by the Council, 155.
 Reported correctly enrolled, 158.
 Presented to the Governor, 171.
 Approved, 184.

No. 18.—*To dissolve the marriage contract between Marinas P. Bennet and Sarah A. Bennet.*

Introduced and read the first time, 127.
 Referred to a select committee, 127.
 Reported back by committee, 134.
 Read the second time, 134.
 Read the third time, 135.
 Passed and title agreed to, 135.
 Concurred in by the Council, 143.
 Reported correctly enrolled, 154.
 Presented to the Governor, 158.
 Approved, 166.

No. 19.—*To provide for the encouragement of Agriculture and Stock Growing, in the Territory of Minnesota.*

Notice for leave to introduce, 134.
 Introduced and read the first time, 137.
 Read the second time, 137.
 Considered in committee of the whole, 138.
 Ordered to be engrossed, 138.
 Reported correctly engrossed, 138.
 Read the third time, 138.
 Passed and the title agreed to, 138.
 Negatived by Council, 154.

No. 20.—*To dissolve the marriage contract between Thomas F. Morton and Mary Morton.*

Introduced and read the first time, 137.
 Read the second time, 137.
 Considered in committee of the whole, 138.
 Ordered to be engrossed, 138.
 Reported correctly engrossed, 139.
 Read the third time, 140.
 Passed and title agreed to, 140.
 Concurred in by Council, 150.
 Reported correctly enrolled, 154.
 Presented to the Governor, 158.
 Approved, 165.

No. 21.—*To dissolve the marriage contract between Marcelle Couturier, and his wife, Margaret Couturier.*

Notice for leave to introduce, 143.
 Introduced and read the first time, 147.
 Read the second time, 149.
 Ordered to be engrossed, 149.
 Reported correctly engrossed, 153.

BILLS.

Read the third time, 153.
 Passed and the title agreed to, 153.
 Concurred in by Council, 155.
 Reported correctly enrolled, 158.
 Presented to the Governor, 171.
 Approved, 184.

No. 22.—*Supplementary to an act entitled "An act to incorporate the town of St. Paul, in the County of Ramsey," approved Nov. 1, 1849.*

Notice for leave to introduce, 141.
 Introduced and read the first time, 147.
 Read the second time and ordered to be printed, 147.
 Taken up and referred to Committee on Corporations, 153.
 Reported back by the committee, 158.
 Laid on the table, 159.
 Ordered to be engrossed, 181.
 Reported correctly engrossed, 185.
 Read the third time, 188.
 Passed and title agreed to, 188.
 Amended and concurred in by Council, 194.
 Amendment concurred in, 194.
 Reported correctly enrolled, 195.
 Presented to the Governor, 196.
 Approved, 197.

No. 23.—*To incorporate the St. Paul Institute.*

Notice for leave to introduce, 156.
 Introduced and read the first and second time, 158.
 Laid on the table and ordered to be printed, 158.
 Considered in committee of the whole, 165.
 Ordered to be engrossed, 166.
 Reported correctly engrossed, 169.
 Read the third time, 169.
 Passed and the title agreed to, 169.
 Concurred in by the Council, 181.
 Reported correctly enrolled, 191.
 Approved, 195.

No. 24.—*To dissolve the marriage contract between George Wells and Catharine Wells, his wife.*

Introduced and read the first time, 159.
 Read the second time, 161.
 Read the third time, 162.
 Passed and title agreed to, 162.
 Concurred in by the Council, 172.
 Reported correctly enrolled, 182.
 Presented to the Governor, 190.
 Approved, 193.

No. 25.—*To repeal an act entitled "An act to incorporate the town of St. Paul, in the County of Ramsey," approved Nov. 1, 1849.*

Notice for leave to introduce, 159.
 Introduced and read the first and second time, 161.
 Laid on the table, 161.
 Considered in committee of the whole, 165.
 Ordered to be engrossed, 184.
 Reported correctly engrossed, 185.
 Read the third time, 188.
 Passed and title agreed to, 188.
 Negated by the Council, 188.

BILLS.

No. 26.—*Supplement to an act to provide for the erection of Public Buildings in the Territory of Minnesota.*

Notice for leave to introduce, 161.

Introduced and read the first time, 165.

Read the second time, 165.

Referred to a select committee, 170.

Committee reported No. 28, H. of R., as a substitute, 179.

Report adopted, 179.

Reported correctly enrolled, 195.

Presented to the Governor, 196.

Approved, 197.

No. 27.—*Supplementary to an act for revising and consolidating the general statutes of the Territory; and also, entitled chapter 1, of the division of the Territory into Counties, and their boundaries.*

Notice for leave to introduce, 168.

Introduced and read the first time, 169.

Read the second time, 169.

Referred to the Committee of the Judiciary, 169.

Vote referring, reconsidered, 171.

Ordered to be engrossed, 171.

Reported correctly engrossed, 171.

Read the third time, 172.

Passed and title agreed to, 172.

Negatived by Council, 196.

No. 28.—*Substitute for No. 26, H. of R. Supplementary to an act to provide for the erection of Public Buildings in the Territory of Minnesota.*

Introduced, 179.

Considered in committee of the whole, 179.

Ordered to be engrossed, 180.

Reported correctly engrossed, 182.

Read the third time, 183.

Passed and title agreed to, 183.

Amended and concurred in by the Council, 191.

Amendments concurred in, 191.

No. 29.—*To provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.*

Introduced and read the first time, 199.

Read the second time, 199.

Ordered to be engrossed, 199.

Reported correctly engrossed, 199.

Read the third time, 199.

Passed and the title agreed to, 200.

Postponed by Council, until April 1st, 200.

BILLS.

Council file of,

No. 1.—*To provide for laying out a Territorial Road from St. Anthony, to the west bank of Lake St. Croix, opposite Willow River.*

Received by message, 55.

Read the first time, 55.

Read the second time, 56.

Read the third time, 58.

Passed and title agreed to, 58.

Reported correctly enrolled, 68.

Presented to the Governor, 69.

Approved, 79.

BILLS.

No. 6.—To incorporate the Mississippi Boom Company.

Received by message, 64.
 Read the first time, 65.
 Read the second time, 66.
 Laid on the table and ordered to be printed, 66.
 Considered in committee of the whole, 71.
 Amended by the House, 71.
 Read the third time, 74.
 Passed and title agreed to, 74.
 Amendments non-concurred in by the Council, 76.
 Referred to the Committee on Corporations, 77.
 Vote referring to the Committee on Corporations re-considered, 77.
 Committee of Conference appointed by House, 77.
 Report of Committee of Conference adopted by Council, 84.
 Committee of Conference reported to House, 84.
 Report of Committee of Conference, adopted by House, 84.
 Reported correctly enrolled, 86.
 Presented to the Governor, 88.
 Approved, 94.

No. 4.—To authorize the establishment and regulation of Ferries and Bridges in this Territory.

Received by message, 64.
 Read the first time, 65.
 Read the second time, 66.
 Considered in committee of the whole, 66.
 Referred to the Committee on the Militia, 67.
 Reported back by committee with a substitute, 72.

No. 7.—Providing for the appointment of a Librarian, and for other purposes.

Received by message, 76.
 Read the first time, 77.
 Read the second time and laid on the table, 78.
 Considered in committee of the whole, 81.
 Amended by the House, 81.
 Read the third time, 83.
 Passed and title agreed to, 83.
 Amendments non-concurred in by Council, 81.
 Amendments receded from, 81.
 Reported correctly enrolled, 90.
 Signed by the Speaker of the House, 90.
 Presented to the Governor, 108.

No. 12.—To provide for the establishment and maintainance of Common Schools.

Received by message, 87.
 Committee of Conference appointed, 87.
 " " report, 93.

Read the first time, 93.
 Read the second time, 93.
 Referred to select committee, 93.

Reported back by committee with substitute, (No. 14, H. of R.) 112

No. 13.—For Revising and Consolidating the General Statutes of the Territory; containing chapters from 1 to 142 inclusive, except chapters 15, 22 and 37.

Received by message, 193.
 Read the first time, 193.
 Read the second time, 193.
 Read the third time, 193.
 Passed, 194.
 Reported correctly enrolled, 194.
 Presented to the Governor, 195.
 Approved, 196.

BILLS.

- Chapter 2**, of, read the first time, 90.
 Read the second time, 90.
 Considered in committee of the whole, 90.
 Read the third time, 92.
 Passed, 92.
 Reported correctly enrolled, 97.
- Chapter 1**, of, received by message, 98.
 Read the first and second time, 99.
 Considered in committee of the whole, 116.
 Amended by the House, 117.
 Read the third time, 118.
 Passed and title agreed to, 118.
 Amendments of House, non-concurred in, 128.
 House refuse to recede, 132.
 Committee of conference appointed by Council, 143.
 " " " " House, 145,
 Reports of committee of conference, 167, 168.
 Report of, adopted by the Council, 170.
 Reported correctly enrolled, 183.
- Chapter 3**, of, received by message, 98.
 Read the first and second time, 99.
 Considered in committee of the whole, 107, 108.
 Amended by the House, 108.
 Read the third time, 109.
 Passed and titles agreed to, 109.
 Council refused to concur, 116.
 Committee of conference appointed by Council, 128.
 " " " " House, 131.
 " " reported, 138.
 Report accepted, 133.
 Report adopted by Council, 150.
 " " " House, 151.
 Reported correctly enrolled, 158.
- Chapter 4**, of, received by message, 98.
 Read the first and second time, 99.
 Considered in committee of the whole, 107, 108,
 Amended by the House, 108.
 Read the third time, 109.
 Passed and title agreed to, 109.
 Council refused to concur, 116.
 House receded, 120.
- Chapter 5**, of, received by message, 98.
 Read the first and second time, 99.
 Considered in committee of the whole, 107, 108.
 Amended by the House, 108.
 Read the third time, 109.
 Passed and titles agreed to, 109.
 Council refused to concur, 116.
 House receded, 120.
 Reported correctly enrolled, 151.
- Chapter 6**, of, received by message, 100.
 Read the first time, 101.
 Read the second time, 102.
 Considered in committee of the whole, 104.
 Amended by a substitute, 104.
 Substitute read the first and second time, 104.
 Ordered to be engrossed, 104.
 Reported correctly engrossed, 105.

BILLS.

- Read the third time, 106.
 Passed and title agreed to, 106.
 Council refuse to concur in amendment of House, 109.
 House refused to recede, 112.
 Committee of conference appointed by House, 122.
 " " " " Council, 119.
 " " reported, 152.
 Report adopted by Council, 154.
 Reported correctly enrolled, 158.
Chapter 7, of, received by message, 100.
 Read the first time, 101.
 Read the second time, 102.
 Considered in committee of the whole, 104.
 Amended by the House, 101.
 Read the third time, 106.
 Passed, 106.
 Amendment of House concurred in by Council, 108.
 Reported correctly enrolled, 123.
Chapter 8, of, received by message, 102.
 Read the first and second time, 107.
 Considered in committee of the whole, 112.
 Amended by the House, 113.
 Read the third time, 116.
 Passed and titles agreed to, 116.
 Amendment of House non-concurred in by Council, 119,
 House receded from their amendment, 123.
Chapter 13, of, received by message, 102.
 Read the first and second time, 107.
 Considered in committee of the whole, 115.
 Amended by the House, 115.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Amendment of House non-concurred in by Council, 119,
 House recede from their amendment, 123.
 Reported correctly enrolled, 127.
Chapter 14, of, received by message, 102.
 Read the first and second time, 107.
 Considered in committee of the whole, 115.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 127.
Chapter 16, of, received by message, 102.
 Read the first and second time, 107.
 Considered in committee of the whole, 115.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 123.
Chapter 32, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 123.
Chapter 33, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 127

BILLS.

- Chapter 35**, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Amended by the House, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Amendment of House non-concurred in by Council, 119.
 House recede, 123.
 Reported correctly enrolled, 135.
- Chapter 36**, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 123.
- Chapter 37**, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Amended by the House, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Council refused to concur in amendment, 119.
 House refuse to recede, 123.
- Chapter 38**, of, received by message, 106.
 Read the first and second time, 107.
 Considered in committee of the whole, 112, 113.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 131.
- Chapter 39**, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 127.
- Chapter 40**, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 123.
- Chapter 41**, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 116.
 Passed and title agreed to, 116.
 Reported correctly enrolled, 127.
- Chapter 42**, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 118.
 Passed and title agreed to, 118.
 Reported correctly enrolled, 131.
- Chapter 43**, of, received by message, 108.
 Read the first and second time, 111.
 Considered in committee of the whole, 115.
 Read the third time, 118.
 Passed and title agreed to, 118.
 Reported correctly enrolled, 156.

BILLS.

- Chapter 44, of, received by message, 108.
 - Read the first and second time, 111.
 - Considered in committee of whole, 115.
 - Read the third time, 118.
 - Passed and title agreed to, 118.
 - Reported correctly enrolled, 156.
- Chapters, from 45 to 56 inclusive, received by message, 112.
 - Read the first and second time, 114.
 - Considered in committee of the whole, 115, 116.
 - Read the third time, 118.
 - Passed and titles agreed to, 118.
 - Reported correctly enrolled, 140, 156.
- Chapters, from 57 to 70 inclusive, received by message, 116.
 - Read the first and second time, 120.
 - Considered in committee of the whole, 120, 121.
 - Amended by the House, 121.
 - Read the third time, (except chapter 68,) 122.
 - Passed and titles agreed to, 122.
 - Chapter 68 referred to a select com., 122.
 - Reported back by com., 144.
 - Report accepted, 141.
 - “ adopted, 142.
 - Read the third time, 142.
 - Passed and title agreed to, 142.
 - Concurred in by Council, 145.
 - Reported correctly enrolled, 154.
- Chapter 71, received by message, 132.
 - Read the first and second time, 134.
 - Laid on the table, 134.
 - Considered in committee of the whole, 135.
 - Amended by the House, 136.
 - Read the third time, 136.
 - Passed and title agreed to, 136.
- Chapter 72, received by message, 135.
 - Read the first time, 137.
 - Read the second time, 138.
 - Considered in committee of the whole, 138, 141.
 - Amended by the House, 141.
 - Read the third time, 141.
 - Passed and title agreed to, 141.
 - Amendments of House amended by Council, 145.
 - Amendments of Council concurred in, 147.
 - Reported correctly enrolled, 183.
- Chapter 73, received by message, 144.
 - Read the first time, 144.
 - Read the second time, 144.
 - Considered in committee of the whole, 144, 146, 148.
 - Laid on the table, 148.
 - Amended by the House, 150.
 - Read the third time, 150.
 - Passed and title agreed to, 150.
 - Amendments of House amended and concurred in by Council, 154.
 - Amendment of Council concurred in, 155.
- Chapters, from 74 to 84 inclusive, received by message, 150.
 - Read the first and second time, 151.
 - Considered in committee of the whole, 151.
 - Read the third time, 162.

BILLS.

- Passed and titles agreed to, 152.
- Reported correctly enrolled, 169.
- Chapters, from 85 to 91 inclusive, received by message, 154.
 - Read the first and second time, 155.
 - Considered in committee of the whole, 155, 156.
 - Amended by the House, 156.
 - Read the third time, 157.
 - Passed and titles agreed to, 157.
 - Reported correctly enrolled, 183.
- Chapters, from 92 to 96 inclusive, received by message, 155.
 - Read the first and second time, 155.
 - Considered in committee of the whole, 155, 156.
 - Amended by the House, 156.
 - Read the third time, 157.
 - Passed and titles agreed to, 157.
 - Amendments of House concurred in by Council, 162.
 - Reported correctly enrolled, 176.
- Chapters 97, 98 and 99, received by message, 160.
 - Read the first and second time, 160.
 - Considered in committee of the whole, 160.
 - Amended by the House, 160.
 - Read the third time, 160.
 - Passed and titles agreed to, 160.
 - Amendments concurred in by Council, 170.
 - Reported correctly enrolled, 176.
- Chapters 100, 101 and 102, received by message, 162.
 - Read the first and second time, 162.
 - Considered in committee of the whole, 162.
 - Amended by the House, 162.
 - Read the third time, 163.
 - Passed and titles agreed to, 163.
 - Reported correctly enrolled, 187.
- Chapters from 103 to 114 inclusive, received by message, 163.
 - Read the first and second time, 163.
 - Considered in committee of the whole, 164, 165.
 - Amended by the House, 165.
 - Read the third time, 170.
 - Passed and titles agreed to, 170.
 - Reported correctly enrolled, 187.
- Chapters, from 115 to 138 inclusive, received by message, 172.
 - Read the first and second time, 173.
 - Read the third time, 173.
 - Passed and titles agreed to, 173.
 - Reported correctly enrolled, 189.
- Chapters 139, 140, 141 and 142, received by message, 180.
 - Read the first and second time, 183.
 - Considered in committee of the whole, 185.
 - Amended by the House, 185.
 - Read the third time, 190.
 - Passed and titles agreed to, 190.
 - Amendments of House concurred in, 190.
 - Reported correctly enrolled, 191.

BILLS.

- Council file of,
- No. 17.**—*To incorporate St. Paul Division No. 1, sons of temperance.*
 Received by message, 143.
 Read the first time, 144.
 Considered in committee of the whole, 144, 145, 146, 148.
 Read the third time, 148.
 Passed and title agreed to, 148.
 Reported correctly enrolled, 158.
 Presented to the Governor, 176.
 Approved, 190.
- No. 15.**—*Granting to Charles E. Dole and others, the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony and Sauk Rapids.*
 Received by message, 144.
 Read the first time, 144.
 Considered in committee of the whole, 144.
 Negatived by indefinite postponement, 145.
- No. 16.**—*To incorporate the St Anthony Boom Company.*
 Received by message, 150.
 Read the first time, 151.
 Laid on the table one week, 151.
 Taken up and referred to a select committee, 151.
 Reported back by the committee with amendments, 164.
 Report of the committee adopted, 164.
 Read the third time, 164.
 Passed and the title agreed to, 164.
 Amendments of House, concurred in by the Council, 172.
 Reported correctly enrolled, 182.
 Presented to the Governor, 190.
 Approved, 196.
- No. 18.**—*For the Apportionment of Representation in this Territory.*
 Received by message, 173.
 Read the first time, 173.
 Read the second time, 185.
 Considered in committee of the whole, 185.
 Amended by the House, 185.
 Lost, 188.
 Council notified of the loss, 188.
 Re-engrossed by Council and passed, 188.
 Received by message, 188.
 Read the first and second time, 188.
 Considered in committee of the whole, 189.
 Laid on the table, 189.
 Taken up and read the third time, 190.
 Passed and title agreed to, 191.
 Reported correctly enrolled, 193.
 Presented to the Governor, 194.
 Approved, 196.
- No. 19.**—*For locating a Territorial Road, between points therein mentioned.*
 Received by message, 173.
 Read the first time, 174.
 Read the second time, 176.
 Amended by the House, 176.
 Referred to the Committee on Roads, 176.
 Reported back by committee, 183.
 Report adopted, 183.
 Indefinitely postponed, 183.

BILLS.

- No. 21.**—*To authorize the Secretary of the Territory to rent rooms for the next Legislative Assembly, and for other purposes.*
 Received by message, 176.
 Read the first time, 178.
 Read the second time, 179.
 Considered in committee of the whole, 179.
 Read the third time, 180.
 Passed and title agreed to, 180.
 Presented to the Governor, 180.
 Approved, 196.
- No. 20.**—*To incorporate the St. Peter's Lumbering and Manufacturing Company.*
 Received by message, 196.
 Read the first time, 196.
 Read the second time, 197.
 Amended by the House, 197.
 Read the third time, 197.
 Passed and title agreed to, 197.
 Amendments concurred in by the Council, 198.

C

CHAIRMAN.

Pro tem. of H. of R. appointed, 4.

CHIEF CLERK.

Of the House of Representatives appointed, *pro tem.*, 4.
 Elected, 8.
 Sworn in, 9.
 Authorized to employ a person to do extra writing, 11.
 Directed to furnish stationery for use of members of, 12.
 Directed to notify the Council of the permanent organization of the House of Representatives, 13.
 Directed to procure printing of Governor's message, 27.
 Directed to procure the translation of the Governor's message into the French language, 27.
 Allowed stationery same as members, 28.
 Authorized to employ additional help to do enrolling, 153.

COUNCIL.

Temporary organization of, 4.
 Journal of the, of the last session, ordered to be procured, 11.
 Permanent organization of, 12.
 Rules of, ordered to be printed, 33.
 List of Standing Committees of, ordered to be printed, 33.
 Governor's message relative to apportionment of members of, referred to committee on election districts, 33.

COMMITTEES.

- Special of the House—Select.*
 Appointed, 4, 6, 7, 8, 10, 11, 12, 14, 25, 27, 31, 93, 99, 122, 126, 127, 128, 134, 143, 146.
- Special of the two Houses—To wait upon the Governor.*
 Appointed by the Council, 13.
 " " House, 13.
 Made report, 14.
- To draft Joint Rules.*
 Appointed by the House of Representatives, 27.
 " " Council, 29.
 Made report to the House, 32.
 Report adopted by the House, 32.
 " " Council, 34.

COMMITTEES.

Of Conference.

Appointed by House of Representatives, 49, 58, 77, 87, 122, 145.

Appointment by the Council, 59, 119, 128, 143, 172.

Report of, 49, 62, 84, 93.

COMMITTEES—STANDING.

Rule relative to, 30.

Appointment of, 30, 31.

List of, ordered to be printed, 33.

On Elections.

Appointment of, 30.

Credentials of Randall and Farribault referred to, 11.

Reports of, &c., 50.

On the Judiciary.

Appointment of, 30.

Portion of the Governor's message referred to, 33.

Bills, &c., referred to, 42, 46, 169.

Reports from, 47, 66, 79, 93.

Re-organization of, 65.

On Internal Improvements.

Appointment of, 30.

Portion of Governor's message referred to, 33.

Bills, petitions, &c., referred to, 85.

Reports from, 92.

On Schools.

Appointment of, 30.

Portion of Governor's message referred to, 33.

Bills, &c., referred to, 33.

Reports of, 69, 86.

On Territorial Affairs.

Appointment of, 30.

Portions of Governor's message referred to, 33, 34.

Bills, &c., referred to, 63, 106.

Reports from, 111.

On Finance.

Appointment of, 30.

Portion of Governor's message referred to, 33.

On Corporations.

Appointment of, 30.

Bills, &c., referred to, 50, 59, 76, 77, 85, 111, 153, 169.

Reports of, 58, 67, 102, 122.

On Agriculture and Manufactures.

Appointment of, 30.

Portions of Governor's message referred to, 33.

On Roads.

Appointment of, 30.

Bills, &c., referred to, 176.

Reports from, 183.

On the Militia.

Appointment of, 30.

Bills, &c., referred to, 67.

Reports of, 72.

On Public Buildings.

Appointment of, 30.

Additional members appointed on, 33.

Portion of Governor's message referred to, 33.

On Claims.

Appointment of, 30.

Bills, &c., referred to, 99.

Reports from, 139.

COMMITTEES.

On Printing.

Appointment of, 30.

On Election Districts.

Appointment of 30.

Portion of Governor's message referred to, 33.

On Engrossed Bills.

Appointment of, 31.

Reports of, 49, 61, 66, 68, 69, 79, 82, 88, 90, 97, 105, 108, 125, 126, 138, 139, 141, 153, 169, 171, 185, 199.

COMMITTEES—JOINT STANDING.

On Territorial Expenditures.

Appointment of by House, 40.

Bills, &c., referred to, 56, 57, 152.

On Legislative Expenditures.

Appointment of, 40.

On Enrolled Bills.

Appointment of, 40.

Reports from, 63, 68, 69, 75, 82, 86, 88, 90, 97, 99, 100, 105, 113, 123, 127, 131, 135, 137, 140, 143, 149, 154, 156, 158, 165, 169, 171, 176, 182, 187, 189, 190, 191, 192, 193, 194, 195, 196, 199.

On Engrossed Bills.

Appointment of, 40.

COVE, WILLIAM.

Elected Sergeant-at-Arms of the House of Representatives, 9.

Sworn in, 10.

CHAPLAIN OF THE HOUSE.

Elected, 11, 68.

Duties of, 29.

Resignation of, 67.

CRITTENDEN, J. D.

Elected Assistant Secretary of Council, 12.

CONVENTION OF THE TWO HOUSES.

Meetings of the, 14, 25, 40, 128.

Message of the Governor to, 14.

Met to elect Public Printer, 25, 40.

Met to elect Regents for University of Minnesota, 128.

CORPORATIONS.

Committee on appointed, 30.

CLAIMS.

Committee on appointed, 30.

COURTS.

Governor's message relative to, referred to Judiciary Com., 34.

COMMUNICATIONS.

From Rev. E. D. Neill.

Presented, read and accepted, 67.

From the Secretary of the Territory.

Presented and read, 82.

From J. M. Goodhue, Public Printer.

Received by message from the Council, 128.

Read, 132.

Ten thousand copies ordered to be printed, 134

From J. M. Goodhue.

Received and read, 135.

CONGRESS—MEMORIALS TO.

For the endowment of a University, (see No. 1, C. F.)

Relative to unpaid appropriations, (see No. 2, C. F.)

For donation of land to the county of Benton, (see No. 3, C. F.)

Praying that the fifteenth section of the act of Congress of fourth September, 1841, may be changed, &c., (see No. 2, H. of R.)

CHISAGO—COUNTY OF.

Petition for new county, to be called, 85.
Report of committee to whom petition was referred, 92.

COUTURIER, MARCELLE.

Petition of, for divorce, 99.

D**DUDLEY, TAYLOR.**

Elected Assistant Clerk of House of Representatives, 9.
Sworn in, 9.
Vote of thanks to, 198.

DAKOTA FRIEND.

Members of House authorized to subscribe for, 56.

DODD, W. B.

Addressed the House, 197.

DIVORCE.

To Silas Henry Artell.

Petition of, presented and referred, 27.
Bill relative to, (see No. 1, H. of R.)

To Sarah A. Bennet.

Bill relative to, (see No. 18, H. of R.)

To Thomas F. Morton.

Petition of, presented and referred, 126.
Bill relative to, (see No. 20, H. of R.)

To Marcelle Couturier.

Petition of, presented and referred, 99.
Bill relative to, (see No. 21, H. of R.)

To Catharine Wells.

Petition for, presented and referred, 146.
Bill relative to, (see No. 24, H. of R.)

E**ENROLLING CLERK OF H. OF R.**

Authorized to be employed, 11, 28.

ELECTIONS.

Rule relative to, 29.
Committee on, appointed, 30.
• Credentials of B. H. Randall and Alex. Farribault, referred to committee on, 11.
Report of committee, 50.
Report of committee adopted, 65.

ENGROSSED BILLS.

Committee on, appointed, 31.
Committee on, report, 49, 61.

EDUCATION.

Governor's message relative to, referred to Com. on Schools,

F**FARRIBAULT, ALEXANDER.**

Sworn in, 4.
Credentials of, referred to committee on elections, 11.
Report of committee on credentials of, 50.

FIREMAN OF THE HOUSE.

Appointed *pro tem.*, 4.
Elected, 10.
Sworn in, 10.
Directed to notify absent members to appear, 26.

FINANCE.

Committee on appointed, 30.

FERRIES.

Bill to authorize the establishment and regulation of, (see No. 4, C. F.)

FORD, JOHN A.

Resignation as member of House, 191.

G**GOVERNOR.**

Annual message of, 14.

“ number of copies ordered to be printed, 27.

“ translation of, into the French language ordered, 27.

Committee appointed to procure the printing of the message of, 31.

House resolved itself into committee of the whole, on message of, 31, 32, 33.

GOODHUE, J. M.

Letter from to W. W. Warren, 38.

Elected Public Printer, 41.

Communication from, received from Council, 128.

Communication from, received and read, 135.

GILMAN, DAVID.

Elected Speaker *pro tem.*, 155.

Resignation as member of House, 191.

H**HOUSE OF REPRESENTATIVES.**

Session of, by whom called to order, 3.

Members of sworn, by whom, 4.

Organization of *pro tempore*, 4.

Organization of, permanently, 10.

Speaker of, elected, 6.

“ sworn, 6.

“ address of, 6.

“ vote of thanks to, 198.

“ to preside in joint convention, 32.

Chief Clerk of.

Appointed *pro tem.* 4.

Elected, 8.

Sworn in, 9.

Authorized to employ assistance, 11.

Directed to furnish stationery for the use of the members of, 12.

Directed to notify the Council of the permanent organization of the, 13.

Directed to employ L. B. Wait to do enrolling, 28.

Duties of, 29.

Directed to employ additional help to do enrolling, 153.

Assistant Clerk of.

Appointed *pro tem.* 4.

Elected, 9.

Sworn in, 9.

Sergeant-at-Arms of.

Appointed *pro tem.* 4.

Elected, 9.

Sworn in, 10.

HOUSE OF REPRESENTATIVES.

Messenger of,

Appointed *pro tem.* 4.
Elected, 10.
Sworn in, 10.

Fireman of,

Appointed *pro tem.* 4.
Elected, 10.
Sworn in, 10.

Chaplain of,

Elected, 11, 68.
Duties of, 29.

Journal of the,

Of the last session ordered to be procured, 11.

Enrolling Clerk of the,

Authorized to be employed, 11.
The vote authorizing the employment of, re-considered, 13.
L. B. Wait employed as, 28.

Rules for government of,

Those of last session adopted temporarily, 4.
Committee appointed to revise and report permanent, 12.

Call of,

Moved and ordered, 13, 28, 42, 44, 45, 50, 57, 63, 64, 65, 75, 86,
90, 94, 110, 117, 128, 131, 145, 147, 149, 155, 168, 174, 176,
177, 178.
Rule relative to, 29.
Proceedings under, dispensed with, 50, 57, 64, 75, 110, 118, 128,
131, 147, 155, 169, 176, 178.

HOBART, REV. C.

Appointed Chaplain of House, 68.

HARRINGTON, W. C. D.

Elected Fireman of Council, 12.

HOLE-IN-THE-DAY.

Communication from, 26.
Committee authorized to take into consideration any words of a
threatening character uttered by, 34.

HISTORICAL SOCIETY.

Use of Hall granted to, 28.
Resolution relative to annals of, (see No. 4, C. F., joint res.,)

HOBART, REV. C.

Elected Chaplain of the House of Representatives, 68.

I

INTERNAL IMPROVEMENTS.

Committee on appointed, 30.

INDIANS.

Governor's message relative to, referred to Com. on Ter. Affs. 33.

INSTITUTE—ST. PAUL.

Bill to incorporate, (see No. 23, H. of R.)

J

JOINT RULES FOR THE GOVERNMENT OF THE TWO HOUSES.

Committee appointed by House to draft, 27.

" " " Council, " 29.

" on, reported, 32.

Report of committee on adopted, 32.

Ordered to be printed, 32.

Adopted by the Council, 34.

JOURNAL OF THE HOUSE OF REPRESENTATIVES.

Resolution to dispense with daily slips of, 42.

Ordered to be amended, 63.

Joint resolution relative to binder of, (see No. 3, H. of R.)

Binder of elected, 130.

Reading of dispensed with, 130, 161, 167, 171, 175.

JUDICIARY.

Committee on appointed, 30.

Portion of Governor's message referred to, 33.

Bills, &c., referred to, 42.

Report from, 47.

JOINT RESOLUTIONS.

House of Representatives file.

No. 1.—Relative to employing certain persons to assist the Judiciary Committee in compiling and revising the laws of the Territory.

Introduced, 42.

Laid on the table, 42.

Motion to lay on the table re-considered, 42.

Amended and adopted, 45.

Amended and concurred in by Council, 48.

Amendment of Council, non-concurred in by House, 49.

Committee of conference appointed by House, 49.

" " reported to House, 49.

Vote of non-concurrence in amendment of Council re-considered, 49.

Amendment of Council concurred in, 50.

Report of committee of conference adopted by Council, 55.

No. 2.—For the meeting of the two Houses of the Legislature in joint convention, for the Election of Regents for the University of Minnesota.

Introduced, 122.

Adopted, 122.

Concurred in by the Council, 127.

No. 3.—For the election of a suitable person to do the binding of the Laws and Journals of the present session.

Introduced, 124.

Adopted, 124.

Concurred in by the Council, 128.

No. 4.—Instructing the Joint Judiciary Committee to make their final report to the Legislature, at a certain time, therein specified.

Introduced, 136.

Adopted, 137.

Negatived by Council, 143.

No. 5.—Relative to the adjournment of the present session of the Legislative Assembly.

Introduced, 167.

Adopted, 167.

Concurred in by Council, 172.

No. 6.—That the 18th joint rule of the two Houses be, and the same is hereby suspended.

Introduced, 185.

Adopted, 185.

Concurred in by Council, 188.

JOINT RESOLUTIONS.

No. 7.—*Relative to establishing a precinct in the county of Itasca.*

Introduced, 195.

Read the first time, 195.

Read the second time, 195.

Read the third time, 195.

Passed and title agreed to. 195.

JOINT RESOLUTIONS.

Council file of,

No. 1.—*Relative to furnishing papers to certain officers of the Territory.*

Received by message, 29.

Adopted, 31.

No. 2.—*Relative to compiling and revising the Laws of Minnesota.*

Received by message, 31.

House refused to adopt, 39.

No. 3.—*Requesting the Secretary of War to employ additional aid for the survey of certain roads in the Territory of Minnesota.*

Received by message, 64.

Read the first time, 64.

Read the second and third time, 66.

Concurred in and title agreed to, 66.

No. 4.—*Relative to the Annals of the Minnesota Historical Society, for 1851.*

Received by message, 71.

Adopted by the House, 74.

No. 5.—*Relative to correcting certain chapters of the Revision,*

Received by message, 176.

Read and adopted, 180.

No. 8.—*Relative to adjournment.*

Received by message, 197.

Adopted by the House, 198.

L

LEGISLATIVE ASSEMBLY.

Second session, when and where held, 3.

Permanently organized, 13.

Joint rules of last session of, adopted, 32.

Bill for paying expenses of last, (see No. 29, H. of R.)

Adjournment of, *sine die*, 200.

LOTT, B. W.

Elected Chief Clerk of H. of R., 8.

Sworn in, 9.

Vote of thanks to, 198.

LEWIS, ELI F.

Elected messenger of H. of R., 10.

sworn in, 10.

LOOMIS, D. B.

Elected President of the Council, 12.

LAWS.

Governor's message relative to revision of, referred to Judiciary Committee, 33.

- Governor's message relative to the alteration and amendment of, referred to Committee on Judiciary, 34.

Of Minnesota, joint resolution relative to compiling and revising, received by message from Council, 34.

Resolution relative to employing certain individuals to assist in compiling and revising, (see joint resolution No. 1, H. of R.)

Joint resolution relative to binder of, (see No. 3, H. of R.)

Binder of, 130.

LIBRARY.

Governor's message relative to, referred to com. on schools, 34.

LIBRARIAN.

Report of, referred to the com. on Territorial expenditures, 56.

Bill providing for appointment of, (see No. 7, C. F.)

LUDDEN, JOHN D.

Called by the Speaker to preside, 186.

LUMBERING AND MANUFACTURING COMPANY.

Bill to incorporate, (see No. 20, C. F.)

M**MEMBERS OF THE HOUSE OF REPRESENTATIVES.**

Certificates of election of, presented, 4.

Authorized to order papers, 11.

Governor's message relative to apportionment of, referred to the Committee on Election Districts, 33.

MESSENGER OF THE HOUSE.

Appointed *pro tem.*, 4.

Elected, 10.

Sworn in, 10.

Directed to notify absent members, 57.

MESSAGES.*From the Council.*

By committee of the Council, 4, 5, 12, 13.

By the Secretary, 5, 13, 29, 34, 48, 55, 57, 59, 64, 66, 71, 76, 78, 79, 84, 87, 89, 94, 98, 100, 101, 102, 106, 108, 112, 116, 127, 119, 135, 143, 145, 150, 160, 162, 163, 170, 172, 173, 176, 180, 181, 183, 187, 190, 193, 194, 196, 197, 198, 200.

From the Governor.

Annual message to the convention of the two Houses, 14.

Received by Private Secretary, 74, 80, 91, 103, 116, 154, 165, 183, 193, 195, 197.

Read in the House, 74, 80, 91, 93, 105, 117, 154, 165, 184, 193, 195, 197.

MILITIA.

Committee on appointed, 30.

MISSISSIPPI RIVER.

Governor's message relative to improvement of, referred to the Committee on Internal Improvements, 33.

Bill of F. Steele, for charter to establish ferry across, (see No. 6, H. of R.)

Petition of W. Richardson and others, 85.

Bill of John Banfill, for ferry charter, (see No. 17, H. of R.)

Bill granting exclusive navigation of, (see No. 15, C. F.)

MARRIAGES.

Governor's message relative to solemnization of, referred to select committee, 33.

Select committee on solemnization of, appointed, 34.

MEMORIALS.

No. 1.—*To the Secretary of War, for a continuation of certain explorations in the Territory of Minnesota.*

Introduced and read the first time, 105.

Read the second time, 105.

Ordered to be engrossed, 106.

Reported correctly engrossed, 109.

Read the third time, 110.

Passed and title agreed to, 110.

Concurred in by the Council, 116.

Reported correctly enrolled, 131.
 Signed by the Speaker of the House, 131.
 Presented to the Governor, 149.
 Approved, 154.

MEMORIALS TO CONGRESS.

House of Representatives file,

No. 2.—Praying that the 15th section of the act of Congress of the 4th of September, 1841, may be amended, &c.

Introduced and read the first time, 115.
 Read the second time, 116.
 Laid on table and ordered to be printed, 116.
 Considered in committee of the whole, 138.
 Ordered to be engrossed, 139.
 Reported correctly engrossed, 141.
 Read the third time, 141.
 Passed and title agreed to, 141.
 Negatived by Council, 196.

No. 4.—Relative to the construction of a Railroad.

Introduced and read the first time, 157.
 Read the second time, laid on the table and ordered to be printed, 157.
 Read the third time, 162.
 Passed and title agreed to, 162.
 Concurred in by Council, 172.
 Reported correctly enrolled, 183.
 Presented to the Governor, 190.
 Approved, 193.

MEMORIALS TO CONGRESS.

Council file.

No. 1.—For a grant of land to endow a University.

Received by message, 84.
 Read the first time, 84.
 Read the second time, 86.
 Read the third time, 86.
 Passed and title agreed to, 86.
 Reported correctly enrolled, 97.
 Presented to the Governor, 100.

No. 2.—Relative to unpaid appropriations.

Received by message, 94.
 Read the first and second time, 98.
 Amended by the House, 98.
 Laid on the table and ordered to be printed, 98.
 Referred to the Committee on Claims, 99.
 Reported back by committee, 139.
 Amended and laid on table, 140.
 Postponed indefinitely, 142.

No. 3.—Asking for a donation of land to the county of Benton.

Received by message, 101.
 Read the first time, 102.
 Read the second time, 106.
 Referred to the Committee on Territorial Affairs, 106.
 Reported back by committee with amendment, 111.
 Read the second time and laid on the table, 111.
 Read the third time, 114.
 Passed and title agreed to, 114.
 Reported correctly enrolled, 123.
 Presented to the Governor, 137.
 Approved, 155.

MEMORIALS TO CONGRESS.

No. 5.—*Relative to Settlers on sections No. 16 and 36.*

Received by message, 173.
 Read the first time, 174.
 Read the second time, 175.
 Read the third time, 194.
 Passed and title agreed to, 194.
 Reported correctly enrolled, 196.
 Presented to the Governor, 196.
 Approved, 198.

N

NOAH, J. J.

Appointed Assistant Clerk *pro tem.* 4.

NEILL, E. D.

Elected Chaplain of the H. of R. 11.
 Resignation of as Chaplain, 67.

NEWSPAPERS.

Members authorized to order, 11.
 Editors of, allowed seats within the bar of the House, 12.
 Reporters of, " " " 12.

NORTH, J. W.

Deposition of, 36.
 Called by the Speaker to preside, 157.
 Resignation of as member of House, 191.

O

ODELL, THOMAS.

Appointed Fireman *pro tem.* 4.

ODD FELLOWS—INDEPENDENT ORDER OF.

Bill to incorporate St. Paul Lodge, No. 2, of, (see No. 7, H. of R.)

OLMSTEAD, S. B.

Called by Speaker to preside, 182.
 Excused from attendance on House for remainder of session, 187.

P

PHILLIPS, W. D.

House called to order by, 3.
 Appointed Chief Clerk *pro tem.* 4.

POSTMASTER AT ST. PAUL.

Resolution relative to arrangement with, 14.
 Arrangement with relative to postage of members, 26.

PRINTER, TERRITORIAL.

Convention of the two Houses met to elect, 25, 40.
 Election of, 41.
 Letter of, received from Council, 128.

PETITIONS.

Of S. H. Axtell, praying a divorce, 27.
 Of Orange Walker and others, asking a charter to construct a boom, 27.
 Of Ard Godfrey, praying charter for bridge across Elk river, 56.
 Of W. Richardson and others, praying for a charter for an additional ferry across the Mississippi river, 85.
 To construct the county of Chisago, 85.

PETITIONS.

- Of Marcelle Couturier, praying a divorce, 99.
- Of the people of Benton County, praying for the permar-
tion of the county seat of said county, 111.
- Praying for a road from the Falls of St. Anthony to the
St. Croix, 111.
- Praying for a road from Falls St. Croix to Falls St. Antho-
- Of Thomas F. Morton, for divorce, 126.
- Of Catharine Wells, for divorce, 146.
- Of L. Bostwick and others, praying a charter for a boom
Falls of St. Anthony, 157.
- Of E. P. Price and others, relative to county seat of Benton
- Of P. H. Beaulieu " " "
- Of C. Hobart and others, praying charter for school distri-
of St. Paul, 158.

PUBLIC BUILDINGS.

- Committee on appointed, 30.
- Bill for erection of, (see No. 4, H. of R.)

PRINTING.

- Committee on appointed, 30.

PRE-EMPTION OF PUBLIC LANDS.

- Governor's message relative to, referred to the Committee
culture and Manufactures, 33.

PREVIOUS QUESTION.

- moved, 45.

PATCH, EDWARD.

- Resignation of, as member of the House, 191.

Q

QUORUM OF THE HOUSE OF REPRESENTATIVES.

- Not present, 56, 61, 79, 81, 82.

R

RULES.

- Of the House of Representatives of last session, adopted
- Committee appointed to revise and report permanent, 12.
- Committee reported, 29.
- Report of committee on, adopted, 30.
- Ordered to be printed, 32, 33.
- Suspension of, 66, 67, 187.
- Joint, of the two Houses.*
- Committee appointed by Council to draft, 29.
- " " House, " 27.
- " made report to House, 32.
- Of last session adopted, 32.
- Ordered to be printed, 32.

RANDALL, B. H.

- Sworn in, 4.
- Credentials of, referred to Committee on Elections, 11.
- Report of committee on credentials of, 50.
- Elected Speaker *pro tem.*, 146.
- Called by Speaker to preside, 189.

RESOLUTIONS OF THE HOUSE.

- Directing the Sergeant-at-Arms to procure from the Libr-
Journals and Laws of last session, 11.
- Relative to appointing a committee to examine the cred
B. H. Randall and Alex. Farribault, 11.

RESOLUTIONS OF THE HOUSE.

- Authorizing Chief Clerk to employ assistance, 11.
- Relative to allowing seats within the bar of the House, to the editors and reporters of the different newspapers of the Territory, 11.
- Relative to stationery, 12, 14.
- Relative to permanent rules of the House, 12.
- Relative to postage of members, 14.
- Directing the Chief Clerk to employ L. B. Wait to do enrolling, 28.
- Allowing Clerks stationery, 28.
- Providing for the appointment of a committee to procure the printing of the Governor's message, 28.
- Providing for the appointment of a committee to enquire whether any newspaper publisher or other person, had offered bribes to members, 31.
- Providing for printing rules of the Council and House, joint rules of the two Houses, and list of Standing Committees of the two Houses, 33.
- Providing for the appointment of a committee to ascertain whether any newspaper publisher had made threats of personal violence to members of the House, 34.
- To dispense with daily slips of Journal, offered, 42.
- To suspend the 41st rule of the House, 58.
- Relative to whether J. C. Ramsey is legally entitled to a seat in the Legislative Assembly, 62.
- Requesting the Secretary of the Territory to lay before the House a copy of the last census of the Territory, 67.
- Authorizing the Speaker to request Rev. Mr. Hobart to officiate as Chaplain of the House, 68.
- Dispensing with the suspension of the 41st Rule of the House, 84.
- To appoint a committee to confer with the Territorial Printer, 85.
- To examine and measure the printing done by J. M. Goodhue, for the last Legislative Assembly, 143.
- Authorizing Chief Clerk to employ additional help to do enrolling, 153.
- That the 40th rule of this House be, and the same is hereby rescinded, 190.
- That the Secretary of the Territory be requested to furnish this House with any bills or accounts he may have in his possession, to be paid out of the moneys appropriated for the expenses of the present Legislative Assembly, 192.

REPORTS OF SELECT COMMITTEE.

- To prepare and report rules for the House, 30.
- For procuring the printing of Governor's message, 32.
- To prepare and report joint rules for the two Houses, 32.
- On petition of S. H. Axtell, for divorce, 32.
- To ascertain whether any newspaper publisher or other person, had offered bribes, &c., 35.

ROADS.

- Committee on, appointed, 30.
- Territorial, bill for locating, (see No. 19, C. F.)

ROLLINS, JOHN.

- Deposition of, 36.

RICE, EDMUND.

- Excused from serving as chairman of Judiciary Committee, 65.
- Called by the Speaker to preside, 96.
- Resignation of, as member of House, 191.

RAILROAD.

- Bill to incorporate St. Paul and St. Anthony, (see No. 15, H. of R.)

REGENTS OF MINNESOTA UNIVERSITY.

Joint resolution relative to the election of, (see No. 2, H. of R.)
Elected, 129.

REMONSTRANCES.

Of Louis Roberts and sixty others, praying that the St. Paul incorporation act may not be repealed, 169.

Introduced and read, 169.

Referred to the Committee on Corporations, 169.

REPRESENTATIVES.

Bill relative to apportionment of, (see No. 18, C. F.)

S**SERGEANT-AT-ARMS OF THE HOUSE.**

Appointed *pro tem.*, 4.

Elected, 9.

Sworn in, 10.

Directed to procure Journals, 11.

SPEAKER OF THE HOUSE.

Elected, 6.

Address of, to the House, 6.

To preside in joint convention of the two Houses, 32.

Decision of appealed from, 60, 94, 120.

Decision of, sustained, 60, 94, 120.

Appointment of, *pro tem.*

Valedictory of, 200.

SLOAN, E. B.

Elected Fireman of H. of R., 10.

Sworn in, 10.

SELLERS, B. L.

Elected Sergeant-at-Arms of Council, 12.

STATIONERY.

Chief Clerk directed to furnish, 12.

Members and officers authorized to furnish for themselves, 14.

Clerks allowed, 28.

Authorized to be procured for reporters' desks, 28.

SCHOOLS.

Committee on appointed, 30.

Report of committee on, 69, 78.

Common, (see No. 10, H. of R.,) also, (No. 12, C. F., and No. 14, H. of R.)

SLOAN, D. T.

Deposition of, 37.

Resignation of, as member of House, 191.

STEVENS, JOHN H.

Deposition of, 53.

STATUTES OF THE TERRITORY.

Bill for revising and consolidating, (see No. 11, H. of R.)

" " " (see No. 13, C. F.)

STOCK GROWING.

Bill for the encouragement of, (see No. 19, H. of R.)

SONS OF TEMPERANCE.

Bill for charter of St. Paul Division No. 1, (see No. 17, C. F.)

T**TELLERS.**

Appointed, 5, 7, 9, 10, 41, 128.

TERRITORIAL AFFAIRS.

Committee on appointed, 30.
Bills, &c., referred to, 33, 34, 63.

TELEGRAPHS.

Governor's message relative to, referred to Committee on Internal Improvements, 33.

TAVERN AND GROCERY LICENSE.

Bill regulating, (see No. 3, H. of R.)

TILDEN, H. L.

Called by the Speaker to preside, 43, 44.
Elected Speaker *pro tem.*, 72.
Called by the Speaker to preside, 146, 151.

TRASK, S.

Appointed Speaker *pro tem.*, 74, 138.
Called by the Speaker to preside, 168, 172.

TAYLOR, JESSE.

Called by the Speaker to preside, 197.

TREASURER OF THE TERRITORY.

Report of, presented and read, 158.
" " (see appendix,) page 208.

U

UNIVERSITY.

Governor's message relative to the endowment of, referred to Committee on Schools, 33.
Bill to incorporate, (see No. 8, H. of R.)
Memorial to Congress, asking a donation of land to endow, (see No. 1, C. F.)
Joint resolution relative to election of regents, (see No. 2, H. of R.)
Regents of Minnesota, elected, 129.

V

VINCENT, J. W.

Deposition of, 37.

W

WAIT, L. B.

Employed to do enrolling, 28.

WARREN, W. W.

Deposition of, 37.
Resignation of, as member of House, 191.

WHITE, W. B.

Private Secretary to Governor.
Messages from Governor by, 74, 80, 91, 103, 116, 154, 165, 183, 193, 195, 197.

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES,
DURING THE
THIRD SESSION
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF MINNESOTA;

BEGUN AND HELD AT ST. PAUL, THE SEAT OF GOVERNMENT, ON
WEDNESDAY, THE SEVENTH DAY OF JANUARY, 1852.

ST. PAUL:
OWENS & MOORE, PRINTERS,
MINNESOTIAN OFFICE.
—
1852.

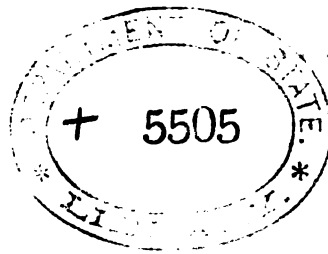


JOURNAL
OF THE
HOUSE OF REPRESENTATIVES,
DURING THE
THIRD SESSION
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF MINNESOTA;

**BEGUN AND HELD AT ST. PAUL, THE SEAT OF GOVERNMENT, ON
WEDNESDAY, THE SEVENTH DAY OF JANUARY, 1852.**

ST. PAUL:
OWENS & MOORE, PRINTERS,
MINNESOTA OFFICE.

1852.



1951

RECEIVED, DEPARTMENT OF STATE

1951

1951

1951

RECEIVED, DEPARTMENT OF STATE

1951

RECEIVED, DEPARTMENT OF STATE

RECEIVED, DEPARTMENT OF STATE

1951

1951

4

1951

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

Third Session of the Legislative Assembly of the Territory of Minnesota; begun and held at St. Paul, the seat of Government, on Wednesday, the seventh day of January, A. D., 1862 :

On which day, at 12 o'clock, meridian, the House of Representatives was called to order by B. W. Lorr, Chief Clerk of the last House of Representatives.

Prayer by the Rev. Mr. Hobart.

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

From the First District—Martin Leavitt, Mahlon Black, Jesse Taylor, John D. Ludden.

From the Second District—Charles S. Cave, William P. Murray, Samuel J. Findley, Jeremiah W. Selby, Joseph E. Fullerton.

From the Third District—Sumner W. Farnham, John H. Murphy.

From the Fourth District—Ferdys S. Richards.

From the Fifth District—James Beatty, David Day.

From the Sixth District—James McC. Boal, Benjamin H. Randall.

From the Seventh District—Joseph Rollette, Antoine Gingras.

Mr. Murray moved that the members be sworn in by his Honor, Judge Cooper; Which was agreed to,

And all the members were then sworn in, in the order of their respective districts.

On motion of Mr. Murray,

B. H. Randall was appointed Speaker, *pro tem.*

On motion of Mr. Cave,

B. W. Lott was appointed Chief Clerk, *pro tem.*

On motion of Mr. Boal,

J. B. Newman was appointed Assistant Clerk, *pro tem.*

On motion of Mr. Murray,

Edward F. Parker was appointed Sergeant-at-Arms, *pro tem.*

On motion of Mr. Murray,

L. C. Dayton was appointed Messenger, *pro tem.*

On motion of Mr. Findley,
Edward Sloan was appointed Fireman, *pro tem*.

On motion of Mr. Day,
The House adjourned until to-morrow, at 10 o'clock, A. M.

THURSDAY MORNING, 10 o'clock.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

Messrs. Black, Day, Farnham, Leavitt, Ludden, Murphy, and Taylor were reported absent.

The Journal of yesterday was then read.

The Sergeant-at-Arms, *pro tem*, announced a committee from the Council, consisting of Messrs. Forbes and Lowry, who informed the House that the Council had organized temporarily, and were ready to proceed to business.

They then withdrew.

On motion of Mr. Selby,

The rules of last session were adopted temporarily for this session.

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

Mr. Murray moved that the House now proceed to the election of Speaker;

Which motion did not prevail.

Mr. Boal moved that the House adjourn until 2 o'clock to-morrow;

Which motion was negatived.

Mr. Murray moved that a committee of two be appointed to inform the Council that the House had formed a temporary organization, and were prepared to receive any communication from the Council;

Which motion prevailed.

Messrs. Murray and Day were appointed said committee.

After a short absence the committee reported that they had performed the said duty.

Mr. Murray moved that the House adjourn;

Which motion did not prevail.

Mr. Boal moved a reconsideration of the vote for the election of Speaker;

Which motion prevailed.

Mr. Boal moved that the House proceed to the election of a Speaker;

Which motion prevailed.

The roll being called, the vote resulted as follows:

Mr. Beatty voted for D. Day.

" Black voted for J. D. Ludden.

" Boal voted for B. H. Randall.

" Cave voted for M. Black.

" Day voted for J. H. Murphy.

" Farnham voted for B. H. Randall.

" Findley voted for B. H. Randall.

" Fullerton voted for J. D. Ludden.

" Gingras voted for J. D. Ludden.

" Leavitt voted for J. D. Ludden.

Mr. Ludden voted for **J. Taylor**.

" **Murphy** voted for **D. Day**.

" **Murray** voted for **M. Black**.

" **Randall** voted for **M. Black**.

" **Richards** voted for **D. Day**.

" **Rolette** voted for **J. D. Ludden**.

" **Selby** voted for **J. D. Ludden**.

" **Taylor** voted for **J. D. Ludden**.

Whole number of votes cast, 18. Ten being necessary to a choice, and there being no choice;

On motion of **Mr. Selby**,

The House proceeded to a second vote for **Speaker**.

The roll being called, the vote resulted as follows :

Mr. Beatty voted for **D. Day**.

" **Black** voted for **J. D. Ludden**.

" **Boal** voted for **B. H. Randall**.

" **Cave** voted for **M. Black**.

" **Day** voted for **J. W. Selby**.

" **Farnham** voted for **B. H. Randall**.

" **Findley** voted for **B. H. Randall**.

" **Fullerton** voted for **J. D. Ludden**.

" **Gingras** voted for **J. D. Ludden**.

" **Leavitt** voted for **J. D. Ludden**.

" **Ludden** voted for **J. Taylor**.

" **Murphy** voted for **J. Taylor**.

" **Murray** voted for **J. D. Ludden**.

" **Randall** voted for **M. Black**.

" **Richards** voted for **J. D. Ludden**.

" **Rolette** voted for **J. D. Ludden**.

" **Selby** voted for **J. D. Ludden**.

" **Taylor** voted for **J. D. Ludden**.

Whole number of votes cast, 18. Ten being necessary to a choice, and there being no choice,

Mr. Cave moved that the House adjourn ;

Which motion was lost.

On motion of **Mr. Murphy**,

The House proceeded to a third vote for **Speaker**.

The roll being called, the vote resulted as follows :

Mr. Beatty voted for **J. D. Ludden**.

" **Black** voted for **J. D. Ludden**.

" **Boal** voted for **B. H. Randall**.

" **Cave** voted for **B. H. Randall**.

" **Day** voted for **J. D. Ludden**.

" **Farnham** voted for **B. H. Randall**.

" **Findley** voted for **B. H. Randall**.

" **Fullerton** voted for **J. D. Ludden**.

" **Gingras** voted for **J. D. Ludden**.

" **Leavitt** voted for **J. D. Ludden**.

" **Ludden** voted for **J. Taylor**.

" **Murphy** voted for **J. D. Ludden**.

" **Murray** voted for **J. D. Ludden**.

" **Randall** voted for **J. D. Ludden**.

" **Richards** voted for **J. D. Ludden**.

" **Rolette** voted for **J. D. Ludden**.

" **Selby** voted for **J. D. Ludden**.

" **Taylor** voted for **J. D. Ludden**.

Whole number of votes cast, 18.

Mr. Ludden having received 13 votes, was declared duly elected **Speaker**.

Messrs. Taylor and Fullerton were appointed a committee to conduct Mr. Ludden to the chair.

On taking the chair the Speaker made a few pertinent remarks, in acknowledgment of the honor conferred upon him, as follows :

GENTLEMEN : You have selected me to preside over your deliberations during this session; for this mark of your confidence I thank you. In accepting this station, I am fully aware of the arduous and delicate duties that will devolve upon me from the fact that I have but a limited experience in Legislative practice to guide me in the discharge of these duties, I claim your indulgence for any errors that I may unwittingly commit, or for any want of tact in conducting the business of the House. I will endeavor, however, by careful attention and constant exercise of an impartial judgment, to redeem the confidence that you have placed in me.

Mr. Murray moved that the House proceed to the election of a Chief Clerk ;
Which was decided in the negative.

A division being called for and ordered,

There were Ayes, 5—Nays, 13.

So the motion did not prevail.

Mr. Randall moved that the House adjourn until to-morrow morning at 10 o'clock ;

Which motion was decided in the affirmative.

A division being called for and ordered,

There were Ayes 9, Nays 7.

So the motion prevailed, and the House adjourned.

FRIDAY MORNING, 10 o'clock.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called, Messrs. Findley and Richards were reported absent.

The Journal of yesterday was then read.

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

The question being put,

It was decided in the affirmative.

A division being called for and ordered,

There were Ayes 10, Nays 4.

So the motion prevailed, and the House adjourned.

MONDAY MORNING, 10 o'clock.

The House met pursuant to adjournment and was called to order by the Speaker.
Prayer by the Rev. Mr. Hobart.

The roll having been called the following members were reported absent:

Messrs. Findley and Taylor.

The journal of last Friday was then read.

Mr. Boal then moved a call of the House,

Which on motion was agreed to.

Mr. Findley was reported absent.

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

The Sergeant-at-Arms reported the absent member as being in his seat.

Mr. Cave moved that the House proceed to the election of Chief Clerk.

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

There were ayes 9, nays 8.

Mr. Fullerton nominated Allen Pierse.

Mr. Black nominated S. Trask.

The roll having been called, the result was as follows:

Mr. Beatty voted for Allen Pierse.

" Black voted for S. Trask.

" Boal voted for S. Trask.

" Cave voted for A. Pierse.

" Day voted for A. Pierse.

" Farnham voted for S. Trask.

" Findley voted for J. J. Noah.

" Fullerton voted for A. Pierse.

" Gingras voted for A. Pierse.

" Leavitt voted for A. Pierse.

" Murphy voted for S. Trask.

" Murray voted for A. Pierse.

" Randall voted for S. Trask.

" Richards voted for A. Pierse.

" Rolette voted for A. Pierse.

" Selby voted for A. Pierse.

" Taylor voted for S. Trask.

" Ludden, Speaker, voted for S. Trask.

Whole number of votes cast 18—of which,

A. Pierse received 10 votes.

S. Trask " 7 "

J. J. Noah, " 1 "

Mr. Pierse having received the necessary number of votes, was declared duly elected Chief Clerk.

Mr. Murphy moved that the House adjourn,

Which was decided in the negative.

A division being called for and ordered,

There were ayes 7, nays 9.

So the motion did not prevail.

Mr. Murray moved that a committee of two be appointed to wait on Mr. Pierse and inform him of his election.

Which motion prevailed.

The Chair appointed Messrs. Murray and Black to serve as said committee.

After a short absence the committee reported Mr. Pierse present.

The Speaker then administered the oath of office to the newly elected Clerk.

After which he was conducted to his seat by Messrs. Murray and Black.

Mr. Selby moved that the House proceed to the election of Assistant Clerk.
 Mr. Bond was nominated by Mr. Rolette.
 When Mr. Taylor moved that the House adjourn until 2 o'clock P. M.
 Which was decided in the affirmative.
 A division being called for and ordered,
 There were ayes 10, nays 6.
 So the House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.
 The roll having been called, the following gentlemen were reported absent :
 Messrs. Beatty, Day and Fullerton.
 Mr. Randall moved that the House proceed to the election of Assistant Clerk.
 Mr. Murphy moved a call of the House ;
 And the following gentlemen were reported absent :
 Messrs. Day and Fullerton.
 The Speaker ordered the Sergeant-at-Arms to notify the absent members to appear in their seats.
 Mr. Randall moved that further proceedings under the call be dispensed with.
 The Chair being unable to decide and a division was called, and
 There were ayes 9, nays 6.
 Two-thirds being necessary, the motion was lost.
 The Sergeant-at-Arms reported all the members present.
 Mr. Randall moved that the House proceed to the election of an Assistant Clerk

FIRST VOTE.

The Clerk having called the roll, the following was the result :

Whole number of votes cast, 18.

Necessary to a choice, 10.

Mr. Beatty voted for Mr. Bond.

" Black voted for Murphy.

" Boal voted for Bond.

" Cave voted for Bond.

" Day voted for Murphy.

" Farnham voted for J. B. Newman.

" Findley voted Trask.

" Fullerton voted for Bond.

" Gingras voted for Bond.

" Leavitt voted for Murphy.

" Murphy voted for Murphy.

" Murray voted for Bond.

" Randall voted for Murphy.

" Richards voted for Murphy.

" Rolette voted for Bond.

" Selby voted for Bond.

" Taylor voted for Murphy.

" Ludden (Speaker) voted for Murphy.

Bond,	8
Murphy,	8
Newman,	1
Trask,	1
	<hr/>
	18

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

SECOND VOTE.

The House then proceeded to a second vote, which resulted as follows :

Whole number of votes cast, 18

Necessary to a choice, 10.

Mr. Beatty voted for Bond.

“ Black voted for Murphy.

“ Boal voted for Bond.

“ Cave voted for Bond.

“ Day voted for Murphy.

“ Farnham voted for Newman.

“ Findley voted for Bond.

“ Fullerton voted for Bond.

“ Gingras voted for Bond.

“ Leavitt voted for Murphy.

“ Murphy voted for Murphy.

“ Murray voted for Bond.

“ Randall voted for Murphy.

“ Richards voted for Murphy.

“ Rolette voted for Bond.

“ Selby voted for Bond.

“ Taylor voted for Murphy.

“ Ludden (Speaker) voted for Murphy.

Bond,

Murphy,

Newman,

9

8

1

18

THIRD VOTE.

The House proceeded to a third vote, the result of which was—

Whole number of votes cast, 18

Necessary to a choice, 10.

Mr. Beatty voted for Mr. Bond.

“ Black voted for Murphy.

“ Boal voted for Bond.

“ Cave voted for Bond.

“ Day voted for Murphy.

“ Farnham voted for Newman.

“ Findley voted for Bond.

“ Fullerton voted for Bond.

“ Gingras voted for Bond.

“ Leavitt voted for Murphy.

“ Murphy voted for Murphy.

“ Murray voted for Bond.

“ Randall voted for Murphy.

“ Richards voted for Murphy.

“ Rolette voted for Bond.

“ Selby voted for Bond.

“ Taylor voted for Murphy.

“ Ludden (Speaker) voted for Murphy.

Bond,

Murphy,

Newman,

9

8

1

18

FOURTH VOTE.

The House then proceeded to a fourth vote.
The result of which was as follows :

Mr. Beatty voted for Mr. Bond.
 " Black voted for Murphy.
 " Boal voted for Bond.
 " Cave voted for Bond.
 " Day voted for Murphy.
 " Farnham voted for Newman.
 " Findley voted for Bond.
 " Fullerton voted for Bond.
 " Gingras voted for Bond.
 " Leavitt voted for Murphy.
 " Murphy voted for Murphy.
 " Murray voted for Bond.
 " Randall voted for Murphy.
 " Richards voted for Murphy.
 " Selby voted for Bond.
 " Taylor voted for Murphy.
 " Ludden (Speaker) voted for Murphy.
 Bond,
 Murphy,
 Newman,

9
8
1
—
18

FIFTH VOTE.

The result of the fifth vote :

Mr. Beatty voted for Bond.
 " Black voted for Murphy.
 " Boal voted for Bond.
 " Cave voted for Bond.
 " Day voted for Murphy.
 " Farnham voted for Newman.
 " Findley voted for Bond.
 " Fullerton voted for Bond.
 " Gingras voted for Bond.
 " Leavitt voted for Murphy.
 " Murphy voted for Murphy.
 " Murray voted for Bond.
 " Randall voted for Murphy.
 " Richards voted for Murphy.
 " Rolette voted for Bond.
 " Selby voted for Bond.
 " Taylor voted for Murphy.
 " Ludden (Speaker) voted for Murphy.
 Bond,
 Murphy,
 Newman,

9
8
1
—
18

SIXTH VOTE.

The result of the sixth vote was as follows :

Mr. Beatty voted for Bond.
 " Black voted for Murphy.
 " Boal voted for Bond.

Mr. Cave voted for Bond.
 " Day voted for Murphy.
 " Farnham voted for Newman.
 " Findley voted for Bond.
 " Fullerton voted for Bond.
 " Gingras voted for Bond.
 " Leavitt voted for Murphy.
 " Murphy voted for Murphy.
 " Murray voted for Bond.
 " Randall voted for Murphy.
 " Richards voted for Murphy.
 " Rolette voted for Bond.
 " Selby voted for Bond.
 " Taylor voted for Murphy.
 " Ludden (Speaker) voted for Murphy.
 Bond,
 Murphy,
 Newman,

9
8
1
—
18

SEVENTH VOTE.

The result of the seventh vote was as follows :

Mr. Beatty voted for Bond.
 " Black voted for Murphy.
 " Boal voted for Bond.
 " Cave voted for Bond.
 " Day voted Murphy.
 " Farnham voted for Newman.
 " Findley voted for Bond.
 " Fullerton voted for Bond.
 " Gingras voted for Bond.
 " Leavitt voted for Murphy.
 " Murphy voted for Murphy.
 " Murray voted for Bond.
 " Randall voted for Murphy.
 " Richards voted for Murphy.
 " Rolette voted for Bond.
 " Selby voted for Bond.
 " Taylor voted for Murphy.
 " Ludden (Speaker) voted for Murphy.
 Bond,
 Murphy,
 Newman,

9
8
1
—
18

EIGHTH VOTE.

The result of the eighth vote was as follows :

Mr. Beatty voted for Bond.
 " Black voted for Murphy.
 " Boal voted for Bond.
 " Cave voted for Oliver.
 " Day voted for Murphy.
 " Farnham voted for Murphy.
 " Findley voted for Bond.
 " Fullerton voted for Bond.

Mr. Gingras voted for Bond.
 " Leavitt voted for Murphy.
 " Murphy voted for Murphy.
 " Murray voted for Oliver.
 " Randall voted for Murphy.
 " Richards voted for Murphy.
 " Rolette voted for Bond.
 " Selby voted for Bond.
 " Taylor voted for Murphy.
 " Ludden (Speaker) voted for Murphy.
 Bond,
 Murphy,
 Oliver,

7
9
2
—
18

NINTH VOTE.

The result of the ninth vote was as follows :

Mr. Beatty voted for Dudley.
 " Black voted for Murphy.
 " Boal voted for Jackson.
 " Cave voted for Dudley.
 " Day voted for Murphy.
 " Farnham voted for Bristol.
 " Findley voted for Jackson.
 " Fullerton voted for Dudley.
 " Gingras voted for Bond.
 " Leavitt voted for Murphy.
 " Murphy voted for Murphy.
 " Murray voted for Gilman.
 " Randall voted for J. J. Noah.
 " Richards voted for Murphy.
 " Rolette voted for Dudley.
 " Selby voted for Boal.
 " Taylor voted for Dudley.
 " Ludden (Speaker) voted for Murphy.
 Dudley,
 Murphy,
 Jackson,
 Bristol,
 Gilman,
 J. J. Noah.
 Bond.

5
6
2
1
1
1
2
—
18

TENTH VOTE.

The result of the tenth vote was as follows :

Mr. Beatty voted for Dudley.
 " Black voted for Murphy.
 " Boal voted for Murphy.
 " Cave voted for Dudley.
 " Day voted for Murphy.
 " Farnham voted for Bristol.
 " Findley voted for Jackson.
 " Fullerton voted for J. Brewster.

Mr. Gingras voted for Dudley.
 " Leavitt voted for Murphy.
 " Murphy voted for Murphy.
 " Murray voted A. J. Morgon.
 " Randall voted for Murphy.
 " Richards voted for Dr. Borup.
 " Rolette voted for Dudley.
 " Selby voted for Brewster.
 " Taylor voted for Dudley.
 " Ludden (Speaker) voted for Murphy.

Dudley,	5
Murphy,	7
Bristol,	1
Jackson,	1
A. J. Morgan,	1
J. Brewster,	2
Dr. Borup,	1
	<hr/> 18

ELEVENTH VOTE.

The result of the eleventh vote was as follows :

Mr. Beatty voted for Dudley.
 " Black voted for Murphy.
 " Boal voted for Bond.
 " Cave voted for Dudley.
 " Day voted for Murphy.
 " Farnham voted for Bristol.
 " Findley voted for Bond.
 " Fullerton voted for Brewster.
 " Gingras voted for Bond.
 " Leavitt voted for Dudley.
 " Murphy voted for Murphy.
 " Murray voted for Bond.
 " Randall voted for Murphy.
 " Richards voted for Newman.
 " Rolette voted for Dudley.
 " Selby voted for Murphy.
 " Taylor voted for Murphy.
 " Ludden (Speaker) voted for Murphy.

Murphy,	7
Dudley,	4
Bond,	4
Bristol,	1
Brewster,	1
Newman,	1
	<hr/> 18

TWELFTH BALLOT.

The result of the twelfth vote was as follows :

Mr. Beatty voted for Bond,
 " Black voted for Murphy,
 " Boal voted for Bond,
 " Cave voted for Dudley,
 " Day voted for Murphy,

Mr. Farnham voted for Murphy,
 " Findley voted for Bond,
 " Fullerton voted for Bond,
 " Gingras voted for Bond,
 " Leavitt voted for Murphy,
 " Murphy voted for Murphy,
 " Murray voted for Bond,
 " Randall voted for Bond,
 " Richards voted for Murphy,
 " Rolette voted for Bond,
 " Selby voted for Bond,
 " Taylor voted for Murphy,
 " Ludden, (Speaker) voted for Murphy.
 Bond received.
 Murphy, "
 Dudley "

9 votes.
 8 "
 1 "
 —
 18

The Sergeant-at-Arms announced a committee from the Council to inform the House that the Council had organized by electing the following officers:

WM. H. FORBES, *President*.
 H. L. TILDEN, *Secretary*.
 S. P. FOLSOM, *Assistant Secretary*.
 J. W. CORMACK, *Sergeant-at-Arms*.
 D. W. C. DUNWELL, *Messenger*.
 PIERRE STURGEON, *Fireman*.
 H. W. TRACY, *Enrolling Clerk*.

And were prepared to proceed to business.

THIRTEENTH VOTE.

The result of the thirteenth vote was as follows:

Mr. Beatty voted for Newman,
 " Black voted for Murphy,
 " Boal voted for Murphy,
 " Cave voted for Dudley,
 " Day voted for Murphy,
 " Farnham voted for Newman,
 " Findley voted for Bond,
 " Fullerton voted for Bond,
 " Gingras voted for Bond,
 " Leavitt voted for Murphy,
 " Murphy voted for Murphy,
 " Murry voted for Bond,
 " Randall voted for Bond,
 " Richards voted for Murphy,
 " Rolette voted for Bond,
 " Selby voted for Bond,
 " Taylor voted for Murphy,
 " Speaker voted for Murphy.
 Newman,
 Murphy,
 Dudley,
 Bond,

2
 8
 1
 7
 —
 18

FOURTEENTH VOTE.

The result of the fourteenth vote was as follow :

Mr. Beatty voted for Dudley,
 " Black voted for Murphy,
 " Boal voted for Oliver,
 " Cave voted for Dudley,
 " Day voted for Murphy,
 " Farnham voted for Newman,
 " Findley voted for Oliver,
 " Fullerton voted for Oliver,
 " Gingras voted for Dudley,
 " Leavitt voted for Murphy,
 " Murphy voted for Murphy,
 " Murray voted for Oliver,
 " Randall voted for Murphy,
 " Richards voted for Murphy,
 " Rolette voted for Oliver,
 " Selby voted for Murphy,
 " Taylor voted for Murphy,
 " Speaker voted for Murphy,
 Murphy,
 Dudley,
 Oliver,
 Newman.

9
3
5
1
—
18

FIFTEENTH VOTE.

The result of the fifteenth vote was as follows :

Mr. Beatty voted for Murphy,
 " Black voted for Murphy,
 " Boal voted for Murphy,
 " Cave voted for Oliver,
 " Day voted for Murphy,
 " Farnham voted for Murphy,
 " Findley voted for Oliver,
 " Fullerton voted for Oliver,
 " Gingras voted for Findley,
 " Leavitt voted for Murphy,
 " Murphy voted for Murphy,
 " Murray voted for Oliver,
 " Randall voted for Murphy,
 " Richards voted for Murphy,
 " Rolette voted for Oliver,
 " Selby voted for Murphy,
 " Taylor voted for Bond,
 " Speaker voted for Bond,
 Murphy,
 Oliver,
 Bond,
 Findley,

10
5
2
1
—
18

Mr. Edward Murphy having received the necessary number of votes was duly elected Assistant Clerk.

Mr. Randall moved that a committee be appointed to wait on Mr. Murphy :
fy him of his election.

The Chair appointed Messrs. Randall and Day.

After a short absence, Mr. Murphy was reported present, and after being by the Speaker, entered upon the discharge of his duties.

Mr. Murray moved that the House proceeded to the election of an Enrollin

Mr. Murray nominated Mr. Oliver.

Mr. Richards nominated Mr. Tibbetts.

Mr. Day nominated Mr. Burt.

Mr. Randall nominated Mr. Partridge.

FIRST VOTE.

The roll having been called, the result of the first vote was as follows :

Mr. Beatty voted for Mr. Tibbetts,
" Black voted for John M. Burt,
" Boal voted for Oliver,
" Cave voted for Oliver,
" Day voted for Burt,
" Farnham voted for Burt,
" Findley voted for Oliver,
" Fullerton voted for Oliver,
" Gingras voted for Oliver,
" Leavit voted for Tibbetts,
" Murphy voted for Burt,
" Murray voted for Oliver,
" Randall voted for Partridge,
" Richards voted for Tibbetts,
" Rolette voted for Oliver,
" Selby voted for Oliver,
" Taylor voted for Tibbetts,
" Ludden (Speaker,) voted for Burt.
Tibbetts,
Oliver,
Partridge,
Burt,

4
8
1
5
—
18

SECOND VOTE.

The result of the second vote was as follows :

Mr. Beatty voted for Burt,
" Black voted for Burt,
" Boal voted for Oliver,
" Cave voted for Oliver,
" Day voted for Burt,
" Farnham voted for Burt,
" Findley voted for Oliver,
" Fullerton voted for Oliver,
" Gingras voted for Oliver,
" Leavitt voted for Tibbetts,
" Murphy voted for Burt
" Murray voted for Oliver,

Mr. Randall voted for Oliver,
 " Richards voted for Tibbetts,
 " Rolette voted for Oliver,
 " Selby voted for Oliver,
 " Taylor voted for Burt,
 " Ludden, (Speaker) voted for Burt.
 Burt,
 Oliver,
 Tibbetts,

7
 9
 2
 —
 18

A message was received from the Council by the Secretary thereof, informing the House that the Council had appointed a committee of three to act in conjunction with a similar committee of the House, to wait on his excellency, the Governor, and that Messrs. Babcock, Greely and Farrington composed said committee.

THIRD VOTE.

The result of the third vote was as follows :

Mr. Beatty voted for Dudley,
 " Black voted for Burt,
 " Boal voted for Bond,
 " Cave voted for Oliver,
 " Day voted for Burt,
 " Farnham voted for Burt,
 " Findley voted for Oliver,
 " Fullerton voted for Oliver,
 " Gingras voted for Oliver,
 " Leavitt voted for Tibbetts,
 " Murphy voted for Burt,
 " Murray voted for Oliver,
 " Randall voted for Oliver,
 " Richards voted for Tibbetts,
 " Rolette voted for Dudley,
 " Selby voted for Oliver,
 " Taylor voted for Burt,
 " Ludden, (Speaker) voted for Burt.
 Burt,
 Dudley,
 Bond,
 Oliver,
 Tibbetts,

6
 2
 1
 7
 2
 —
 18

FOURTH VOTE.

The result of the fourth vote was as follows :

Mr. Beatty voted for Burt,
 " Black voted for Burt,
 " Boal voted for Oliver,
 " Cave voted for Oliver,
 " Day voted for Burt,
 " Farnham voted for Burt,
 " Findley voted for Oliver,
 " Fullerton voted for Oliver,

Mr. Gingras voted for Oliver,
 " Leavitt voted Tibbetts,
 " Murphy voted for Burt,
 " Murray voted for Oliver,
 " Randall voted for Oliver,
 " Richards voted for Tibbetts,
 " Rolette voted for Oliver,
 " Selby voted for Oliver,
 " Taylor voted for Burt,
 " Ludden, (Speaker) voted for Burt.

Burt,	7
Oliver,	9
Tibbetts,	2
	<hr/>
	18

FIFTH VOTE.

The result of the fifth vote was as follows :

Mr. Beatty voted for Burt,
 " Black voted for Burt,
 " Boal voted for Dudley,
 " Cave voted for B. W. Lott,
 " Day voted for Burt,
 " Farnham voted for Burt,
 " Findley voted for Oliver,
 " Fullerton voted for Oliver,
 " Gingras voted for Oliver,
 " Leavitt voted for Tibbetts,
 " Murphy voted for Burt,
 " Murray voted for Oliver,
 " Randall voted for Noah,
 " Richards voted for Tibbetts,
 " Rolette voted for Grouchy,
 " Selby voted for Oliver,
 " Taylor voted for Burt,
 " Ludden, (Speaker) voted for Burt,

Burt,	7
Dudley,	1
Lott,	1
Noah,	1
Oliver,	5
Tibbetts,	2
Grouchy,	1
	<hr/>
	18

SIXTH VOTE.

The result of the sixth vote was as follows :

Mr. Beatty voted for Burt.
 " Black voted for Burt.
 " Boal voted for Oliver.
 " Cave voted for Oliver.
 " Day voted for Burt.
 " Farnham voted for Burt.
 " Findley voted for Oliver.

Mr. Fullerton voted for Oliver.

" Gingras voted for Oliver.

" Leavitt voted for Burt.

" Murphy voted for Burt.

" Murray voted for Oliver.

" Randall voted for Oliver.

" Richards voted for Burt.

" Rolette voted for Oliver.

" Selby voted for Oliver.

" Taylor voted for Burt.

" Ludden (Speaker) voted for Burt.

Oliver,

Burt,

9

9

18

SEVENTH VOTE.

The result of the seventh vote was as follows :

Mr. Beatty voted for Burt.

" Black voted for Burt.

" Boal voted for Oliver.

" Cave voted for Oliver.

" Day voted for Burt.

" Farnham voted for Burt.

" Findley voted for Oliver.

" Fullerton voted for Oliver.

" Gingras voted for Oliver.

" Leavitt voted for Burt.

" Murphy voted for Burt.

" Murray voted for Oliver.

" Randall voted for Burt.

" Richards voted for Burt.

" Rolette voted for Parker.

" Selby voted for Oliver.

" Taylor voted for Burt.

" Ludden (Speaker) voted for Burt.

Burt,

Oliver,

Parker,

10

7

1

18

Mr. John M. Burt having received the necessary number of votes, was declared duly elected Enrolling and Engrossing Clerk.

Mr. Murray moved that the House adjourn;

Which motion was negatived.

Mr. Day moved that the Sergeant-at-Arms be appointed to wait on Mr. Burt and notify him of his election.

After a short absence, Mr. Burt was reported present, and then sworn into office by the Speaker.

Mr. Taylor moved that the House proceed to the election of Sergeant-at-Arms;

Which motion prevailed.

Mr. Black nominated Ariel Eldridge.

Mr. Murray nominated F. N. Grouchy.

FIRST VOTE.

The Clerk having called the roll, the result of the first vote was as follows :

Mr. Beatty voted for Camp.	
" Black voted for Eldridge.	
" Boal voted for Eldridge.	
" Cave voted for Grouchy.	
" Day voted Eldridge.	
" Farnham voted for Eldridge.	
" Findley voted for Camp.	
" Fullerton voted for Grouchy.	
" Gingras voted for Camp.	
" Leavitt voted for Eldridge.	
" Murphy voted for Eldridge.	
" Murray voted for Grouchy.	
" Randall voted for Camp.	
" Richards voted for Grouchy.	
" Rolette voted for Camp.	
" Selby voted for Brewster.	
" Taylor voted for Eldridge.	
" Ludden (Speaker) voted for Eldridge.	
Eldridge,	8
Camp,	5
Grouchy,	4
Brewster,	1
	<hr/>
	18

SECOND VOTE.

The result of the second vote was as follows :

Mr. Beatty voted for Camp.	
" Black voted for Eldridge.	
" Boal voted for Eldridge.	
" Cave voted for Grouchy.	
" Day voted for Eldridge.	
" Farnham voted for Eldridge.	
" Findley voted for Camp.	
" Fullerton voted for Brewster.	
" Gingras voted for Camp.	
" Leavitt voted for Eldridge.	
" Murphy voted for Eldridge.	
" Murray voted for Camp.	
" Randall voted for Eldridge.	
" Richards voted for Grouchy.	
" Rolette voted for Camp.	
" Selby voted for Brewster.	
" Taylor voted for Eldridge.	
" Ludden (Speaker) voted for Eldridge.	
Eldridge,	9
Camp,	5
Grouchy,	2
Brewster.	2
	<hr/>
	18

THIRD VOTE.

The result of the third vote was as follows :

Mr. Beatty voted for Mr. Eldridge.

- " Black voted for Eldridge.
- " Boal voted for Camp.
- " Cave voted for Grouchy.
- " Day voted for Eldridge.
- " Farnham voted for Eldridge.
- " Findley voted for Camp.
- " Fullerton voted for Brewster.
- " Gingras voted for Camp.
- " Leavitt voted for Eldridge.
- " Murphy voted for Eldridge.
- " Murray voted for Grouchy.
- " Randall voted for Eldridge.
- " Richards voted for Grouchy.
- " Rolette voted for Camp.
- " Selby voted for Grouchy.
- " Taylor voted for Eldridge.
- " Ludden (Speaker) voted for Eldridge.

Eldridge,	9
Camp,	4
Grouchy,	5
	<hr/>
	18

FOURTH VOTE.

The result of the fourth vote was as follows :

Mr. Beatty voted for Eldridge.

- " Black voted for Eldridge.
- " Boal voted for Grouchy.
- " Cave voted for Grouchy.
- " Day voted for Eldridge.
- " Farnham voted for Eldridge.
- " Findley voted for Grouchy.
- " Fullerton voted for Grouchy.
- " Gingras voted for Grouchy.
- " Leavitt voted for Eldridge.
- " Murphy voted for Eldridge.
- " Murray voted for Grouchy.
- " Randall voted for Grouchy.
- " Richards voted for Grouchy.
- " Rolette voted for Grouchy.
- " Selby voted for Grouchy.
- " Taylor voted for Eldridge.
- " Ludden (Speaker) voted for Eldridge.

Eldridge,	8
Grouchy,	10
	<hr/>
	18

Mr. F. N. Grouchy having received the necessary number of votes, was declared duly elected Sergeant-at-Arms.

Mr. Taylor moved that the Messenger wait on Mr. Grouchy and inform him of his election.

After a short absence, Mr. Grouchy was reported present, and sworn in by the Speaker.

Mr. Randall moved that the House now proceed to the election of Messenger ;
Which motion prevailed.

Mr. Boal nominated George Farribault.

Mr. Taylor nominated Ariel Eldridge.

Mr. Richards nominated Tibbetts.

FIRST VOTE.

The roll having been called, the result of the first vote was as follows :

Mr. Beatty voted for Farribault,	
“ Black voted for Eldridge,	
“ Boal voted for Farribault,	
“ Cave voted for Farribault,	
“ Day voted for Parker,	
“ Farnham voted for Parker,	
“ Findley voted for Farribault,	
“ Fullerton voted for Brewster,	
“ Gingras voted for Farribault,	
“ Leavitt voted for Tibbetts,	
“ Murphy voted for Farribault,	
“ Murray voted for Geo. Wells,	
“ Randall voted for Farribault,	
“ Richards voted for Tibbetts,	
“ Rolette voted for Farribault,	
“ Selby voted for Brewster,	
“ Taylor voted for Eldridge,	
“ Ludden (Speaker) voted for Eldridge.	
Farribault,	8
Eldridge,	3
Parker,	2
Brewster,	2
Tibbetts,	2
Geo. Wells,	1
	<hr/>
	18

SECOND VOTE.

The result of the second vote was as follows :

Mr. Beatty voted for Farribault.
“ Black voted for Eldridge.
“ Boal voted for Farribault.
“ Cave voted for Farribault.
“ Day voted for Eldridge.
“ Farnham voted for H. Jenkins.
“ Findley voted for Farribault.
“ Fullerton voted for Farribault,
“ Gingras voted for Farribault.
“ Leavitt voted for Eldridge.
“ Murphy voted for Farribault.
“ Murray voted for Farribault.
“ Randall voted for Farribault.

Mr. Richards voted for Tibbetts.
 " Rolette voted for Farribault.
 " Selby voted for Farribault.
 " Taylor voted for Eldridge.
 " Ludden (Speaker) voted for Eldridge.
 Farribault,
 Eldridge,
 Jenkins,
 Tibbetts,

11
 5
 1
 1

 18

Mr. Geo. Farribault having received the necessary number of votes, was declared duly elected Messenger.

Mr. Randall moved that the Sergeant-at-Arms inform Mr. Farribault of his election.

After a short absence, Mr. Farribault was reported present, and was sworn in by the Speaker.

Mr. Cave moved that the House now proceed to the election of Fireman;
 Which motion prevailed.

Mr. Cave nominated R. P. Miller.

" Fullerton nominated W. Conley.
 " Leavitt nominated Mr. Patton.
 " Black nominated F. R. Martin.
 " Murray nominated Geo. Wells.
 " Richards nominated J. W. Tibbetts.

FIRST VOTE.

The Clerk having called the roll, the result of the first vote was as follows:

Mr. Beatty voted for R. P. Miller.
 " Black voted for F. R. Martin.
 " Boal voted for Miller.
 " Cave voted for Miller.
 " Day voted for Tibbetts.
 " Farnham voted for Jenkins.
 " Findley voted for Miller.
 " Fullerton voted for Conley.
 " Gingras voted for Miller.
 " Leavitt voted for Patton.
 " Murphy voted for Patton.
 " Murray voted for Wells.
 " Randall voted for Miller.
 " Richards voted for Tibbetts.
 " Rolette voted for Miller.
 " Selby voted for Wells.
 " Taylor voted for Martin.
 " Ludden (Speaker) voted for Patton.

Miller, 7
 Martin, 2
 J. W. Tibbetts, 2
 H. Jenkins, 1
 Conley, 1
 Patton, 2
 Wells, 2

 18

SECOND VOTE.

The result of the second vote was as follows :

Mr. Beatty voted for Miller.
 " Black voted for Patton.
 " Boal voted for Miller.
 " Cave voted for Miller.
 " Day voted for Miller.
 " Farnham voted for Jenkins.
 " Findley voted for Miller.
 " Fullerton voted for Miller.
 " Gingras voted for Miller.
 " Leavitt voted for Patton.
 " Murphy voted for Miller.
 " Murray voted for Miller.
 " Randall voted for Miller.
 " Richards voted for Patton.
 " Rolette voted for Miller.
 " Selby voted for Miller.
 " Taylor voted for Patton.
 " Ludden (Speaker) voted for Patton.

Miller,	12
Patton,	5
Jenkins,	1
	<hr/>
	18

Mr. R. P. Miller having received the necessary number of votes, was declared elected Fireman.

Mr. Richards moved that the Sergeant-at-Arms notify the Fireman of his election.

After a short absence, Mr. Miller was reported present, and sworn in by the Speaker.

Mr. Randall moved that the House proceed to the election of a Chaplain;
 Which motion prevailed.

Mr. Murphy nominated Rev. Mr. Newcomb.

" Findley nominated the Rev. Mr. Boutwell.

" Murray nominated the Rev. Mr. Riheldaffer.

" Randall nominated the Rev. Mr. Neill.

The roll having been called, the result of the first vote was as follows :

Mr. Beatty voted for Neill.
 " Black voted for Boutwell.
 " Boal voted for Riheldaffer.
 " Cave voted for Merrick.
 " Day voted for Neill.
 " Farnham voted for Newcomb.
 " Findley voted for Boutwell.
 " Fullerton voted for Breck.
 " Gingras voted for Boutwell.
 " Leavitt voted for Newcomb.
 " Murphy voted for Newcomb.
 " Murray voted for Riheldaffer.
 " Randall voted for Neill.
 " Richards voted for Fullerton.
 " Rolette voted for Boutwell.
 " Selby voted for Neill.

Mr. Taylor voted for Boutwell.

" Ludden, (Speaker) voted for Boutwell.

Neill,	4
Boutwell,	6
Riheldaffer,	2
Merrick,	1
Newcomb,	3
Breck,	1
Fullerton,	1
	<hr/>
	18

Mr. Randall moved that further voting for Chaplain be dispensed with.

The Chair being unable to decide, a division of the question was called for, and resulted as follows :

Yeas 9, nays 7 ;

So the motion prevailed.

Mr. Murphy moved that a committee of three be appointed to act in concert with the committee of the Council to wait on his excellency, the Governor, and inform him that the two houses of the Legislative Assembly are organized and ready to receive any communication he may be pleased to make ;

Which motion prevailed.

The Chair appointed Messrs. Day, Randall and Rolette said committee.

Mr. Murray moved that a committee of three be appointed to prepare permanent rules for the government of this House ;

Which motion was decided in the affirmative.

The Chair appointed Messrs. Murray, Murphy and Black said committee.

Mr. Randall moved that a committee of two be appointed to inform the Council that the House was permanently organized and ready to proceed to business.

The Chair appointed Messrs. Randall and Taylor said committee.

Mr. Randall moved that the House adjourn ;

Which motion prevailed.

TUESDAY MORNING, 10 o'clock.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called, all the members were present except Mr. Beatty, who soon after took his seat.

The Clerk commenced reading the journal of yesterday, but before concluding,

Mr. Randall moved that the further reading of it be dispensed with ;

Which motion prevailed.

And the further reading was accordingly dispensed with.

The committee who were appointed to notify the Council that the House had organized, reported that they had performed their duty.

The committee who were appointed to wait on his excellency, the Governor, in conjunction with a similar committee from the Council,

Reported as follows through their chairman, Mr. Day :

The committee appointed by the House to act with a similar committee of the Coun-

cil, and inform his excellency, the Governor, that the House is now organized and ready to receive any communication he may have to make, beg leave to report :

That they have according to order, waited upon his excellency, and that he will, with the concurrence of the House, deliver in person his annual message to day at 11 o'clock, A. M., at such place as they shall designate.

Mr. Randall offered a resolution as follows :

Resolved, That each member of this House be allowed to subscribe for any number of newspapers, printed in this Territory, not exceeding forty, and the same to be paid for out of the moneys appropriated to defray the incidental expenses of the Legislature.

A committee from the Council notified the House that they were ready to meet the House in joint convention to receive the Governor's message.

Mr. Selby moved Mr. Randall's resolution be adopted ;

Which was carried.

Mr. Murray offered the following resolution :

Resolved, That the Rev. Messrs. Riheldaffer, Breck, Hobart, Neill and Bradley, be requested to officiate alternately as Chaplains, during the present session.

Mr. Fullerton moved to amend the same, by adding the name of T. M. Fullerton.

Mr. Murray accepted the amendment, and then moved that the resolution be adopted as amended.

Which motion was decided in the negative.

Mr. Day moved that a committee of two be appointed to act jointly with a committee of the Council, to wait on his excellency, the Governor, and inform him that the Legislative Assembly is now ready to proceed to business ;

Which motion prevailed.

Messrs. Randall and Day were appointed said committee.

Mr. Day reported after a short absence, that they had performed their duty.

The Council with their President and Secretary, were announced by the Sergeant-at-Arms, and took their seats in the Hall.

The rolls then being called the members were all found present.

Mr. Randall moved that the convention now adjourn to meet at the Baptist Church, at 11 o'clock A. M., to hear the Governor's message ;

Which motion prevailed.

The convention proceeded to the Baptist Church.

On motion of Mr. Loomis,

A committee of six was appointed to wait on the Governor, and notify him that the convention of the two Houses was ready to receive any communication he may be pleased to make.

Messrs. Randall, Day, and Rolette of the House, and Babcock, Farrington and Greeley of the Council, were appointed said committee ; who retired and shortly after appeared with his excellency, the Governor.

The Rev. Mr. Hobart then addressed the Throne of Grace.

Whereupon, the Speaker announced that his excellency, the Governor, would deliver his message ; which he did, as follows :

Fellow-Citizens of the Council and House of Representatives :

In the discharge of my official trust, the duty again devolves upon me of communicating to the Legislature information of the condition of the Territory. As both branches of the Assembly, which I have the honor at this time of addressing, are fresh from the people, I doubt not that your deliberations will fairly reflect the public sentiment ; and that in the measures which may engage your attention, there will be that agreement in the principles, and that concurrence in the details of legislation, which are necessary to give consistency to councils, and unity to action. A perfect coincidence in the views of a representative body upon all points, is not to be expected nor desired. Among intelligent and independent minds, there may be—there must be—differences, which render necessary mutual concessions for the sake of the common good. To accomplish practical results, measures must often be shaped and modified by the comparison and partial compromise of different opinions. When these differ-

ences rest upon points purely speculative, or of comparative unimportance in practice, they will properly yield to the higher claims of the public service. The trust which has been confided to you of conducting the legislation of a vast territory, rapidly rising under the spur of recent events, from political childhood to manly strength and independence, is most responsible; and, as the delegated agents of the people, may you ever bear in mind, that public station can in no instance be honorable to the individual, when not honorable and useful to the public.

For an exhibition in detail of the fiscal condition of the Territory, I refer you to the usual annual reports of the Auditor and the Treasurer, which will be laid before you at an early day. These documents will furnish to you gratifying evidence of increasing prosperity, as denoted by the assessed value of real and personal property, subject to taxation in the several counties of the Territory, for the year 1851.

From the unorganized counties no returns for 1851 have as yet been received at the office of the Auditor. Assuming the assessment of property in these counties to be the same as that of 1850, the following table exhibits the valuation and revenue of the two years :

COUNTIES.	Total valuation, 1850.	Total valuation, 1851.	Total tax, 1850.	Total tax, 1851.
Ramsey,	\$477,334.00	\$782,113.00	\$477.33	\$782.11
Washington,	228,860.48	335,172.00	228.86	335.17
Benton,	26,055.00	64,775.00	26.05	64.78
Wabasha,	33,208.00	33,208.00	33.21	33.21
Wahnahta,	36,015.00	36,015.00	36.02	36.02
Dakota,	31,020.00	31,020.00	31.02	31.02
Totals,	\$832,492.48	\$1,282,303.00	\$832.49	\$1282.31

The amount of territorial tax for 1850, collected is, - - - - \$561.41

Amount of delinquent territorial tax for 1850, yet due and unpaid, - - - - - 271.8 \$ 832.49

Amount of territorial tax for 1851, due and unpaid, assuming the tax of the unorganized counties to be the same as in 1850, - - - - - 1,282.31

Total amount of revenue for 1850 and 1851, - - - - - \$2,114.80

Amount of warrants drawn on the territorial treasury for 1850, \$1,181.50

“ “ “ “ 1851, 850.00

Total amount of liabilities, - - - - - 2,031.50

Balance, on January 1, 1852, in favor of the Territory, considering the unpaid taxes as assets, - - - - - \$83.30

This is certainly a very encouraging exhibit, and presents unerring evidence of our ability, with prudent management, to meet all drafts upon the treasury, without any increase of taxation. The unorganized counties appear to have neglected their contribution to the revenue of 1850, but as they are subject only to a territorial tax, and as their quota is very small, I am constrained to think that the omission has arisen through negligence on the part of the collecting officers. Your attention is invited to devising means for collecting, within the term of each year, its current revenues.

If we regard solely the amount of our assets and liabilities, a survey of the monetary affairs of Minnesota, may seem a very insignificant matter; but it cannot so be considered, when we reflect that extravagant outlays and habits of waste, when once created by a government, are difficult to be reformed and retrenched; and that in this respect its earlier legislation may in no inconsiderable degree bias the future policy of the Territory. The financial experience of other communities ought to satisfy us that our progress, under the most correct and provident management, will not be exempt

from danger. As stewards of the public moneys, it is a duty we owe to those who are to succeed us, to transfer to their hands the charge of the Territory unincumbered with debt. Hence it should be cardinal among our maxims of political economy, to keep the expenditures of the year within the limits of its receipts, and to suffer no speculative impulses to induce us to enter a path, which, however clear it may appear at the outset of the journey, we should presently see branching into intricacies, and becoming impeded with obstructions—until we are involved in a labyrinth, from which not we ourselves only, but the generation to come, might in vain endeavor to find the means of extrication.

If our financial statistics in a flattering degree indicate the impulse communicated to Minnesota by the restless activity of a single year, the prodigies achieved by individual adventure and private enterprise, are not less visible in the unparalleled growth of our principal towns.

Saint Paul, occupying a site which but three years ago was an uninhabited waste, with its population of twenty-five hundred inhabitants, its commercial activity, its numerous public edifices, and private dwelling-houses of superior construction, is rapidly pressing forward to become the great Capital of the Northwest.

Saint Anthony, beautifully situated almost under the spray of the great falls of the Father of Waters, with its intelligent population, and the genial and refining influences of the University, so fitly located there, must enjoy an enviable distinction as the seat of learning in the valley of the Mississippi;

While Stillwater, the lumber depot of the North, with the rapid augmentation of this giant interest, is increasing with unabated vigor in wealth and population, and will ever occupy a commanding position as the central mart of the opulent valley of the St. Croix.

In pursuance of law, a Board of Building Commissioners was elected in April last, and contracts have been let by them for the erection of a Territorial Prison at Stillwater, and for the building of a Capitol at St. Paul—the former to be completed by the 1st of December, 1852, and the latter so as to accommodate the two branches of the Legislative Assembly at the session of 1853.

Considerable progress has been made by the several contracting parties in labor done and collection of materials made; and from the known energy of the contractors, no doubt is entertained by the board, that at the periods designated, both structures will be at the service of the public.

Up to the first of January instant, \$3,849 13, had been disbursed from the Capitol fund, and \$5,281 75 from the Prison fund.

Although the present appropriation will be sufficient for the completion of the buildings, so far as to render them available for immediate use, a further sum will be needed for their full completion, in accordance with the plan adopted by the Board of Commissioners; and I respectfully suggest the propriety of your memorializing Congress for an additional appropriation for this purpose.

For further details, your attention is directed to the report of the Board, to be rendered according to law to the Legislature.

The prospect of the early completion of the Penitentiary, points to the expediency of maturing, at the present session, a system for the direction of its internal police, and the adoption of rules and regulations for its government, such as recent improvements in prison discipline have shown to be proper, for the sanitary and moral condition of the convicts, and necessary to the economical administration of the prison.

Highly satisfactory progress has been made in the survey of the several roads in the Territory, for which appropriations were made by the act of Congress of July 18, 1850. These surveys have been prosecuted during the past season, under the general superintendence of Lieut. J. H. Simpson, of the corps of Topographical Engineers, a gentleman thoroughly accomplished and honorably distinguished in his profession.

Of the \$40,000 appropriated, \$10,800 have been expended in the surveys, leaving an available balance of \$29,200 to be applied to the construction of the roads.

The road from Wabasha to Mendota was surveyed, and a map and estimate of its cost prepared, last winter. The map and estimate are now deposited in the Bureau of Topographical Engineers at Washington.

The road from Point Douglas to Fort Ripley, that from Point Douglas to the St. Louis river of Lake Superior, and that from the Mississippi to the Winnebago Agency at Long Prairie, have all, during the past season, been located and surveyed; and maps of them and estimates of their cost, are now being prepared, with a view to their submission to the Department, for its further action.

In view of the insufficiency of the appropriations to complete the roads, Lt. Simpson advises me, that he has recommended to the Department, that the several balances, now available, be applied as soon as may be, to the construction of such portions of the roads, as most require the expenditure to make them passable at all times; for instance, in the case of the Point Douglas and Fort Ripley road, to the erection of bridges over streams, which at times are not fordable, and to ditching and throwing up the road, where necessary to make it of service; in the case of the Point Douglas and St. Louis river road, to opening and making available the portion lying between Point Douglas and the Falls of St. Croix, and as much further as may be attainable. In the case of the Mississippi and Long Prairie road, the same course is also recommended.

Nothing as yet has been done towards the location and survey of the road from Mendota to the mouth of the Big Sioux river, for want of the requisite engineering force; but neither this road, nor that from Wabasha to Mendota, running as they do through a country, the Indian title to which is not yet definitely extinguished, are of such immediate importance to our community, as the other roads, for the construction of which appropriations have been made.

The fruit of the labors of the last Legislative Assembly, in collecting, revising, and putting in accessible form the statute laws of the Territory, is a matter of sober, but just congratulation. Whatever difference of opinion may exist as to the merits of the new code, and the mode of procedure it introduces, all will agree that much has been gained by the compilation in convenient and intelligible form, of a large body of statutory enactments.

As provision has been made for the incorporation by general law, of all associations essential to the prosecution of business, or to the development of the resources of the country, it is to be hoped that your time will be occupied as little as possible with business of a local character.

Partial or special legislation, is an evil which elsewhere is attracting much attention, and to which much well-founded opposition exists in the public mind. Indeed, the legislative journals of many of the States show that nearly three-fourths of the time devoted to legislation, has been consumed, to the exclusion, frequently, from due consideration of subjects of general importance, with business of a local character, which might, with propriety and advantage, be provided for by general laws, or transferred to competent, subordinate tribunals. In a Territory so widely extended as ours, a majority of the members of the Legislative Assembly can have but little personal knowledge of the merits of most of the local questions upon which they are called to act; and considerations of economy, as well as sound policy, direct that enactments of this class should be brought more nearly home to those immediately interested in their results.

Much mischief has everywhere arisen from the instability and inconstancy of legislation. In the new Territories of the West, especially, loose and fickle legislation has been much too common. Laws are enacted one year, without, perhaps, much consideration; and the succeeding year modified or repealed with fully as little deliberation, and in a manner which often leaves the public, and even interpreters of the law, in doubt what is abrogated and what continued in force. It is greatly to be desired, that in the early career of Minnesota, this harlequinism of legislation may be avoided, and that the confusion of redundant and unprofitable laws may be foreign to our statute books. The code, which was prepared at the last session of the Legislative Assembly, has been published at considerable expense; and before prejudging, without fair trial, its provisions, and indiscriminately amending or repealing them upon a charitable suspicion that they are wrong in theory, or injurious or inconvenient in practice, it may be well to await the lessons of positive experience in regard to their defects and merits. Our line should be a middle course between extremes; not adopting crude

experiments, or pursuing doubtful novelties; nor yet resisting without distinction all improvement as ill-advised innovation. A cautious and considerate policy, if persisted in for a few years, will gradually become habitual, and to a wholesome extent impress itself upon the Territory, and the future management of its affairs.

The present division of our judicial districts seems inadequate to the exigencies of the Territory. The increasing settlement of the country has outgrown the system; and in our deliberations touching the judiciary, you are respectfully requested to provide a suitable and proper remedy for the deficiency. In the instance of Pembina county, urgent reasons exist for a change in the constitution of the districts. The remoteness of this county from the county to which the law now attaches it for judicial purposes, operates as a virtual denial to its inhabitants of the administration of justice. From the undetermined state of the international boundary line, a class of cases are likely to arise in this county of a delicate nature, and which can only be properly settled by judicial intervention. A port of entry has recently been established there, and, in this connection, questions will arise, requiring legal adjudication. Moreover, there are resident in the county, hundreds of aliens, who are anxious to avail themselves of the provisions of the naturalization laws, to become citizens of the United States. Some provision of relief is clearly demanded; and I commend the subject to your early consideration.

It is proved in the social economy of this country, rather than in any other, of any time, that intellectual power takes the place of physical force. It is here, therefore, that all are interested in promoting the means for the general diffusion of intelligence. The Territory of Minnesota, early recognized the importance of engrafting upon its policy a good common school system. Hardly had the first flood of immigration, after the organization of the Territory, reached the shores of our upper rivers, before public meetings were held, to devise means for securing to the rising generation, the inestimable blessings of education. At the two preceding sessions of the legislature, such provision was made for the maintenance of public schools, as circumstances seemed to warrant. Increased usefulness and efficiency have been attained by the creation, last winter, of the office of Superintendent of Schools; and I recommend that provision be made by the present legislature, for fixing the compensation of this officer. Doubtless practical defects exist in the present constitution of our school system, which require corrective legislation, and the statistics collected by the Superintendent, will present you accurate data for enlightened action. I doubt not that the suggestions of this officer will be of a nature to commend themselves to your favorable consideration.

By an act, approved February 19, 1851, the Governor and Legislative Assembly of the Territory of Minnesota, are authorized "to make such laws and needful regulations as they shall deem most expedient to protect from injury and waste, sections number sixteen and thirty-six in said Territory, reserved in each township for the support of schools therein." It will be proper for you to give force to this intimation of Congress, and by appropriate legislation prevent the lands reserved for school purposes, from becoming impaired in value by trespass or waste.

By the same act, the Secretary of the Interior is authorized and directed, "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 whatsoever, to be located by legal subdivisions of not less than one entire section." This princely donation of forty-six thousand acres of land, will place the University of Minnesota, if judicious selections are made, among the best endowed institutions of learning in the West. It is important, in order to secure choice reservations, that locations should be made as early as practicable after the lands are subject to entry. Superior lands, upon the eastern side of the Mississippi, might at the present time, under an order from the Secretary, be set apart for the use of the University; and I am confident that any course which the Legislature may indicate in the premises, will meet with prompt acquiescence from the very liberal officer now in charge of the Department of the Interior.

For details of interest in regard to the condition of the Territorial Library, your

attention is directed to the report of the Librarian. To secure a gradual accession to the number of volumes, and especially to keep up the series of United States and State reports, I recommend the annual appropriation of a moderate sum to be expended under the direction of the Librarian and joint library committee. I would further suggest the propriety of the present Legislature taking incipient steps to secure for the library the important advantages afforded by M. Alexandre Vattemare's system of international exchange.

In the department of "statute law," the friendly system of interchange already existing with most of the States, may be expected to keep up the series of their annual Legislative enactments.

For information in regard to the state of the militia of the Territory, you are referred to the report of the Adjutant-General.

I am satisfied, that in staid and settled communities, a well regulated paper currency, circulating on an adequate basis, is a decided public advantage. But the experience of the Territories of Wisconsin and Iowa should admonish us, that in the peculiar condition of society in an early stage of political existence, banking is extremely hazardous; and that the distrust, agitation and alarm arising from over-issues of paper, and improper use of banking facilities, is more difficult to overcome and more dangerous in its tendencies if not overcome, than the actual inconveniences and losses usually incident to an insufficient currency.

The States of Illinois and Wisconsin have recently, by popular vote, authorized the creation of banks. This, their large population and commercial necessities, commensurate with the constantly increasing amount of property, doubtless warrant. But it cannot be disguised that in both these States, years since, they suffered much from prematurely embarking in corporations of this character, and that the prejudice thereby engendered, has postponed their recent action to a much later day than would otherwise have been the case.

I am not aware of any disposition in this community, to apply to the Legislature for the incorporation of a bank. Until there shall be a general call of the community for such an institution, I think its establishment would be premature and to be deprecated. Till the day shall arrive when banking facilities may be granted upon principles which have been proved to be safe—till a decisive lead shall be given in that direction by the public opinion; till the fullest conviction is felt by the public mind, of the great utility and indispensable necessity of such an institution, it should be a stated purpose with the Legislature, to do nothing in relation to the charter of banks.

The second public sale of lands lying in the Territory of Minnesota, was held at Stillwater in August last—440,000 acres were offered, and 2,705 acres sold, at the minimum price of \$1 25 per acre. All the surveyed lands in the Territory, the plats of which have been filed in the office of the Register, are now subject to private entry.

During the year 1850, 36,935 acres were disposed of, of which 33,120 acres were located by military land warrants. The pre-emption claims filed during the same year, covered 35,000 acres.

During the year 1851, 33,494 acres have been entered, of which 18,720 acres were located by military land warrants. Claims under the pre-emption law have been made during said year, to 59,200 acres.

Of the subjects upon which the two preceding Legislatures have memorialized Congress, some have been definitely acted upon—others, left unfinished, but partly matured, will recur to your attention without needing a renewal of notice from me.

There are so many considerations connected with the policy, propriety and constitutional obligations of Congress granting aid and succor, in the prosecution of works of general importance, that were I to enter upon them all they would carry me far beyond what is necessary to be stated on the present occasion. Without then adverting in detail to those contemplated improvements in which Minnesota may be considered more immediately interested, I merely remark on the subject generally, that every improvement which cheapens transportation, correspondingly adds to the value of our exports and lessens the cost of our imports. Every new facility of intercourse, diminishes the difficulty and expense of immigration to the Territory; increases the western tide both of people and property, and by the reflow of this property into the treasury

through the land offices, augments the public revenue, and at the same time promotes our own growth and prosperity.

It is entirely reasonable that this government, being the great landholder in the West and in all the new Territories, should sustain a portion of the expense in making the principal primary roads. The owners of the soil, whose property is supposed to be increased in value by roads when made, are taxed for their construction; and why should the government be exempt from its fair proportion of the assessment? To me, the duty of Congress in the premises seems perfectly clear. No gloss, no ingenuity, no specious interpretation, much less, no process of fair or just reasoning can reconcile the abandonment of a plain power conferred by the constitution, with an honest interpretation of the instrument, or to the satisfaction of the common sense of mankind. The case is still stronger in relation to rivers, which the federal authorities declare to be public highways, assume jurisdiction of, exclude from the surveys, and thus prevent them from becoming private property of the citizens, or the property of the States through which they flow. In this instance, the power of improvement seems inseparably connected with ownership and jurisdiction.

It is to be hoped that the present Congress, concurring with the wise recommendation of the President, will give to this subject the attention which it deserves; and that public improvements in which Minnesota has an essential and vital interest, may receive the just and liberal consideration to which they are entitled.

To avoid iteration, I simply refer the Legislature to what I have urged in former messages, in regard to the propriety of Congress granting to settlers, upon unsurveyed lands, the same privileges as if the lands had been surveyed. I believe the passage of such a measure to be of the highest importance to the people of Minnesota, and in itself strictly just. If the treaties negotiated with the Sioux and Chippewas during the past year, shall receive the approbation of the President and the Senate, the necessity of such an enactment will become significantly manifest.

It becomes you, gentlemen, in the most solemn manner, to protest against the grievous wrong that would be done our own, in common with the other Territories of the United States, should a project, which was brought before Congress at its last session, become a law. I allude to a bill for parcelling the public lands among the several States of the Union. I am not well informed as to the details of the bill, but understand that the effect of its enactment would be to break up the present admirable system of surveying and disposing of the public domain, and leave to each State the management and disposition of such parcel of the public Territory as might fall to its share—thus introducing perplexity and confusion, where now is simplicity and system; and retarding the settlement of the public lands, by the annoyances incident to thirty or more independent and conflicting jurisdictions.

As to the disposition that may be made of the proceeds of the public lands, we have, in our political relations, no voice; but if a concerted effort is to be made for the division of these lands among the States, it would seem that all the objects contemplated might be attained by a distribution of their proceeds, leaving the present system of survey and sale undisturbed.

To the people of Minnesota, the most interesting political event that has occurred since the organization of the Territory, is the extinction, by the treaties of Traverse des Sioux, Mendota, and Pembina, of the Sioux and Chippewa title to immense tracts of land, upon the western side of the Mississippi. These treaties bridge over the wide chasm, which could alone obstruct the advance of Minnesota to the lofty destination evidently reserved for her.

By the two former treaties, the Dakota Indians relinquish to the government their right of usufruct to all the country previously claimed by them east of the Sioux Wood and Big Sioux rivers, extending over four degrees of latitude and five of longitude, and covering a superficial extent of 45,000 square miles. This vast district nature has marked out for exalted destinies.

Of the 37,000,000 square geographical miles of territorial surface, which the globe, according to Malte Brun, contains, probably no tract of equal extent embraces a lower number of acres doomed to eternal sterility. Within its extreme limits, it may be safely asserted, that there is hardly a rood that is not arable; for the wet and swampy

lands are easily drained, and eventually will be the most eagerly sought for agricultural purposes. Rapid streams, fed from rich prairies, and shaded by noble forests; clear lakes, stocked with fish; a soil enriched with the spoils of the decayed vegetation of several thousand years, are features common to the entire region. Rich veins of mineral wealth, and an inexhaustible command of water power, point it out as the future abode of manufacturing greatness; while the boundless plains, subdued by the voluntary toil of freemen, will become the chosen abiding-place of pastoral republicanism. The whole is watered by streams, which form so many natural outlets into the great commercial artery of our continent, the Mississippi. These various rivers, in great part navigable, each with their own set of tributary streams, some fed by rills which gush from fertile highlands, others draining lakes of transparent clearness, form a chain of inland communication, which, as a natural feature, is unknown in the physical geography of the Eastern hemisphere. Over all, and through all, pervades a climate which stimulates exertion, and is eminently favorable to health.

The head waters of the Des Moines take their rise within the southern line of the purchase. The lands adjacent to this border, though comparatively far interior, are rich, rolling, well-watered and well-wooded, and, from the superior agricultural opportunities they afford, will at an early day attract a large immigration.

The famous valley of the Minnesota, or St. Peter's, extends in a general direction from west to east, midway through the cession. This valley, as well as the country upon its tributaries, such as the Blue Earth, the Waraju, and the Redwood, constitute the garden spot of Minnesota, in the estimation of a western public; and hither the faces of thousands will be turned, so soon as intelligence is received of the ratification of the treaties by the Senate.

Equal in beauty and fertility to the basin of the St. Peter's is the country watered by the Crow river. This stream, after collecting by its north branch, the pure waters near the great bend in the Red river of the North, and by its southern fork draining the lakes as far west as Lac-qui-Parle, meanders through the "Grand Bois" of the *voyageurs*, and enters the Mississippi nearly opposite to the town of Itasca. The country upon each margin is highly inviting, and will be early settled.

The Sauk is a bold and rapid river, with well wooded banks. The valley between this stream and the Watab, presents to the eye the most fascinating landscape in Minnesota, and in quiet beauty is hardly excelled by the most celebrated scenery abroad. This tract is capable of containing a dense population in comfort and affluence.

The region of country which skirts Lake Pepin, is familiar to our people. Rich in mineral wealth, studded with sites of extraordinary commercial promise, it will be eagerly sought by thousands, who have long impatiently awaited an opportunity for its occupancy.

The *Undine Region* of Nicollet, situate about the tributaries of the Mankato, or Blue Earth river, is beautifully diversified with prairies, lakes, and forest; and altogether, constitutes one of the most interesting physical features of the American continent.

If, in contemplating events, which carry into this broad region, capacious enough for an empire, the blessings of Christian civilization, it be pardonable to turn one's view, for a moment, to local and partial considerations, I may be permitted to observe, that, while to the United States, and while to the crowded and oppressed world beyond the Atlantic, who regard this country as their land of promise, the addition of this immense district to the area of regulated liberty is an occasion of unbounded joy, there is no community who are better entitled than our own, to exult in the crowning importance of the event, and to derive from it, in addition to their share of the general joy, a distinct and special satisfaction.

It will recur to you, gentlemen, that the early acquisition of this territory to the area of ceded lands, has been the leading policy of Minnesota, from that day when first Congress recognized her political existence, and gave to her an organic law—a policy, which since has overshadowed all others, and coerced all others, and disdained to be turned aside by all others, however importunately tendered. The practical accomplishment of this policy, has been a prominent theme in previous annual communications to the Legislature, as well as an engaging topic of legislative consideration and

memorial. If the treaties of Traverse des Sioux and Mendota shall, in their present stage, be defeated, I do not hesitate to express my decided and unalterable opinion, that very many years will elapse before as large a cession will be made upon equally advantageous terms.

Negotiations with Indian tribes generally involve conflicting interests and delicate antagonisms, and sometimes contend with unenlightened prejudice and uninstructed politics. Of all the presumptions indulged, that is one of the rashest, which looks for repeated and favorable opportunities for their successful conduct.

It behooves this Legislature, among the first duties of the session, to memorialize the President and Senate of the United States, for the early ratification of these treaties; and also, in anticipation of their favorable and final action, to ask for an early survey of the lands acquired.

By the treaty of Pembina, the Chippewa Indians cede a district of country sixty-five miles in width by one hundred and fifty in length, centrally intersected by the Red river of the North. The 49th parallel forms the northern line of the purchase, and Goose river, which flows into Red river from the west, and Buffalo river, which empties into it from the east, define the southern boundary.

The exigencies of emigration do not, perhaps, require the immediate acquisition of this territory; but to our fellow-citizens of mixed blood, fifteen hundred of whom reside upon this tract, its purchase is the utmost importance. At present they are incompetent to acquire a fee simple in the soil, and not having this incentive to its cultivation, depend for a precarious subsistence upon the uncertain returns of the chase. An ordinary regard for their interests, prompts a speedy ratification of this treaty, and the very existence of the red man seems to demand it. If the half-breeds are withdrawn from the buffalo plains, by the attractions of agriculture and fixed homes, the Indian may yet, for a few years, gain a subsistence, by the craft of the hunter, upon the immense prairies, which stretch between the Shayenn-oju and the Missouri.

Should this treaty receive the approbation of the Senate, an American population will, in a short time, be attracted to the occupancy of this region; and with increased facilities of travel between the settlements north of the international line and the growing commercial towns of the Upper Mississippi, the trade of the far north, yet in its infancy, will attain a magnitude that the most sanguine do not now anticipate. It will not be long before the tedious and uncertain introduction of goods, in British bottoms, by the way of Hudson's Bay, will give place to their cheaper, speedier, and more convenient transit by the Mississippi and Red river. Nor let this be treated as a visionary suggestion. The great currents of traffic, that have enriched cities, have sprung from rills in the first instance, as inconsiderable as the present Red river trade. It becomes us, at this early day, to consider the future importance of the commerce of the factories and settlements north of the international line; and by sagacious forecast secure to the trade of the Upper Mississippi, greater extension and newer spheres of employment, making our thriving towns, centres from which to draw the radii of a vast circle of intercourse.

The treaty of Washington of 1842, which settles and defines certain portions of the line of boundary between the United States and the British dominions in North America, which, as described in the second article of the Treaty of Peace of 1783, had not up to that time been ascertained and determined, thus defines, in its second article, the line of boundary between the British possessions and that portion of the United States now known as the Territory of Minnesota: "Beginning at the mouth of Pigeon river, thence up said river to and through the North and South Fowl Lakes, to the lakes of the height of land between Lake Superior and the Lake of the Woods; thence along the water communication to Lake Saisaginaga, and through that lake; thence to and through Cypress Lake, Lac du Bois Blanc, Lac la Croix, Little Vermillion Lake, and Lake Namocan, and through the several smaller lakes, straits, or streams connecting the lakes here mentioned, to that point in Lac la Pluie, or Rainy Lake, at the Chaudiere Falls, from which the commissioners traced the line to the most northwestern point of the Lake of the Woods; thence along the said line to the said most northwestern point, being in latitude 49 degrees, 23 minutes, 55 seconds north, and in longitude 95 degrees, 14 minutes, 38 seconds west from the observatory at Greenwich;

thence, according to existing treaties, due south, to its intersection with the 49th parallel of north latitude, and along that parallel to the Rocky Mountains."

Now that our relations with the people upon our northern border are becoming each day more interesting, it is highly desirable that the general government, by some arrangement for a joint survey with Great Britain, should authoritatively run and mark the line of the 49th parallel. At present, among the people resident on either side, a disagreement of many miles exists as to the true line of latitude. While the most accurate instruments may not enable the surveyor to attain entire exactitude, the mutual adoption of an approximate line, in no degree doubtful or disputable, will satisfy the purposes of each government, and avoid matters of difference, which in future would be likely to excite a clamor, or to engender an irritation, at variance with the best interests of both nations.

It will be seen, by reference to the recent annual message of the President, that a correspondence has lately taken place between the British Legation at Washington and the Department of State, in regard to authoritatively marking out a part of the boundary line between Oregon and the British possessions; and that the President recommends to Congress an appropriation to defray the expenses thereof, on the part of the United States. If the Legislature of Minnesota shall early represent to the President the importance of definitely marking out so much of the 49th parallel, as constitutes our northern line of boundary, it is very probable that both surveys may be embraced in the same arrangement.

The agricultural colony within the British line, commonly known as the Selkirk settlement, with its centre at the junction of the Assiniboine with Red river, in the 50th degree of north latitude, is a picture of rural affluence and comfort. For miles on either bank of each of these streams extend, in village like proximity, the comfortable tenaments of the settlers—their farms, enclosed with good fences, invariably facing the river. The appearance of grazing cattle, of well built and well stocked barns, of grain-ricks, of churches and school houses, denoting a community far advanced in social comfort, and successfully employed in the pursuits of husbandry. The earth is fruitful, and yields ample supplies for the use of man; the almost miraculous rapidity of spring compensates the long months of winter; wheat, rye, oats, barley, potatoes, and the different garden vegetables grow in abundance.

It may be well for those abroad, who, shivering, dream of Minnesota as an arctic region, and deem her climate inhospitable and her soil churlish, to reflect that this settlement lies one hundred miles north of the northernmost limit of our Territory. To such, this fact is commended, as a conclusive answer to the objection, that Minnesota is too far north to admit of profitable agriculture.

A portion of the Territory, east of the Mississippi, chiefly confined to the country in the occupancy of the Chippewas, is swamp land, which will require drainage before it will admit of successful cultivation. With this exception, it is hardly an exaggeration to assume, that in the entire region, embraced within our extensive borders, there is scarcely an acre that is not tillable.

I was informed by Governor Colville, of Rupert's Land, that on Peace river, which empties into Athabasca lake, in latitude 58 deg., barley and other cereals are successfully cultivated.

These facts are not alone of deep interest to ourselves—they are doubtless gratifying to the friends of humanity everywhere, for they carry assurance that large districts of this continent heretofore deemed sterile and repulsive, are competent to support in abundance and independence thousands of our race.

In May last, a party of Sioux Indians on a war path, as is alleged, against the Chippewas, crossed the Mississippi into Benton county, and committed a series of gross aggressions, which resulted in the unprovoked murder of a peaceable and industrious citizen of the Territory. The members of the party were promptly arrested, and placed in confinement at Fort Snelling; but while on their way for trial at Sauk Rapids, under the conduct of a detachment of dragoons, they managed, most unaccountably, to evade the vigilance of their guard. Every effort to re-take the Indian, whom circumstances prove to have been guilty of the murder, has, up to this time, been unavailing; but continued exertions will be made by officers in the Indian service to effect his recap-

ture. That the very man whose hands are red with blood, should be held criminally responsible for the act, rather than that punishment should be meted according to savage ethics of retaliation, is consonant with our own more enlightened ideas of justice, and will favorably affect the Indian mind.

Within the limits of Minnesota are about 25,000 Indians; and but for this instance of brutal outrage, the first of the kind, so far as I am informed, that has occurred since the organization of the Territory, our relations with our Indian neighbors, would have presented a pacific contrast to those which unfortunately subsist in sister Territories, where the savage tomahawk seems ever red with the blood of our fellow-citizens.

I have confined myself in this communication, solely to subjects which I have deemed to be of interest to the Territory. Minnesota occupies the relation of ward to the whole country, not to any part or section thereof; therefore, it is with us a matter of just congratulation, that the recent excitements which have pervaded our land, have served only to create a proper estimate of the value of the Union, and to fix it more firmly in the reverence and affections of the people.

Allow me in conclusion, gentlemen of the Council and House of Representatives, to express the hope that there may be temperance in your differences of political opinion; and that controversies, which involve not only the ruin of all that is useful in public conduct, but often the extinction of all that is estimable in social life, may not deform your discussions. May your action promote that honorable and liberal spirit, which should pervade all classes of our society, and not be impaired even by political divisions; and may your example teach that cordial union, which should bind all our citizens together, without distinction of party, in anything which relates to the interests of Minnesota.

ALEX. RAMSEY.

St. Paul, January 13th., 1852.

At the conclusion of the reading of which, Mr. Babcock of the Council, moved that the Convention adjourn, to meet in the Hall of the House of Representatives, on Saturday next at 10 o'clock A. M., and that each House now repair to their respective Halls.

Which motion prevailed.

On the re-assembling of the House in their Hall, the Clerk called the roll.

Messrs. Beatty, Cave, Day, Leavitt, Randall, Richards, and Rolette, were absent.

Mr. Murray moved the House adjourn till two o'clock, P. M.

Which motion prevailed.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The roll was called, and Messrs. Boal, Cave, Day, Gingras, Leavitt, Murphy, Randall, Richards and Rolette were absent, who all resumed their seats shortly, excepting Mr. Murphy.

Mr. Black offered the following resolution, which was adopted:

Resolved, That the Chief Clerk of the House be directed to make arrangements with the Post Master of St. Paul, for the payment of all postage on letters and papers sent to and from this House, by members, during the present session.

Mr. Murray offered a resolution authorizing each member to purchase \$20 worth of stationery.

Mr. Randall moved to amend the same, by striking out \$20 and inserting \$15.

After some debate thereon,

Mr. Murray, by leave of the House, withdrew his resolution, and amended it to meet the views of Mr. Randall.

Mr. Murray then offered the following resolution, which was adopted:

Resolved, That each member of the House is authorized to purchase stationery as

they may wish, not exceeding fifteen dollars to each member; and that all bills for stationery shall be handed to the Clerk of the House, to be incorporated into the Appropriation Bill.

Mr. Findley offered the following resolution, which lies over one day:

Resolved, That each member of the House be allowed to subscribe for ten copies of the Dakota Friend, and the same to be paid for out of the funds appropriated to defray the incidental expenses of the Legislature.

Mr. Selby offered the following resolution:

Resolved, That the Rev. Messrs. Neill, Breck, Morin, Hobart, Riheldaffer, Fullerton and Bradley, be requested to officiate as Chaplain, during the present session.

Mr. Black moved, as a substitute, that the House proceed now to elect a Chaplain.

The Speaker declared that the resolution must lie over one day, under the rules; whereupon,

Mr. Randall moved that the rules be suspended for the present;

Which motion was decided in the negative.

Yeas, 8; Nays, 8.

Mr. Black then renewed his motion to go into the election of a Chaplain for the House, as a substitute to the resolution;

Which motion prevailed.

Mr. Black called for the yeas and nays.

There were 10 Yeas; 7 Nays.

So the question was decided in the affirmative.

Mr. Murray moved that the House adjourn;

Which motion was lost.

A call of the House was then ordered, and Mr. Murphy reported absent.

The Sergeant-at-Arms was directed to request Mr. Murphy's attendance; but before he reported,

On motion of Mr. Randall,

The House adjourned.

WEDNESDAY MORNING, 10 o'clock.

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

Prayer by the Rev. Mr. Hobart.

The roll having been called,

All the members were present, except Messrs. Beatty and Fullerton, who soon after appeared in their seats.

The journal of yesterday was read and corrected, except that portion of it which contained the Governor's Message, the reading of which was, on motion of Mr. Randall, dispensed with.

The following report from the Clerk was then read:

WEDNESDAY MORNING, Jan. 14, 1852.

MR. SPEAKER: By virtue of the resolution of yesterday, directing the Clerk to make arrangements with the Postmaster for the postage on letters and papers received and sent by members of the House during the present session, I have the honor to report that I have called on Mr. Bass, the Postmaster, and received from him the following communication:

A. PIERSE, Clerk.

SAINT PAUL POST OFFICE, M. T. }
January 13, 1852. }

GENTLEMEN: I have the honor to acknowledge the receipt of an application of this date for the arrangement of your postage during your session, and in reply, would say that I will cheerfully charge all your postage to and from this office, to the House of Representatives.

Most respectfully, your obedient servant,

J. W. BASS, P. M.

Mr. Murphy offered the following resolution:

Resolved, That a committee of three be appointed to procure the printing of fifteen hundred copies of the Governor's Message.

Mr. Randall moved to amend the same, by directing the Clerk of the House to procure the printing of fifteen hundred copies of the message:

Which amendment was decided in the negative.

Mr. Farnham moved that the resolution be adopted;

Which motion was decided in the affirmative, and Messrs. Black, Murphy, and Richards were appointed said committee.

The following message was received from the Council by Assistant Secretary Folsom:

"The Council have appointed Messrs. Loomis and Kittson a committee, in conjunction with a similar committee of the House, to report joint rules for the government of the two Houses."

Mr. Randall moved that a committee of two be appointed to act with a similar committee of the Council to prepare joint rules for the government of the two Houses;

Which motion was decided in the affirmative, and Messrs. Randall and Day were appointed said committee.

Mr. Selby moved that the resolution offered yesterday, in reference to the election of chaplain, be taken up;

Which motion was decided in the affirmative.

Mr. Black moved that the resolution as amended by his substitute, be adopted;

Which motion was decided in the negative.

Yeas 4, Nays 7.

Mr. Boal offered the following resolution:

Resolved, That the Rev. Messrs. Fullerton, Hobart, Bradley and Neill, of St. Paul, and the Rev. Mr. Boutwell of Stillwater, be appointed to perform alternately their duties as Chaplains to this House.

Mr. Cave moved that the resolution be adopted.

The Speaker decided that it required a suspension of the rules;

Whereupon Mr. Black moved that the resolution be indefinitely postponed.

The Speaker decided the motion to be out of order, as the resolution must, under the rules, lie over one day.

Mr. Murray offered the following resolution:

Resolved, That the Clergy of this Territory be invited to officiate, alternately, as Chaplain, during the present session of this House ;

And moved that it be adopted ;

Which motion was decided in the affirmative.

A division being called for and ordered,

There were Yeas 10; Nays 3.

Mr. Murray offered the following resolution :

Resolved, That the Public Printer be ordered to print five hundred copies of the Governor's message in French, and five hundred in the German language.

The resolution was debated by Messrs. Randall and Boal.

Whereupon, the Speaker decided that it must lie over one day, under the rules.

Mr. Murray, from the special committee on Rules, made the following report :

"The committee appointed to revise and report standing rules for the government of this House, report :

"That they have had the subject under consideration, and would respectfully recommend the adoption of the Rules of the last session of this House, with amendments and additions, as follows :

"1. Amend the 40th rule, by striking out the word 'eleven,' and inserting in lieu thereof the word 'ten.'

"2. Insert as rule 48 : 'All elections shall be *viva voce*, and when there shall not be a majority on the first vote, the vote shall be repeated, until a majority shall be obtained.'

"3. Amend the 49th rule by striking out the word 'fifteen,' and inserting in lieu thereof the word 'twelve.' Also, by striking out the three several committees on 'finance,' 'claims,' and 'election districts.'

"All of which is respectfully submitted.

WM. P. MURRAY,
J. H. MURPHY,
M. BLACK,
Committee."

Mr. Boal moved that said report be accepted, and the rules recommended adopted.

The report was accepted, when

Mr. Randall moved to amend the same by striking out the 47th rule ;

But after some conversation with the Speaker, withdrew the motion ;

Whereupon, Mr. Boal renewed his motion that the report be adopted ;

Which motion prevailed.

Mr. Murray offered a resolution that the Public Printer print 100 copies of the permanent rules of the House.

Mr. Randall suggested that the resolution be amended by inserting the rules of the Council and the joint rules of both Houses.

Mr. Murray then by leave withdrew the resolution, and offered the following, which was adopted :

Resolved, That the Public Printer be authorized to print 100 copies of the permanent rules of this House, rules of the Council and joint rules of both Houses.

On motion of Mr. Murray,

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

TWO O'CLOCK, P. M.

The roll was called, and a quorum found present.

Mr. Murray offered the following resolution :

Resolved, That the privilege of taking newspapers, 40 each, and of receiving and transmitting papers and letters at the public expense, be extended to the Clerks of this House during the present session.

Mr. Murphy moved the resolution be adopted :

Which motion prevailed.

Mr. Rolette offered the following resolution :

Resolved, That the Sergeant-at-Arms be directed to call on the Secretary of the Territory, requesting him to furnish each member of this House with one of the Journals of the last House of Representatives, and one copy of the Journal of the last Council.

Mr. Boal moved that the resolution be adopted ;

Which motion prevailed.

On motion of Mr. Murray,

A call of the House was ordered, and Messrs. Day and Selby were reported absent.

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

The Sergeant-at-Arms announced the members all present.

Mr. Randall from the Joint Special Committee on Rules, made the following report :

"The committee appointed to act in conjunction with a similar committee on the part of the Council, to report joint rules for the government of the two houses, have the honor to report that they have had the same under consideration, and recommend the adoption of the joint rules of the last Legislature, without amendment.

D. B. LOOMIS,
N. W. KITTSOON,
B. H. RANDALL,
DAVID DAY,
Committee."

Mr. Beatty moved that the report be accepted, and the joint rules recommended by the Committee be adopted ;

Which motion prevailed.

Mr. Murray moved that the resolution of this morning, appointing a committee to procure the printing of 1500 copies of the Governor's message, be rescinded ;

Which motion was decided in the negative.

Ayes, 6 ; Noes, 8.

Mr. Murray offered the following resolution, which lies over one day under the rules :

Whereas, The special committee on rules reported this morning that the 40th rule be amended without being aware of the fact that said rule was rescinded during the last session of the House ; be it therefore

Resolved, That the 40th rule shall be as follows : " 40. Ten members including the Speaker shall constitute a quorum, and upon the demand of any member the ayes and noes shall be ordered."

On motion of Mr. Boal,

The House adjourned.

THURSDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker. Prayer by the Rev. Mr. Hobart.

The roll having been called, a quorum was found present, and the House proceeded to business.

The Journal of yesterday was then read.

Mr. Rolette presented the petition of James Wells, which was read as follows :

To the Hon. House of Representatives of Minnesota Territory :

The undersigned petitioner would respectfully represent to your body, that he is a citizen of the Fourth Council District of Minnesota Territory, and that he received nineteen votes for a seat in your honorable body, at an election held at the house of Augustine Rock, in said district, and that Fordyce S. Richards received for the same sixteen votes ; all of which will appear by reference to the returns now on file in the office of the Register of Deeds for the county of Ramsey, a copy of which is on file in this House.

And your petitioner further shows that the precinct above named is the only one legally established in the county.

Your petitioner therefore prays that the whole matter may be investigated, and if found as alleged in this petition, he may be admitted to his seat in your honorable body.
JAMES WELLS.

The Speaker announced the following Standing Committees :

COMMITTEE ON ELECTIONS.

Messrs. Day,
" Cave,
" Taylor.

ON THE JUDICIARY.

Messrs. Murray,
" Black,
" Murphy.

INTERNAL IMPROVEMENTS.

Messrs. Farnham,
" Richards,
" Findley.

SCHOOLS.

Messrs. Murphy,
" Randall,
" Fullerton.

TERRITORIAL AFFAIRS.

Messrs. Randall,
" Rolette,
" Leavitt.

CORPORATIONS.

Messrs. Beatty,
" Boal,
" Farnham.

AGRICULTURE AND MANUFACTURES.

Messrs. Selby,
" Beatty,
" Leavitt.

ROADS.

Messrs. Richards,
" Gingras,
" Findley.

ENGROSSED BILLS.

Messrs. Rolette,
" Selby,
" Cave.

MILITIA.

Messrs. Boal,
" Murray,
" Rolette.

PUBLIC BUILDINGS.

Messrs. Cave,
" Taylor,
" Richards.

PRINTING.

Messrs. Fullerton,
" Black,
" Farnham.

TERRITORIAL EXPENDITURES.

Messrs. Murray,
" Day,
" Taylor.

LEGISLATIVE EXPENDITURES.

Messrs. Black,
" Murphy,
" Fullerton.

ENROLLED BILLS.

Messrs. Randall,
" Selby,
" Leavitt.

On motion of Mr. Boal,

The House resolved itself into a committee of the whole, on the reading of the Executive Message,

Mr. Randall in the chair.

After some time passed therein, a message was announced from the Council, and the Speaker resumed the chair to receive it.

Whereupon, Simeon P. Folsom, Assistant Secretary of the Council, presented the following Message :

"MR. SPEAKER :—The Council have appointed Messrs. Lowry and Farrington a committee to act in conjunction with a similar committee on the part of the House, to consider that portion of the Executive Message relating to the Territorial Library ;"

When the Speaker vacated the chair, and the committee resumed its sitting, and some time thereafter rose, and by their chairman reported to the House the following resolutions :

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

Resolved, That so much of the Governor's message as relates to Public Buildings, be referred to the committee on Public Buildings.

Resolved, That so much of said message as relates to Prison Discipline, be referred to the Judiciary Committee.

Resolved, That so much of said message as relates to Roads, be referred to the committee on Roads.

Resolved, That so much of said message as relates to the Statute Laws of the Territory, to the subject of Special Legislation, and to Judicial Districts, be referred to the Judiciary Committee.

Resolved, That so much of said message as relates to University Lands and Schools, be referred to the committee on Schools.

Resolved, That so much of said message as relates to Banks, be referred to the committee on Corporations.

Resolved, That so much of said message as relates to Public Lands, be referred to the committee on Territorial Affairs.

Resolved, That so much of said message as relates to the Indian Treaties, and the Survey of the Public Lands, be referred to the committee on Internal Improvements.

Resolved, That so much of said message as relates to the Survey of the 49th Parallel, and the Northern Boundary Line, be referred to the committee on Territorial Affairs.

Resolved, That so much of said message as relates to Agriculture, be referred to the committee on Agriculture and Manufactures.

Resolved, That so much of said message as relates to Sioux Indian Warfare, be referred to the committee on the Militia.

On motion of Mr. Day,

The House concurred in the report, and the references were accordingly made.

Mr. Day offered the following resolution :

Resolved, That the 41st Rule of this House be suspended so far as it requires the House to meet at 2 P. M.

And that the hour to which this House stands adjourned, until otherwise ordered, shall be 10 o'clock, A. M.

The Speaker stated that under the 65th Rule, no Rule could be changed without one day's notice.

Mr. Day moved that the 65th Rule be suspended, and that the resolution pass.

Which motion was decided in the affirmative.

Yes 8, nays 2.

So the Rule was suspended, and the resolution adopted.

Mr. Randall moved that a committee of two be appointed to act in conjunction with the Council's committee to consider that part of the Governor's Message which relates to the Territorial Library.

Which motion prevailed.

And the Speaker appointed Messrs. Randall and Rolette said committee.

Whereupon, on motion of Mr. Randall,

The House adjourned.

FRIDAY MORNING, 10 O'CLOCK.

The House met pursuant to adjournment, and was called to order by the Speaker. Prayer by the Rev. Mr. Bradley.

The roll being called,

Messrs. Day and Cave were reported absent;

Who soon after appeared in their seats.

The Journal of yesterday was then read and corrected.

The unfinished business on the Speaker's table was then called up in order.

The following resolution, offered by Mr. Findley, on Tuesday last, was then taken up.

Resolved, That each member of the House be allowed to subscribe for ten copies of the *Dakota Friend*, and the same to be paid for out of the funds appropriated to defray the incidental expenses of the Legislature.

Mr. Findley asked leave, which was granted, to withdraw said resolution.

The following resolution, offered by Mr. Murray, on Wednesday last, was next taken up; and,

On motion of Mr. Black,

Was adopted.

Whereas, The special committee on rules reported this morning, that the 40th rule be amended, without being aware of the fact that said rule was rescinded during the last session of the House, be it therefore

Resolved, That the 40th rule shall be as follows: "40. Ten members, including the Speaker, shall constitute a quorum, and upon the demand of any member, the ayes and nays shall be ordered."

The petition of Jas. Wells, presented by Mr. Rolette, yesterday, was then up; and,

On motion of Mr. Rolette,

Referred to a select committee of three.

And Messrs. Day, Murray, and Black were appointed said committee.

The following communication was presented by Rev. Mr. Neill, secretary of the Minnesota Historical Society:

FRIDAY MORNING, Jan. 16th.

To the House of Representatives of Minnesota Territory :—

GENTLEMEN: You are invited to be present at the Methodist Church, on Monday evening, at half past six o'clock, to listen to the annual address before the Minnesota Historical Society, by Lieut. J. H. Simpson, of the Topographical Engineer corps, U. S. A.

By order of the Ex. Council.

When Mr. Randall moved that the House adjourn ;
And a division being called for and ordered,
There were Ayes 10, Nays 4.
So the motion prevailed, and the House adjourned.

SATURDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.
Prayer by the Rev. Mr. Bradley.

The roll was then called—a quorum present.

The Journal of yesterday was then read.

Mr. Black presented a petition numerously signed by the citizens of Stillwater, Praying that the act of the Legislature of Wisconsin, passed several years since, granting to John Morgan, formerly of Stillwater, the right to keep a ferry over Lake St. Croix at Stillwater, be repealed, and that a charter be granted to Samuel Groff to keep said ferry at said place for such time as the Legislature may deem advisable.

On motion of Mr. Randall,

A committee of two was appointed to notify the Council that the House is now ready to meet them in joint convention for the purpose of electing a Territorial Printer or Printers.

Messrs. Randall and Richards were appointed said committee, who retired, and after a short absence reported that they had performed the duty assigned them.

Mr. Richards offered the following resolution :

Resolved, That the Clerk of the House be requested to procure for each member of this House one copy of the Session Laws of the last Legislature of Minnesota,

On motion of Mr. Randall,

The resolution was adopted.

The Council was then announced by the Sergeant-at-Arms.

And the Convention of the two Houses met in the Hall of this House, pursuant to adjournment.

And the following proceedings were then had :

The Secretary and Chief Clerk called the roll of their respective Houses,
And all the members were present, except Mr. Day, of the House.

On motion of Mr. McLeod,

The Convention proceeded to the election of a Territorial Printer or Printers, under the statute.

The vote of the Convention was then taken *viva voce*, and the whole number of votes cast was 26, of which,

James M. Goodhue	received	20
Owens & Moore	"	20
D. A. Robertson	"	6

James M. Goodhue and the firm of Owens & Moore each having received a majority of all the votes cast,

Were declared duly elected to do all the incidental printing, and the printing of the laws and journals for one year from this date.

Those who voted for James M. Goodhue, are :

Of the Council, Messrs. Babcock, Farrington, Kittson, Loomis, McLeod and Forbes, President—6.

Of the House, Messrs. Beatty, Black, Boal, Cave, Findley, Fullerton, Gingras, Murphy, Murray, Randall, Rolette, Selby, Taylor and Ludden, Speaker—14.

And the same members voted for Owens & Moore.

Those who voted for D. A. Robertson, are :

Of the Council, Messrs. Greeley, Larned and Lowry—3.

Of the House, Messrs. Farnham, Leavitt and Richards—3.

On motion of Mr. Murray,

The Convention proceeded to elect a person to press and bind the laws and journals for one year.

Mr. McLeod nominated Mr. James McIntosh.

The vote of the Convention was then taken, and the whole number of votes cast was 27, of which,

James McIntosh,	received	20
D. A. Robertson,	"	4
J. W. Vincent,	"	1
Dr. Borup,	"	1
J. M. Goodhue,	"	1

James McIntosh having received a majority of all the votes cast, was declared duly elected to press and bind the laws and journals for one year.

Those who voted for James McIntosh, are :

Of the Council, Messrs. Babcock, Farrington, Greeley, Kittson, Larned, McLeod and Forbes, President—7.

Of the House, Messrs. Beatty, Boal, Day, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Rolette, Selby, Taylor and Ludden, Speaker—13.

Those who voted for D. A. Robertson, are :

Of the Council, Messrs. Loomis and Lowry—2.

Of the House, Messrs. Black and Murray—2.

Mr. Cave, of the House, voted for J. W. Vincent.

Mr. Farnham, of the House, voted for Dr. Borup, and

Mr. Richards, of the House, voted for J. M. Goodhue.

On motion of Mr. Loomis, of the Council,

The Convention adjourned *sine die*.

And the Councillors having retired from the Hall,

Mr. Cave moved

That the House adjourn to two o'clock, P. M.

But after a short debate with Mr. Randall,

Mr. Cave asked and obtained leave to withdraw his motion. Whereupon,

On motion of Mr. Murphy,

The House adjourned to 2 o'clock P. M. on Monday next.

MONDAY AFTERNOON, 2 o'clock.

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

Prayer by the Rev. Mr. Bradley.

The roll having been called, Messrs. Farnham, Leavitt and Murphy were reported absent.

The journal of Saturday was then read.

Mr. Murray presented a petition from Pierre Bottineau, Anson Northrop, Louis Roberts, Peter Poncin, and sixty-four other persons of Ramsey County, "praying the Legislature to grant unto Pierre Bottineau, Anson Northrop, Louis Roberts and Peter Poncin, the right of establishing, keeping and maintaining a ferry for the space of fifteen years, from the time of granting the same, at a point about a mile and a half above the head of the Upper Rapids, at the Falls of St. Anthony."

Mr. Fullerton presented the petition of Silas Henry Axtell for a divorce from the bonds of matrimony with his wife, Catharine Maria Axtell; and moved that the reading of it be dispensed with, and that it be read by its title and referred to a select committee of three.

The Speaker stated that the reading of it could only be dispensed with by general consent.

Mr. Randall called for the reading of said petition;

And it was read by the Clerk.

The Speaker then announced the unfinished business in order, but before the same was taken up,

Mr. Murray moved that the petition of Pierre Bottineau, Anson Northrop, Louis Roberts and Peter Poncin, be referred to a select committee of three.

The Speaker declared the motion out of order, stating that the petition must lie over one day, under the rules.

The unfinished business was then taken up; and the Speaker first announced the petition of citizens of Stillwater, praying a charter for a ferry, heretofore presented by Mr. Black, as being in order; when,

On motion of Mr. Black,

Said petition was referred to the committee on Corporations.

The resolution heretofore offered by Mr. Murray, directing the publication of the Governor's message in the French and German languages, next came up in order.

Mr. Murray moved that said resolution be adopted.

Mr. Randall moved that said resolution be indefinitely postponed; and his motion taking precedence of Mr. Murray's, was agreed to,

And the resolution was indefinitely postponed.

The following message from the Council was received, by Sylvanus Trask, Esq., Secretary, *pro tem*, thereof:

"COUNCIL, Jan. 19, 1852.

"MR. SPEAKER:—The Annual Report of the Auditor of the Territory has been received by the Council, which was read and laid on the table.

S. TRASK, Secretary."

The Secretary then withdrew.

On motion of Mr. Murray,

The House adjourned until Tuesday morning, at ten o'clock.

TUESDAY MORNING, 10 o'clock.

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

Prayer by the Rev. Mr. Bradley.

The roll having been called, a quorum appeared in their seats.

The journal of yesterday was then read.

Mr. Murphy presented the petition of William W. Warren, contesting the seat now occupied by Mr. Beatty, and praying that a committee be appointed to examine and determine the rights of the petitioner and the sitting member, Mr. Beatty.

Mr. Murray moved that the thirty-second rule be suspended, and that the said petition be taken up and acted upon now;

Which motion prevailed, and the rule was suspended, when,

On motion of Mr. Murray,

The said petition was referred to a select committee of three.

The unfinished business was then announced in order, and taken up:

1st. The petition of Pierre Bottineau, Anson Northrop, Louis Roberts, Peter Poncin, and sixty-four others of Ramsey county, presented by Mr. Murray, on yesterday, praying the Legislature to grant Pierre Bottineau and others, a charter to keep and maintain a ferry near St. Anthony,

Was taken up; and,

On motion of Mr. Murray,

Referred to a select committee of three.

And the petition of Silas Henry Axtell, praying for a divorce from his wife, Catharine Maria Axtell,

Was taken up; and

On motion of Mr. Murphy,

Referred to a select committee of three; whereupon,

The Speaker announced the committees just ordered,

On William W. Warren's petition: Messrs. Randall, Farnham and Fullerton.

Mr. Randall asked to be excused from serving on said committee,

And there being no objection, he was excused; and thereupon,

The Speaker appointed Messrs. Cave, Farnham and Fullerton, to serve as said committee.

On the petition of Pierre Bottineau and others, praying for a ferry charter, to keep a ferry above the Falls of St. Anthony: Messrs. Murray, Murphy, and Richards;

On the petition of Silas Henry Axtell, praying for a divorce from his wife, Catharine Maria Axtell: Messrs. Fullerton, Boal and Cave.

Mr. Cave presented the following resolution:

Resolved, That the select committee, to whom was referred the petition of William W. Warren, contesting the seat of Mr. Beatty, be authorized to send for persons and papers, and if necessary, to send commissioners to Benton county to take testimony.

On motion of Mr. Cave,

The resolution was adopted.

On motion of Mr. Cave,

The House then adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker at 10 o'clock A. M.

Prayer was offered by the Rev. Mr. Bradley.

The roll was then called and a quorum appeared in their seats.

The journal of yesterday was then read.

Mr. Selby offered the following resolution :

Resolved, That the Clerk be requested to furnish each member of this House with a copy of the revised laws as soon as the same are bound.

On motion of Mr. Murray,

The resolution was adopted.

Mr. Murphy presented the petition of Emanuel Case, and other citizens of Saint Anthony and vicinity, praying for a charter to be granted to him to keep a ferry above the rapids at the upper end of the town of St. Anthony;

And being partly read,

Mr. Trask, the Secretary of the Council, appeared with a message, which he read and then withdrew ;

Which reads as follows :

"MR. SPEAKER.—The following proceedings were had in the Council, January 19, 1852, viz :

"Mr. Babcock announced the death of HENRY L. TILDEN, Esq., Secretary of the Council, on Saturday evening last at 11 o'clock.

"Mr. Babcock offered the following resolutions, which were read and unanimously adopted by the Council, viz :

"Whereas, It has pleased an All-Wise Providence, to remove from among us by death, the highly-esteemed Secretary of this body, and by his sudden and unexpected dissolution, to send the deepest arrow of affliction to the heart of his bereaved family ; therefore,

"Be it *Resolved* by the Legislative Council of the Territory of Minnesota, That in the death of Henry L. Tilden, Esq., the late Secretary of this body, Minnesota has lost a faithful, energetic and honest officer, the community an upright and benevolent citizen, and his family a devoted and affectionate husband and father.

"*Resolved*, That the sincere sympathies of this House are tendered to the bereaved widow of the deceased.

"*Resolved*, That the Secretary pro tem. of this House is hereby instructed to present a copy of these resolutions to Mrs. Tilden, the widow of H. L. Tilden, deceased.

"*Resolved*, That as a mark of respect to the memory of the deceased, the members of the Council wear crape for thirty days, and that the Council do now adjourn."

The Clerk then continued the reading of E. Case's petition, it being concluded,

Mr. Murray, chairman of the committee appointed on yesterday, on the petition of Pierre Bottineau and others, praying for a charter to keep a ferry above the Falls of St. Anthony, asked and obtained leave to report by bill ;

And reported,

A bill, granting to Ansen Northrop, Pierre Bottineau, Louis Roberts and Peter Pomin, the right to establish and maintain a Ferry across the Mississippi river.

Which bill received its first reading.

Mr. Selby inquired whether an amendment to said bill would be in order.

The Speaker stated it would not.

Mr. Randall asked the unanimous consent of the House to present a joint memorial to Congress,

And there being to objection,

Mr. Randall presented a joint memorial of the Council and House of Representatives, to the Senate of the United States, praying for the immediate ratification of the treaties of Traverse des Sioux and Mendota, for the cession of certain lands of the Sioux Indians lying west of the Mississippi river.

Which being read,

Mr. Randall moved that the rule be suspended, and that the memorial be read a second time by its title,

Laid on the table and ordered to be printed,

Which motion was agreed to, and the memorial was read a second time by its title, ordered to be printed and laid on the table.

Mr. Murphy moved the House adjourn until to-morrow, two o'clock, P. M.

Which motion was decided in the negative.

On motion of Mr. Selby,

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

THURSDAY MORNING, 10 o'clock.

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

Prayer by the Rev. Mr. Bradley.

The roll having been called, a quorum appeared in their seats.

The journal of yesterday was then read.

Mr. Murray presented the petition of Abram Hull, for a divorce from his wife, Julia A. Hull.

The petition being read by the Clerk,

Mr. Murray moved that the thirty-second rule be suspended, and that said petition be now taken up;

Which motion prevailed. Whereupon,

On motion of Mr. Murray,

The petition was referred to a select committee of three.

Mr. Cave, chairman of the committee on Wm. W. Warren's petition, claiming a seat in this House, presented the following report and resolution:

"Your committee, to whom was referred the petition of Wm. W. Warren, beg leave to report, that they have had the subject under consideration, and are of opinion that the same requires further investigation, and would, therefore, beg leave to report the following resolution, and recommend its passage:

"Resolved, That the Commissioners appointed by the committee be commissioned to proceed forthwith to Benton and Cass counties, to take the testimony of such persons as may be brought before them, in all matters relating to the petition of Wm. W. Warren, claiming his seat as a member of this House."

The report was accepted, and Mr. Murray moved that the resolution be adopted; but before the motion was put, Mr. Day moved to strike out the word "Cass."

Mr. Cave accepted the amendment without a vote being taken on the same.

The question then recurred on the original motion, as amended, and being put,
Was decided in the affirmative,

So the resolution passed as follows :

Resolved, That the Commissioners appointed by the committee, be commissioned to proceed forthwith to Benton county, to take the testimony of such persons as may be brought before them in all matters relating to the petition of William W. Warren, claiming his seat as a member in this House.

The unfinished business of yesterday was then taken up.

Bill No. 1, entitled "A bill, granting to Anson Northrop, Pierre Bottineau, Louis Roberts and Peter Poncin the right to establish and maintain a ferry across the Mississippi river,"

Was called up on its second reading.

Mr. Murphy moved that the bill be laid on the table, without being read.

A vote being taken, a division was called for and it was decided in the affirmative.

Yeas, 8; Nays, —

On motion of Mr. Boal,

The House resolved itself into a Committee of the Whole on the "Joint memorial to the Senate of the United States, praying for the immediate ratification of the Treaties of Traverse des Sioux and Mendota, for the cession of certain lands of the Sioux Indians, lying west of the Mississippi river,"

Mr. Boal in the chair;

And after some time passed therein, the committee rose, and through its chairman reported said memorial to the House without amendment.

The report was accepted, and

On motion of Mr. Day,

The memorial was referred to a select committee of five, with instructions to report thereon.

The petition of Emanuel Case, presented on yesterday, by Mr. Murphy, next came up in order, and

On motion of Mr. Murphy,

Said petition was referred to a select committee of three.

Mr. Cave moved that Mr. Beatty have leave of absence for ten days.

Mr. Murray moved to amend the motion by inserting five instead of ten ;

Which was disagreed to,

And Mr. Cave's motion was put and carried in the affirmative.

So Mr. Beatty has leave of absence for ten days.

The Chair announced the following select committees :

Committee on A. Hull's petition—Messrs. Murphy, Selby and Leavitt.

Committee on E. Case's petition—Messrs. Farnham, Black and Fullerton.

Committee on the Joint Memorial to the Senate of the United States—Messrs. Day, Randall, Murray, Taylor and Selby.

On motion of Mr. Leavitt,

The House adjourned until to-morrow morning, 10 o'clock.

FRIDAY MORNING, 10 o'clock.

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

Prayer by the Rev. Mr. Hobart.

The roll was then called and a quorum appeared in their seats.

The Journal of yesterday was partly read,

When Sylvanus Trask, Esq., Secretary of the Council, appeared and presented the following message :

JANUARY 23, 1852.

MR. SPEAKER :—The Council have received the Annual Report of the Commissioners of Public Buildings, together with the accompanying documents, and have ordered the printing of 250 copies.

S. TRASK, Secretary.

The Secretary then withdrew, and the Clerk concluded the reading of yesterday's journal.

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

" A bill to provide for the appointment of a Supreme Court Reporter ;"

" A bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota."

Mr. Fullerton, Chairman of the Select Committee to whom was referred the petition of Silas H. Axtell, praying for a divorce from his wife, Catharine Maria Axtell, asked and obtained leave to report by bill ;

And reported a bill " To dissolve the marriage contract between Silas H. Axtell and his wife, Catharine Maria Axtell."

Said bill received its first reading.

Mr. Fullerton moved that the rule be suspended, and that the bill be read a second time by its title ;

Which motion was decided in the affirmative.

And the bill was read a second time by its title ; and

On motion of Mr. Fullerton,

Ordered to be engrossed and read the third time on to-morrow.

Mr. Murphy, chairman of the committee to whom was referred the petition of Abram Hull, praying for a divorce from his wife, Julia A. Hull, asked and obtained leave to report by bill ;

And reported a bill " To dissolve the marriage contract of Abram Hull and Julia A. Hull."

The bill had its first reading.

Mr. Farnham, Chairman of the Select Committee to whom was referred the petition of Emanuel Case and others, asked and obtained leave to report by bill ; and

Reported a bill " Granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river ;"

Which bill received its first reading. Whereupon,

Mr. Murray moved the said bill be rejected ;

A division being called for and ordered, there were ayes 7, nays 5.

So the bill was rejected.

On motion of Mr. Murray,

Bill No. 1, " A bill granting to Anson Northrop, Pierre Bottineau, Louis Roberts

and Peter Poncin the right to establish and maintain a ferry across the Mississippi river."

Was taken from the table. Whereupon, Mr. Murray moved that said bill be read the second time and printed;

And a division being called for and ordered, there were yeas 10, nays 0.

So the bill was read the second time and ordered to be printed.

The Speaker presented a report from the Board of Building Commissioners.

The Clerk was about to read it, when Mr. Randall suggested that the reading of the report be dispensed with.

Mr. Murray moved that it be laid on the table and printed. Whereupon,

An irregular conversational debate sprung up between Messrs. Randall, Murray, Murphy, Black, Fullerton and others. During which, various motions were made to print different numbers of the report.

The proceeding was arrested by the Speaker, who restored order, and then put the question on the highest number moved for, which was 300.

And the motion was disagreed to. And thereupon,

Mr. Cave called for the reading of the report;

And it was read by the Clerk.

Mr. Fullerton moved that 250 copies of the report and accompanying documents be printed;

And a division being called for and ordered, there were ayes 8, nays 7.

So the motion was disagreed to.

Mr. Murray moved that the Superintendent of Common Schools be requested to present to this House, his annual report at its next sitting;

Which motion was agreed to.

Mr. Rolette presented the following preamble and resolution:

Whereas, By the sudden and mysterious dispensation of Providence, one of the members of this House has been painfully bereaved by the death of a beloved member of his family, and feeling a deep sympathy for our worthy brother in his bereavement,

Resolved, That this House adjourn until Monday at two o'clock, P. M.; and that the members be requested by the Speaker to attend the funeral of the daughter of the Hon. S. J. Findley.

On motion of Mr. Murray,

The resolution was adopted.

By the adoption of the foregoing resolution, the House stands adjourned until Monday next, at two o'clock, P. M.

MONDAY AFTERNOON, 2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 2 o'clock, P. M.

Prayer by the Rev. Mr. Hobart.

The roll was then called, and a quorum appeared in their seats.

The journal of Friday was then read.

Mr. Black presented the petition of sundry persons from Cottage Grove, praying for a charter for the Cottage Grove Academy;

Which was read.

Mr. Randall offered the following resolution :

Resolved, That the Clerk of this House be instructed to call on the Council and request that the last annual report of the Territorial Auditor be transmitted to this House.

On motion of Mr. Black,
The resolution was adopted.

Mr. Fullerton offered the following resolution :

Resolved, That there be printed for the use of his Excellency, the Governor, five hundred copies of his annual message, together with the report and journal of the Building Commissioners, the report of the Librarian and Treasurer, and all other documents usually accompanying the annual message.

Mr. Cave moved that the resolution be laid on the table ;
Which motion did not prevail.

On motion of Mr. Murray,
The resolution was adopted.

Mr. Black offered the following resolution :

Resolved, That each officer of this House be authorized to purchase for his own use, Stationery, to an amount not exceeding ten dollars, and that the Sergeant-at-Arms, Messenger and Fireman be at liberty to subscribe for any number of newspapers published in this Territory, not exceeding twenty, during the session of the House, and that the same be paid for out of the money appropriated by Congress to defray the incidental expenses of the Legislature.

On motion of Mr. Cave,
The said resolution was adopted.

Mr. Murray introduced a bill of which he had previously given notice.

Bill No. 5, "Providing for the appointment of a Supreme Court Reporter ;"

Which bill received its first reading.

The report of the Superintendent of Common Schools was presented by the Speaker,

And was read by the Clerk.

The following message was received from the Council, by S. Trask, Esq., Secretary thereof, viz :

COUNCIL, Jan. 26, 1852.

MR. SPEAKER :—The Council has passed (C. F.) No. 1, "A Memorial to the Senate of the United States, praying for the ratification of the Sioux Treaties and the Treaty of Pembina, concluded with the Chippewas, in which the concurrence of the House is respectfully requested."

S. TRASK, *Secretary*.

The Report of the Librarian was received and read in part, when

Mr. Cave moved that the reading of that part of the Report descriptive of donations, &c., be dispensed with ;

Which motion prevailed.

The reading being concluded.

On motion of Mr. Murray,

The Report was laid on the table, and 100 copies ordered printed.

The unfinished business was then taken up, and

Bill No. 2, (H. of R.) "A bill for the divorce of Silas Henry Axtell from his wife, Catharine Maria Axtell,"

Received its third reading.

The question recurred on its final passage, and being put,

The yeas and nays were called for by Mr. Randall, and there were, Yeas 7,
Nays, 8

Mr. Black asked to be excused from voting, but the House refused to excuse him.

Those who voted in the affirmative, are

Messrs. Boal, Fullerton, Leavitt, Murphy, Murray, Richards and Rolette—7.

Those who voted in the negative, are

Messrs. Black, Cave, Day, Farnham, Gingras, Randall, Selby and Ludden, (Speaker)—8.

So the bill did not pass.

Mr. Richards moved a re-consideration of the vote of Friday, by which the bill granting a charter to Emanuel Case, to keep a Ferry, was rejected.

The yeas and nays being called for and ordered, there were Yeas 11, Nays 4.

Those who voted in the affirmative, are

Messrs. Black, Boal, Cave, Day, Farnham, Fullerton, Leavitt, Murphy, Randall, Selby and Ludden, (Speaker)—11.

Those who voted in the negative, are

Messrs. Gingras, Murray, Richards and Rolette—4

So the vote was re-considered.

Mr. Fullerton moved that the bill be read a second time and printed.

Mr. Black moved to amend the motion so that the bill be read by its title only ;

Which motion prevailed, and the motion, as amended, was decided in the affirmative.

So the bill was read a second time by its title and ordered to be printed.

Bill (No. 1) "granting to Anson Northrop and others, the privilege of keeping a Ferry near St. Anthony,"

Was taken up, and

On motion of Mr. Black,

Was referred to a Committee of the whole House,

Mr. Fullerton in the Chair,

And after some time passed therein, the committee rose, and through its Chairman, reported the bill back to the House, with amendments.

Mr. Murray moved that the Report be adopted, but before the question was put,

Mr. Leavitt moved that the House adjourn ;

Which was disagreed to.

The report of the Committee was then adopted.

The question then recurring on the engrossment of the bill, as amended, Mr. Black called for the yeas and nays.

Mr. Cave asked to be excused from voting, but the House did not excuse him.

The yeas and nays were then taken ; and there were, Yeas 8 ; Nays 7.

Those who voted in the affirmative, are :

Messrs. Boal, Cave, Day, Murray, Randall, Richards, Rolette and Selby—8

Those who voted in the negative, are :

Messrs. Black, Farnham, Fullerton, Gingras, Leavitt, Murphy and Ludden, (Speaker)—7

So the bill was ordered to be engrossed.

Mr. Black moved that it be read a third time next Monday.

Mr. Murphy moved to amend the motion by inserting "Monday week,"

And Mr. Murray moved that it have its third reading to-morrow.

The question on the last motion was put, and decided in the affirmative.

So the bill was ordered to be read the third time to-morrow.

Mr. Day, chairman of the select committee, on the petition of James Wells, presented the following report, which was read :

"The Committee to whom was referred the petition of James Wells, contesting the

seat in the House, now occupied by Fordyce S. Richards, of Wabasha County, have had the matter under consideration, and ask leave to submit the following report:

"That at the general election held on the 14th day of October, A. D., 1851, there were two precincts in the county of Wabasha at which elections were held, to wit:

"One at the house of Augustine Rock, at which James Wells received 19 votes, and Fordyce S. Richards received 16 votes. At the other precinct, at the house of W. B. Bonnell, Fordyce S. Richards received 12 votes, and James Wells received no votes.

"That the precinct at the house of the said Augustine Rock was established by the Governor, in his proclamation of July 7th, 1849, and confirmed by the Legislature. That the precinct at the house of the said W. B. Bonnell was established by the Board of Commissioners for Washington county, to which Wabasha is attached, on the 22d day of July, A. D., 1851.

"It is therefore the opinion of the majority of this Committee that so much of the said petition of James Wells as asks that 'he may be admitted to his seat' in this House cannot be granted, inasmuch as he has not received the majority of the legal votes cast in Wabasha county.

"Then the only question before the Committee is the legality of the act of the Board of Commissioners in establishing the election precinct at Bonnell's, which being entirely a question of law, is respectfully submitted for the consideration of the House, together with certified copies of the proceedings of said Board of Commissioners of Washington county.

"The petitioner, as also the sitting member, have by their respective attorneys submitted to the Committee in writing, the grounds on which each relies for the support of his case, which is also laid before the House.

D. DAY,
M. BLACK,
Committee."

Whereupon,
On motion of Mr. Randall,
The House adjourned.

TUESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Hobart.

The roll was then called, and a quorum appeared in their seats.

The Journal of yesterday was then read.

Mr. Murray presented the following notice:

MR. SPEAKER: I give notice that on to-morrow, or some subsequent day, I shall introduce a bill, giving to Antoine Roberts the right to establish and maintain a ferry across the Mississippi river at or near the mouth of Rum river, in the county of Ramsey.

Also, a bill giving to James M. and Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river, at the lower landing of the town of St. Paul.

MURRAY.

Mr. Murray, the minority of the committee to whom was referred the petition of James Wells, reported as follows :

The minority of the committee to whom was referred the petition of James Wells, claiming a seat on this floor, would beg leave to report :

That he feels constrained to differ with a majority of the committee in the conclusions to which they arrive in their report, and submits the following as a more legal, and rational view to be taken of the case, as the same appeared before the committee.

The undersigned is clearly of the opinion that an election to be legal and of any effect, must

1st. Be held on the day fixed by law.

2d. It must be held at a legal precinct.

If the election does not conform in both these particulars to the provisions of the Statutes, there can be no doubt, I think, but that the whole vote would be illegal, and should be set aside, in the precinct where such illegality existed.

In Wabasha county, an election was held at Bonnell's, at which place twelve votes were cast for the sitting member for representative in the Legislative Assembly, and none were cast for James Wells.

This vote, if a legal one, elected the sitting member. With the vote of Bonnell's precinct stricken out and rejected, James Wells would have a majority of votes. This is not denied by the majority of the committee.

The undersigned is decidedly of the opinion that the election at Bonnell's was illegal and should be rejected, for the following reasons, viz :

There had been no election precinct legally and properly established at the point where the said election was held, and consequently the said election was not held at a place fixed by law.

It is contended that the County Commissioners of Washington county established a precinct, and that people voted in good faith, supposing that such precinct was legally established.

The undersigned has not been able to find any law authorizing the board of County Commissioners of one county to establish election precincts beyond the limits of their own county ; indeed it would be impolitic and unjust to allow them that authority.

In the absence of such legal authority, the Commissioners of Washington county could no more establish an election precinct at Bonnell's in the county of Wabasha, than they could at Rice Creek in the county of Ramsey, which no one will contend they have the power to do.

The last Legislative Assembly took the same view of this question, and made special provisions for the counties which were not organized for county purposes, by enacting as follows :

"That the election precincts in the unorganized counties west of the Mississippi, as established by the Governor in his proclamation of the 7th day of July, one thousand eight hundred and forty-nine, are hereby confirmed, and the election shall take place at the time and in the manner herein provided. The voters in said precincts having the right to elect their judges of elections, who shall appoint their clerks—and the returns of the said election shall be made in the manner prescribed by law."

Here is a plain and simple provision of the statute designating where the elections west of the Mississippi should be held, and I am at a loss to see how members of this House can disregard so plain an enactment.

It is supposed by some that we are acting in the capacity of arbitrators, and that we are at liberty to disregard the provisions of the statutes, if our notions of right or justice do not harmonize with it. But such is not my opinion. It would seem to me to be a poor precedent for those who make the laws to be the first to decide against them, and by one decision to totally disregard the plain provisions of the statutes.

It is said that Wabasha is attached to Washington county, and that therefore, there was some color of authority for the commissioners of the last mentioned county to establish the precinct at Bonnell's.

But this reasoning cannot be made of any avail, because the law declares, as plainly as words can declare it, that Wabasha is attached to Washington county for judicial

purposes only. The law nowhere attaches it to Washington county for election purposes.

I am therefore of the opinion that the election held at Bonnell's was not held at a place fixed by law, and that the votes here given were illegal and should be set aside, which would leave James Wells a majority of the votes for Representative in the Legislative Assembly.

I therefore submit the following resolutions :

Resolved, That Fordyce S. Richards, the sitting member, is not entitled to a seat in this House.

Resolved, That James Wells is entitled to a seat in this House.

W. P. MURRAY.

The Speaker presented a remonstrance of James Anderson, against the passing of an act to repeal a charter made to John Morgan to keep a ferry over Lake St. Croix, at Stillwater.

The unfinished business was then taken up.

No. 3, (H. of R.) "A bill to dissolve the marriage contract between Abram Hull and Julia A. Hull, received its second reading.

Mr. Murray moved that the bill be engrossed.

Mr. Randall called for the reading of the testimony upon which the bill was founded.

Upon which, Mr. Murray asked and obtained leave to withdraw his motion.

The testimony was then read.

Mr. Randall moved that the bill be indefinitely postponed.

And after a short colloquy with Mr. Murray, Mr. Randall asked and obtained leave to withdraw his motion.

On motion of Mr. Murray,

Said bill was referred to a select committee of three.

On motion of Mr. Murray,

Bill No. 5. "Providing for the appointment of a Supreme Court Reporter," was read a second time by its title, and ordered to be printed.

The Speaker announced Messrs. Murray, Murphy and Boal as the select committee to whom was referred Bill No. 3.

Mr. Randall presented the following resolution :

Resolved, That the Attorney General of this Territory be requested by the Speaker of this House to give his opinion in writing in regard to the contested election in the case of James Wells and F. S. Richards, and that it be laid before the House at as early a day as possible.

No. 1, (H. of R.) "A bill granting to Anson Northrop, Pierre Bottineau, Louis Roberts and Peter Pincin, the right to establish and maintain a ferry across the Mississippi river," was taken up.

Mr. Farnham moved that the bill be laid on the table.

Which was disagreed to.

On motion of Mr. Randall,

Said bill was read a third time by its title.

And the question recurring on its final passage, and the question being put,

"Shall this bill pass?"

Mr. Murray called for the ayes and nays ; which being ordered,

There were ayes 11, nays 5.

Those who voted in the affirmative, are :

Messrs. Boal, Cave, Day, Findley, Fullerton, Gingras, Murphy, Murray, Randall, Rolette and Selby—11.

Those who voted in the negative, are :

Messrs. Black, Farnham, Leavitt, Richards and Ludden (Speaker.)—5.

So the bill passed.

S. Trask, Esq., Secretary of the Council, appeared and presented the following message:

COUNCIL, Jan. 27th, 1852.

MR. SPEAKER: By order of the Council, I herewith transmit to your House, the Annual Report of the Auditor of the Territory of Minnesota, and the accompanying documents.

S. TRASK, Secretary.

On motion of Mr. Randall,
The title of bill No. 1, was agreed to.
No. 4, (H. of R.) "A bill granting to Emanuel Case the right to establish a ferry across the Mississippi river."

Was then taken up.

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

The question being put, the Speaker was unable to decide.

A division was called for, and

There were yeas 8, nays 7.

So the bill was referred to a select committee of three.

The Speaker announced Messrs. Murray, Rolette and Farnham, as said committee.

On motion of Mr. Murray,

The report of the Superintendent of Common School, was taken up, and referred to the committee on Schools.

On motion of Mr. Murray,

The resolution passed on the 15th inst., "Resolving that the 41st rule of this House be suspended so far as it requires the House to meet at 2 P. M., and that the hour to which this House stands adjourned until otherwise ordered, shall be 10 o'clock A. M.," be rescinded.

The question being put and two-thirds voting in the affirmative the motion prevailed.

So the resolution was rescinded;

And the 41st rule as printed in the rules, is re-established.

Mr. Day moved that the vote taken yesterday, by which the question on the final passage of bill, No. 2, "To divorce Silas H. Axtell from his wife, Catharine Maria Axtell, was decided in the negative," be reconsidered.

Which motion was decided in the affirmative.

Mr. Day moved that said bill be referred to a select committee of three.

Which motion prevailed.

And the Speaker announced Messrs. Day, Selby and Cave, said committee.

Mr. Day moved that the petition of James Wells and the report of the committee thereon, be laid on the table and made the special order of the day for Tuesday next.

Mr. Murray moved to amend by inserting Thursday next, instead of Tuesday.

The question to amend Mr. Day's motion being put, was decided in the negative,

Yeas 7, nays 8.

So the question recurred on the original motion of Mr. Day, and was decided in the affirmative.

Yeas 8, nays 6.

On motion of Mr. Randall.

The messages from the Council were taken up.

1st. The one of yesterday, accompanied by a memorial to the Senate, was taken up, and the memorial read the first time.

2d. The Auditor's report, received from the Council, was read.

Mr. Rolette presented the following resolutions:

Resolved, That the thanks of this House are due, and are hereby tendered to the Territorial Auditor, for the able and legal advice so gratuitously given in his last annual report to the Legislature.

Resolved, That the Chief Clerk of this House be instructed to transmit a copy of these resolutions to the Territorial Auditor.

On motion of Mr. Randall,
The resolutions were adopted.
On motion of Mr. Day,
The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Leavitt presented a petition from citizens of Cottage Grove and vicinity, praying that if the prayer of the petition from the same place, presented yesterday by Mr. Black, for the "Cottage Grove Academy" be granted, that a "provision be incorporated in the bill authorizing the Trustees to locate said Academy at any place in the Cottage Grove Precinct, and that in regard to the term of office of the Trustees, the same system of classification be adopted as is adopted in regard to the Regents of the Minnesota University, and that vacancies in the Board be filled by the qualified voters of Washington county, or the county in which said institution may be situated."

Said petition was read, and

On motion of Mr. Richards,

Laid on the table to be acted on in connection with the petition presented yesterday, to which it refers.

Mr. Findley gave notice that he would on to-morrow or some subsequent day of the session, introduce a bill for a Territorial Road from St. Paul to Fort Snelling.

Mr. Cave moved a call of the House,

Which was ordered, and Messrs. Randall, Murray, Boal and Taylor reported absent.

The Sergeant-at-Arms was directed to request the attendance of the absent members ;

Shortly after which Mr. Randall appeared and took his seat.

Mr. Day moved that the House adjourn ;

Which motion did not prevail.

Mr. Randall asked to be excused from further attendance this afternoon, and

On motion of Mr. Black,

His request was granted, and Mr. Randall was excused for the remainder of the day.

Here the Sergeant-at-Arms appeared with Mr. Murray and reported that the other absent members could not be found ; whereupon,

On motion of Mr. Black,

Further proceedings under the call were dispensed with.

On motion of Mr. Murray,

The House resolved itself into a Committee of the Whole on the Report of the Territorial Auditor,

Mr. Selby in the chair,

And after some time passed therein, the Committee rose, and through their Chairman reported as follows :

"The Committee of the Whole, to whom was referred the Report of the Territorial Auditor have had the same under consideration, and first struck out the word 'piper' and inserted 'fiddler,' and afterwards struck out all of said Report after and including the words 'It is believed that no other counties,' &c., and ask the concurrence of the House therein."

The question recurring on the adoption of the report,

Mr. Richards called for the yeas and nays, which were ordered.

Those voting in the affirmative, are :

Messrs. Black, Cave, Day, Findley, Fullerton, Gingras, Murphy, Murray, Rolette, Selby, Ludden, (Speaker)—11.

Those who voted in the negative, are :

Messrs. Farnham, Leavitt and Richards—3.

So the report was adopted.

Mr. Murray moved that the House adjourn,
Which was disagreed to. Soon after,

On motion of Mr. Day,
The House adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker at 10 o'clock, A. M.

Prayer by the Rev. Mr. Hobart.

The roll was then called, and a quorum appeared in their seats.

The journal of yesterday was then read and corrected.

S. Trask, Esq., Secretary of the Council, appeared and presented the following message :

MR. SPEAKER :—The Council has passed No. 1, (C. F.) "A joint resolution to authorize the Secretary of the Territory to purchase certain copies of the Annals of the Minnesota Historical Society,"

In which the concurrence of the House is respectfully requested.

Mr. Rolette presented a joint petition to the President of the United States, "Praying that the necessary instructions be given to suspend all suits which may have been commenced for trespass, on the Pine Lands of our Territory, and forbid the institution of any such suits until after the Pine Lands, or a portion of them, have been surveyed and brought into market."

Which received its first reading.

Mr. Murray moved that the 51st rule be suspended,

And that the joint petition just presented, be read a second time by its title and ordered to be printed ;

Which motion prevailed.

And the petition was read a second time by its title and ordered to be printed.

Mr. Black presented the petition of Tido S. Lottman,

For a divorce from his wife Rosa, accompanied by testimony to sustain the application.

The petition was read, and

Mr. Murray moved that the reading of the testimony be dispensed with ;

Which was disagreed to,

And the testimony was read.

Mr. Cave gave notice,

That on to-morrow, or some subsequent day, he should introduce

A bill giving to Daniel F. Brawley the right to establish and maintain a ferry across the Mississippi river, at the Upper Landing of the town of St. Paul.

Mr. Murray, Chairman of the Select Committee to whom was referred

Bill No. 3, "A bill to dissolve the marriage contract of Abram Hull and Julia A. Hull,"

Presented the following report, accompanied by affidavits and other testimony to sustain it :

The committee to whom was referred No. 3, (H. of R.,) "A bill divorcing Abram Hull from Julia A., his wife," report the same back to the House, and recommend its passage, for the following reasons, which will appear more fully by the accompanying documents herewith submitted :

1. For the want of affection which, from the evidence the said Julia A. manifested, while living and cohabiting with the said Abram Hull as his wife, an affection, which the marital state always contemplates, and which should be inseparable from it.

2. For conduct unbecoming a wife and mother, and which a woman truly virtuous would never be guilty of.

3. From the fact of a desertion upon her part for two years and over.

4. From a manifest disposition upon the part of said Julia A. to continue to absent herself from her husband's bed and board, and to refuse to live with him, as she is bound to do by her marriage vow.

Your committee does not feel disposed to enter into a discussion as to the policy or correctness of Legislative action on matters of divorce.

Your committee are of the opinion that it would be time enough for an investigation of that character, when called upon to dissolve a marriage contract without any cause or default, and against the wishes of the parties. There may be, and no doubt will be applications for divorce, where it would be unwise and impolitic to interfere. But in cases where the proof warrants the belief, that there has been a clear violation of the marriage contract, and the mutual obligations imposed by it, and where in no human probability, the party offending will cease to offend, your committee are clearly of the opinion it would not be right to ask the "innocent" to remain bound by a contract which they are unable to enforce or carry out in its spirit or letter.

On the other hand, to grant divorces, without sufficient cause, would be almost as great an evil, and would be in violation of every principle of law, and would afford an inducement to all disposed for a change of the relation, to enforce the extension of its benefits by a course of conduct from which the result intended must necessarily flow. Legislation contemplates the prevention of wrong, but never invites to its commission.

Your committee therefore, are clearly of opinion, that the said Abram Hull has laid before them sufficient proof to warrant the belief that there has been a violation of the marriage contract, and that all further attempts on his part to try and reconcile the cold, indifferent waywardness on the part of his wife, will be met with the same ill success as heretofore.

MURRAY,
MURPHY,
BOAL,
Committee.

The report was read.

Mr. Murray called for the reading of the affidavits, and the reading of them was commenced,

When Mr. Cave moved that the further reading of the testimony, that was read on yesterday, be dispensed with;

Which motion did not prevail,

And the testimony was all read.

On motion of Mr. Black,

The report was accepted and the committee discharged.

Mr. Murray presented No. 6, "A bill authorizing Antoine Roberts to establish and maintain a ferry across the Mississippi river."

Which bill was read the first time.

No. 3, (H. of R.,) "A bill to dissolve the marriage contract between Abram Hull and Julia A. Hull,"

Was taken up for engrossment or commitment.

Mr. Murphy moved that

The bill be engrossed and read the third time to-morrow.

The yeas and nays were called for by Mr. Randall, and ordered, and

There were Yeas 7, Nays 7.

Those who voted in the affirmative, are

Messrs. Black, Farnham, Fullerton, Leavitt, Murphy, Murray and Rolette—7.

Those who voted in the negative, are

Messrs. Day, Findley, Gingras, Randall, Richards, Selby and Ludden, (Speaker)—7.

So the bill was not ordered to be engrossed.

The resolution presented by Mr. Randall, on yesterday, requesting the opinion of the Attorney General on the Wabasha contested election case,

Was next taken up;

Mr. Selby moved the resolution be adopted.

Mr. Murray moved to strike out the word Attorney General and insert Chief Justice Fuller.

The question being put on the amendment,

And a division being called,

There were yeas 8, nays 3.

So the motion prevailed.

The question recurring on the passage of the resolution as amended,

It was decided in the negative;

Yeas 4, nays 6.

No. 1, (C. F.,) "A memorial to the Senate of the United States, praying for the ratification of the Sioux Treaties and the Treaty of Pembina, concluded with the Chippewas,

Was taken up on its second reading.

Mr. Murray moved that the memorial be laid on the table.

On which motion he called for the yeas and nays;

Which were ordered.

There were yeas 7, nays 7.

Those who voted in the affirmative, are

Messrs. Farnham, Fullerton, Leavitt, Murphy, Murray, Randall and Richards—7.

Those who voted in the negative, are

Messrs. Black, Day, Findley, Gingras, Rolette, Selby, and Ludden, (Speaker)—7.

So the question was decided in the negative,

And the memorial received a second reading;

And on motion of Mr. Black,

It was ordered to be laid on the table and read the third time to-morrow.

Mr. Day moved the House adjourn until to-morrow morning 10 o'clock, A. M.

Mr. Murray called for the yeas and nays,

Which were ordered.

Those voting in the affirmative, are

Messrs. Cave, Day, Farnham, Findley, Gingras, Leavitt, Murphy, Randall, Rolette, Selby, and Ludden, (Speaker)—11.

Those voting in the negative, are

Messrs. Black, Fullerton, Murray and Richards—4.

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

THURSDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Hobart.

The roll was then called, and a quorum appeared in their seats.

The journal of yesterday was then read.

Mr. Murray, Chairman of the committee on the petition of Emanuel Case, asked and obtained leave to report, and presented the following:

The committee to whom was referred No. 4, (H. of R.) "A bill granting to Emanuel Case a right to establish a ferry across the Mississippi river," have had the same under consideration, and submit the following report:

"Your committee find by reference to the Session Laws of 1851, page 25, an act granting the Board of County Commissioners of any county in this Territory, power to license ferries across any streams within their respective counties. Your committee further find that on the 8th day of July last, Emanuel Case, of St. Anthony, applied to the Board of County Commissioners of the County of Ramsey, for a license to establish and maintain a ferry across the Mississippi river, opposite lots one and two in block 32 in Bottineau's addition to the town of St. Anthony.

"And that on the 9th day of said month, the said Board of County Commissioners, did grant unto the said Emanuel Case, a license to keep and maintain a ferry at the before mentioned point for the term of two years, and that about the same date, Major M'Lean, Indian sub-agent, gave the said Emanuel Case a permit to land upon the Indian land, and to build a ferry house, &c. Copies of which license and permit accompany this report.

"Your committee are therefore of the opinion that since Mr. Case has availed himself of the benefit of an act approved February 19, 1851, giving to County Commissioners power to license ferries, and that under that license, he has all the benefits that might accrue from legislative enactment in the premises, this bill should not be passed.

"For these reasons, which will readily present themselves to every member of this House, a majority of your committee respectfully recommend the indefinite postponement of the bill.

"All of which, &c.

MURRAY,
ROLETTE,
Committee."

Which was read.

On motion of Mr. Black,

The report was laid on the table.

Bill No. 6 being called up,

On motion of Mr. Black,

It was read the second time by its title, and ordered to be printed.

On motion of Mr. Murray,

A call of the House was then ordered, and Messrs. Murphy and Findley reported absent.

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

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

The motion prevailed.

On motion of Mr. Randall,
The House resolved itself into a Committee of the Whole on (H. of R.) No. 5,
"A bill providing for the appointment of a Supreme Court Reporter;" and
(H. of R.) No. 2, "A joint petition to the President of the United States, concerning suits for trespass on the Pine Lands,"

Mr. Day in the Chair;

And after some time passed therein,

The Committee rose, and through its Chairman reported the said bill and petition back to the House with amendments,

And asked the concurrence of the House therein.

On motion of Mr. Boal,

The report of the Committee was adopted; and

On motion of Mr. Randall,

Bill No. 5, and Petition No. 2, just reported by the Committee of the Whole, was ordered to be engrossed and read a third time to-morrow.

(C. F.) No. 1, "A memorial to the Senate of the United States, praying for the ratification of the Sioux Treaties, and the Treaty of Pembina, concluded with the Chippewas,"

Was next taken up on its third reading; and

On motion of Mr. Murray,

Was read by its title only;

And the question recurring on its final passage,

Mr. Murray called for the ayes and noes.

Those who voted in the affirmative, are

Messrs. Black, Boal, Cave, Day, Farnham, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Rolette, Selby, Taylor, and Ludden, (Speaker)—16.

No one voted in the negative.

Mr. Fullerton moved that the petition from citizens of Cottage Grove, relative to the incorporation of the Cottage Grove Academy, be referred to a select committee of three.

Mr. Randall moved,

That the petition be referred to the Committee on Corporations.

Mr. Randall's motion being put,

It was decided in the negative.

Yeas 6, nays 6.

And the question recurring on the original motion,

It was decided in the affirmative.

Mr. Black moved

That the petition of Tido S. Lottman, be referred to a select committee of three; Which motion prevailed.

The Speaker announced the following committees:

Messrs. Fullerton, Black and Selby, the committee on the Cottage Grove petition;

And Messrs. Murphy, Taylor and Leavitt, the committee on the petition of T. S. Lottman.

Mr. Cave moved

That the message from the Council, transmitting the joint resolution authorizing the Secretary to expend seventy-five dollars in purchasing Annals of the Minnesota Historical Society, for the year 1852, be now taken up;

Which motion prevailed,

And the resolution was read the first time.

Mr. Murphy presented the petition of Charles Miles, for a charter to keep a ferry across the Mississippi river, about a half mile below the mouth of Rum river.

Which was read.

On motion of Mr. Leavitt,

The House adjourned to two o'clock, P. M.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Cave presented bill No. 7, "A bill granting to D. F. Brawley the right to establish and maintain a ferry across the Mississippi river at the upper landing of the town of St. Paul."

Said bill received its first reading.

Mr. Murray presented No. 8, "A bill granting to James M. Goodhue and Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

Which received its first reading.

Mr. Richards moved a reconsideration of the vote of yesterday, on bill No. 3, "To divorce Abram Hull and his wife Julia A. Hull," by which the House refused to engross said bill.

On motion of Mr. Cave,

A call of the House was ordered, and Messrs. Randall, Day and Findley were reported absent.

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

On motion of Mr. Cave,

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

The motion to reconsider was then decided in the affirmative,

Yeas 8, nays 3.

So the vote was reconsidered.

And the question recurring on the engrossment of the bill, was put,

A division was called for and ordered, and the question decided in the affirmative,

Yeas 8, nays 4.

On motion of Mr. Selby,

The 52st rule was suspended;

And (C. F.) No. 1, "A joint resolution authorizing the Secretary to expend seventy-five dollars in purchasing Annals of the Minnesota Historical Society, for the year 1852," taken up and read a second time. And

On motion of Mr. Murray,

The resolution was ordered to be read a third time to-morrow.

On motion of Mr. Selby, at 4 o'clock, P. M.,

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

FRIDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker at 10 o'clock A. M.

Prayer by the Rev. Mr. Hobart.

The roll was then called, and a quorum appeared in their seats.

The Journal of yesterday was then read.

Mr. Randall presented the following resolution :

Resolved, That the Committee on the Militia be instructed to call on the Adjutant General of the Militia of the Territory, and request him to lay his report before this House on or before Thursday next.

On motion of Mr. Randall,

The resolution was laid on the table.

Mr. Fullerton, Chairman of the Select Committee to whom was referred the petitions of sundry persons from Cottage Grove, in relation to the incorporation of the Cottage Grove Academy, reported by

Bill No 9, "A bill to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington;"

Which was read the first time.

Mr. Rolette, Chairman of the Committee on Engrossed Bills, presented the following report :

MR. SPEAKER :—The Committee on Engrossed Bills, beg leave to report the following bills as correctly engrossed :

(H. of R.) Bill No. 2, "Joint petition to the President of the United States, concerning suits for trespass on the Pine Lands;" and

Bill No. 5, "Providing for the appointment of a Supreme Court Reporter;"

JOS. ROLETTE,
J. W. SELBY,
C. CAVE,

Committee.

No. 7, "A bill granting to D. F. Brawley the right to establish and maintain a ferry across the Mississippi river, at the Upper Landing of the town of St. Paul,"

Was taken up, and

On motion of Mr. Cave,

Was read a second time by its title, laid on the table and ordered to be printed.

No. 8, "A bill granting to James M. Goodhue and Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

On motion of Mr. Murray,

The bill was read a second time by its title, laid on the table and ordered to be printed.

No. 6, "A bill authorizing Antoine Roberts to establish and maintain a ferry across the Mississippi river,"

Was taken up.

On motion of Mr. Murray,

The House resolved itself into Committee of the Whole, to consider said bill No. 6.

Mr. Farnham in the chair;

And after some time passed therein, the committee rose, and through its chairman reported the bill back to the House with amendments.

On motion of Mr. Randall,

The amendments reported by the Committee of the Whole were adopted, without a division, except one, which substituted five years for ten years as the limit of the charter; and

Mr. Day moved that the House concur in that amendment, upon which the yeas and nays were called for and ordered.

Those who voted in the affirmative, are

Messrs. Black, Day, Farnham, Fullerton, Leavitt, Murphy, Richards, Selby, Taylor, and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Boal, Cave, Findley, Gingras, Murray, Randall, and Rolette—7.

So all the amendments reported by the Committee of the Whole, Were adopted.

Mr. Richards moved that "and canoe" be inserted after boats.

And the yeas and nays were called for and ordered.

Those who voted in the affirmative, are

Messrs. Black, Boal, Day, Farnham, Fullerton, Leavitt, Murphy, and Richards—8.

Those who voted in the negative, are

Messrs. Cave, Findley, Gingras, Murray, Randall, Rolette, Selby, Taylor, and Ludden, (Speaker)—9.

So the motion did not prevail.

Mr. Richards then moved to insert "or boats" after the word "boat;" and The motion prevailed.

On motion of Mr. Murray,

The words "the Territory of" were inserted in the enacting clause.

Mr. Cave moved that the bill as amended be engrossed and read a third time tomorrow. Upon which,

The yeas and nays being called for and ordered.

Those who voted in the affirmative, are

Messrs. Boal, Cave, Findley, Fullerton, Gingras, Murray, Randall, and Rolette—8.

Those who voted in the negative, are

Messrs. Black, Day, Farnham, Leavitt, Murphy, Richards, Selby, Taylor, and Ludden, (Speaker)—9.

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

No. 5, "A bill providing for the appointment of a Supreme Court Reporter,"

Was next taken up, on its passage,

And the question being, "Shall this bill now pass?"

It was decided in the affirmative.

The title of the bill was then agreed to.

No. 2, "Joint petition to the President of the United States, concerning suits for trespass on the Pine Lands,"

Was next taken up, and

On motion of Mr. Randall,

The said bill received its third reading by its title only;

And the question being, "Shall this petition pass?"

It was decided in the affirmative.

The title was then agreed to.

The joint resolution (C. F.) No. 1, "To authorize the Secretary of the Territory to purchase certain copies of the Annals of the Minnesota Historical Society,"

Came up next in order.

Mr. Murphy moved that the House resolve itself into a Committee of the Whole to consider the same;

Which was disagreed to.

On motion of Mr. Randall,
The vote was re-considered.
The question recurring on the original motion, " Shall the House resolve itself into a Committee of the Whole?"
And was decided in the affirmative.
Mr. Boal was called to the chair;
And after some time passed therein, the committee rose and through their chairman reported the resolution back to the House with an amendment.
Mr. Randall moved the report of the committee be adopted with its amendments.
Which motion was lost.
A division was called for,
There were yeas 3, nays 9.
Mr. Black moved that the report be indefinitely postponed.
Which did not prevail,
Mr. Murphy moved that the resolution be referred to a select committee of three;
Which motion prevailed.
The Speaker announced Messrs. Randall, Farnham and Day, said committee.
On motion of Mr. Randall,
The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.
The roll was then called and a quorum appeared in their seats.
Mr. Black offered the following resolution :
Resolved, That the Secretary of this Territory is hereby requested to inform this House, whether or not the following joint resolution, passed at the last session of the Legislature, has been complied with, viz :
" *Resolved*, By the Council, the House of Representatives concurring, that the Secretary of the Territory is hereby authorized and required to expend the sum of seventy dollars, out of any moneys in his hands for Legislative purposes, for the purchase of the Annals of 1851 of the Minnesota Historical Society, and that at least one hundred copies thereof be deposited in the Territorial Library, and the remainder equally distributed among the present members of the Legislative Assembly and its officers."
Which, on motion of Mr. Black,
Was adopted.
Mr. Randall presented the following preamble and resolution ;
Whereas, The twelve Joint Rules of the two Houses, specify that 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 on the subject. Therefore be it

Resolved, That the Chief Clerk of this House be instructed to call on the Council, and request that one hundred and fifty copies of each of the Reports of the Commissioners of Public Buildings, and the Superintendent of Common Schools, be transmitted to this House.

Which were, on motion of Mr. Boal,
Adopted.

Mr. Randall, chairman of the select committee to whom was referred (C. F.) No. 1, made the following report :

"The committee to whom was referred the joint resolution (C. F.) No. 1, have the honor to report,

"That they have waited on the Secretary of the Minnesota Historical Society, and are informed by said Secretary that it is the intention of the Executive Committee to publish

"1st. A paper from Lt. J. H. Simpson,

"2d. A paper from Dr. Thomas Foster,

"3d. A paper from Rev. G. H. Pond,

"And such other matter, as in the opinion of said committee, will advance the interest of the whole Territory ; the pamphlet to contain about 75 pages, and will be ready for distribution before the adjournment of the present Legislature.

"It is the opinion of the committee that the amount proposed to be expended by the resolution of the Council is not exorbitant, and that the Annals, under the supervision of the Executive Committee, would be conducive of much good in recording, for future historians, the passing events of the day, and of circulating abroad true and authentic information of our Territory and its resources.

"It is, therefore, the opinion of your committee that the resolution should pass without amendment.

B. H. RANDALL,
D. DAY,
Committee."

Which being read,

On motion of Mr. Murphy,

Was adopted.

And the question recurring on the passage of the joint resolution (C. F.) No. 1, being put, "Shall the resolution pass?"

It was decided in the affirmative.

The title of the resolution was then agreed to.

Mr. Murphy, chairman of the select committee to whom was referred the petition of Tido S. Lottman, asked and obtained leave to report by bill ; and reported

"A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife,"

Which bill received its first reading.

Mr. Murray offered the following resolution :

"That the Hon. Wm. D. Phillips be requested to lecture before this House on Tuesday evening next, at 7 o'clock, on the late Hungarian struggle and its celebrated Chief, and that the use of this Hall be granted for that purpose."

Mr. Murphy moved that the resolution be adopted.

Mr. Black called for the yeas and nays, and they were ordered, and there were yeas 10, nays 6.

Those voting in the affirmative, are

Messrs. Boal, Day, Findley, Fullerton, Murphy, Murray, Randall, Richards, Rollette, and Selby—10.

Those voting in the negative, are

Messrs. Black, Farnham, Gingras, Leavitt, Taylor, and Ludden, (Speaker)—6.

So the resolution was adopted.

Mr. Boal moved that the vote just taken be re-considered.

A division being called for and ordered, there were yeas 8, nays 4.

So the vote was re-considered.

The question recurring on the passage of the resolution, it was decided in the negative.

On motion of Mr. Randall,

The House adjourned until Monday at 2 o'clock, P. M.

MONDAY AFTERNOON, 2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 2 o'clock, P. M.

Prayer by the Rev. Mr. Hobart.

The roll was then called, and a quorum appeared in their seats.

The journal of Friday was then read.

Mr. Murray presented the petition of Mary Ann Alexander, praying a divorce from her husband, Wm. Alexander ;

Which was read.

The Speaker laid before the House the following communication from the Hon. Alexander Wilkin, Secretary of the Territory ;

Which was read.

MINNESOTA TERRITORY,
Secretary's Office, St. Paul, Jan. 30, 1852. }

Hon. J. D. Ludden, Speaker of the House of

Representatives of the Legislative Assembly :

SIR: I have the honor to acknowledge the receipt of a copy of a resolution of the House of Representatives, of this day, in reference to Annals of the Minnesota Historical Society of 1851, inquiring whether certain moneys appropriated for their purchase by the Legislative Assembly at its last session, had been expended—and in answer reply, that I have no means of information upon the subject in my power.

I have the honor to be your obed't servant,

ALEX. WILKIN.

The unfinished business on the Speaker's table was then taken up.

No. 9, (H. of R.) "A bill to incorporate the Cottage Grove Academy," was

On motion of Mr. Cave,

Read a second time by its title only, laid on the table, and ordered to be printed.

No. 10, (H. of R.) "A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife,"

Was read a second time, and

On motion of Mr. Black,

Ordered to be engrossed and read a third time to-morrow.

No. 7, (H. of R.) "A bill granting to D. F. Brawley the right to establish and maintain a ferry across the Mississippi river, at the upper landing of the town of Saint Paul," was next taken up, and

On motion of Mr. Cave,

Ordered to be engrossed, and read a third time to-morrow.

No. 8. (H. of R.) "A bill granting to James M. Goodhue and Isaac N. Goodhue the right to establish and maintain a Ferry across the Mississippi river," was

On motion of Mr. Murray,

Ordered to be engrossed and read a third time to-morrow.

Mr. Cave moved that the vote just taken, by which bill No. 7 was ordered to be engrossed and read a third time to-morrow, be reconsidered ;

The motion prevailed, and the vote was reconsidered ; whereupon,

On motion of Mr. Black,

The House resolved itself into a Committee of the Whole on said bill, Mr. Boal in the Chair.

After some time passed therein, the committee rose and through its Chairman reported the bill back to the House with sundry amendments.

Mr. Leavitt moved that the amendments of the committee be concurred in by the House.

Mr. Black asked that they be voted upon separately;

Which was done, and they were all adopted without division except one, requiring the said D. F. Brawley to "pay or cause to be paid into the Treasury of the county of Ramsey, annually, such sum and upon such conditions as is now required by the 2d section of an Act of the Legislative Assembly of Minnesota, entitled an Act to authorize the establishment and regulation of Ferries;" and on that, Mr. Day called for the yeas and nays, which were taken; and the result was, yeas 9, nays 6.

Those who voted in the affirmative, are

Messrs. Boal, Day, Farnham, Gingras, Leavitt, Richards, Rolette, Selby and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Black, Cave, Findley, Fullerton, Murray and Randall—6

So all the amendments of the committee were concurred in by the House; and

On motion of Mr. Cave,

The bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Cave,

The House adjourned.

TUESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hobart.

The roll was called, and a quorum appeared in their seats.

The journal of yesterday was then read.

The Speaker announced the special order of the day, the contested election case from Wabasha.

Mr. Richards moved a call of the House.

The roll was called, and Mr. Murphy reported absent.

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

But before he reported,

Mr. Cave moved to dispense with further proceedings under the call;

Which was disagreed to.

Mr. Randall then moved that Mr. Murphy be excused for the remainder of the day;

And the motion prevailed.

Mr. Murray moved that James Wells the contestant and F. S. Richards the sitting member, be allowed to be heard by counsel, provided the counsel for neither party should occupy more than one hour.

On this motion Mr. Randall called for the yeas and nays, and they were ordered,

And the result was, ayes 8, nays 8.

So the motion was negatived.

Those who voted in the affirmative, are:

Messrs. Beatty, Boal, Cave, Findley, Gingras, Murray, Rolette and Selby—8.

Those who voted in the negative, are
Messrs. Black, Day, Farnham, Fullerton, Leavitt, Randall, Taylor and Ludden,
(Speaker)—8.

During the calling of the roll on this vote, the Sergeant-at-Arms reported Mr. Murphy in his seat;

And after the conclusion of the calling of the roll,

Mr. Randall moved a reconsideration of the vote by which Mr. Murphy was excused,

And the motion prevailed.

On motion of Mr. Murray,

The House resolved itself into a committee of the whole on the petition of James Wells contesting the seat of F. S. Richards, and the reports of the committee thereon,

Mr. Randall in the chair,

And after some time passed therein, the committee rose, reported progress, and asked and obtained leave to sit again. Whereupon,

On motion of Mr. Cave,

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

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The roll was called and a quorum appeared in their seats.

On motion of Mr. Randall,

The House again went into a committee of the whole on the contested election case from Wabasha,

And after some time passed therein, the committee rose, reported further progress, and asked and obtained leave to sit again.

Mr. Randall moved that the House adjourn;

Which was disagreed to.

On motion of Mr. Randall,

The House resolved itself into a committee of the whole, to take into consideration bill No. 9, "A bill to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington,"

Mr. Selby in the chair,

And after some time passed therein, the committee rose, and reported the bill back to the House, with amendments, and asked the concurrence of the House therein.

On motion of Mr. Day,

The report was adopted; and

On motion of Mr. Day,

The bill was ordered to be engrossed and read a third time to-morrow at half past three o'clock.

Mr. Day moved that the House do now adjourn to meet to-morrow morning at 10 o'clock;

Which motion prevailed.

WEDNESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hobart.

The roll was then called, and a quorum appeared in their seats.

The journal of yesterday was then read.

The committee on engrossed bills presented the following report :

The committee on engrossed bills beg leave to report the following as correctly engrossed, viz :

No. 7, (H. of R.) "A bill granting to Daniel F. Brawley the right to establish and maintain a ferry across the Mississippi river, at the Upper Landing of the town of St. Paul."

No. 8, (H. of R.) "A bill granting to James M. Goodhue and Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

Bill No. 10, "To dissolve the marriage contract between Tido S. Lottman and his wife, Rosa Lottman."

Bill No. 9, "A bill to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington."

JOS. ROLETTE,

Chairman.

On motion of Mr. Black,

Bill No. 7 was read a third time by its title and passed; and the title thereof was agreed to.

On motion of Mr. Cave,

Bill No. 8 was read a third time by its title and passed; and the title thereof was agreed to.

Bill No. 10 was taken up on its third reading,

The question being "Shall this bill pass?"

Mr. Murray called for the yeas and nays, and they were ordered,

And the question was decided in the affirmative, yeas 12, nays 5.

Those voting in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Farnham, Leavitt, Murphy, Murray, Richards, Rolette, Taylor, and Ludden (Speaker)—12.

Those voting in the negative are

Messrs. Day, Findley, Gingras, Randall, and Selby—5.

The title of the bill was then agreed to.

On motion of Mr. Murray,

Bill No. 9 was read a third time by its title and passed; and the title thereof was agreed to.

On motion of Mr. Murray,

The petition of Mary Ann Alexander was taken up, and

Mr. Cave moved that said petition be referred to a committee of ten.

The question being put,

It was decided in the negative, yeas 6, nays 11.

Mr. Murray having called for the yeas and nays,

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Day, Richards, and Rolette—6.

Those who voted in the negative, are

Messrs. Boal, Farnham, Findley, Gingras, Leavitt, Murphy, Murray, Randall, Selby, Taylor, and Ludden, (Speaker)—11.

Mr. Black then moved that said petition be referred to the Committee on Agriculture and Manufactures.

Mr. Murray called for the yeas and nays, which were ordered,

And there were yeas 1; nays 15.

The vote in the affirmative was

Mr. Black—1.

Those who voted in the negative, are

Messrs. Beatty, Boal, Cave, Day, Farnham, Findley, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—15.

So the motion was lost. And

On motion of Mr. Randall,

The petition of Mary Ann Alexander was referred to a select committee of three.

The chair announced as the said committee, Messrs. Cave, Randall and Taylor.

A message from the Council was announced by the Sergeant-at-Arms, and

S. Trask, Esq., Secretary of the Council, appeared and presented the following:

COUNCIL, Feb. 4th, 1852.

MR. SPEAKER:—The Council has passed (C. F.) No. 1, "A bill for an act to incorporate Minnesota Lodge No. 1, I. O. O. F.," in which the concurrence of the House is respectfully requested.

S. TRASK, Secretary.

And then he withdrew.

Mr. Selby moved a call of the House;

And the roll being called,

Messrs. Cave and Fullerton were reported absent.

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

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

Which was not agreed to.

Mr. Black moved that Messrs. Cave and Fullerton have leave of absence for the remainder of the day;

Which was disagreed to.

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

On motion of Mr. Selby,

The House resolved itself into a Committee of the Whole, to further consider the petition of James Wells,

Mr. Boal in the chair,

And after some time passed therein, the Committee rose, and through its Chairman, reported the petition and accompanying documents back to the House without having taken any action thereon.

Mr. Randall moved that the report of the Committee of the Whole be rejected.

Mr. Murray called for the yeas and noes; which were ordered,

And there were yeas 6, noes 11.

So the motion was lost.

Those voting in the affirmative, are

Messrs. Beatty, Black, Farnham, Leavitt, Selby, and Taylor—6.

Those voting in the negative, are

Messrs. Boal, Cave, Day, Findley, Fullerton, Gingras, Murphy, Murray, Randall, Rolette, and Ludden, (Speaker)—11.

Mr. Findley offered the following resolution ;

Resolved, That the contested seat now occupied by F. S. Richards, be declared vacant, and a new election for member of the House of Representatives, from Wabasha district, be ordered to take place on Monday, the 17th day of this month, at the house of Augustin Rock, in the village of Wabasha, M. T.

Mr. Black moved that the resolution be laid on the table until to-morrow ;

Mr. Murphy moved to amend the motion by substituting " indefinitely postponed ;" Which was disagreed to.

And the question recurred on the motion as amended.

Mr. Murray called for the ayes and nays, which were ordered.

And the question was decided in the affirmative, ayes 13, nays 4.

Those voting in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Day, Farnham, Fullerton, Leavitt, Murphy, Randall, Selby, Taylor, and Ludden, (Speaker)—13.

Those voting in the negative, are

Messrs. Findley, Gingras, Murray, and Rolette—4.

Mr. Murphy moved that the petition of James Wells be indefinitely postponed.

Mr. Randall called for the ayes and nays, and they were ordered ; yeas 10, nays 7.

Those voting in the affirmative, are

Messrs. Beatty, Black, Day, Farnham, Fullerton, Leavitt, Murphy, Selby, Taylor, and Ludden, (Speaker)—10.

Those voting in the negative, are

Messrs. Boal, Cave, Findley, Gingras, Murray, Randall, and Rolette—7.

So the motion prevailed, and the petition was indefinitely postponed.

On motion of Mr. Farnham.

Accepting an amendment of Mr. Day, substituting that hour, the House adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, 10 O'CLOCK.

The House met pursuant to adjournment at 10 o'clock, A. M.

Prayer by the Rev. Mr. Hobart.

The roll was then called and a quorum appeared in their seats.

The journal of yesterday was then read and corrected.

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

" A bill to provide for the measurement of wood."

" A bill to amend sec. 49 of chapter 95, article 4th of the act for revising and consolidating the general statutes of the Territory of Minnesota."

Also a bill " For an act explanatory of certain other acts."

Mr. Randall gave notice that on to-morrow, or some future day, he would introduce a bill granting Mr. Libby a right to build a Boom at St. Anthony.

On motion of Mr. Farnham,
The committee's report on Emanuel Case's petition, was next taken up and read a second time.

On motion of Mr. Farnham,
The report was rejected. And

On motion of Mr. Fullerton,
Bill No. 4, "Granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river,"

Was ordered to be engrossed and read a third time to-morrow.

Charles Miles' petition was next taken up, and

On motion of Mr. Farnham,
Was referred to a select committee of three.

Messrs. Farnham, Beatty, and Findley were announced as said committee.

On motion of Mr. Cave,

The message of yesterday from the Council was next taken up.

(C. F.) No. 1, "A bill for an act to incorporate Minnesota Lodge No. 1, I. O. O. F.,"

Mr. Randall moved that the 51st rule be suspended, and the bill be read a second time by its title,

Which was agreed to.

On motion of Mr. Black,

The bill was ordered to receive its third reading to-morrow.

Mr. Selby presented the following resolution :

Resolved, That the committee to whom was referred the Report of the Superintendent of Common Schools of this Territory, be instructed to report on the same to-morrow.

On motion of Mr. Selby,

The resolution was adopted.

Mr. Black offered the following resolution :

Resolved, That the committee to whom was referred the petition and accompanying papers of Silas H. Axtell, praying for a divorce, be instructed to report on the same immediately.

On motion of Mr. Randall,

The resolution was laid on the table.

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The roll was called and a quorum appeared in their seats.

On motion of Mr. Murray,

A call of the House was ordered,

And Messrs. Cave and Findley reported absent.

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

The messenger announced a message from the Council ;

When S. Trask, Esq., Secretary thereof, appeared and presented the following message :

COUNCIL, Feb. 5, 1852.

MR. SPEAKER:—The Council has passed No. 2, (H. of R.) "Joint petition to the President of the United States, concerning suits for trespass on the Pine Lands," with an amendment. And also an amendment to the title thereof,

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

S. TRASK, *Secretary*.

The Secretary then withdrew.

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

Which motion was disagreed to.

Shortly thereafter,

Mr. Selby moved that further proceedings under the call of the House be dispensed with;

Which motion prevailed.

On motion of Mr. Black,

The message from the Council was taken up. And being read,

The question recurring on concurring in the amendments made by the Council to No. 2, (H. of R.) "Joint petition to the President of the United States, concerning suits for trespass on the Pine Lands,"

Which amendments were as follows: 1st. Strike out the words "Joint Petition" and insert in lieu thereof "Memorial of the Legislative Assembly of the Territory of Minnesota." 2d. Strike out the word "petition" wherever it occurs and insert "memorial," and 3d. Strike out the word "petitioners" and insert "memorialists;"

And they were all concurred in by the House.

Mr. Murray offered the following resolution:

Resolved, That the committee to whom was referred the petition of Wm. W. Warren, contesting the seat of James Beatty, be requested to report immediately.

On motion of Mr. Murray,

The resolution was adopted.

Mr. Farnham moved a call of the House,

Which was ordered.

Messrs. Cave and Findley reported absent.

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

On motion of Mr. Randall,

The House adjourned.

FRIDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Hobart.

The roll was called, and a quorum appeared in their seats.

The journal of yesterday was then read.

The Committee on Engrossed Bills presented the following report:

The committee on Engrossed Bills, beg leave to report the following, as correctly engrossed, viz:

No. 4, (H. of R.) "A bill granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river."

No. 3, (H. of R.) "A bill to divorce Abram Hull from his wife Julia A. Hull."

JOS. ROLETTE,
Chairman.

On notice previously given, and leave obtained, Mr. Randall introduced,
No. 11, (H. of R.) "A bill to incorporate the St. Anthony Boom Company."

And on his motion, the 51st rule was suspended, and the said bill read a first and second time by its title, only, laid on the table and ordered to be printed.

The unfinished business on the table was then taken up.

No. 3, (H. of R.) "A bill to dissolve the marriage contract of Abram Hull and Julia A. Hull,"

Came up according to previous order on its third reading.

The bill being read a third time, and the question being,

"Shall this bill pass?"

Mr. Murray called for the yeas and nays; which were ordered.

Mr. Farnham asked to be excused from voting, and

Mr. Black moved that his request be granted.

But the House refused to excuse him.

Mr. Murray then moved a call of the House.

The roll was called, and Messrs. Boal, Cave, Day and Fullerton, were reported absent.

On motion of Mr. Black,

Mr. Cave was excused.

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

Before he reported, Messrs. Day and Fullerton appeared in their seats.

And the Sergeant-at-Arms reported that Mr. Boal could not be found; whereupon,

On motion of Mr. Selby,

Mr. Boal was excused during the forenoon.

The yeas and nays were then taken on the passage of bill No. 3, (H. of R.)

And the question was decided in the affirmative, yeas 10, nays 6.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Farnham, Fullerton, Leavitt, Murphy, Murray, Richards, Rolette, Taylor—10.

Those who voted in the negative, are

Messrs. Day, Findley, Gingras, Randall Selby, and Ludden, (Speaker.)—6.

So the bill was passed, and the title thereof was then agreed to.

No. 4, (H. of R.) "A bill granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river,"

Was next taken up on its third reading.

On motion of Mr. Black,

It was read by its title only.

And the question recurring on the passage of the bill,

It was decided in the affirmative.

Ayes 9, Nays 7.

The yeas and nays being demanded by Mr. Black.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Day, Farnham, Fullerton, Leavitt, Murphy, Richards and Taylor—9.

Those who voted in the negative, are

Messrs. Findley, Gingras, Murray, Randall, Rolette and Ludden, (Speaker.)—7.

So the bill was passed, and the title thereof agreed to.

No. 1, (C. F.) "A bill for an act to incorporate Minnesota Lodge No. 1, I. O. O. F.,"

Was then taken up, read a third time and passed, and the title thereof agreed to.
 Mr. Day from the select committee to whom was recommitted,
 No. 2, (H. of R.) "A bill to dissolve the marriage contract between Silas H. Axtell
 and Catharine Maria Axtell,"

Made the following report :

Report of the committee on the bill to divorce Silas Henry Axtell.

"The committee to whom was recommitted the 'Bill to divorce Silas Henry Axtell from his wife, Catharine Maria Axtell,' have had the matter under grave consideration, and beg leave to report,

"That in addition to the testimony in the case, already before the House, there has been laid before the committee a letter from Messrs. Rice, Hollinshead & Becker, in which they say there is a letter in their possession purporting to have been written by L. S. Elmer, dated Clinton, N. J., June 11th, 1851, who subscribes himself Attorney for C. M. Axtell, in which he says, 'among other things:'

"The defendant received a newspaper from St. Paul, Minnesota Territory, containing a notice of the application of petitioner, and on the 4th of June, she received a certified copy of the petition."

"It would have given the committee great satisfaction to have been able to lay the entire letter of Mr. Elmer before the House, but having been unable to see the letter themselves, they cannot tell what are the 'other things' referred to; doubtless if this letter was laid before the House, much light might be thrown upon the case.

"It is also in evidence before the committee, from the affidavit of Mr. D. A. Robertson, that on the 21st day of April, 1851, and weekly thereafter for six weeks, he mailed to Mrs. C. M. Axtell, a copy of the Minnesota Democrat, containing a notice of the petition of the said S. H. Axtell, of his application for a divorce in the District Court of Benton County, directing the same to Mrs. Axtell, at Morristown, New Jersey.

"It is farther in evidence from the affidavit of Judge Lambert, that on the 24th day of November last, he mailed to Mrs. Axtell, a notice to the effect that a petition would be laid before this House, asking a divorce from his said wife.

"The Bill recommitted to the committee has heretofore been a fruitful source of legislation and litigation, having been twice passed by both Houses of the Legislature of Minnesota, and once it is believed by the Legislature of the Territory of Wisconsin, but owing to some sad fatality it has thus far failed to become a law. From its favorable consideration by Legislatures in times passed, it is inferred that it must have had merits peculiarly recommending itself; and it is therefore the unanimous opinion of the committee that whatever merits it had in times gone by, it possesses now.

"The committee are reliably informed that for seven long years the petitioner has lived apart from his wife, and labored to obtain this bill of divorce, and as seven years is the longest time on record that a man has been required to labor to obtain a wife, it does not appear reasonable that a longer time ought to be required to get rid of one.

"The committee are opposed to granting divorces in all cases by the Legislature, where the statutes provide a remedy, but would recommend this bill to those of opposite opinions, as one worthy of their sympathies, and favorable consideration.

DAVID DAY,
 J. W. SELBY,
 C. S. CAVE,
 Committee."

On motion of Mr. Black,

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

Bill No. 2 was then taken up, and being on its second reading,

Mr. Murray moved that said bill be laid on the table,

And the motion prevailed.

On motion of Mr. Farnham,

Mr. Cave was excused from further acting on the Select Committee to whom was referred the petition of W. W. Warren, contesting the seat of Mr. Beatty,
And the Speaker appointed Mr. Randall to serve on said committee in his stead.

Mr. Randall, from the Joint Committee on Enrolled Bills presented the following report:

The Joint Committee on Enrolled Bills report as correctly enrolled, No. 1, (C. F.)
"A memorial to the Senate of the United States praying for the ratification of the Sioux Treaties and the Treaty of Pembina, concluded with the Chippewas."

M. McLEOD, Council, } Committee.
B. H. RANDALL, House, }

Mr. Murphy gave notice that he would on to-morrow or some subsequent day, introduce a bill to protect school lands.

Mr. Day presented two petitions:

One from Sarah J. Paddock, praying a divorce from her husband, Charles Paddock; and one from her said husband praying that her petition be granted;

Also, one from B. F. Irvine, praying to be divorced from his wife Teresa J.

These several petitions were read.

The Sergeant-at-Arms announced a message from the Council,

Whereupon, S. Trask, Esq., the Secretary thereof, appeared and presented the following:

COUNCIL, Feb. 6, 1852.

MR. SPEAKER—The Council has passed No. 3, (C. F.) "A bill to amend an act entitled an act supplementary to an act entitled an act to incorporate the town of St. Paul, in the county of Ramsey." Also,

No. 9, (H. of R.) "A bill to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington," with four amendments,

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

The Council has also instructed me to ask the House to lay before the Council all papers, petitions, testimony and other documents referring to bill, No. 10, (H. of R.) "To dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife."

S. TRASK, Secretary.

The Secretary then withdrew.

Mr. Day moved that the petition of B. F. Irvine be referred to the standing committee on the Militia;

And the motion prevailed.

Mr. Day then moved that the petitions of Mr. and Mrs. Paddock be referred to the committee on Legislative Expenditures.

Mr. Murray moved to amend the motion by substituting the committee on Elections;

Which was agreed to, and the motion as amended prevailed.

So the petition of B. F. Irvine was referred to the committee on the Militia, and those of Mr. and Mrs. Paddock, to the committee on Elections.

On motion of Mr. Black,

The message of the Council was taken up.

Bill No. 9, (H. of R.) "To incorporate the Cottage Grove Academy," was taken up,

And the question being on concurring in the amendments of the Council,

Mr. Black asked that they be voted upon separately, which was done, and they were all concurred in.

Said amendments were as follows:

1st amendment: Strike out of section 5 the words "non compos."

2d amendment: Insert after the the word "Territory" the words "or otherwise" in section 5.

3d amendment: Amend section 13 by inserting before "student" the words "teacher or."

4th amendment: Add to section 13 after the word "academy" the words, "and no sectarian doctrines shall be tolerated therein."

(C. F.) No. 3, "A bill to amend an act, entitled an act supplementary to an act, entitled an act to incorporate the town of St. Paul,"

Was next taken up and received its first reading.

On motion of Mr. Black,

The 51st rule was suspended and the bill read a second time by its title and referred to a committee composed of the members of the House from St. Paul.

On motion of Mr. Murray,

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

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The roll was called and a quorum appeared in their seats.

Mr. Randall, from the committee on the petition of W. W. Warren, reported as follows:

"The member of the committee appointed to fill the vacancy occasioned by the absence of Mr. Cave, to whom was referred the petition of Wm. W. Warren claiming his seat as a member of this House, has the honor to report:

"That the limited time allowed your committee to investigate the subject and examine the testimony taken in the case by the commissioners, renders it utterly impossible to lay any report before the House that will enlighten the members in the least degree, with the exception of the report of the commissioners, and the testimony taken by them, all of which is respectfully submitted.

B. H. RANDALL."

On motion of Mr. Selby,

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

Mr. Randall also, made the following report:

The joint committee on Enrolled Bills, did, on the 6th of February, A. D. 1882, present to his Excellency, the Governor of Minnesota, for his examination and approval, the following memorial, viz:

No. 1, (C. F.,) "A memorial to the Senate of the United States, praying for the ratification of the Sioux Treaties and the Treaty of Pembina, concluded with the Chippewas.

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

On motion of Mr. Murray,

The petition of W. W. Warren, was recommitted to a select committee of three, and

Messrs. Murray, Farnham and Boal were appointed said committee.

On motion of Mr. Murray,
Mr. Cave was excused from serving on the committee to whom was referred the petition of Mary Ann Alexander.

The Speaker appointed Mr. Murray to serve in his place.

On motion of Mr. Randall,

The House adjourned until next Monday at 2 o'clock, P. M.

MONDAY AFTERNOON, 2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 2 o'clock, P. M.

Prayer by the Rev. Mr. Fullerton.

The roll was then called, and a quorum appeared in their seats.

The journal of Friday was then read.

Mr. Taylor presented the petition of citizens of Chisago county, praying for a judicial organization in said county.

The Sergeant-at-Arms announced a message from the Council,

Whereupon, S. Trask, Esq, the Secretary thereof, appeared and presented the following :

COUNCIL, Feb. 7, 1852.

MR. SPEAKER :—The Council has passed (C. F.) No. 2, "A bill to amend an act, entitled an act to incorporate the Mississippi Boom Company," in which the concurrence of the House is respectfully requested.

And the Council has negatived No. 10, (H. of R.) "A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman his wife," by indefinitely postponing the further consideration of the same.

S. TRASK, Secretary.

The Secretary withdrew ;

And Mr. Taylor then moved that the petition just presented by him from citizens of Chisago be referred to the committee on the Judiciary ;

And the motion prevailed.

Mr. Richards gave the following notice :

"MR. SPEAKER :—I give notice that I shall on to-morrow or some subsequent day, ask leave to introduce "A bill to change the time of holding elections for Delegate to Congress." Also,

"A bill to locate a Territorial road from the foot of Lake Pepin, Wabasha county, to Traverse des Sioux on the Minnesota river."

And Mr. Fullerton gave the following notice :

MR. SPEAKER :—I give notice, that I shall on to-morrow or some subsequent day ask leave to introduce "A bill to provide for the organization of the county of Pembina, and the erection of county government therein,"

FULLERTON.

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

"A bill to incorporate a Bridge Company at St. Anthony."

Mr. Murray from the committee to whom was referred the petition of W. W. Warren, contesting the seat of Mr. Beatty, presented the following report :

"The select committee to whom was referred the petition of Wm. W. Warren, contesting the right of James Beatty to a seat on this floor—the report of Commissioners appointed under a resolution of this House, Jan. 15, 1852, together with the testimony taken by said Commissioners, and the *exparte* testimony submitted by petitioner, &c., have the honor to report :

"That they have given the same that consideration which the length of time allowed them to report, would permit.

"Your committee regret that the committee to whom the petition of Wm. W. Warren was originally referred, with the ample authority given them by a resolution of this House to employ commissioners to take testimony, send for papers, &c., should have so signally failed in their object, giving us in their report and the voluminous accompanying documents, hardly a fact upon which your present committee is able to base a correct opinion as to the rights involved in this contest.

"Your committee further regret that the said committee, as well as their commissioners, should have given a construction so limited and so far within the meaning and intent of the resolution under which they acted.

"Your committee believe that this House, by the passage of the resolution in question, determined that there should be a thorough and impartial investigation of the matters set forth in the petition of Mr. Warren, and that every fact having a bearing thereon, would be laid before this House by the commissioners through the committee.

"Therefore, that the commissioners appointed to take the testimony, should have refused to act at Fort Ripley, because the resolution under which they acted did not in word include Cass county, is something more than passing strange, and something for which your committee cannot account when we take into consideration the fact that the grounds of contest as set forth by Mr. Warren, in the petition is, the illegal voting of thirteen individuals, residents of Fort Ripley, in the county of Cass.

"Did the committee or their commissioners presume that the matters involved in this contest could receive at our hands that impartial consideration to which they were entitled, although they might have taken the testimony of every voter of the county of Benton, if the matters to which Mr. Warren specifically referred were not noticed, and treated with neglect?

"Your committee find, at the last general election, held upon the 14th day of October, 1851, Messrs. Wm. W. Warren and James Beatty were candidates for a seat in the present Legislative Assembly of this Territory, for the county of Benton. And that the former received at Elk river two votes, at Sauk Rapids thirty-six votes, at Swan river forty votes, and at Crow Wing one vote; in all seventy-nine votes. The latter received at Elk river twenty-six votes, at Sauk Rapids ten votes, at Crow Wing thirteen votes, at Nokeseppe nineteen votes; in all eighty-five votes. All of which will fully appear by authenticated copies of the returns now on file in the office of the Register of Deeds of the county of Benton, herewith submitted, giving Mr. Beatty a *prima facie* majority of six votes, and entitling him to a seat on this floor till the contrary is shown.

"Mr. Warren avers in his petition that William Alexander, Augustus Conradi, John McIntire, William Curry, Samuel Williams, Michael O'Conner, Elias B. Taylor, Edward Guy, John S. Garrick, John Comby, John Naphy, Edward Riter, and M. A. Henry voted at said election held at the house of S. B. Olmstead, Nokeseppe precinct, in the said county of Benton, for James Beatty, as Representative, and that neither of them, at the time they so voted, were residents of the county of Benton, but were citizens of Cass county, residents at Fort Ripley, and were not, consequently, entitled to a vote for a Representative of the county of Benton; and which votes, if excluded, would entitle him to a seat on this floor.

"To prove which averment, your committee had in evidence before them the affida-

vits of all the above named persons, except M. A. Henry, Edw. Riter and John Naphy, taken before Allen Morrison, a Notary Public, in and for the county of Benton, who deposed they were residents of Cass county on the 14th day of October last, and that they did vote for James Beatty for Representative, at the Nokeseppé precinct, proving most satisfactorily to your committee, the illegality of ten votes at least, given for James Beatty at Nokeseppé.

"Your committee, by reference to the affidavit of S. B. Olmstead, taken by the commissioners, find that he deposed that he knew William Nettleton, and that he believed he resided in Cass county; also that he knew Sylvester Staleber, and he believed he resided near Gull Lake, in Cass county; and also that he knew Charles Cheboilly, and that he had always understood that he resided at Red Lake, and his impression was that Red Lake was in Itasca county; and also, that he knew a man by the name of Clark, that he resided in Cass county the last he knew anything about him. Also that he knew Lieut. Carlin, he resided at Fort Ripley, in Cass county.

"It does not appear by the testimony of Olmstead, when or for whom these persons voted. By reference to a duly authenticated copy, which is herewith submitted, of the poll book and returns of the Crow Wing precinct, the committee find that Wm. Nettleton, Lieut. Carlin, Sylvester Staleber, Charles Cheboilly, and — Clark voted at the Crow Wing precinct, and that the entire number of votes polled at that precinct was fourteen; of which James Beatty received thirteen, and W. W. Warren one. It is therefore very evident to your committee if the votes of Nettleton, Carlin, Staleber and Clark were legal or illegal, they must have been given to Beatty, or at least three of them.

"Mr. R. P. Miller appeared before the committee, and testified that there was one illegal vote given for Mr. Beatty at Elk river, by a person whose name he did not recollect, that the said voter was a foreigner, and had never been naturalized. But that the judges decided that having served five years in the army of the United States, he was entitled to vote without being naturalized.

"It was further in evidence before the committee, that Henry Sinclair, a native of the British Possessions, voted for Mr. Warren.

"Your committee are fully satisfied from the evidence which was before them, that Mr. Warren had a majority of all the legal votes polled for Representative in the county of Benton.

"There are three other points to which your committee gave some attention, and upon which they had testimony.

"1st. The failure of the judges of election, at Nokeseppé precinct, to enclose to the Clerk of the Board of County Commissioners of Benton county, the poll book of said election.

"2d. The neglect to swear one of the judges at the Swan river precinct.

"The permitting of two persons, non-residents of the county of Benton, to act as clerks of the election in the Nokeseppé precinct.

"Your committee does not feel disposed to discuss the matter how far or to what extent, these informalities and non-compliances with the statute might affect the present contest, for aside from this, it is clearly evident to your committee, that Mr. Beatty is not entitled to a seat on this floor.

"Your committee are of the opinion that contests of this kind are better settled by the people themselves, and were it not for the fact, that the session is more than half gone, and the impossibility of Benton county to send another Representative for this session, they would say at once, the seat now occupied by Mr. Beatty, ought to be declared vacant. But as it is, and for fear injustice might be done Benton county by being unrepresented, your committee therefore beg leave to offer the following resolutions:

"Resolved, That James Beatty is not entitled to a seat in this House.

"Resolved, That Wm. W. Warren is entitled to a seat in this House.

W. P. MURRAY,
S. W. FARNHAM,
JAS. M. BOAL,
Committee."

On motion of Mr. Murray,

The report was made the special order of the day for to-morrow.

A message was received from his Excellency, the Governor, by W. B. White, Esq., his Private Secretary.

On notice previously given and leave obtained,

Mr. Murphy presented No. 12, (H. of R.) "A bill to prevent trespasses on School Lands."

Said bill received its first reading; and,

On motion of Mr. Randall,

The rule was suspended, and it was read a second time by its title.

Mr. Richards moved that said bill be engrossed and read a third time to-morrow.

Which was not agreed to; when,

On motion of Mr. Black,

It was laid on the table and ordered to be printed.

Mr. Fullerton having previously given notice thereof, and on leave obtained, introduced the following bills:

No. 13, (H. of R.) "A bill to amend sec. 49 of chap. 95, article 4th of the act for revising and consolidating the general statutes of the Territory of Minnesota, passed March —, 1851."

No. 14, (H. of R.) "A bill to provide for the measurement of wood."

No. 15, (H. of R.) "A bill for an act explanatory of certain other acts."

Each of these bills received a first reading.

On motion of Mr. Randall,

The message from the Governor was taken up and read as follows:

EXECUTIVE DEPARTMENT, }
ST. PAUL, Feb. 9, 1852. }

To the Hon. Speaker of the House of Representatives—

SIR: I have the honor to transmit herewith the annual report of the Adjutant General of the Militia of the Territory.

Very respectfully,
Your obedient servant,
ALEX. RAMSEY.

On motion of Mr. Murray,

The report of the Adjutant General, transmitted by the Governor, was laid on the table, and 800 copies thereof ordered printed.

No. 11, (H. of R.) "A bill to incorporate the St. Anthony Boom Company,"

Was taken up, and

On motion of Mr. Randall,

The House resolved itself into a committee of the Whole on said bill,

Mr. Day in the Chair;

And after some time passed therein,

The Committee rose, and through its Chairman reported the said bill back to the House with sundry amendments,

And the House concurred in all said amendments; when,

On motion of Mr. Randall,

The bill was ordered to be engrossed and read a third time to-morrow.

Mr. Boal presented the following resolution:

Resolved, That no application for divorce shall be taken up or acted upon by this House, until Friday, the 27th day of this month, (February,) and all petitions and bills on this subject now before the House, and all that may hereafter be presented, shall be postponed to that date.

Mr. Cave moved that the resolution be adopted.

Mr. Murray called for the yeas and nays, and they were ordered; and the result was yeas 12, nays 5.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Cave, Day, Farnham, Findley, Gingras, Leavitt, Murphy, Selby, Taylor, and Ludden, (Speaker)—12.

Those who voted in the negative, are

Messrs. Black, Fullerton, Murray, Randall, and Richards—5.

Mr. Randall, from the Joint Committee on Enrolled Bills, presented the following:

The Committee on Enrolled Bills have examined and found correctly Enrolled,
"A memorial of the Legislative Assembly of the Territory of Minnesota, to the President of the United States, concerning suits for trespass on the Pine Lands.

M. McLEOD,
B. H. RANDALL,
Committee."

M. Richards presented a memorial for a mail route from Lansing, Iowa, to St. Paul, M. T.

Which received its first reading.

Mr. Farnham presented a petition from sundry citizens of the Territory for the adoption of Norton's Improved Scale Rule as the legal Scale of this Territory.

Mr. Black moved a call of the House.

Which was ordered.

And Messrs. Findley and Rolette reported absent.

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

But before he reported,

On motion of Mr. Day,

The House adjourned.

TUESDAY MORNING, 10 o'clock:

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Fullerton.

The roll was called, and a quorum appeared in their seats.

The journal of yesterday was then read.

The Speaker announced the special order of the day; the petition of W. W. Warren contesting the seat of Mr. Beatty, and the report of the committee thereon, when;

On motion of Mr. Murray,

The House went into a committee of the Whole to consider said petition and report, Mr. Murphy in the Chair.

After some time passed therein, the committee rose and through its Chairman reported the petition, the report of the committee and accompanying documents back to the House, and recommended the adoption of the following resolution:

Resolved, That the claims set forth in the petition of Wm. W. Warren, are not sustained by testimony, and that the further consideration of the said petition be indefinitely postponed.

The report was accepted;

And the question recurring on the adoption of the resolution, the ayes and nays were called for, and ordered;

And there was, ayes 12, noes 4.

Those who voted in the affirmative, are

Messrs. Black, Boal, Cave, Day, Fullerton, Gingras, Leavitt, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—12.

Those who voted in the negative, are.

Messrs. Farnham, Findley, Murphy and Murray—4.

So the resolution was adopted, and the matter indefinitely postponed.

When on motion, the House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The roll was called and a quorum appeared in their seats.

The business on the table then came up in order.

On motion of Mr. Cave,

The memorial to the Congress of the United States, praying for the establishment of a mail route from Lansing to St. Paul, presented yesterday by Mr. Richards, was read a second time by its title only, and

On motion of Mr. Black,

Ordered to be engrossed and read a third time to-morrow.

No. 13, (H. of R.) "A bill to amend Section 49 of Chapter 95 article 4th of the act for revising and consolidating the general statutes of the Territory of Minnesota, passed March —, 1851,"

Was read a second time and laid on the table, and ordered to be printed.

No. 14, (H. of R.) "A bill to provide for the measurement of wood,"

Was read a second time, and

On motion of Mr. Black,

It was laid on the table and ordered to be printed.

No. 15, (H. of R.) "A bill for an act explanatory of certain other acts,"

Came up in order, and

On motion of Mr. Cave,

Was laid on the table.

No. 12, (H. of R.) "A bill to punish trespasses on School Lands,"

Was next taken up, and

On motion on of Mr. Murphy,

The House went into a committee of the Whole on the same,

Mr. Richards in the chair;

And after some time passed therein, the committee rose and through its Chairman reported the bill back to the House with sundry amendments.

And the question was on concurring in said amendments.

Those in each section amended, being voted upon collectively, the House concurred in them all, whereupon,

On motion of Mr. Murphy,

Said bill was ordered to be engrossed, and read a third time to-morrow.

Mr. Selby from the committee on Engrossed Bills, presented the following:

MR. SPEAKER: The committee on Engrossed Bills, beg leave to report:

No. 11, (H. of R.) "A bill to incorporate the St. Anthony Boom Company,"

As correctly engrossed.

J. W. SELBY.

C. S. CAVE,

Committee.

Mr. Farnham from the committee to whom was referred the petition of Charles Miles, asked and obtained leave to report by bill; and reported

No. 16, (H. of R.) "A bill authorizing Charles Miles to establish and maintain a ferry across the Mississippi river."

Said bill received its first reading, when

Mr. Cave moved that it be laid on the table until the 27th of this month; and on that motion Mr. Cave called for the yeas and nays, and they were ordered.

And there were yeas 9, nays 6.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Cave, Day, Findley, Murray, Selby, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Black, Farnham, Fullerton, Leavitt, Murphy, and Richards—6.

So the bill is postponed to the 27th inst.

Mr. Black presented a resolution instructing the committee on Corporations to report on the petition of Groff and others, without further delay.

Mr. Cave moved to amend the resolution, so as to require the committee to report on the 27th inst.

Which was agreed to, and the resolution passed in the following form:

Resolved, That the standing committee on corporations to whom was referred the petition of Samuel Groff and others, praying for a charter to keep a ferry across Lake St. Croix, be instructed to report on the 27th February, instant.

Mr. Fullerton, on notice previously given, and leave obtained, presented

No. 17, (H. of R.) "A bill to organize Pembina county,"

Which received its first reading, and

On motion of Mr. Black,

The rule was suspended, and said bill was read a second time by its title only; and

On motion of Mr. Murphy,

It was ordered to be printed.

Mr. Fullerton gave notice, that he would on to-morrow or some subsequent day, introduce a bill granting to Fordyce S. Richards the right to establish a ferry at Lake Pepin.

On motion of Mr. Selby,

The House adjourned.

WEDNESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, at 10 o'clock A. M.

Prayer by the Rev. Mr. Fullerton.

The roll was then called, and a quorum appeared in their seats.

The Journal of yesterday was then read and corrected.

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

"A bill to provide for the survey and measurement of lumber, timber, shingles and clapboards."

"A bill for an act to provide for holding the District Court and for the adminis-

tion of Justice in the county of Pembina, and for changing the Judicial Districts of the Territory."

Mr. Murray gave the following notice:

"MR. SPEAKER: I give notice, that on to-morrow or some subsequent day, I will introduce "A bill to regulate the rate of interest, and to provide penalties against usury;" also, "A bill defining the manner of contesting seats of members of the Legislative Assembly of this Territory."

Mr. Murray, chairman of the committee on the Judiciary, reported bill No. 18, "A bill fixing the terms of the Supreme and District courts of the Territory of Minnesota, and for other purposes;" also, bill No. 19, "A bill for the government of the Penitentiary of the Territory of Minnesota, and the discipline thereof."

Said bills received their first reading.

On motion of Mr. Black,

Bill No. 18, was read the second time by its title, laid on the table and ordered to be printed.

On motion of Mr. Murray,

Bill No. 19, was read the second time by its title, laid on the table and ordered to be printed.

Mr. Richards with leave introduced,

Bill No. 20, "A bill to change the time of holding elections for Delegate to Congress;"

Of which he had given previous notice.

Said bill received its first reading.

Mr. Fullerton with leave introduced,

Bill No. 21 "A bill granting to Fordyce S. Richards the right to establish a ferry across the Mississippi river, near the foot of Lake Pepin, Minnesota Territory," of which he had given previous notice.

Said bill received its first reading.

The Sergeant-at-Arms announced a message from the Council; and

S. Trask, Esq., Secretary thereof, appeared and presented the following message:

And then withdrew.

COUNCIL, Feb. 11, 1852.

MR. SPEAKER:—The Governor has notified the Council, that he has examined and approved "A memorial to the Senate of the United States, praying for the ratification of the Sioux treaties and the treaty of Pembina, concluded with the Chippewas."

S. TRASK, *Secretary*.

The unfinished business on the Speaker's table then came up in order.

On motion of Mr. Cave,

Bill No. 13, was referred to the committee on the Judiciary.

Mr. Black moved that bill No. 14, "A bill to provide for the measurement of wood," be referred to the committee on Corporations;

Which motion was disagreed to.

On motion of Mr. Selby,

The House resolved itself into a committee of the whole, to take into consideration bill No. 14, and Mr. Cave was called to the chair.

And after some time passed therein, the committee rose, and through its chairman reported the bill back to the House, with sundry amendments.

Mr. Black moved that the report be accepted, and the amendments concurred in collectively;

Which motion was lost.

On motion of Mr. Cave,

The amendments were voted on separately, and the House refused to concur in them.

Mr. Murray moved that all after the enacting clause of said bill be struck out. And on that motion, Mr. Day called for the yeas and nays, and they were ordered, And there were yeas 9, nays 6.

The who voted in the affirmative, are

Messrs. Beatty, Black, Day, Farnhan, Leavitt, Murray, Randall, Taylor and Ludden, (Speaker.)—9.

Those who voted in the negative, are

Messrs. Boal, Cave, Fullerton, Gingras, Richards and Selby—6.

On motion of Mr. Cave,

The messages from the Council on the table were taken up, and No. 2, (C F.) "A bill to amend an act entitled an act to incorporate the Mississippi Boom Company," Received its first reading.

Mr. Randall presented the following report:

The committee on Enrolled Bills have examined and found correctly enrolled, "A bill to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington."

D. B. LOOMIS, Council, } Committee.
B. H. RANDALL, H. of R. }

On motion of Mr. Randall,
The House adjourned until to-morrow morning 10 o'clock.

THURSDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Fullerton.

The roll was then called and a quorum appeared in their seats.

The journal of yesterday was then read and corrected.

Mr. Murphy gave notice that he would on to-morrow, or some subsequent day, introduce "A bill to incorporate John G. Potts Lodge, No. 3, of the Independent Order of Odd Fellows of the town of St. Anthony."

Mr. Fullerton presented No. 22, (H. of R.) "A bill for an act to provide for holding the District Court and for the administration of Justice in the county of Pembina, and for changing the Judicial Districts of the Territory." And

No. 23, (H. of R.) "A bill to provide for the survey and measurement of lumber, timber, shingles and clapboards."

These bills were introduced on notice previously given and with leave obtained, and each received its first reading.

Mr. Farnham gave notice that on to-morrow, or some subsequent day, he would introduce "A bill for a charter to S. B. Bean and others, to build and keep a Boom across Rum river."

Mr. Cave moved that bill No. 23, just read, be rejected.

Mr. Murray called for the yeas and nays, and they were ordered; and there were yeas 5, nays 11.

Those who voted in the affirmative, are

Messrs. Cave, Leavitt, Murphy, Taylor, and Ludden, (Speaker)—5.

Those who voted in the negative, are

Messrs. Black, Boal, Day, Farnham, Findley, Fullerton, Gingras, Murray, Randall, Richards, and Selby—11.

The business on the Speaker's table then came up in order.

Bill No. 20, "A bill to change the time of holding elections for Delegate to Congress,"

Said bill received its second reading; and

On motion of Mr. Cave,

Was laid on the table and ordered to be printed.

Bill No. 21, "A bill granting to Fordyce S. Richards the right to establish a ferry across the Mississippi river, near the foot of Lake Pepin, Minnesota Territory,"

Was next taken up, and Mr. Murray moved that it be postponed until the 27th day of the present month.

And on that motion, Mr. Black called for the yeas and nays, and they were ordered, And there were yeas 6, nays 9.

Those voting in the affirmative, are

Messrs. Cave, Findley, Gingras, Murray, Selby, and Ludden, (Speaker)—6.

Those who voted in the negative, are

Messrs. Black, Boal, Day, Farnham, Fullerton, Leavitt, Murphy, Randall, and Taylor—9.

On motion of Mr. Black,

The bill was read a second time by its title.

Mr. Black moved that the vote last taken be re-considered.

The yeas and nays were called for by Mr. Cave, which were ordered.

Those voting in the affirmative, are

Messrs. Black, Day, Fullerton, Gingras, Murphy, and Taylor—6.

Those voting in the negative, are

Messrs. Boal, Cave, Farnham, Findley, Leavitt, Murray, Randall, Selby, and Ludden, (Speaker)—9.

So the House refused to re-consider.

Mr. Murphy then moved that said bill be printed.

And Mr. Cave then called for the yeas and nays.

Those voting in the affirmative, are

Messrs. Boal, Cave, Day, Farnham, Fullerton, Murphy, Taylor, and Ludden, (Speaker)—8.

Those voting in the negative, are

Messrs. Black, Findley, Gingras, Leavitt, Murray, Randall, and Selby—7.

So the bill was ordered to be printed.

No. 2, (C. F.) was then taken up and read the second time by its title.

On motion of Mr. Randall,

The House resolved itself into a committee of the Whole to take into consideration said bill,

And Mr. Boal was invited to the chair.

And after some time passed therein, the committee rose, and through its chairman reported the bill back to the House with amendments, and asked the concurrence of the House therein.

Mr. Black moved that the House concur in the amendments collectively;

Which was disagreed to.

The amendments were taken up separately, and were all concurred in by the House.

On concurring in the second amendment of the committee, to strike out the words "in proportion to the amount of stock each one may own" of the third section,

Mr. Black called for the ayes and nays, and they were ordered; and there were yeas 9, nays 6.

Those voting in the affirmative, are

Messrs. Black, Day, Farnham, Leavitt, Murphy, Murray, Richards, Taylor, and Ludden, (Speaker)—9.

Those voting in the negative, are

Messrs. Boal, Findley, Fullerton, Gingras, Randall, and Selby—6.

Mr. Boal then moved a re-consideration of the vote concurring in the first amendment, which was

To strike out the words "the Falls of St Anthony, so called," and insert "the ferry opposite Fort Snelling," in the second section;

Which motion prevailed.

The question then recurred on concurring in said amendment,

And was decided in the negative.

So the House refused to concur in the first amendment made by the committee.

On motion of Mr. Black,

Bill No. 2, (C. F.) was ordered to have its third reading to-morrow.

The following report from the committee on Engrossed Bills was presented by Mr. Selby:

MR. SPEAKER:—The committee on Engrossed Bills beg leave to report No. 12, (H. of R.) "A bill to prevent trespasses on School Lands in Minnesota Territory;" and

"Memorial of the Legislative Assembly of the Territory of Minnesota, to the Congress of the United States, for a mail route from St. Paul in this Territory, to Lansing, Iowa, via Red Wing and Reed's Landing in Wabasha county, in said Territory;" as correctly engrossed.

J. W. SELBY,
C. S. CAVE,
Committee."

On motion of Mr. Murray,

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

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The roll was called and a quorum appeared in their seats.

Bill No. 12, "To prevent trespasses on School Lands,"

Was taken up on its third reading; and

On motion of Mr. Randall,

The House resolved itself into a committee of the Whole for the further consideration of said bill.

Mr. Selby in the chair,

And after some time passed therein, the committee rose, and through its chairman reported the bill back to the House with amendments, and asked the concurrence of the House therein.

And the House concurred therein.

On motion of Mr. Randall,

Said bill was ordered to be engrossed and read a third time to-morrow.

No. 11, (H. of R.) "A bill to incorporate the St. Anthony Boom Company,"

Received its third reading.

And the question recurring on its passage, the yeas and nays were demanded, and there were yeas 10, nays 4.

Those who voted in the affirmative, are

Messrs. Farnham, Findley, Gingras, Leavitt, Murphy, Murray, Randall, Selby, Taylor, and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Black, Cave, Fullerton, and Richards—4.

So the bill passed, and the title thereof was agreed to.

No. 3, (H. of R.) "Memorial to Congress for a mail route from St. Paul, Minnesota Territory, to Lansing, Iowa,"

Received its third reading and passed, and the title thereof was agreed to.

Bill No. 17, "A bill to organize the county of Pembina,"

Came up in order, and

On motion of Mr. Murray,

The House resolved itself into a committee of the Whole on said bill,

Mr. Farnham in the Chair,

And after some time passed therein the committee rose, and through its chairman reported the bill back to the House with amendments, and the House concurred in the amendments.

Mr. Cave then moved that said bill lie on the table until the 27th inst.,

On which motion Mr. Cave called for the yeas and nays, which were ordered, and there were yeas 5, nays 9.

Those voting in the affirmative, are

Messrs. Black, Cave, Leavitt, Taylor, and Ludden (Speaker)—5.

Those voting in the negative, are

Messrs. Farnham, Findley, Fullerton, Gingras, Murphy, Murray, Randall, Richards, and Selby—9.

Mr. Selby moved said bill be engrossed and read a third time to-morrow.

Mr. Black called for the yeas and nays.

Those voting in the affirmative, are

Messrs. Farnham, Findley, Fullerton, Gingras, Murphy, Murray, Randall, and Selby—8.

Those voting in the negative, are

Messrs. Black, Cave, Leavitt, Richards, Taylor, and Ludden, (Speaker.)—6.

So the bill was ordered to be engrossed and read a third time to-morrow.

Bill No. 18, "A bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes;"

Was taken up, and

On motion of Mr. Selby,

It was laid on the table until to-morrow.

Mr. Murray, with leave, introduced a bill, of which he had previously given notice, No. 24, (H. of R.) "A bill defining the manner of contesting the election of members of the Legislative Assembly of this Territory."

Said bill received its first reading, and

On motion of Mr. Randall,

It was read a second time and ordered to be printed.

On motion of Mr. Randall,

The House adjourned.

FRIDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Fullerton.

The roll was then called, and a quorum appeared in their seats.

The journal of yesterday was then read in part, when

S. Trask, Esq., Secretary of the Council, appeared and delivered the following message:

COUNCIL, Feb. 14th, 1852.

MR. SPEAKER: The Council has concurred in No. 1, (H. of R.) "A bill granting to Anson Northrop, Pierre Bottineau, Louis Roberts and Peter Poncin, the right to establish and maintain a ferry across the Mississippi river," with an amendment,

In which the concurrence of House is respectfully requested.

The Council has received the annual report of the Board of Regents of the University of Minnesota; and also, the report of the Adjutant General of the Militia of the Territory, and have ordered the printing of 250 copies of each of the reports.

S. TRASK, *Secretary*.

The Secretary then withdrew.

After which the reading of the journal was concluded.

Mr. Selby from the committee on Engrossed Bills presented the following report:

MR. SPEAKER: The committee on Engrossed Bills, beg leave to report No. 12, (H. of R.) "A bill to punish trespassers on school lands in Minnesota Territory;" and, No. 17, (H. of R.) "A bill to organize Pembina county;"

As correctly engrossed.

J. W. SELBY,
C. S. CAVE,
Committee.

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

The joint committee on Enrolled Bills, did on the 11th of February, A. D. 1852, present to his excellency, the Governor of Minnesota, for his examination and approval, the following memorial and joint resolution, viz:

"A memorial to the President of the United States, concerning suits for trespass on the pine lands;" also, "Joint resolution authorizing the Secretary of the Territory to purchase certain copies of the annals of the Minnesota Historical Society."

D. B. LOOMIS, Council
B. H. RANDALL, H. of R. } Committee.

The joint committee on Enrolled Bills report as correctly Enrolled, No. 1, (C. F.) "A bill for an act to incorporate Minnesota Lodge No. 1, I. O. O. F."

D. B. LOOMIS, Council
B. H. RANDALL, H. of R. } Committee.

Mr. Farnham presented a petition from S. B. Bean and others, praying for a charter to build and keep a Boom across Rum river;

Which was read; and

On motion of Mr. Murray,

The petition was referred to a select committee of three.

The chair announced as said committee, Messrs. Farnham, Beatty and Richards.

The business on the table next came up in order.

No. 22, (H. of R.) "A bill for an act to provide for holding the district courts and for the administration of justice in the county of Pembina, and for changing the judicial districts of the Territory," was taken up;

On motion of Mr. Cave,

Said bill had a second reading by its title only.

On motion of Mr. Selby,

Said bill No. 22, was laid on the table and ordered to be printed.

No. 23, (H. of R.) "A bill to provide for the survey and measurement of lumber, timber, shingles and clapboards," was next taken up.

On motion of Mr. Murray,

The bill was read a second time by its title only.

On motion of Mr. Randall,

Bill No. 23, was ordered to be engrossed and read a third time on the 4th of July next.

No. 18, (H. of R.) "A bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes," was taken up.

On motion of Mr. Selby,

The bill was laid on the table until Wednesday next.

No. 19, (H. of R.) "A bill for the government of the Penitentiary of the Territory of Minnesota, and the discipline thereof."

Was then taken up.

On motion of Mr. Murray,

The House resolved itself into a committee of the Whole to consider bill No. 19.

Mr. Day took the chair;

And after some time passed therein, the committee rose, and through its chairman reported the bill back to the House, and recommended to the House to strike out all after the enacting clause; and asked the concurrence of the House therein.

The question was, "shall the House concur in the amendment?"

And Mr. Murray called for the yeas and nays, and they were ordered.

Those voting in the affirmative, are

Messrs. Beatty, Cave, Day, Farnham, Leavitt, Murphy, Richards, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Black, Boal, Findley, Fullerton, Gingras, Murray, Randall, and Selby,—8.

So the House concurred in the amendment.

No. 2, (C. F.) "A bill to amend an act, entitled an act to incorporate the Mississippi Boom Company," came up in order.

Mr. Murray moved to reconsider the vote by which the House on yesterday concurred in the amendment of the committee of the Whole, striking out of the third section of said bill the words, "in proportion to the amount of stock each one may own."

On which motion the yeas and nays were demanded, and they were ordered;

And the result was yeas 11, nays 6.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Cave, Day, Findley, Fullerton, Gingras, Murphy, Murray, Randall and Selby—11.

Those who voted in the negative, are

Messrs. Black, Farnham, Leavitt, Richards, Taylor and Ludden, (Speaker)—6.

So the House reconsidered the vote.

And the question recurring on concurring in the amendment;

It was decided in the negative.

The question then recurred on the passage of the bill.

And the yeas and nays were demanded by Mr. Murray, which were ordered;

And there were yeas 13, nays 4.

Those voting in the affirmative, are

Messrs. Beatty, Boal, Cave, Day, Farnham, Findley, Fullerton, Gingras, Murphy, Randall, Selby, and Ludden (Speaker)—13.

Those voting in the negative, are

Messrs. Black, Leavitt, Richards, and Taylor—4.

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The roll was called and a quorum appeared in their seats.

No. 12, (H. of R.) "A bill to punish trespassers on the School Lands,"

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

No. 17, (H. of R.) "To organize Pembina county,"

Came up in order on its third reading; and,

On motion of Mr. Murray,

Was laid on the table.

On motion of Mr. Murray,

The message received from the Council, this morning, was taken up; and,

No. 1, (H. of R.) "A bill granting to Anson Northrop, Pierre Bottineau, Louis Roberts and Peter Poncin the right to establish and maintain a ferry across the Mississippi river,"

With the Council's amendment thereto, was considered.

Said amendment is as follows: "Strike out the word 'ten' where it occurs in section 1. and insert in lieu thereof the word 'six,'"

Mr. Black moved that the bill be laid on the table until the 27th inst.;

Which was disagreed to.

The question then recurred on concurring in the amendment of the Council.

And it was decided in the affirmative.

On motion of Mr. Murray,

The House resolved itself into a committee of the Whole on the report of the Board of Commissioners of Public Buildings,

Mr. Murphy in the chair;

And after some time passed therein the committee rose, and through its chairman reported the report back to the House, and recommended that it be referred to the committee on Public Buildings.

The report of the committee of the Whole was accepted, and its recommendation concurred in.

So the report of the Board of Building Commissioners was referred to the committee on Public Buildings.

On motion of Mr. Murray,

The resolution adopted on the 10th inst., instructing the committee on Corporations, to whom was referred the petition of Samuel Groff and others, to report on the 27th inst., was rescinded; and,

On motion of Mr. Murray,

The following resolution was adopted:

Resolved, That the standing committee on Corporations, to whom was referred the petition of Samuel Groff and others, praying for a charter to keep a ferry across Lake St. Croix, be instructed to report at the next sitting of this House.

Mr. Cave presented the following resolution:

Resolved by the Legislative Assembly, That the committee on Public Buildings of the two Houses act as a joint committee.

Which lies over one day under the rule.

Mr. Selby moved that the House adjourn until Monday at 2 o'clock, P. M.

Mr. Cave called for the yeas and nays, which were taken, and there were yeas 10, nays 7.

Those voting in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Gingras, Leavitt, Murphy, Randall, Selby, and Taylor—10.

Those voting in the negative, are

Messrs. Black, Cave, Findley, Fullerton, Murray, Richards, and Ludden, (Speaker)—7.

So the House adjourned until Monday at two o'clock, P. M.

MONDAY AFTERNOON, 2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 2 o'clock, P. M.

Prayer by the Rev. Mr. Webber.

The roll was then called, and a quorum appeared in their seats.

The journal of Friday was then read.

Mr. Day gave notice that he would on to-morrow, or some subsequent day, introduce a bill to establish election precincts in unorganized counties.

And Mr. Beatty gave notice that he would on to-morrow, or some subsequent day, introduce a bill to authorize Benton county to elect two members of the House of Representatives.

Mr. Farnham presented a communication from Jonathan E. McKusick, Territorial Auditor;

Which was read. Whereupon,

On motion of Mr. Cave,

It was ordered by the House that no action be taken on said communication, and that the Chief Clerk be directed to return it to Mr. McKusick, without comment.

The yeas and nays being demanded, they were ordered, and there were yeas 12, nays 4.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Day, Findley, Fullerton, Gingras, Randall, Selby, Taylor, and Ludden, (Speaker)—12.

Those who voted in the negative, are

Messrs. Farnham, Leavitt, Murray, and Richards—4.

Mr. Murphy, on notice previously given, and with leave first obtained, introduced No. 25, (H. of R.) "A bill to incorporate John G. Potts Lodge No. 3, of the Independent Order of Odd Fellows, of the town of St. Anthony;"

Which bill received its first reading.

Mr. Beatty made the following report :

"Your committee, to whom was referred the petition of James D. McComb and others, asking the repeal of an act of the Territory of Wisconsin, approved March 7th, 1848, granting to John Morgan the right to keep and maintain a Ferry across Lake St. Croix, at Stillwater, and that a charter be granted to Samuel Groff, would beg leave to report, that in their opinion the prayer of the petitioners ought to be granted.

JAMES BEATTY,
Chairman."

Mr. Black moved that the report be accepted, and the committee discharged from the further consideration of the subject.

Mr. Richards having previously given notice thereof, and with leave, introduced No. 26, (H. of R.) "A bill to locate a Territorial road from the foot of Lake Pepin to the Minnesota river."

Said bill received its first reading.

The business on the Speaker's table then came up in order.

No. 20, (H. of R.) "A bill to change the time of holding elections for Delegate to Congress."

Was taken up, and

Mr. Cave moved that it be indefinitely postponed, and called for the yeas and nays, which were taken, and the result was yeas 11, nays 6.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Day, Farnham, Findley, Gingras, Murphy, Randall, Selby, and Taylor—11.

Those who voted in the negative, are

Messrs. Boal, Fullerton, Leavitt, Murray, Richards and Ludden, (Speaker)—6.

So the bill was indefinitely postponed.

No. 21, (H. of R.) "A bill granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin,"

Was next taken up, and

Mr. Cave moved that it be indefinitely postponed.

Mr. Black moved to amend the motion so as to postpone to the 27th inst., and

Mr. Cave accepted the amendment, and demanded the yeas and nays on the motion as amended, and they were ordered.

Those who voted in the affirmative, are

Messrs. Black, Cave, Day, and Taylor—4.

Those who voted in the negative, are

Messrs. Beatty, Boal, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Selby, and Ludden, (Speaker)—12.

So the motion to postpone was decided in the negative.

Mr. Cave then moved that the House go into committee of the Whole, to consider said bill, and on that motion,

Mr. Cave called for the yeas and nays, which were taken, and resulted in yeas 7, nays 10.

Those who voted in the affirmative, are

Messrs. Black, Cave, Day, Murphy, Randall, Taylor, and Ludden, (Speaker.)—7.

Those who voted in the negative, are

Messrs. Beatty, Boal, Farnham, Findley, Fullerton, Gingras, Leavitt, Murray, Richards and Selby—10.

So the House refused to go into committee of the Whole.

On motion of Mr. Cave,

Said bill was then referred to the committee on Corporations.

Mr. Cave moved that the House adjourn.

And on that motion the yeas and nays were demanded, and there were yeas 6, nays 11.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Murray, Taylor, and Ludden, (Speaker)—6.

Those who voted in the negative, are

Messrs. Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, and Selby—11.

Mr. Murray then moved that the House adjourn until to-morrow at 2 o'clock, P. M.

And on that motion Mr. Murphy called for the yeas and nays, which were ordered, and there were yeas 4, nays 13.

Those who voted in the affirmative, are

Messrs. Black, Cave, Murray, and Taylor—4.

Those who voted in the negative, are

Messrs. Beatty, Boal, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Selby, and Ludden, (Speaker)—13.

On motion of Mr. Black,

A call of the House was ordered,

The roll was called and Mr. Rolette reported absent.

Mr. Richards moved that Mr. Rolette be excused for the remainder of the day;

And on that motion the yeas and nays were demanded, and being taken, there were yeas 12, nays 5.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, and Selby—12.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Taylor, and Ludden, (Speaker)—5.

So Mr. Rolette was excused for the remainder of the day.

Mr. Murphy presented two petitions: One numerously signed by ladies of the Territory, and one still more numerously signed by citizens of the Territory, praying the Legislature to pass a law "prohibiting the importation, manufacture, sale or gift of intoxicating liquors to be used as a beverage within the limits of this Territory."

The hour for receiving petitions having expired, the reception of those presented by Mr. Murphy was objected to. Whereupon,

Mr. Murphy moved that they be received, and called for the yeas and nays, which were taken, and there were yeas 15, nays 2.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—15.

Those who voted in the negative, are

Messrs. Black, and Cave—2.

Two-thirds voting in the affirmative, the House agreed to receive the two petitions.

Mr. Cave moved that the House adjourn, and called for the yeas and nays, which were taken, and the result was yeas 3, nays 14.

Those who voted in the affirmative, are

Messrs. Black, Cave, and Murray—3.

Those who voted in the negative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—14.

Mr. Murray then moved that the petitions just received be laid on the table and printed;

Which was disagreed to.

The petition from the ladies was then read, and Mr. Cave called for the reading of the names attached to it.

Mr. Murphy moved that the reading of the names be dispensed with.

Mr. Cave demanded the yeas and nays, and they were taken, and there were yeas 13, nays 4.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Selby, and Taylor—13.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, and Ludden, (Speaker)—4.

So the reading of the names was dispensed with.

Mr. Murray then moved that said petitions be laid on the table until the 27th inst.;

Which motion was lost.

Mr. Randall then moved that they be laid on the table;

And the motion prevailed.

On motion of Mr. Cave,

The House adjourned.

TUESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Webber.

The roll was then called, and a quorum appeared in their seats.

The journal of yesterday was then read.

The Sergeant-at-Arms announced a message from his Excellency, the Governor; Whereupon, W. B. White, the private Secretary of the Governor, appeared and presented the following message:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT,
ST. PAUL, Feb. 15, 1852. }

To the Hon. Speaker of the House of Representatives—

SIR: I have examined and approved "memorial of the Legislative Assembly of the Territory of Minnesota to the President of the United States, concerning suits for trespass on pine lands."

Very respectfully,
Your obedient servant,
ALEX. RAMSEY.

The Sergeant-at-Arms announced a message from the Council, and S. Trask, Esq, the Secretary thereof, appeared and presented the following:

COUNCIL, Feb. 17, 1852.

MR. SPEAKER :—The Council has passed No. 3, (H. of R.) "A bill to dissolve the marriage contract of Abram Hull and Julia A. Hull;" and also,

The Council has concurred in the amendments of the House to No. 2, (C. F.) "A bill to amend an act entitled an act to incorporate the Mississippi Boom Company."

The Council has passed No. 5, (C. F.) "A bill for the Relief of S. B. Olmstead, Alden Bryant, C. F. Tracy and B. W. Lott, in which the concurrence of the House is respectfully requested."

S. TRASK, Secretary.

The Secretary then withdrew.

And the business on the table was announced by the Speaker; but before it was proceeded with,

Mr. Randall, from the joint committee on Enrolled Bills, presented the following report :

The committee on Enrolled Bills have examined and found correctly enrolled,
"A bill entitled an act granting to Anson Northrop and others, the right to establish and maintain a ferry across the Mississippi river."

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

And the committee to whom was referred,

No. 21, (H. of R.) "A bill granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, M. T." presented the following :

The committee to whom was referred No. 21, (H. of R.) "Granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, M. T.," would respectfully beg leave to report,

That they have examined the provisions of the said bill, and are of the opinion that the same ought to pass; and therefore report the said bill back to the House and recommend its passage.

JAMES BEATTY, Chairman.

FEBRUARY 17th, 1851.

On motion of Mr. Randall,

The report was accepted.

Mr. Day with leave first obtained, and on notice previously given, introduced No. 27, (H. of R.) "A bill to provide for the establishment of election precincts in unorganized counties;"

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

No. 25, (H. of R.) "A bill to incorporate John G. Potts Lodge No. 3, of the Independent order of Odd Fellows,"

Came up on its second reading, was read a second time, and

On motion of Mr. Black,

Ordered to be engrossed and read a third time to-morrow.

No. 26, (H. of R.) "A bill to locate a Territorial Road from the foot of Lake Pepin to Minnesota river,"

On its second reading was next in order.

It was read a second time, when

Mr. Cave moved that it be referred to the committee on Territorial Affairs, and

Mr. Randall moved to amend the motion by substituting the committee on Roads;

Which motion was agreed to.

And the motion as amended prevailed,

So the bill was referred to the committee on Roads.

No. 21, (H. of R.) "A bill granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, M. T."

Was next taken up, and

On motion of Mr. Murphy,

The House resolved itself into a committee of the Whole on said bill,

Mr. Selby in the Chair;

And after some time passed therein, the committee rose and through its Chairman reported the bill back to the House with an amendment.

And the question recurring on concurring in said amendment;

It was decided in the negative.

Mr. Murray moved to amend the fifth section by striking out the words "an action of debt," and inserting "a civil action," and by striking out "an action on the case," and inserting "a like action;"

Which motion prevailed.

On motion of Mr. Murphy,

Said bill was ordered to be engrossed, and read a third time to-morrow.

No. 22, (H. of R.) "A bill for an act to provide for holding the district courts and for the administration of justice in the county of Pembina, and for changing the judicial districts of the Territory," next came up in order, and

On motion of Mr. Randall,

Was referred to the committee on the Judiciary.

No. 24, (H. of R.) "A bill defining the manner of contesting the election of members of the Legislative Assembly of the Territory of Minnesota."

Was next in order, and

Mr. Day moved that the House go into committee of the Whole to consider the same;

Which motion prevailed, and

The Speaker requested Mr. Richards to take the chair.

And after considering the bill some time, the committee rose and through its chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Black,

The petitions presented yesterday by Mr. Murphy, praying for the passage of laws to prohibit the importation, manufacture or sale of intoxicating liquors, were referred to a select committee of three, with authority to report by bill or otherwise; and

The Speaker announced Messrs. Murphy, Farnham and Murray as said committee.

Mr. Selby asked to be excused from attending this afternoon; and

On motion of Mr. Randall,

He was excused.

On motion of Mr. Randall,

The House adjourned.

TWO O'CLOCK, P. M.

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

The roll was called and only seven members appeared in their seats.

There being no quorum, the Sergeant-at-Arms was directed to notify the absent members to appear in their seats.

Soon thereafter, a quorum appeared, and the House proceeded to business.

On motion of Mr. Black,

The message received from the Council this morning, was taken up.

No. 5, (C. F.) "A bill for the relief of S. B. Olmstead, Alden Bryant, Charles F. Tracy and B. W. Lott, was read a first and second time, when

Mr. Murray moved to refer it to the committee on Legislative Expenditures.

Which was not agreed to.

On motion of Mr. Black,

It was ordered to be read a third time to-morrow.

The following resolution, presented by Mr. Cava, on Friday, was taken up:

Resolved by the Legislative Assembly, That the committee on Public Buildings of the two Houses, act as a joint committee.

On motion of Mr. Murray,

Said resolution was adopted.

Mr. Murphy having previously given notice thereof, and with leave first obtained, introduced

No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company."

Said bill was read a first and second time and ordered to be printed.

Mr Farnham moved that the House adjourn.

Mr. Murray called for the yeas and nays, and they were ordered;

And there was yeas 8, nays 8.

Those voting in the affirmative, are

Messrs. Cave, Day, Farnham, Fullerton, Leavitt, Murphy, Randall, and Ludden, (Speaker).—8.

Those voting in the negative, are

Messrs. Beatty, Black, Boal, Findley, Gingras, Murray, Richards and Taylor—8.

So the House refused to adjourn.

Mr. Randall moved to reconsider the vote by which the House, on yesterday, indefinitely postponed

Bill No. 20, "A bill to change the time of electing a Delegate to Congress."

Mr. Black called for the yeas and noes, which were taken;

And there were yeas 10, noes 6.

Those who voted in the affirmative, are

Messrs. Boal, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray Randall, Richards and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Day, Farnham, and Taylor—6.

So the House reconsidered the vote.

The question then recurred on the motion to postpone indefinitely, and

Mr. Cave demanded the yeas and noes, which were taken;

And there were yeas 7, noes 9.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Day, Farnham, Murphy and Taylor—7.

Those who voted in the negative, are

Messrs. Boal, Findley, Fullerton, Gingras, Leavitt, Murray, Randall, Richards and Ludden, (Speaker)—9.

So the House refused to postpone the bill indefinitely.

Mr. Day moved that said bill be referred to a committee of the Whole;

Which was not agreed to.

Mr. Murray moved that the further consideration of said bill be postponed until the 27th of this month.

Mr. Cave moved to amend the amendment by substituting the 10th of March for the 27th inst.

And on that motion,

Mr. Boal called for the yeas and noes, which were ordered; and the result was yeas 7, noes 9.

Those who voted in the affirmative, are

Messrs. Beatty Black, Cave Day, Farnham, Randall and Taylor—7.

Those who voted in the negative, are

Messrs. Boal, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Richards and Ludden, (Speaker)—6.

So the amendment to the amendment was not adopted.

The question on the motion of Mr. Murray was then put, and decided in the affirmative

So the bill is postponed until the 27th inst.

Mr. Fullerton moved that No. 15, (H. of R.) "A bill for an act explanatory of certain other acts," be now taken up;

And on that motion, the ayes and noes were called for and taken; and there were ayes 9, noes 7.

Those who voted in the affirmative, are

Messrs. Black, Cave, Day, Findley, Gingras, Leavitt, Murray, Randall and Ludden (Speaker)—9.

Those who voted in the negative, are

Messrs. Beatty, Boal, Farnham, Fullerton, Murphy, Richards and Taylor—7.

The bill was then taken up, and the reading thereof commenced, when

Mr. Murphy moved that its further reading be dispensed with.

Mr. Cave called for the ayes and noes, which were taken; and the result was, ayes 3, nays 13.

Those who voted in the affirmative, are

Messrs. Farnham, Murphy and Murray—3.

Those who voted in the negative, are

Messrs. Beatty, Black, Boal, Cave, Day, Findley, Fullerton, Gingras, Leavitt, Randall, Richards, Taylor and Ludden (Speaker)—13.

So the motion did not prevail.

Mr. Richards moved that the bill be laid on the table and printed;

Which motion was disagreed to.

Mr. Murray moved that it be referred to the select committee appointed this morning, to whom was referred the petitions against the importation, manufacture and sale of intoxicating liquors.

Mr. Cave moved to amend the motion by adding, "that the committee be instructed not to report on the bill before the 8th of March."

Mr. Day moved that the House adjourn;

And on that motion the ayes and noes were demanded, and taken, and there were ayes 6, and noes 10.

Those who voted in the affirmative, are

Messrs. Boal, Day, Leavitt, Murphy, Richards and Ludden, (Speaker)—6.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Farnham, Findley, Fullerton, Gingras, Murray, Randall and Taylor—10.

So the House refused to adjourn.

The Speaker put the question on the motion of Mr. Cave, to amend the motion of Mr. Murray so as to instruct the committee not to report before the 8th March.

And it was decided in the negative.

The question then recurred on the motion to refer the bill to the select committee appointed this morning on the petition against intoxicating liquors;

And on that motion Mr. Cave called for the ayes and noes, which were ordered; and there were ayes 8, nays 8.

Those who voted in the affirmative, are

Messrs. Boal, Farnham, Findley, Fullerton, Gingras, Leavitt, Murray and Richards—8.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Day, Murphy, Randall, Taylor and Ludden, (Speaker)—8.

Mr. Cave moved that said bill be postponed till the 29th inst.

Mr. Day moved to amend the motion by substituting the 29th of March.

And on that motion, Mr. Boal demanded the ayes and nays, and there were ayes 8, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Day, Findley, Murphy, Murray and Taylor—8.

Those who voted in the negative, are

Messrs. Boal, Farnham, Fullerton, Gingras, Leavitt, Richards and Ludden, (Speaker)—7.

So the amendment to the amendment was adopted.

The question then recurred on the motion as amended.

Mr. Cave moved that the House adjourn;

The ayes and noes were called for and taken, and there were ayes 10, noes 5.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Cave, Farnham, Findley, Fullerton, Leavitt, Murphy, Taylor and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Black, Day, Gingras, Murray and Richards—5.

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

WEDNESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker at 10 o'clock, A. M.

Prayer by the Rev. Mr. Webber.

The roll was called and a quorum appeared in their seats.

The journal of yesterday was then read.

Mr. Richards, chairman of the committee on Roads, made the following report:

To the Hon. House of Representatives:

Your committee on Roads, to whom was referred No. 26, (H. of R.) "A bill to locate a Territorial Road from the foot of Lake Pepin to the Minnesota river," respectfully report that they have had the matter under consideration, and from the best information they can obtain, the benefit that will ultimately accrue to those who may settle in that portion of Minnesota, through which said road is to be located, will, in the opinion of your committee, justify them in recommending the passage of said bill with a proviso, that it shall not take effect unless the late Sioux treaty shall be ratified by Congress at the present session thereof.

FORDYCE S. RICHARDS,
Chairman.

On motion of Mr. Leavitt,
The said report was accepted.

Mr. Selby from the committee on Engrossed Bills presented the following report:

MR. SPEAKER: The committee on Engrossed Bills, beg leave to report No. 21, (H. of R.) "A bill granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, Minnesota Territory," and No. 25, (H. of R.) "An act to incorporate John G. Potts Lodge No. 3, of the Independent Order of Odd Fellows, of the town of St. Anthony Falls,"

As correctly engrossed.

J. W. SELBY,
C. S. CAVE,
Committee.

The Speaker laid before the House a communication from Charles F. Tracy and B. W. Lott, relative to their services as commissioners to take testimony in Benton county, in the contested election case between Messrs. Beatty and Warren, and the bill for the relief of themselves and others, pending in the House.

The business on the table then came up in order.

No. 26, (H. of R.) "A bill to locate a Territorial road from the foot of Lake Pepin to the Minnesota river," was taken up; and

Mr. Black moved that the amendment recommended by the committee on Roads, be inserted in the bill, viz: "Providing that the act shall not take effect unless the late Sioux treaty shall be ratified by Congress at the present session thereof."

And the motion prevailed, and the bill was so amended.

Mr. Black then moved that the bill be engrossed and read a third time to-morrow; Which motion prevailed.

No. 18, (H. of R.) "A bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes," was next taken up; and

On motion of Mr. Selby,

Was referred to the committee on the Judiciary.

No. 27, (H. of R.) "A bill to provide for the establishment of election precincts in unorganized counties,"

Was taken up, and

On motion of Mr. Selby,

The House resolved itself into a committee of the Whole to consider said bill,

Mr. Fullerton in the Chair.

Shortly thereafter, the Sergeant-at-Arms announced a message from the Council; Whereupon the Speaker resumed the Chair, and

S. Trask, Esq., Secretary thereof, appeared and presented the following message:

COUNCIL, Feb. 17, 1852.

MR. SPEAKER: The Council has passed No. 7, (H. of R.) "A bill granting to Daniel F. Brawley the right to establish and maintain a ferry across the Mississippi river, at the Upper Landing of the town of St. Paul," and

No. 8, (H. of R.) "A bill granting to James M. Goodhue and Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

S. TRASK,
Secretary of the Council.

The Secretary then withdrew, and the Speaker vacated the Chair.

The committee resumed its sitting, and after some further time passed in considering the bill before them,

The Sergeant-at-Arms announced another message from the Council; and the Speaker again resumed the Chair; and

S. Trask, Esq., Secretary of the Council, appeared and delivered the following message:

MR. SPEAKER: The Council has passed No. 1, (H. of R.) "Joint Resolution re-

quiring the committee on Public Buildings of the two Houses, to act as a Joint Committee, with an amendment ;”

In which the concurrence of the House is respectfully requested.

S. TRASK, *Secretary*.

The Secretary then withdrew, and the committee again resumed its sitting ;

And after some further time passed therein, the committee rose, and through its chairman reported the bill back to the House with sundry amendments, and asked the concurrence of the House therein.

On motion of Mr. Murray,

The House voted on said amendments collectively.

And the question being, “ Will the House concur in the amendments of the committee ?”

Mr. Randall demanded the ayes and noes, which were ordered, and the result was ayes 7, noes 10.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Farnham, Findley, Gingras, and Murray—7.

Those who voted in the negative, are

Messrs. Boal, Day, Fullerton, Leavitt, Murphy, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—10.

So the House refused to concur in the amendment of the committee of the Whole.

Mr. Richards moved to amend the bill by adding to the third section the words, “ for such precincts as heretofore established by the Governor, in unorganized counties west of the Mississippi river,”

Which motion prevailed.

And the bill was amended accordingly.

Mr. Day moved further to amend by striking out of the 1st section, the words “ he shall deem proper” and insert “ the petitioners may require.”

The motion prevailed, and the bill was so amended.

Mr. Day then moved that the bill be engrossed and read a third time to-morrow.

On that motion Mr. Cave demanded the ayes and noes, which were taken, and there were ayes 12, noes 5.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Fullerton, Leavitt, Murphy, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—12.

Those who voted in the negative, are

Messrs. Black, Cave, Findley, Gingras, and Murray—5.

So the bill was ordered to be engrossed and read a third time to-morrow.

No. 15, (H. of R.) “ A bill for an act explanatory of certain other acts,”

Was called up, and Mr. Fullerton moved that it be engrossed and read a third time to-morrow.

Mr. Black moved to amend the motion so as to refer the bill to the committee appointed yesterday, to whom was referred the petitions presented the previous day, praying for the passage of laws prohibiting the importation, manufacture, sale or gift of intoxicating liquors.

Mr. Fullerton accepted the amendment.

And the question recurring on the motion as amended,

Mr. Murphy called for the ayes and noes, and they were taken, and there were ayes 8, noes 9.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Day, Fullerton, Leavitt, Richards, Selby, and Taylor—8.

Those who voted in the negative, are

Messrs. Boal, Cave, Farnham, Findley, Gingras, Murphy, Murray, Randall, and Ludden, (Speaker)—9.

So the question was decided in the negative.

Mr. Black then moved that the bill be referred to the members of the House from Ramsey county;

Which was agreed to.

Mr. Randall presented the following report :

The joint committee on Enrolled Bills, did on the 18th of February, 1852, present to his excellency, the Governor of Minnesota, for his approval, the following entitled bills, viz :

"An act to incorporate Cottage Grove Academy, at Cottage Grove, in the county of Washington," and

"An act to incorporate Minnesota Lodge No. 1, I. O. O. F."

D. B. LOOMIS, Council, }
B. H. RANDALL, H. of R. } Committee.

The committee on Enrolled Bills, have examined and found correctly enrolled

No. 3, (H. of R.) "A bill to dissolve the marriage contract of Abram Hull and Julia A. Hull."

D. B. LOOMIS, Council }
B. H. RANDALL, H. of R. } Committee.

The above bills were signed by the Speaker.

On motion of Mr. Randall,

The second message received from the Council this morning, was taken up and read.

And the question recurred on concurring in the amendment of the Council to the Joint Resolution, No. 1, (H. of R.) "Requiring the committee on Public Buildings, of the two Houses, to act as a joint committee."

The amendment of the Council is, to strike out "Legislative Assembly," and insert "House of Representatives, the Council concurring;" so that the resolution will read :

Resolved, by the House of Representatives, the Council concurring, That the committee on Public Buildings, of the two Houses, act as a joint committee."

And the House concurred in the amendment.

No. 25, (H. of R.) "A bill to incorporate John G. Potts Lodge, No. 3, of the Independent Order of Odd Fellows of the town of St. Anthony Falls;"

Came up on its third reading, was passed, and the title thereof agreed to.

No. 21, (H. of R.) "A bill granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, M. T.;"

Came up on its third reading, was passed, and the title thereof agreed to.

No. 5, (C. F.) "A bill for the relief of S. B. Olmstead, Alden Bryant, Charles F. Tracy, and B. W. Lott;"

Was next taken up; and

On motion of Mr. Black,

Referred, together with the communication received this morning from Messrs. Tracy and Lott, to the committee on Legislative Expenditures.

On motion of Mr. Randall,

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

THURSDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Webber.

The roll was then called, and a quorum appeared in their seats.

The Journal of yesterday was then read.

Mr. Beatty, on notice previously given, and with leave first obtained, introduced No. 29, (H. of R.) "A bill to authorize the county of Benton to elect two members of the House of Representatives."

Said bill received its first reading.

No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company,"

Was taken up; when

Mr. Black moved that it be laid on the table until the 8th of March.

On which motion, Mr. Murphy demanded the yeas and nays, and they were ordered, and the result was yeas 2, nays 14.

Those who voted in the affirmative, are

Messrs. Black, and Cave—2.

Those who voted in the negative, are

Messrs. Beatty, Boal, Day, Farnham, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—14.

Mr. Selby then moved that the House go into committee of the Whole to consider said bill.

Which motion prevailed.

And the Speaker invited Mr. Cave to the chair.

A short time thereafter, the Sergeant-at-Arms announced a message from the Council;

Whereupon the Speaker resumed the chair, and

S. Trask, Esq., Secretary of the Council, appeared and presented the following message:

COUNCIL, Feb. 18th, 1852.

MR. SPEAKER: The Council has passed No. 3, (H. of R.) "Memorial of the Legislative Assembly of the Territory of Minnesota, to the Congress of the United States, for a mail route from St. Paul, to Lansing, Iowa," without amendment.

And also, No. 11, (H. of R.) "A bill to incorporate the St. Anthony Boom Company," with amendments.

In which the concurrence of the House is respectfully requested.

His excellency, the Governor, has informed the Council that he did, on the 16th day of February, 1852, approve the "Joint resolution authorizing the Secretary of the Territory to purchase certain copies of the annals of the Minnesota Historical Society."

S. TRASK,

Secretary of the Council.

Then the Speaker vacated the chair, and the committee of the Whole resumed its sitting;

And after some time passed therein, rose, and through its chairman reported the bill back to the House with amendments.

And the question recurring on concurring in said amendments,
It was decided in the affirmative.

Mr. Cave then moved that said bill be referred to a select committee of three;

On which motion the yeas and nays were demanded and ordered, and there were yeas 10, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Day, Fullerton, Murray, Randall, Taylor, and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Farnham, Findley, Gingras, Leavitt, Murphy, Richards, and Selby—7.

So the question was decided in the affirmative,

And the Speaker appointed Messrs. Farnham, Black, and Randall as said committee.

Mr. Black, from the committee on Legislative Expenditures, presented the following report :

The committee on Legislative Expenditures, to whom was referred No. 5, (C. F.) beg leave to report the same back to the House, and recommend the adoption of the following amendment, viz :

Strike out the word "ninety" wherever it occurs in the bill, and insert the words "one hundred."

M. BLACK,
J. E. FULLERTON,
Committee.

On motion of Mr. Randall,

The report was accepted.

Mr. Black moved that the amendments recommended by the committee be adopted, and called for the yeas and nays, which were taken, and the result was yeas 10, nays 5.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Findley, Fullerton, Murray, Randall, Selby, Taylor, and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Day, Farnham, Gingras, Leavitt, and Richards—5.

So the bill is amended as recommended by the committee.

On motion of Mr. Murray,

Said bill was ordered to be read a third time to-morrow.

Mr. Selby from the committee on Engrossed Bills, presented the following report :

MR. SPEAKER :—The committee on Engrossed Bills beg leave to report No. 26, (H. of R.) "A bill to locate a Territorial road from the foot of Lake Pepin, to Minnesota river," and

Bill No. 27, "A bill to provide for the establishment of election precincts in unorganized counties,"

As correctly engrossed.

J. W. SELBY.
C. S. CAVE,
Committee.

Mr. Randall reported as follows :

The joint committee on Enrolled Bills, did, on the 19th day of February, 1852, present to his excellency, Governor Ramsey, for his examination and approval, the following bill, viz :

"A bill entitled an act granting to Anson Northrop and others, the right to establish and maintain a ferry across the Mississippi river."

D. B. LOOMIS, Council
B. H. RANDALL, H. of R. } Committee.

Mr. Farnham, on notice previously given, and with leave first obtained, introduced No. 30, (H. of R.) "A bill to incorporate the Rum river Boom Company ;"

Which received its first and second reading, and was ordered to be printed.

On motion of Mr. Murray,

The House adjourned.

TWO O'CLOCK, P. M.

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

The roll was called, and a quorum of members appeared in their seats.

No. 26, (H. of R.) "A bill to provide for laying out a Territorial road from the foot of Lake Pepin, or Reed's Landing, to some point on the Minnesota river, between Flint Prairie and the mouth of Blue Earth river,"

Was taken up on its third reading and passed, and the title thereof was agreed to.

No. 27, (H. of R.) "A bill to provide for the establishment of election precincts in unorganized counties,"

Was taken up on its third reading, and the question being, "Shall the bill pass?"

Mr. Black called for the ayes and noes, which were taken, and there were ayes 6, noes 7.

Those who voted in the affirmative, are

Messrs. Boal, Gingras, Murphy, Richards, Selby, and Ludden, (Speaker)—6.

Those who voted in the negative, are

Messrs. Black, Cave, Farnham, Findley, Leavitt, Randall, and Taylor—7.

So the question was decided in the negative.

Mr. Black, then moved that the vote just taken, be reconsidered, and on that motion called for the ayes and noes, which were ordered.

Mr. Murphy moved a call of the House, which was ordered, and the roll being called,

And Messrs. Day, Fullerton, Murray, and Rolette were reported absent.

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

Mr. Cave moved that further proceedings under the call of the House be dispensed with;

Which was disagreed to.

Messrs. Day and Fullerton soon thereafter appeared in their seats;

After which, the Sergeant-at-Arms appeared with Mr. Murray, and announced that the members were all in their seats except Mr. Rolette, who could not be found, when,

On motion of Mr. Richards,

Further proceedings under the call were dispensed with.

The question then recurred on the motion to reconsider the vote by which the House refused to pass No. 27.

And the ayes and noes having been called for and ordered, were taken, and the result was ayes 9 noes 8.

Those who voted in the affirmative, are

Messrs. Boal, Day, Fullerton, Gingras, Murphy, Randall, Richards, Selby, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Farnham, Findley, Leavitt, Murray, and Taylor—8.

So the House reconsidered the vote.

The question then recurred on the passage of the bill ; when

On motion of Mr. Murray,

A call of the House was ordered, and Mr. Rolette reported absent.

Mr. Selby moved that Mr. Rolette be excused for the remainder of the day ;

Which was agreed to.

The ayes and noes were then demanded on the passage of the bill, and the result was ayes 9, noes 7.

Those who voted in the affirmative, are

Messrs. Boal, Day, Fullerton, Gingras, Murphy, Randall, Richards, Selby and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Farnham, Findley, Leavitt, Murray, and Taylor—7.

So the bill was passed, and the title thereof was agreed to by the following vote :

The ayes and noes being demanded by Mr. Murray, there were ayes 10, noes 7.

Those who voted in the affirmative, are

Messrs. Boal, Day, Fullerton, Gingras, Murphy, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Farnham, Findley, Leavitt, and Murray—7.

Mr. Day moved that the House go into committee of the Whole, to consider

No. 24, (H. of R.) "A bill defining the manner of contesting the election of members of the Legislative Assembly of the Territory of Minnesota."

Which motion was lost.

Mr. Murphy, from the committee to whom was referred the petitions heretofore presented by him, praying for the passage of laws prohibiting the importation, manufacture, sale or gift of intoxicating liquors, with leave, reported

No. 31, (H. of R.) "A bill for the suppression of drinking houses and tippling shops."

Said bill received its first and second reading, and was ordered to be printed.

On motion of Mr. Randall,

The message received this morning from the Council was taken up ; and

No. 11, (H. of R.) "A bill to incorporate the St. Anthony Boom Company,"

Was in order.

And the question recurring on concurring in the amendments of the Council to said bill, they were voted upon severally, and all concurred in.

Mr. Richards, on notice heretofore given by Mr. Findley, with leave of the House first obtained, introduced

No. 32, (H. of R.) "A bill for laying out a Territorial road from St. Paul to opposite Fort Snelling."

Said bill received its first reading.

Mr. Murphy moved that the House adjourn ; and the ayes and noes were demanded, and there were ayes 9, noes 7.

Those who voted in the affirmative, are

Messrs. Boal, Day, Farnham, Gingras, Leavitt, Randall, Richards, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Findley, Fullerton, Murphy, and Murray—7.

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

FRIDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Webber.

The roll was then called, and a quorum appeared in their seats.

The journal of yesterday was then read.

Mr. Murray gave notice that he would on to-morrow, or some subsequent day, introduce a bill to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25th, 1851.

No. 29, (H. of R.) "A bill to authorize the county of Benton to elect two members to the House of Representatives."

Was taken up, read a second time, laid on the table and ordered to be printed.

No. 32, (H. of R.) "A bill for laying out a Territorial road from St. Paul to opposite Fort Snelling,"

Was taken up and read a second time.

Mr. Murphy moved that it be engrossed and read a third time to-morrow, and called for the yeas and nays, which were taken, and the result was yeas 6, nays 11.

Those who voted in the affirmative, are

Messrs. Boal, Gingras, Murphy, Randall, Richards, and Selby—6.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Day, Farnham, Findley, Fullerton, Leavitt, Murray, Taylor, and Ludden, (Speaker)—6.

So the House refused to engross the bill.

Mr. Day moved that the vote just taken be reconsidered.

Mr. Cave demanded the yeas and nays, and they were taken, and the result was yeas 14, nays 3.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—14.

Those who voted in the negative, are

Messrs. Black, Cave, and Fullerton—3.

So the House reconsidered the vote.

And the question recurred on the motion to engross the bill.

Mr. Black moved to amend said motion so as to lay the bill on the table and order it to be printed.

Mr. Murphy accepted the amendment, and the motion as amended prevailed.

So the bill was laid on the table and ordered to be printed.

No. 5, (C. F.) "A bill for the relief of S. B. Olmstead, Alden Bryant, Charles F. Tracy and B. W. Lott,"

Was taken up, read a third time and passed.

Mr. Black moved to amend the title of the bill so as to include the name of Taylor Dudley.

Which motion prevailed.

And the title as amended was agreed to.

On motion of Mr. Day,

The House went into committee of the Whole on

No. 24, (H. of R.) "A bill defining the manner of contesting elections of members of the Legislative Assembly of the Territory of Minnesota,"

Mr. Boal in the chair,

And after some time passed therein, the Sergeant-at-Arms announced a message from his Excellency, the Governor;

And the Speaker resumed the chair,

Whereupon, W. B. White, Esq., the private Secretary of the Governor, appeared and presented the following message :

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 20, 1852. }

To the Hon. Speaker of the House of Representatives—

SIR:—I return without my signature "An act to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington." In order that an obvious error in the title of the corporation, in the first section of the act, may be corrected.

I would also call attention to the last clause of the 13th section, which provides that "no sectarian doctrines shall be tolerated therein." It is probable that in transcribing the bill, "tolerated" has been erroneously written for "taught."

Very respectfully,

Your obedient servant,
ALEX. RAMSEY.

Whereupon the Speaker vacated the chair, and the committee of the Whole resumed its sitting.

And after some further time passed in considering the bill before them, rose, and through their chairman reported the bill back to the House without amendment.

The bill underwent the following amendments in the House :

In section 11, line 1, after the word "Sheriff," insert "Clerk of the District Court;" line 2, after the word "depositions," insert "and all witnesses;" line 3, after the word "officers," insert "and witnesses."

On motion of Mr. Murray,

Ordered to be engrossed and read a third time to-morrow.

Mr. Murray, from the committee on the Judiciary, to whom was referred,

No. 18, (H. of R.) "A bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes;"

Reported said bill to the House and recommended its passage.

On motion of Mr. Murray,

The House went into a committee of the Whole to consider said bill;

Mr. Selby in the chair.

And after some time passed therein,

The committee rose, and through its Chairman reported the said bill back to the House with sundry amendments.

And the question recurring on the adoption of the amendments, it was decided in the affirmative.

Said amendments are :

"In section 2 strike out the word 'section' and insert 'first,' strike out 'May' and insert 'June,' strike out 'November' and insert 'December;' and add, section 6, 'this act shall take effect from and after its passage.'"

Mr. Murphy then moved that the bill be engrossed and read a third time to-morrow.

And Mr. Day called for the yeas and nays, which were taken, and there were yeas 18, nays 3.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Farnham, Findley, Fullerton, Gingras, Murphy, Murray, Randall, Selby, Taylor, and Ludden, (Speaker.)—18.

Those who voted in the negative, are

Messrs. Day, Leavitt, and Richards—3

So the bill was ordered to be engrossed and read a third time to-morrow.

Mr. Farnham, from the committee to whom was referred

No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company,"

Made the following report :

"The committee to whom was referred No. 28, (H. of R.) "A bill to incorporate the Mississippi Bridge Company, have the honor to report :

"That they have had the same in consideration, and report it back to the House with the following amendment, and recommend its passage :

"Strike out of section 12 the first line, and to, and including the word 'expedient' in the second line, and insert 'the Legislature shall have the right of limiting the rates of toll at any time; *Provided*, That the rates of toll, so fixed, shall not be less for the first ten years than was established in an act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river, approved February 19, 1851.'

S. W. FARNHAM,
Chairman."

On motion of Mr. Day,

The report was accepted.

Mr. Black moved to amend the bill by adding a section requiring the bridge to be commenced within two, and completed within five years.

Mr. Day moved to amend said amendment by attaching a *proviso* that nothing in the act contained shall be so construed as to give the said Bridge Company any color of right to any portion of the Sioux lands or Military Reserve of Fort Snelling.

Which motion prevailed.

The question then recurred on the adoption of Mr. Black's amendment as amended, and was decided in the affirmative;

And the amendment constitutes section 14 of the bill.

Mr. Black then moved that the amendment recommended by the committee in their report be adopted;

Which motion prevailed.

Mr. Murray moved that the vote last taken be reconsidered.

And Mr. Leavitt demanded the ayes and noes, which were taken, and there were yeas 8, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Findley, Fullerton, Gingras, Murray, Richards, and Taylor—8.

Those who voted in the negative, are

Messrs. Black, Farnham, Leavitt, Murphy, Randall, Selby, and Ludden, (Speaker)—7.

So the House reconsidered its vote.

And the question recurred on adopting the committee's amendment.

Mr. Murray moved to amend the amendment by striking out the *proviso*, and Mr. Murphy called for the ayes and noes, which were taken, and there were yeas 9, noes 7.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Day, Fullerton, Murray, Richards, Selby, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Boal, Farnham, Findley, Gingras, Leavitt, Murphy, and Randall—7.

So the proviso was stricken out.

The question then recurred on adopting the amendment of the committee as amended.

Mr. Murphy called for the ayes and noes, and they were ordered, and there were ayes 10, noes 6.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Day, Fullerton, Murray, Richards, Selby, Taylor, and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Farnham, Findley, Gingras, Leavitt, Murphy, and Randall—6.

So the amendment as amended was adopted.

Mr. Randall then moved that the bill be engrossed and read a third time to-morrow, and called for the yeas and nays, which were taken, and there were yeas 10, nays 6.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Fullerton, Gingras, Murray, Richards, Selby, Taylor, and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Black, Farnham, Findley, Leavitt, Murphy, and Randall—6.

So the bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Murphy,

The House adjourned.

TWO O'CLOCK, P. M.

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

On a call of the roll a quorum of members appeared in their seats.

On motion of Mr. Selby,

The House went into committee of the Whole on No. 30, (H. of R.) "A bill to incorporate the Rum river Boom Company ;"

Mr. Leavitt in the chair.

And after some time passed therein the committee rose, and through its chairman reported the bill back to the House with amendments.

The report was accepted, and the amendments concurred in by the House.

Mr. Black moved to strike out the words "to the amount of stock owned by each," comprising the 5th line of section 2; and called for the yeas and nays, which were taken, and there were yeas 7, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Day, Randall, Richards, Taylor, and Ludden, (Speaker)—7.

Those who voted in the negative, are

Messrs. Boal, Findley, Fullerton, Gingras, Leavitt, Murphy, and Selby—7.

So the motion was lost.

Mr. Randall then moved to insert before said words in the 5th line of section 2, the words "in proportion."

Which motion prevailed.

Mr. Randall also moved to amend section 11 by adding thereto the words "the said Boom Company shall so construct the said Boom or Booms as to give passage to any boats or other water crafts running up or down said river, without any let, hindrance or delay by reason or on account of said Boom or Booms."

The motion prevailed, and the bill was so amended.

On motion of Mr. Richards,

The bill was then ordered to be engrossed, and read a third time to-morrow.

On motion of Mr. Selby,

The House adjourned until Monday morning at 10 o'clock.

MONDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock A. M.

Prayer by the Rev. Mr. Riheldaffer.

The roll was then called, and a quorum appeared in their seats.

The journal of Friday was then read.

Mr. Murray, on notice previously given, and with leave first obtained, introduced, No. 33, (H. of R.) "A bill to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25th, 1851."

Said bill received its first reading.

The unfinished business on the table was then taken up.

No. 29, (H. of R.) "A bill to authorize the county of Benton to elect two members to the House of Representatives,"

Being first in order, was

On motion of Mr. Murray,

Ordered to be engrossed and read a third time to-morrow.

The Sergeant-at-Arms announced a message from the Council, whereupon

S. Trask, Esq, the Secretary of the Council, appeared and presented the following message:

COUNCIL, Feb. 23, 1852.

MR. SPEAKER: The Council has passed,

No. 2, (C. F.) "A memorial to the President of the United States relative to the survey and establishment of the boundary line between the Territory of Minnesota and the British Possessions," and also,

No. 5, (H. of R.) "A bill providing for the appointment of a Supreme Court Reporter," with amendments, and

No. 21, (H. of R.) "A bill granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, M. T," with an amendment.

No. 25, (H. of R.) "A bill to incorporate John G. Potts Lodge No. 3, of the Independent order of Odd Fellows, of the town of St. Anthony Falls," without amendment.

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

The Council has concurred in the amendments of the House to,

No. 5, (C. F.) "A bill for the relief of S. B. Olmstead, Alden Bryant, Charles F. Tracy, B. W. Lott and Taylor Dudley."

S. TRASK, Secretary.

No. 81, (H. of R.) "A bill for the suppression of drinking houses and tippling shops."

Was taken up, and

On motion of Mr. Randall,

The House resolved itself into a committee of the Whole on said bill,

Mr. Day in the Chair;

And after some time passed therein, rose and through its Chairman reported the bill back to the House with the following amendment:

Add section 20, all acts and parts of acts now in existence for regulating the sale of spirituous liquors, and for granting licenses for the sale thereof, are hereby repealed.

And the question recurring on adopting the amendment;

It was decided in the affirmative.

Mr. Murray moved that the bill be laid on the table and made the special order of the day for to-morrow;

Which motion prevailed.

No. 32, (H. of R.) "A bill for laying out a Territorial road from St. Paul to a point opposite Fort Snelling,"

Was next taken up, when

Mr. Richards moved that it be laid on the table;

Which motion was lost.

Mr. Selby moved that the House resolve itself into a committee of the Whole, to consider said bill;

Which motion was also lost.

Mr. Murray then moved that the bill be laid on the table;

Which was agreed to.

On motion of Mr. Murray,

The House adjourned.

TWO O'CLOCK, P. M.

The House met, and was called to order by the Speaker at 2 o'clock P. M.

On a call of the roll a quorum of members appeared in their seats.

On motion of Mr. Cave,

The message received this morning from the Council, was taken up.

No. 5, (H. of R.) "A bill providing for a Supreme Court Reporter," with the amendment of the Council thereto, was considered.

And the amendment was concurred in.

Said amendment is as follows: "After the word 'printed' in the first line of the 3d section, insert 'by the public printers.'"

No. 21, (H. of R.) "A bill granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, M. T.," with the amendments of the Council thereto,

Were next considered.

Said amendments are as follows: "Sec. 1, line 3, strike out 'ten' and insert 'six,' and in Sec. 3, line 4, strike out the word 'each' and insert 'a single.'"

The first amendment was concurred in and the second disagreed to.

Mr. Selby from the committee on Engrossed Bills presented the following report:

MR. SPEAKER: The committee on Engrossed Bills, beg leave to report No. 24, (H. of R.) "A Bill defining the manner of contesting the elections for members of the Legislative Assembly of the Territory of Minnesota." Also,

No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company." Also,

No 30. (H. of R.) "A Bill to incorporate the Rum river Boom Company,"
As correctly engrossed.

J. W. SELBY,
C. S. CAVE,
Committee.

Mr. Randall, from the joint committee on Enrolled Bills, presented the following report :

The committee on Enrolled Bills have examined and found correctly enrolled, No. 5, (C. F.) "A Bill for the relief of S. B. Olmstead, Alden Bryant, C. F. Tracy, B. W. Lott and Taylor Dudley." Also,

No. 2, (C. F.) "A bill to amend an act entitled an act to incorporate the Mississippi Boom Company."

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

The Speaker signed said enrolled bills.

Mr. Murray offered the following resolution :

Resolved, That the Chief Justice of this Territory be requested to furnish this House, at as early a day as possible, his written opinion, as to the power of the Legislative Assembly to enact any law prohibiting the sale and importation of intoxicating liquors in this Territory.

On motion of Mr. Randall,

The 33d rule of the House was suspended, and said resolution adopted.

No. 24, (H. of R.) "A bill defining the manner of contesting elections of members of the Legislative Assembly of the Territory of Minnesota,"

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

No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company,"

Being next in order, received its third reading.

And the question recurring on its passage, Mr. Murphy moved a call of the House ;

Which was ordered, and Messrs. Black, Boal and Rolette reported absent.

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

Before he reported, Mr. Randall moved that the House adjourn ;

On which motion Mr. Cave called for the ayes and noes, which were ordered ; and there were ayes 9, noes 6.

Those who voted in the affirmative, are

Messrs. Day, Gingras, Leavitt, Murray, Randall, Richards, Selby, Taylor and Ludden, (Speaker)—8.

Those who voted in the negative, are

Messrs. Beatty, Cave, Farnham, Findley, Fullerton, and Murphy—6.

So the motion prevailed, and the House adjourned.

TUESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Riheldaffer.

The roll was then called, and a quorum appeared in their seats.

The Journal of yesterday was then read.

The special order of the day, No. 31, (H. of R.) "A bill for the suppression of drinking houses and tippling shops," was taken up.

On motion of Mr. Selby,

The House resolved itself into a committee of the Whole on said bill,

Mr. Selby in the Chair;

And after some time passed therein rose, and through their chairman reported the bill back to the House with the following amendments:

1st amendment: Section 2, line 2, after the word "two" insert "or more."

2nd amendment: Section 2, line 3, after the word "county" insert "or within the precincts of any unorganized county which may be attached to such county for judicial purposes."

3d amendment: Section 14, line 2, after the word "boat" insert "scow, raft, or canoe."

And the question recurring on adopting the amendments,

Mr. Black moved that said question be indefinitely postponed.

On which motion Mr. Murphy demanded the yeas and nays, and they were taken, and the result was yeas 4, nays 18.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Murray, and Ludden, (Speaker)—4.

Those who voted in the negative, are

Messrs. Boal, Cave, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Selby, and Taylor—18.

So the House refused to postpone indefinitely.

The amendments were then voted upon separately, and all adopted.

Mr. Black then moved that the bill be engrossed and read a third time to-morrow.

Before the question was put, Mr. Murphy moved that the House adjourn.

On which motion the yeas and nays were called for and ordered, and there were yeas 10, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, and Selby—10.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Randall, Richards, Taylor, and Ludden, (Speaker)—7.

So the House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment, and was called to order by the Speaker at 2 o'clock, P. M.

On call of the roll a quorum appeared in their seats.

The House resumed the consideration of

No. 31, (H. of R.) "A bill for the suppression of drinking houses and tippling shops."

Mr. Selby moved to strike out of section 16 the words "and no action of any kind shall be maintained in any court in this Territory, either in whole or in part, for intoxicating or spirituous liquors sold in any other State or county whatever, nor shall any action of any kind be had or maintained in any court in this Territory for the recovery or possession of intoxicating or spirituous liquors or the value thereof."

Which motion prevailed, and the words were stricken out.

Mr. Selby then moved to strike out of line 3, section 19, "the first Monday of May next," and insert "its passage."

Which was not agreed to.

Mr. Fullerton moved a call of the House, which was ordered,

And Messrs. Randall and Richards were reported absent.

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

Before he reported.

On motion of Mr. Murray,

Farther proceedings under the call were dispensed with.

Mr. Day offered the following amendment, to come in at the conclusion of, and as a proviso to the 19th section:

"*Provided*, That a special election be held throughout the Territory on the first Monday of April next, at which election the provisions of this act shall be submitted to the voters of the Territory; which election shall be held at the places, and by the officers now provided for by law for holding general elections. The voters at said election shall vote by ballot, and all the ballots at said election having the word "yes" written or printed thereon, shall be counted as voting for the adoption of this act; and those having written or printed thereon the word "no," shall be counted as voting against the adoption of this act. The returns of said election shall be made to the Register of Deeds of the several counties, in the manner now required for making election returns, who shall proceed to canvass the votes in the manner that they are now required to canvass the votes of a general election, and immediately make and transmit to the Secretary of the Territory a certified statement of the number of votes cast for and against the adoption of this act. The Governor and Secretary of the Territory shall immediately upon the receipt of the returns from the several organized counties, proceed to canvass the returns, and on or before the first Monday in May next, the Governor shall make proclamation of the result. If the returns of said election shall show that a majority of the votes cast were for the provisions of this act, then and in that case this act shall fully, and to all intents and purposes, take effect, and be enforced according to the provisions of the same; but if a majority of the votes cast shall be against the provisions of this act, then the same shall be null and void and of no effect."

Mr. Murray moved that said amendment be adopted.

Mr. Black called for the ayes and noes, which were taken, and there were yeas 12, nays 6.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Day, Findley, Gingras, Murray, Randall, Richards, Rolette, and Taylor—12.

Those who voted in the negative, are

Messrs. Farnham, Fullerton, Leavitt, Murphy, Selby, and Ludden, (Speaker)—6.

So the amendment was adopted.

Mr. Farnham then moved that the bill be ordered to be engrossed and read a third time to-morrow.

Which was decided in the negative.

Mr. Day moved that the vote just taken be reconsidered.

Which was agreed to.

And the question recurring on the motion to engross said bill,

Mr. Farnham asked and obtained leave to withdraw said motion.

On motion of Mr. Day,

The bill was laid on the table.

Mr. Randall, from the joint committee on Enrolled Bills, presented the following report :

The committee on Enrolled Bills, have examined and found correctly enrolled :

No. 11, (H. of R.) "An act to incorporate the St. Anthony Boom Company,"

No. 8, (H. of R.) "An act granting to Daniel F. Brawley the right to establish and maintain a ferry across the Mississippi river, at the Upper Landing in the town of St. Paul."

No. 7, (H. of R.) "An act granting to James M. Goodhue and Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

No. 5, (H. of R.) "An act providing for the appointment of a Supreme Court Reporter."

No. 25, (H. of R.) "An act to incorporate John G. Potts Lodge No. 3, of the Independent Order of Odd Fellows, of the town of St. Anthony."

No. 3, (H. of R.) "Memorial of the Legislative Assembly of the Territory of Minnesota, to the Congress of the United States, for a mail route from St. Paul, in this Territory, to Lansing, Iowa, via Red Wing and Reed's Landing, in Wabasha county, in this Territory."

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

The Speaker signed said enrolled bills.

Mr. Selby presented the following report :

MR. SPEAKER :—The committee on Engrossed Bills beg leave to report

No. 29, (H. of R.) "A bill to authorize the county of Benton to elect two members of the House of Representatives,"

As correctly engrossed.

J. W. SELBY.
C. S. CAVE,
Committee.

Mr. Day moved that the House adjourn ;

Which was disagreed to.

Mr. Murray moved a call of the House ;

Which was ordered, and Messrs. Boal, Day, Gingras, Rolette, and Murphy were reported absent.

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

Before he reported,

On motion of Mr. Murray,

Further proceedings under the call were dispensed with.

On motion of Mr. Fullerton,

No. 17, (H. of R.) "A bill to organize Pembina county,"

Was taken up.

Mr. Fullerton presented the following amendment to said bill as section 6 :

Sec. 6. A Court of Probate is hereby established in said county, and the Governor is hereby authorized to appoint a Judge of Probate for said Court, with the same power which the Judge of Probate has in the county of Ramsey, the said Judge, so appointed, to hold his office until a successor is elected at the next general election of said county of Pembina, and duly qualified according to law."

Mr. Richards moved that said amendment be adopted ;

Which motion prevailed.

So the amendment constitutes section 6 of the bill.

On motion of Mr. Murray,

The bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Richards,

No. 30, (H. of R.) "A bill to incorporate the Rum river Boom Company,"

Was taken up ; and

On motion of Mr. Murphy,

Recommitted to a select committee of three.

On motion of Mr. Murray,

No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company,"

Was taken up ; and

On motion of Mr. Selby,

Recommitted to a select committee of three.

Mr. Selby presented the following report :

MR. SPEAKER: The committee on Engrossed Bills, beg leave to report

No. 18, (H. of R.) "A bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes,"

As correctly engrossed.

J. W. SELBY,
C. S. CAVE,
Committee."

Mr. Fullerton moved to reconsider the vote of yesterday by which the House refused to concur in the second amendment of Council to bill No 21, granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, Minnesota Territory."

Which motion prevailed.

And the question recurring on concurring in said amendment, which is to strike out "each" and insert "a single" in section 3, line 1;

It was decided in the affirmative.

So both the amendments of the Council to said bill are concurred in.

On motion of Mr. Murray,

No. 18, (H. of R.) "A bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes,"

Was taken up, received its third reading and passed, and the title thereof was agreed to.

On motion of Mr. Murray,

No. 33, (H. of R.) "A bill to amend an act providing for the appointment of a Librarian, and for other purposes,"

Was taken up and received its second reading.

Mr. Fullerton moved to amend said bill by striking out the third section, which is in these words, "This act shall take effect from and after the termination of the present session of the Legislative Assembly ;"

Which motion prevailed, and the section was stricken out ; whereupon,

On motion of Mr. Murray,

The bill was ordered to be engrossed and read a third time to-morrow.

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

roduce a bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota, approved 7th Feb., 1851; and an act amendatory thereto, approved 31st March, 1851.

On motion of Mr. Murray,

The House adjourned.

WEDNESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker at 10 o'clock, A.

Prayer by the Rev. Mr. Riheldaffer.

The roll was then called and a quorum appeared in their seats.

The journal of yesterday was partly read, when

The Sergeant-at-Arms announced a message from the Council; whereupon, S. Trask, Esq., Secretary thereof, appeared and presented the following message:

COUNCIL, Feb. 25, 1852.

MR. SPEAKER: The Council has passed No. 26, (H. of R.) "A bill to locate a Territorial Road from the foot of Lake Pepin or Reed's Landing to some point on the Minnesota river, between Flint Prairie and the mouth of Blue Earth river," and

No. 27, (H. of R.) "A bill to provide for the establishment of election precincts in unorganized counties,"

The Council has passed No. 7, (C. F.) "A bill to dissolve the marriage contract of Joseph Rienville and Harriet or Tagh Hough Pee," and

No. 8, (C. F.) "A bill to dissolve the marriage contract of James W. Brown and Lezette Brown;"

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

The petitions and testimony relating to No. 7 and 8, (C. F.) are herewith transmitted.

S. TRASK, *Secretary*.

The Secretary then withdrew, and the reading of the journal was resumed and concluded.

Mr. Murphy presented the petition of inhabitants of St. Anthony and Little Canada, praying for the opening of a public road running from some point in the north part of the village of St. Anthony, north of the marsh which lies in the rear of the village, in as direct a line as practicable to Little Canada and vicinity.

Mr. Fullerton gave notice, that he would on to-morrow or some future day, introduce a memorial of the Legislative Assembly of Minnesota Territory to Congress, asking an appropriation of fifty thousand dollars to be expended in removing the obstructions to the navigation of the Minnesota river at Little Rapids.

Mr. Day gave notice that he would on to-morrow, or some subsequent day, introduce a bill to amend an act entitled an act to authorize the establishment and regulation of ferries; also,

A bill to provide for the collection of Territorial revenue in unorganized counties.

Mr. Rolette from the committee on Engrossed Bills, presented the following report:

The committee on Engrossed Bills have examined and found correctly engrossed,
No. 17, (H. of R.) "A bill to organize Pembina county,"

No. 33, (H. of R.) "A bill to amend an act providing for the appointment of a Librarian and for other purposes."

JOS. ROLETTE,
Chairman.

The Speaker laid before the House the following communication from the Rev. Mr. Hoyt:

*To the Honorable House of Representatives
of the Legislature of Minnesota:*

The following resolution, passed at a meeting of the St. Paul Temperance Society on Friday evening, the 20th inst., is respectfully submitted to the consideration of your honorable body:

Resolved, That in the opinion of this meeting, it is the duty of the Legislature to pass the "Maine Liquor Law," or something similar in its provisions.

On motion, the Secretary was directed to send a copy of the above resolution, duly signed by the President of the Society, to each branch of the Legislature.

B. F. HOYT,
President, pro tem.

L. M. FORD, Sec'y.

And the following from Chief Justice Fuller:

To the Honorable, the House of Representatives of Minnesota Territory:

Your clerk has transmitted to me a copy of the following resolution, adopted by your honorable body on the 23d inst:

"Resolved, That the Chief Justice of the Territory be requested to furnish this House, at as early a day as possible, his written opinion, as to the power of the Legislative Assembly to enact any law prohibiting the sale and importation of intoxicating liquors in this Territory."

In my judgment, there would be a manifest impropriety in my deciding extra-judicially and beforehand, a controverted question about which the public mind is deeply exercised, and which may probably come before me for future adjudication, in the course of my official duties.

There is another obstacle in the way of my returning a definite answer in the form of an opinion, to the request contained in your resolution. You have transmitted to me no draft of any proposed law. While a statute to prohibit the sale of intoxicating liquors, not conflicting with the revenue laws of the U. S., might perhaps be so drawn as to be valid, yet, whether any particular statute is valid or not, must depend upon its own peculiar and special provisions. And without an inspection of them I could not well pass an opinion upon them in advance, which would be of any value.

These reasons, I trust, will be sufficient to excuse me from any further reply to your resolution.

I have the honor to be with the highest respect,

Your obedient servant,
JEROME FULLER,
Chief Justice.

The unfinished business on the table was then called up in order.

No. 2, (C. F.) "A Memorial to the President of the United States relative to the survey and establishment of the boundary line between the Territory of Minnesota and the British possessions,"

Was read a second time and ordered to be read a third time to-morrow.

No. 33, (H. of R.) "A bill to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25th, 1851,"

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

No. 17, (H. of R.) "A bill to organize Pembina County,"

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

No. 29, (H. of R.) "A bill to authorize the county of Benton to elect two members to the House of Representatives,"

Was taken up; and

On motion of Mr. Black,

Recommended to a select committee of three.

The Speaker announced Messrs. Black, Beatty and Cave as said committee.

The Speaker also announced as the committee to whom No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company," was referred under the order of yesterday. Messrs. Farnham, Findley and Murray,

And on No. 30, (H. of R.) "A bill to incorporate the Rum river Boom Company," Messrs. Murphy, Cave and Richards.

Mr. Richards, on notice previously given and with leave obtained, introduced

No. 34, (H. of R.) "A bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota, approved February, 1851, and an act amendatory, approved March 31, 1851."

Said bill received its first reading, when

On motion of Mr. Fullerton,

The 51st rule was suspended and the bill read a second time by its title and ordered to be printed.

On motion of Mr. Murphy,

The message received this morning from the Council was taken up.

No. 8, (C. F.) "A bill to dissolve the marriage contract between James W. Brown and Lezette Brown,"

Received its first reading, and

On motion of Mr. Murray,

Was read a second time by its title only, and laid on the table until the 27th inst.

No. 7, (C. F.) "A bill to dissolve the marriage contract of Joseph Rienville and Harriet or Tah Hough Pee,"

Was read a first time, and

On motion of Mr. Murray,

Was read a second time by its title only, and laid on the table until the 27th inst.

On motion of Mr. Murray,

The 50th rule was suspended and he asked and obtained leave to introduce

No. 35, (H. of R.) "A bill for the relief of W. G. LeDuc."

Said bill received its first reading and was referred to a select committee of three, consisting of Messrs. Randall, Taylor and Boal.

On motion of Mr. Day,

No. 31, (H. of R.) "A bill for the suppression of drinking-houses and tippling shops,"

Was taken up.

Mr. Black offered the following amendment, and moved its adoption:

Sec. — Any person violating any of the provisions of this act, for the fourth offence, shall suffer *death*.

Mr. Selby demanded the yeas and nays, and they were taken; and the result was, yeas 3, nays 15.

Those who voted in the affirmative, are

Messrs. Black, Cave and Ludden (Speaker)—3.

Those who voted in the negative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Rolette, Selby and Taylor—15.

So the amendment was not adopted.

Mr. Day offered the following amendment :

SEC. 21. The County Commissioners from and after the approval of this act, shall not grant any license to sell or retail spirituous liquors for a longer time than the first Monday in May next.

Mr. Black moved its adoption, and called for the ayes and noes, which were taken, and there were ayes 11, noes 7.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Rolette and Selby—11.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Randall, Richards, Taylor and Ludden, (Speaker)—7.

Mr. Day moved that the bill be engrossed and read a third time to-morrow, and demanded the previous question ;

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

The main question—"Shall the bill be ordered to be engrossed and read a third time to-morrow?" was then put, and

Mr. Farnham called for the ayes and noes, which were taken, and there were ayes 15, noes 3.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Rolette, Selby and Taylor—15.

Those who voted in the negative, are

Messrs. Black, Cave and Ludden, (Speaker)—3.

So the question was decided in the affirmative, and the bill ordered to be engrossed and read a third time to-morrow.

Mr. Farnham moved that the House adjourn ;

On which motion, Mr. Murray called for the yeas and nays, and they were ordered, and the result was yeas 12, nays 6.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Rolette, Selby and Ludden, (Speaker)—12.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Randall, Richards and Taylor—6.

So the House adjourned.

TWO O'CLOCK, P. M.

The House met, and was called to order by the Speaker at 2 o'clock P. M.

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

The joint committee on Enrolled Bills, did on the 25th of February, 1852, present to his excellency, the Governor of Minnesota, for his examination and approval, the following entitled bills and memorial, viz :

A bill, entitled "an act to incorporate the St. Anthony Boom Company."

A bill, entitled "an act granting to Daniel F. Brawley the right to establish and maintain a ferry across the Mississippi river, at the upper landing in the town of St. Paul."

A bill, entitled "an act granting to James M. Goodhue and Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

"Memorial to Congress in regard to a mail route from the town of St. Paul to Lansing, in Iowa."

"An act providing for the appointment of a Supreme Court Reporter."

"An act to incorporate John G. Potts Lodge, No. 3, of the Independent Order of Odd Fellows of the town of St. Anthony Falls."

"An act to amend an act entitled an act to incorporate the Mississippi Boom Company."

"An act for the relief of S. B. Olmstead, Alden Bryant, Charles F. Tracy, B. W. Lott and Taylor Dudley."

D. B. LOOMIS, Council, } Committee.
B. H. RANDALL, H. of R. }

Mr. Cave moved a call of the House;

Which was ordered, and Messrs. Beatty, Black, Day and Murphy reported absent.

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

But before he reported, further proceedings under the call of the House was dispensed with.

Mr. Black moved to suspend the 50th rule to enable him to introduce, with leave, No. 36, (H. of R.) "A bill granting to Samuel Groff the right to establish a Ferry across Lake St. Croix, and for other purposes."

The rule was suspended, leave granted and Mr. Black introduced said bill, which received its first and second readings, the rule 51 being suspended for the latter, and was ordered to be printed.

Mr. Black offered the following resolution:

Resolved by the Legislative Assembly of the Territory of Minnesota, That the joint committee on Enrolled Bills be empowered to strike out, in the bill "to establish the Cottage Grove Academy, at Cottage Grove, in the county of Washington," the word "tolerated" where it occurs, and insert the word "taught."

Said resolution lies over one day under the rules.

Mr. Rolette moved that the House adjourn;

Which was negatived.

Mr. Dudley offered the following resolution:

Resolved, (the Council concurring,) That the Governor, his Excellency, be requested to return to this House bill No. 1.

On motion of Mr. Murray,

The 42d rule was suspended and said resolution adopted.

Mr. Murray gave notice that he would on to-morrow, or some subsequent day, introduce a bill granting to Anson Northrop, Peter Poncin, and others, the right to establish a ferry across the Mississippi river.

The select committee to whom was re-committed, (H. of R.) No. 28, "A bill for an act to incorporate the Mississippi Bridge Company," reported as follows:

The committee to whom was referred Bill No. 28, beg leave to report, that they have had the same under consideration, and offer the following amendments:

1st. Strike out "twenty-five," and insert "twenty" in section 1st:

2d. Strike out of section 12 the following words, "the Legislature shall have the right of limiting the rates of toll at any time:" and

3d. Strike out section 13, and insert the following: The rates charged for crossing the said bridge, shall not exceed the following for the first ten years:

For each foot passenger,	-	-	-	-	-	10 cents.
" each horse, mare or mule, with or without rider,	-	-	-	-	-	15 "
" each two-horse, two-mule, or two-ox team, loaded or unloaded, with driver,	-	-	-	-	-	25 "
" each single horse carriage,	-	-	-	-	-	25 "
" each additional cow or ox,	-	-	-	-	-	10 "
" swine or sheep,	-	-	-	-	-	2 "

4th. Insert as a new section, that

The Legislature shall have the right of limiting the rates of toll after the expiration of ten years.

S. W. FARNHAM,
S. J. FINDLEY,
Committee.

Mr. Black moved that the report be adopted ;
Which motion prevailed.

Mr. Randall, from the joint committee on Enrolled Bills, presented the following report :

The committee on Enrolled Bills have examined and found correctly enrolled, No. 9, (H. of R.) A bill, entitled "an act to incorporate the Cottage Grove Academy at Cottage Grove, in the county of Washington."

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

Mr. Black moved that (H. of R.) No. 28, be ordered to be engrossed and read a third time to-morrow.

The yeas and nays being called for, were ordered, and there were yeas 13, nays 4.

Those who voted in the affirmative, are

Messrs. Black, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Rolette, Selby, Taylor and Ludden, (Speaker)—13.

Those who voted in the negative, are

Messrs. Beatty, Cave, Day and Murray—4.

So the question was decided in the affirmative.

Mr. Selby moved to suspend rule 50, to enable him, with leave, to introduce, (H. of R.) No. 87, "A bill to provide for and fix the salary of the Superintendent of Common Schools in the Territory."

The rule was suspended and Mr. Selby, with leave, introduced said bill, which received its first reading, and

And the rule 51 being first suspended, was read a second time and referred to the committee on Schools.

Mr. Leavitt moved that the House adjourn ;

Which motion did not prevail.

Mr. Murphy presented the following report :

The committee to whom was referred bill No. 30, "A bill to incorporate the Rum River Boom Company," beg leave to report that they have had the same under consideration, and offer the following amendments and recommend its passage :

Add to section 1, "Provided, That nothing in this section shall be so construed as to prevent the Company from keeping the boom or booms across the river for the period of sixty days at the time of the logs coming into said boom or booms."

2d. Strike out the word "scaleage" wherever it may occur.

J. H. MURPHY,
F. S. RICHARDS,
Committee.

The report was accepted.

Mr. Murray moved that the House adjourn ;

Which was negatived.

Mr. Murray then moved that the House resolve itself into a committee of the whole to consider bill No. 30 ;

Which motion prevailed, and the Speaker called Mr. Murray to the Chair,

And the committee, after some time passed in considering said bill, rose and through their chairman reported it back to the House with the following amendments :

1st amendment : Add to section 11, the following proviso : "*Provided*, Nothing in this section shall be so construed as to prevent the Company from keeping the boom or booms across the river for the period of sixty days, at the time of the logs coming into said boom or booms."

2d amendment : Strike out all of section 11, after the word "same," including the proviso composing the first amendment.

3d amendment : Strike out of section 13, the words "exclusive of the charges for scaleage of such logs or timber."

4th amendment : Strike out to the word "these" in line 1, section 14, and strike out "scaled" in line 2, and all the section (14) after the word "aforesaid," in line 2.

And the question recurring on adopting the amendments, they were voted upon separately and all adopted.

Mr. Selby then moved that the bill be engrossed and read a third time to-morrow ;

Which was agreed to.

On motion of Mr. Selby,

The House then adjourned.

THURSDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Riheldaffer.

The roll was then called, and a quorum appeared in their seats.

The journal of yesterday was read and corrected.

The Sergeant-at-Arms announced a message from the Council, whereupon

S. Trask, Esq, the Secretary of the Council, appeared and presented the following message :

COUNCIL, Feb. 26, 1852.

MR. SPEAKER : The Council has passed,

No. 10, (C. F.) "A bill to incorporate the Benton County Agricultural Society ;" and

No. 11, (C. F.) "A bill granting to W. F. Corbett and J. W. Bond the right to establish and maintain a ferry across the Mississippi river, at or near the foot of Sauk Rapids, Benton county, Minnesota Territory."

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

S. TRASK,
Secretary of the Council.

Mr. Murray, from the committee to whom was referred the petition of Mary Ann Alexander, praying for a divorce from her husband, reported by bill.

The subject having previously been postponed to the 27th inst., the report was laid on the table without action.

Mr. Rolette, from the committee on Engrossed Bills presented the following report:

The committee on Engrossed Bills have examined and found correctly engrossed No. 31, (H. of R.) "A bill for the suppression of drinking houses and tippling shops."

No 80. (H. of R.) "A Bill to incorporate the Rum river Boom Company."

JOSEPH ROLETTE,
Chairman.

Mr. Black, from the committee on Legislative Expenditures, asked and obtained leave to report by bill; and reported

No. 38, (H. of R.) "A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.

Said bill received its first reading.

Mr. Murphy, to whom was referred

No. 37, (H. of R.) "A bill to provide for and fix the salary of the Superintendent of Common Schools in the Territory,"

Reported the same back to the House without amendment.

Mr. Fullerton, with leave, offered a memorial, of which he had previously given notice, entitled, "memorial to Congress for an appropriation to improve the navigation of the St. Peter's river, at Little Rapids,"

Which received its first reading.

The Sergeant-at-Arms announced a message from his Excellency, the Governor;

Whereupon, W. B. White, Esq., the private Secretary of the Governor, appeared and presented the following message:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
ST. PAUL, Feb. 23, 1852. }

To the Hon. Speaker of the House of Representatives—

SIR:—I have this day examined and approved, "An act granting to Anson Northrop, Pierre Bottineau, Louis Roberts and Peter Poncin the right to establish and maintain a ferry across the Mississippi river."

Very respectfully,

Your obedient servant,

ALEX. RAMSEY.

Mr. Day, on notice previously given, and with leave, introduced

No. 39, (H. of R.) "A bill to amend an act entitled an act to authorize the establishment and regulation of ferries; approved Feb. 19, 1851."

Said bill received its first reading.

Mr. Day moved that bill No. 37 be referred to the committee on Schools, with instructions to provide that the salary of the Superintendent of Common Schools be paid from the school tax.

Which motion prevailed, and the reference with the instructions was accordingly made.

No. 2, (C. F.) "A memorial to the President of the United States relative to the survey and establishment of the boundary line between the Territory of Minnesota and the British Possessions," was taken up, and

On motion of Mr. Case,

Read a third time by its title only; and the question being upon its passage, was decided in the affirmative.

So the memorial passed, and the title thereof was agreed to.

No. 30, (H. of R.) "A bill to incorporate the Rum River Boom Company,"

Came up in order, received its third reading, and passed, and the title thereof was agreed to.

No. 31, (H. of R.) "A bill for the suppression of drinking houses and tippling shops,"

Was taken up on its third reading, and

On motion of Mr. Farnham,

Received said reading by its title only.

Mr. Black moved a call of the House, which was ordered, and Mr. Murray was reported absent.

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

Soon after which he reported the members all in their seats.

Mr. Murray moved to re-commit bill No. 31 to a select committee of three;

Which was disagreed to.

The question then recurred on the passage of said bill.

Mr. Farnham called the yeas and nays, and they were taken, and the result was yeas 12, nays 6.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Rolette, and Selby—12.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Richards, Taylor, and Ludden, (Speaker)—6.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Fullerton,

The message received this morning from the Council was taken up.

No. 10, (C. F.) "A bill to incorporate the Benton County Agricultural Society,"

Received its first reading.

No. 11, (C. F.) was read a first time; when the 51st rule was suspended, and the bill received its second reading by its title.

Whereupon, Mr. Beatty moved to amend it by striking out the third section, and inserting in lieu thereof the following:

Sec. 3. The rates charged for crossing at said ferry shall not exceed the following:

For each foot passenger,	- - - - -	10 cents.
" each horse, mare or mule, with or without rider,	- - - - -	25 "
" each cow or horse,	- - - - -	25 "
" each two-horse, two-ox or two-mule team, loaded or unloaded, with driver,	- - - - -	50 "
" each single horse carriage,	- - - - -	35 "
" each additional horse, mule, ox or cow,	- - - - -	15 "
" each swine or sheep,	- - - - -	3 "

All freight of lumber, merchandize or other articles, not in teams, at the rate of ten cents per barrel; fifty cents per thousand feet of lumber, and five cents per hundred pounds of other articles;

Which motion prevailed,

And the amendment constitutes the third section.

Mr. Richards moved to strike out "ten" in section 1, and insert "six;"

Which was agreed to.

On motion of Mr. Murphy,

The bill was ordered to be read a third time to-morrow.

Mr. Black, from the committee to whom was referred,

No. 29, (H. of R.) "A bill to authorize the county of Benton to elect two members to the House of Representatives,"

Reported the same back to the House without amendment.

On motion of Mr. Black,
Said bill was again ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Black,
Rule 50 was suspended, to enable him to introduce
No. 40, (H. of R.) "A bill granting to Charles T. Jansen the right to establish and maintain a ferry across the Mississippi river, at or near a point in Minnesota, opposite to Prairie La Crosse, in Wisconsin."

With leave of the House, Mr. Black introduced said bill, and it received its first reading; when,

On motion of Mr. Selby,
Rule 51 was suspended, and the bill received its second reading.

On motion of Mr. Richards,
It was then amended by striking out the word "ten" and inserting the word "six," in the first section.

Mr. Selby then moved that the bill be ordered to be engrossed and read a third time to-morrow.

Which motion prevailed.

On motion of Mr. Murphy,

The vote by which the title of No. 31 was agreed to, was reconsidered; whereupon,

On motion of Mr. Randall,

The title of said bill was amended so as to read as follows:

"A bill for the restriction of the sale of intoxicating liquors in the Territory, and other purposes."

Mr. Randall, from the committee on Enrolled Bills, presented the following report:

The committee on Enrolled Bills, have examined and found correctly enrolled:

No. 21, (H. of R.) "A bill granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, M. T."

No. 27, (H. of R.) "A bill to provide for the establishment of election precincts in unorganized counties."

No. 26, (H. of R.) "A bill to provide for laying out a Territorial road from the foot of Lake Pepin, or Reed's Landing, to some point on the Minnesota river, between Flint Prairie and the mouth of Blue Earth river."

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

On motion of Mr. Selby,
The House adjourned.

TWO O'CLOCK, P. M.

The House met, and was called to order by the Speaker at 2 o'clock P. M.

The following message was received from the Council by S. Trask, Esq., Secretary thereof:

COUNCIL, Feb. 26, 1852.

MR. SPEAKER: The Council has passed No. 6, (C. F.) "A bill to amend an act, entitled an act to authorize William Nobles to keep a ferry across Lake St. Croix, at the mouth of Willow river,"

In which the concurrence of the House is respectfully requested.

The Council has refused to pass the resolution of yesterday, in which the concurrence of the Council was asked.

S. TRASK,
Secretary of the Council.

The resolution offered yesterday by Mr. Black, authorizing the joint committee on Enrolled Bills, to strike out of enrolled bill No. 9, the word "tolerated," and insert "taught," was called up, and the Speaker decided that said resolution was out of order, and could not be entertained.

Mr. Rolette reported as follows :

The committee on Engrossed Bills beg leave to report the following as correctly engrossed :

No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company."

No. 29, (H. of R.) "A bill to authorize the county of Benton to elect two members to the House of Representatives."

JOSEPH ROLETTE,
Chairman.

No. 34, (H. of R.) "A bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota, approved February, 1851, and an act amendatory thereto, approved March 31, 1851."

Was taken up, and

On motion of Mr. Randall,

Referred to the committee on Public Buildings.

No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company,"

Came up in order, and received its third reading.

And the question being on its passage, Mr. Murray called for the ayes and nays, which were taken, and there were yeas 11, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Rolette, and Selby—11.

Those who voted in the negative, are

Messrs. Black, Cave, Day, Murray, Richards, Taylor, and Ludden, (Speaker)—7.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Richards,

The message last received from the Council was taken up, and

No. 6, (C. F.) "A bill to amend an act entitled an act to authorize William Noble to keep a ferry across Lake St. Croix, at the mouth of Willow river,"

Received its first reading.

Mr. Randall moved that said bill be referred to the committee on Roads.

Mr. Black moved to amend the motion by substituting the committee on the Militia; which motion was lost.

The question on Mr. Randall's motion was then put, and decided in the affirmative.

So the bill was referred to the committee on Roads.

Mr. Farnham moved that the House adjourn;

Which motion was lost.

Mr. Murray moved to adjourn to 8 o'clock, A. M., to-morrow;

And Mr. Cave moved to amend the motion by substituting 7 o'clock, A. M.

The motion to amend was lost, and the question recurring on the motion to adjourn to 8 o'clock, A. M., it was also lost. The House then,

On motion of Mr. Day,

Adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, 9 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 9 o'clock, A. M.

On motion of Mr. Murray,

The reading of the journal was dispensed with.

Mr. Richards gave notice that he would on to-morrow or some subsequent day, introduce a bill to authorize Robert P. Miller to establish a ferry across the Mississippi river.

Mr. Murray, from the committee to whom was referred the petition of Mary Ann Alexander, praying for a divorce from her husband, reported

No. 41, (H. of R.) "A bill to dissolve the marriage contract between Mary A. Alexander and William Alexander,

Said bill received its first reading, when,

The rule was suspended, the bill read a second time and ordered to be engrossed and read a third time to-morrow.

Mr. Rolette from the committee on Engrossed Bills, presented the following report:

The committee on Engrossed Bills have examined and found correctly engrossed, No. 40, (H. of R.) "A bill granting a ferry charter to C. T. Jansen, across the Mississippi."

JOS. ROLETTE,
Chairman.

Mr. Richards, from the committee on Roads reported as follows:

To the Honorable House of Representatives:

Your committee on Roads, to whom was referred the petition of citizens of St. Anthony and Little Canada, praying for the location of a public road between the two points, respectfully report:

"That they have had the same under consideration, and are of the opinion that a road between the two points would be quite beneficial to the citizens of said places, and that the county of Ramsey should by right, bear the expense of opening said road; therefore recommend the petitioners to file their application with the Board of County Commissioners of said county, as the proper authority for granting the prayer of said petitioners."

F. S. RICHARDS,
Chairman Com. Roads.

On motion of Mr. Black,
Said report was adopted.

Mr. Murray with leave, introduced

No. 42, (H. of R.) "A bill to amend '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 31st, 1851."

Said bill received its first reading, and

On motion of Mr. Cave,

Was referred to the committee on Public Buildings; also,

No. 43, (H. of R.) "A bill to amend an act entitled an act granting to Anson Northrop and others, the right to establish and maintain a ferry across the Mississippi river."

Said bill received its first reading.
The Speaker laid before the House the following communication from James M. Goodhue, one of the Public Printers.

PIONEER OFFICE, Friday Morning,
February 27, 1852. }

To the House of Representatives :

GENTLEMEN: I desire to explain to you that it is not owing to any negligence on the part of this office, that your journal of yesterday is not printed and laid on your table this morning.

No part of the manuscript journal came from the Clerk into the hands of the compositors, until the evening was considerably advanced, and much of it, not until ten o'clock, last night.

Very respectfully,
Your obedient servant,
JAMES M. GOODHUE,
Public Printer.

No. 38, (H. of R.) "A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

Was taken up, received its second reading, and

On motion of Mr. Black,

Referred to the committee on Legislative Expenditures.

No. 39, (H. of R.) "A bill to amend an act entitled an act to authorize the establishment and regulation of ferries,"

Was taken up, read a second time, laid on the table and ordered to be printed.

No. 4, (H. of R.) "Memorial to Congress for an appropriation to improve the navigation of the St. Peter's river, at the Little Rapids,"

Was taken up, received its second reading, laid on the table and ordered to be printed.

No. 16, (H. of R.) "A bill authorizing Charles Miles to establish and maintain a ferry across the Mississippi river,"

Received its second reading, when

On motion of Mr. Day,

The name of Charles Miles was struck out of said bill, and that of Antoine Roberts inserted, and then

On motion of Mr. Black,

Said bill was indefinitely postponed.

The ayes and noes being called for and ordered, there were ayes 11, noes 7.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Day, Farnham, Fullerton, Gingras, Leavitt, Murphy, Selby, Taylor and Ludden, (Speaker)—11.

Those who voted in the negative, are

Messrs. Boal, Cave, Findley, Murray, Randall, Richards and Rolette—7.

No. 10, (C. F.) "A bill to incorporate the Benton County Agricultural Society,"

Was taken up, received its second reading, and

On motion of Mr. Black,

Was ordered to be engrossed and read a third time to-morrow.

No. 20, (H. of R.) "A bill to change the time of electing a Delegate to Congress,"

Was taken up, and

On motion of Mr. Murray,

The House went into a committee of the Whole on said bill;

Mr. Richards in the chair.

And after some time passed therein, the committee rose, and through its Chairman reported the bill back to the House with the following amendments.

1st amendment: strike out the preamble.

2d amendment: In section 1, line 1, strike out "on the first Monday in July," and insert at the "general election in."

3d amendment: In section 2, line 3, after the word "election," insert "in 1852."

And the question recurring on concurring in said amendments, they were voted upon separately, and all concurred in,

Mr. Farnham then moved to strike out the enacting clause of said bill;

Which was disagreed to.

Mr. Murray moved to insert after the word "elected" in line 4, section 1, the words "but not otherwise;"

Which was agreed to, and the bill was amended accordingly.

Mr. Selby moved that said bill be indefinitely postponed,

And Mr. Day called for the yeas and nays, and the result was, yeas 7, nays 11.

Those who voted in the affirmative, are

Messrs. Beatty, Day, Farnham, Fullerton, Murphy, Selby and Taylor—7.

Those who voted in the negative, are

Messrs. Black, Boal, Cave, Findley, Gingras, Leavitt, Murray, Randall, Richards, Rolette and Ludden, (Speaker)—11.

So the House refused to postpone the bill indefinitely.

Mr. Cave then moved that the bill be ordered to be engrossed and read a third time to-morrow.

And the yeas and nays being called for and ordered, there were, yeas 11, nays 7.

Those who voted in the affirmative, are

Messrs. Black, Boal, Cave, Findley, Gingras, Leavitt, Murray, Randall, Richards, Rolette, and Ludden, (Speaker)—11.

Those who voted in the negative, are

Messrs. Beatty, Day, Farnham, Fullerton, Murphy, Selby and Taylor—7.

So the bill was ordered to be engrossed and read a third time to-morrow.

No. 8, (C. F.) "A bill to dissolve the marriage contract of James W. Brown and Lezette Brown;"

Was taken up and received its second reading.

Mr. Murray moved that the said bill be read a third time to-morrow.

And the yeas and nays being called for and ordered, there were yeas 10, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Cave Fullerton, Leavitt, Murray, Rolette, Taylor and Ludden, (Speaker)—10.

Those who voted in the negative, are

Messrs. Day, Farnham, Findley, Murphy, Randall, Richards, and Selby—7.

So the bill was ordered to be read a third time to-morrow.

No. 7, (C. F.) "A bill to dissolve the marriage contract of Joseph Renville and Harriet or Tah Hogh Pee,"

Was next taken up, and testimony in the case was read.

Mr. Murray moved that fifty copies of said testimony and the petition be printed.

And the yeas and nays being called for and ordered, there were yeas 3, nays 15.

Those who voted in the affirmative, are

Messrs. Day, Fullerton, and Murray—3.

Those who voted in the negative, are

Messrs. Beatty, Black, Boal, Cave Farnham, Findley, Gingras, Leavitt, Murphy, Randall, Richards, Rolette, Selby Taylor and Ludden (Speaker)—15.

Mr. Richards offered the following resolution:

Resolved, That the petition of Jos. Renville, praying for a divorce from his wife

Tah Hogh Pee, be returned with a recommendation that he emigrate immediately to Utah Territory, where bigamy is not considered a criminal offence.

Mr. Murray moved to lay said resolution on the table;

Which motion was lost.

Mr. Selby moved to adopt the resolution;

Which motion was also lost.

Mr. Murphy then moved that the bill No. 7, (C. F.) "A bill to dissolve the marriage contract of Joseph Renville and Harriet or Tah Hogh Pee," be indefinitely postponed;

Which motion prevailed.

No. 2. (H. of R.) "To dissolve the marriage contract between Silas H. Axtell and his wife Catharine Maria Axtell,"

Was next taken up.

Mr. Fullerton moved a call of the House;

Which was ordered, and

Messrs. Cave and Murray were reported absent.

The absent members soon after appeared in their seats.

Mr. Black moved that said bill No. 2, be engrossed and read a third time to-morrow. And the yeas and nays being called for and ordered, there were yeas 8 nays 10.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Fullerton, Leavitt, Murphy, Murray and Rolette—8.

Those who voted in the negative, are

Messrs. Cave, Day, Farnham, Findley, Gingras, Randall, Richards, Selby, Taylor and Ludden, (Speaker)—10.

So the House refused to engross the bill.

No. 36, (H. of R.) "A bill granting to Samuel Groff, the right to establish a ferry across Lake St. Croix, and for other purposes;

Was taken up,

On motion of Mr. Cave,

The House went into a committee of the Whole on said bill,

Mr. Selby in the Chair;

And after some time passed in considering said bill, the committee rose and through its Chairman reported the bill back to the House with the following amendments:

1st amendment: Strike out "ten" and insert "six" in section 1, line 2.

2d amendment: After the name "Groff" in section 5, line 2, insert "his heirs, executors, administrators or assigns;"

And the question recurring on adopting said amendments, they were voted upon separately.

The first amendment was concurred in;

And on concurring in the second, the yeas and nays were called for and ordered, and there were yeas 13, nays 5.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Gingras, Leavitt, Murphy, Murray, Randall, Rolette, Selby and Ludden, (Speaker)—13.

Those who voted in the negative, are

Messrs. Black, Cave, Fullerton, Richards, and Taylor—5.

So the amendments were both adopted.

On motion of Mr. Black,

The bill was then ordered to be engrossed and read a third time to-morrow.

No. 29, (H. of R.) "A bill to authorize the county of Benton to elect two members to the House of Representatives,"

Came up on its third reading, was read a third time, and the question recurring on its passage;

The yeas and nays were called for and ordered, and there were yeas 11, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Cave, Day, Farnham, Findley, Gingras, Leavitt, Murphy, Murray and Rolette—11.

Those who voted in the negative, are

Messrs. Black, Fullerton, Randall, Richards, Selby, Taylor and Ludden, (Speaker)—7.

So the bill passed and the title thereof was agreed to.

No. 40, (H. of R.) "A bill granting to Charles T. Jansen the right to establish and maintain a ferry across the Mississippi river, at or near a point in Minnesota opposite to Prairie La Crosse in Wisconsin;"

Was taken up, received its third reading, passed, and the title thereof agreed to.

No. 11, (C. F.) "A bill granting to W. F. Corbett and J. W. Bond the right to establish and maintain a ferry across the Mississippi river at or near the foot of Sauk Rapids, Benton county, Minnesota Territory;"

Was taken up, when

Mr. Murray moved that the House adjourn;

Which motion was lost.

Mr. Cave then moved that said bill No. 11, (C. F.) receive its third reading by its title only;

Which motion prevailed, and the bill was read by its title.

And the question being upon its passage, the ayes and noes were called for and taken; and there were ayes 15, noes 3.

Those voting in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Findley, Fullerton, Gingras, Leavitt, Murray, Randall, Richards, Rolette, Selby, Taylor and Ludden, (Speaker)—15.

Those voting in the negative, are

Messrs. Day, Farnham and Murphy—3.

So the bill passed and the title thereof was agreed to.

On motion of Mr. Farnham,

The House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment, and was called to order by the Speaker at 2 o'clock, P. M.

Mr. Boal reported as follows:

The committee on the Militia to whom was referred the petition of Benj. F. Irvine, asking for a divorce from Terese J., his wife, have the honor to report:

That Mr. Irvine has failed to lay before the committee, any proof of the statements set forth in his petition. They therefore report the same back to the House, and recommend the indefinite postponement of its further consideration.

J. M. BOAL,
Chairman.

On motion of Mr. Randall,
The report was accepted.

The following message was received from the Council, by S. Trask, Esq., Secretary thereof:

COUNCIL, February 27, 1852.

MR. SPEAKER:—The Council has passed No. 31. (H. of R.) "A bill for the restriction of the sale of intoxicating liquors in the Territory, and other purposes," with amendments.

In which the concurrence of the House is asked.

S. TRASK,
Secretary of the Council.

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

The committee on Engrossed Bills beg leave to report the following as correctly engrossed:

No. 20, (H. of R.) "A bill to change the time of electing a Delegate to Congress."

No. 41, (H. of R.) "A bill to dissolve the marriage contract between Mary A. Alexander and William Alexander."

JOS. ROLETTE,
Chairman.

On motion of Mr. Day,

The message just received from the Council was taken up;

And the question recurring on concurring in the amendments of the Council to No. 31, (H. of R.) which were seven in number,

They were voted upon separately, and the first and third were concurred in; and the second, fourth, fifth, sixth and seventh were not concurred in.

Mr. Murray presented the following report:

The committee on the Judiciary, to whom was referred bill No 13, (H. of R.) have the honor to report the same back to the House, and recommend its indefinite postponement.

W. P. MURRAY,
Chairman.

On motion of Mr. Murray,

Said report was adopted.

Mr. Murray moved that the House adjourn;

Which motion did not prevail.

Mr. Murphy gave the following notice:

MR. SPEAKER:—I give notice, that on to-morrow or some subsequent day, I will introduce a memorial to the Congress of the United States for an appropriation of fifteen thousand dollars to remove the obstructions in the Mississippi river between Fort Snelling and the Falls of St. Anthony.

J. H. MURPHY.

Mr. Cave moved that the House adjourn;

And the ayes and noes being called for and ordered, there were ayes 9, noes 9.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Cave, Findley, Gingras, Randall, Rolette, Selby and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Black, Day, Farnham, Fullerton, Leavitt, Murphy, Murray, Richards and Taylor—9.

Mr. Murray then moved that the House adjourn until Monday morning, at 10 o'clock;

Which was not agreed to.

Mr. Day moved that the House adjourn;

Which motion prevailed, and the House adjourned.

SATURDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker at 10 o'clock, A. M.

The roll was then called and a quorum of members appeared in their seats.

On motion of Mr. Murray,

The reading of the journal of yesterday was dispensed with.

Mr. Cave from the committee on Public Buildings, presented the following report :

The joint committee on Public Buildings of the Council and House of Representatives of the Territory of Minnesota, to whom was referred that portion of the Governor's Message relating to Public Buildings : Also, the report of the Building Commissioners, respectfully beg leave to report :

That they have had the same under consideration, and find from the report of the Building Commissioners, that the Capitol and Territorial Prison were located in the summer of 1851, according to the "Statute" providing for the erection of Public Buildings in the Territory of Minnesota, approved Feb. 7th, 1851. The capitol at St. Paul, in the county of Ramsey, and the prison at Stillwater, in the county of Washington. That contracts were entered into with J. Daniels, for the erection of a capitol building, for the sum of \$17,000 ; and with Jesse Taylor & Co., for the erection of the Territorial Prison, walls and Warden's house, &c., for the sum of \$17,000 ; that the contractors have commenced the erection of said buildings, and that there has been expended on the capitol building the sum of three thousand six hundred and forty-nine dollars and thirteen cents, for labor and material furnished, and two hundred dollars for having Government drafts cashed, and from the Prison Fund the following interesting amounts :

To Order No. 1, in favor of C. Carli, payment land,	\$108 50
" " " 2, in favor of J. McKusick,	291 50
" " " 4, in favor of W. G. Le Duc, in payment of stationery,	16 25
" " " 5, J. Taylor & Co., acc't contract,	1,100 00
" " " 6, J. M. Goodhue, acc't printing,	65 60
" " " 7, J. McKusick, qr. sal. Building Commissioner,	150 00
" " " 8, J. McKusick, qr. sal. Treasurer,	100 00
" " " 9, J. McKusick, per diem,	54 00
" " " 10, J. Taylor & Co., acc't contract,	1,200 00
" " " 11, J. Taylor & Co., acc't contract,	400 00
" " " 12, L. Roberts, per diem,	60 00
" " " 13, E. A. C. Hatch, 6 mo. sal. and per diem,	251 00
" " " 14, J. McKusick, qr. sal. as Treas., and same as Build. Com.,	250 00
" " " 15, C. F. Tracy, salary,	196 50
" " " 16, A. Wilkin, Attorney fees,	50 00
" " " 17, R. Kennedy, rent of room,	10 00
" " " 18, J. Fisher, for Prison plan,	50 00
" " " 19, J. McKusick, rent of room,	50 00
" " " 20, J. Taylor & Co., acc't contract,	879 00
Balance,	14,718 25
	<hr/> \$20,000 00

From these accounts it will be seen that in the course of another year, the whole fund, or at least a great portion of it, will be consumed by the numerous officers of the Board, in paying salaries, having drafts cashed, attorneys fees and printing.

In view of these facts, the committee would respectfully recommend that at the expiration of the present term, the Board of Commissioners of Public Buildings be abolished.

Bill No. 34 and bill No. 42, your committee would respectfully return to the House, and recommend that both bills pass.

C. S. CAVE, Ch'n House Com.

L. A. BABCOCK, Ch'n Council Com.

On motion of Mr. Selby,
The report was accepted.

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

The committee on Engrossed Bills beg leave to report the following as correctly engrossed :

No. 36, (H. of R.) "A bill granting to S. Groff the right to establish and maintain a ferry across Lake St. Croix," &c.

JOSEPH ROLETTE,
Chairman.

Mr. Randall, from the committee on Enrolled Bills presented the following report :

The joint committee on Enrolled Bills, did on the 25th of February, 1852, present to his excellency, the Governor of Minnesota, for his examination and approval, the following entitled bills, viz :

"A bill entitled an act to provide for the establishment of election precincts in unorganized counties."

"A bill entitled an act granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, Minnesota Territory."

"A bill to provide for laying out a Territorial Road from the foot of Lake Pepin or Reed's Landing, to some point on the Minnesota river, between Flint Prairie and the mouth of Blue Earth river." And

"A bill entitled an act to dissolve the marriage contract of Abram Hull and Julia A. Hull."

M. McLEOD, Council
B. H. RANDALL, H. of R. } Committee.

Mr. Richards, on notice previously given, and with leave, introduced No. 44, (H. of R.) "A bill granting to Robert P. Miller the right to establish a ferry across the Mississippi river."

Said bill received its first reading.

No. 43, (H. of R.) "A bill to amend an act entitled an act granting to Anson Northrop and others, the right to establish and maintain a ferry across the Mississippi river,"

Was taken up, read a second time, and

On motion of Mr. Murray,

Ordered to be engrossed and read a third time on Monday next.

No. 4, (H. of R.) "A memorial of the Legislative Assembly of Minnesota Territory to Congress, praying for an appropriation of fifty thousand dollars to be expended in removing the obstructions to the navigation of the Minnesota river at Little Rapids,"

Was taken up; and

On motion of Mr. Murphy,

The House went into a committee of the Whole on said memorial,

Mr. Murphy in the Chair;

And after some time passed therein,

The Sergeant-at-Arms announced message from the Council; and the Speaker resumed the Chair; whereupon,

S. Trask, Esq., Secretary of the Council, appeared and presented the following message:

COUNCIL, Feb. 28th, 1852.

MR. SPEAKER: The Council has passed

No. 3, (C. F.) "A memorial to the Senate and House of Representatives, praying for a grant of land to settlers on land ceded by the treaty of Pembina." And

No. 4, (C. F.) "A memorial for a further appropriation for the Point Douglas and St. Louis river road." And

No. 12, (C. F.) "A bill granting to D. T. Sloan the right to establish and maintain a ferry across the Mississippi river, at or near Aiken's Crossing, in Benton county, Minnesota Territory." And

No. 14, (C. F.) "A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife."

In which the concurrence of the House is respectfully requested.

The Council has also passed,

No. 30, (H. of R.) "A bill to incorporate the Rum river Boom Company," and

No. 17, (H. of R.) "A bill to organize Pembina County,"

No. 33, (H. of R.) "A bill to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25th, 1851."

S. TRASK, *Secretary*.

The Secretary then withdrew.

The Speaker vacated the chair, and the committee resumed its sitting;

And soon thereafter rose, and through its chairman reported the memorial back to the House with the following amendment:

Strike out "&c.," at the end of the memorial.

The question recurring on concurring in said amendment, it was decided in the negative.

Mr. Fullerton then moved that the memorial be engrossed and read a third time on Monday next.

On which motion Mr. Selby called for the yeas and nays, which were ordered, and there were yeas 11, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Day, Findley, Fullerton, Gingras, Leavitt, Murray, Richards, and Rolette—11.

Those who voted in the negative, are

Messrs. Cave, Farnham, Murphy, Randall, Selby, Taylor, and Ludden, (Speaker)—7.

So the memorial was ordered to be engrossed and read a third time on Monday next.

Mr. Richards moved to reconsider the vote of yesterday, by which

No. 7, (C. F.) "A bill to dissolve the marriage contract of Joseph Renville and Harriet, or Tah Hogh Pee,"

Was indefinitely postponed.

On which motion, Mr. Murphy called for the yeas and nays, which were taken, and there were yeas 10, nays 8.

Those who voted in the affirmative, are

Messrs. Boal, Farnham, Findley, Fullerton, Leavitt, Murphy, Murray, Randall, Richards, and Rolette—10.

Those who voted in the negative, are
Messrs. Beatty, Black, Cave, Day, Gingras, Selby, Taylor, and Ludden, (Speaker)—8.

So the vote was reconsidered.

The question recurring on the motion to indefinitely postpone said bill,

It was decided in the affirmative.

On motion of Mr. Murray,

The House went into committee of the Whole on

No. 39, (H. of R.) "A bill to amend an act entitled an act to authorize the establishment and regulation of ferries."

Mr. Cave in the chair,

And after some time passed therein rose, and through its chairman reported the bill back to the House, and recommended its indefinite postponement.

The question recurred on the recommendation of the committee of the Whole, to postpone said bill indefinitely.

And the yeas and nays being called for and ordered, the result was, yeas 7, nays 11.

Those who voted in the affirmative, are

Messrs. Black, Cave, Fullerton, Gingras, Randall, Rolette, and Ludden, (Speaker)—7.

Those who voted in the negative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Leavitt, Murray, Murphy, Richards, Selby, and Taylor—11.

So the House refused to postpone said bill indefinitely.

On motion of Mr. Murphy,

Said bill was referred to a select committee of three, and the Speaker announced Messrs. Murphy, Murray and Day as said committee.

No. 20, (H. of R.) "A bill to change the time of electing a Delegate to Congress,"

Was taken up, and read a third time; and the question recurring on its passage,

Mr. Selby called for the yeas and nays, which were ordered, and there were yeas 15, nays 3.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Findley, Fullerton, Gingras, Leavitt, Murray, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—15.

Those who voted in the negative, are

Messrs. Day, Farnham, and Murphy—3.

So the bill passed, and the title thereof was agreed to.

No. 8, (C. F.) "A bill to dissolve the marriage contract between James W. Brown and Lezette Brown,"

Came up on its third reading, was read, and the question recurring on its passage,

Mr. Day called for the yeas and nays, which were taken; and there were yeas 11, nays 7.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Fullerton, Leavitt, Murray, Richards, Rolette, Taylor, and Ludden, (Speaker)—11.

Those who voted in the negative, are

Messrs. Day, Farnham, Findley, Gingras, Murphy, Randall, and Selby—7.

So the bill passed, and the title thereof was agreed to.

No. 41, (H. of R.) "A bill to dissolve the marriage contract between Mary A. Alexander and William Alexander,

Was taken up, read a third time, and the question recurring on its passage,

Mr. Murray called for the yeas and nays, which were taken, and there were yeas 9, nays 9.

Those who voted in the affirmative, are
Messrs. Beatty, Boal, Cave, Fullerton, Leavitt, Murray, Richards, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are
Messrs. Black, Day, Farnham, Findley, Gingras, Murphy, Randall, Rolette and Selby—9.

So the House refused to pass the bill.

Mr. Black then moved to reconsider the vote last taken.

The following message was received from the Council by S. Trask, Secretary thereof;

COUNCIL, Feb. 28, 1852.

MR. SPEAKER: The Council has receded from the 2d amendment of the Council to No. 31, (H. of R.) "A bill for the restriction of the sale of intoxicating liquors in the Territory, and other purposes."

And has refused to recede from the 4th, 5th, 6th and 7th amendments to the bill.

The Council has appointed Messrs. Loomis, Larned and McLeod a committee of conference on the disagreeing vote of the two Houses on said bill.

S. TRASK,
Secretary of the Council.

The Secretary then withdrew.

And the question recurring on Mr. Black's motion to reconsider, the yeas and nays were called for and ordered, and there were yeas 11, nays 7.

Those who voted in the affirmative, are
Messrs. Beatty, Black, Boal, Cave, Fullerton, Leavitt, Murray, Randall, Rolette, Taylor, and Ludden (Speaker)—11.

Those who voted in the negative, are

Messrs. Day, Farnham, Findley, Gingras, Murphy, Richards, and Selby—7.

So the House reconsidered the vote by which it refused to pass bill No. 41.

And the question recurring on the passage of said bill.

It was decided in the affirmative.

So the bill was passed, and the title thereof was agreed to.

Mr. Murray moved that the House adjourn.

Which motion was negatived.

No. 36, (H. of R.) "A bill granting to Samuel Groff the right to establish a ferry across Lake St. Croix, and for other purposes,"

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

No. 10, (C. F.) "A bill to incorporate the Benton County Agricultural Society,"

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

On motion of Mr. Leavitt,

The first message received this morning from the Council was taken up.

No. 3, (C. F.) "A memorial to the Senate and House of Representatives, praying for a grant of land to the settlers on the lands ceded by the treaty of Pembina,"

Received its first and second reading, and was ordered to be read a third time on Monday next.

No. 4, (C. F.) "A memorial for a further appropriation for the Point Douglas and St. Louis river road,"

Received its first and second reading and was ordered to be read a third time on Monday next.

No. 12, (C. F.) "A bill granting to D. T. Sloan the right to establish and maintain a ferry across the Mississippi river, at or near Aiken's Crossing, Benton county, Minnesota Territory,"

Was taken up, and received its first reading.

Mr. Farnham moved that the House adjourn until Monday at 10 o'clock, A. M.,

Which motion was lost.

On motion of Mr. Randall,
 The last message from the Council was taken up; and
 On motion of Mr. Murphy,
 It was ordered that a committee of three be appointed to confer with the committee of the Council on the disagreeing votes of the two Houses, on the Council's amendments to House bill No. 31.
 The Speaker announced as said committee, Messrs. Murphy, Beatty and Black.
 On motion of Mr. Black,
 The House adjourned to 10 o'clock, A. M., on Monday next.

MONDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Ravoux.

On a call of the roll a quorum of members appeared in their seats.

The Selby gave the following notice:

MR. SPEAKER:—On to-morrow, or some subsequent day, I shall introduce
 "A bill entitled an act to incorporate the Lake Superior and Mississippi River Railroad Company."

And Mr. Murray gave the following notice:

MR. SPEAKER:—I give notice that on to-morrow I shall introduce
 "A memorial asking an appropriation of three hundred thousand dollars to build a ship canal around the Falls of St. Anthony."

Mr. Richards, from the committee on Roads, presented the following report:

To the Honorable House of Representatives:

Your committee on Roads to whom was referred

No. 6, (C. F.) "A bill to amend an act entitled an act to authorize William Nobles to keep a ferry across Lake St. Croix, at the mouth of Willow river,"

Respectfully report that they have had the same under consideration, and not having received any information touching the merits of said bill, report the same back to the House without expressing any opinion in the matter.

F. S. RICHARDS,
 Chairman Com. Roads.

Mr. Rolette from the committee on Engrossed Bills, presented the following report:

The committee on Engrossed Bills have examined and found correctly engrossed,
 No. 43, (H. of R.) "To amend an act entitled an act granting to A. Northrop, Bottineau, Roberts and Poncin the right to establish a ferry across the Mississippi."

No. 4, (H. of R.) "A memorial of the Legislative Assembly of Minnesota Territory to Congress, praying for an appropriation of fifty thousand dollars to be expended in removing the obstructions to the navigation of the Minnesota river at Little Rapids."

JOSEPH ROLETTE,
 Chairman.

Mr. Day presented the following report :

The special committee, to whom was referred

No. 39, (H. of R.) "A bill to amend an act entitled an act to authorize the establishment and regulation of ferries; approved Feb. 19, 1851,"

Have had the said bill under consideration, and respectfully report the bill to the House, and recommend the following amendments, viz :

Amend section 2, by adding thereto, "all ferries shall be decreed to be situated in the county in which the proprietor or proprietors thereof reside: *Provided*, That when the proprietor or proprietors of any ferry shall be non-residents in the county in which their ferry is situated, then the county in which the keeper of said ferry shall reside shall have jurisdiction over said ferry; but no ferry shall be subject to pay a tax to but one county.

And also amend section 4, by inserting after the word "commissioners" in the 7th line, the words, "of the several counties."

After the adoption of the above amendments, the committee would respectfully recommend the passage of the bill.

DAVID DAY,
J. H. MURPHY,
Committee.

And Mr. Murray presented the following report :

The minority of the committee to whom was referred

No. 39, (H. of R.) "A bill to amend an act entitled an act to authorize the establishment and regulation of ferries,"

Asks leave to report as follows :

That the amendments reported by the majority, he fully concurs in, and with an additional amendment, viz :

The striking out of the following words in section 2, in the first line, "or persons who have heretofore, and all persons."

He would most respectfully recommend the passage of the bill.

W. P. MURRAY.

Mr. Leavitt, with leave introduced

No. 45, (H. of R.) "A bill to authorize Henry G. Bailey to establish and maintain a ferry across the Mississippi river, at or near Olive Grove, in Wabasha county."

Said bill received its first reading.

The rule, 51, was suspended, and the bill was read a second time, and ordered to be printed.

No. 14, (C. F.) "A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife,"

Was taken up and received its first reading; and under a suspension of the rule was read a second and third time, passed, and the title thereof was agreed to.

No. 12, (C. F.) "A bill granting to D. T. Sloan the right to establish and maintain a ferry across the Mississippi river, at or near Aiken's Crossing, in Benton county, Minnesota Territory,"

Was taken up and received its second reading.

Mr. Black moved that it be referred to the committee on Roads.

Disagreed to.

Mr. Richards offered an amendment to the third section, reducing the rates of charges;

Which was adopted.

Mr. Black moved to amend the fourth section by striking out "five hundred" before the word "dollars," and insert "one thousand."

Which was also agreed to.

On motion of Mr. Richards,

Section four was further amended by striking out "twelve," and inserting "six," before the word "months."

On motion of Mr. Black,

Said bill was further amended by adding the words, "his heirs, executors, administrators or assigns," after the name of "D. T. Sloan."

On motion of Mr. Murray,

The 51st rule was then suspended, and said bill read a third time by its title only.

And the question recurring on its passage,

It was decided in the affirmative.

The title was then agreed to.

No. 44, (H. of R.) "A bill granting to Robert P. Miller the right to establish a ferry across the Mississippi river,"

Was next taken up, and received its second reading. And

On motion of Mr. Day,

The word "Ramsey" before the word "county," in the fourth section was struck out, and the word "Benton" inserted.

On motion of Mr. Black,

The first section was amended by adding the letter "s" to each of the words "heir," "executor," "administrator."

On motion of Mr. Richards,

Said bill was further amended by striking out the words "fifteen," "twenty-five," "twenty-five," and "ten," in the second, third, fourth and fifth lines, respectively, in section three, and inserting "twenty-five," "fifty," "thirty-five" and "fifteen."

The bill was further amended by striking out of section four the word "two," before "thousand," and inserting "one."

And further said bill was amended on Mr. Black's motion, by inserting after the name Miller, in the fifth section, the words "his heirs, executors, administrators or assigns."

On motion of Mr. Black,

The bill was ordered to be engrossed and read a third time to-morrow.

No. 3, (C. F.) "A memorial to the Senate and House of Representatives, praying for a grant of land to settlers on land ceded by the treaty of Pembina,"

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

No. 4, (C. F.) "A memorial for a further appropriation for the Point Douglas and St. Louis river road,"

Was taken up, and,

On motion of Mr. Black,

Was read a third time by its title.

The question being, "Shall the memorial pass?" was put and decided in the affirmative.

So the memorial passed, and the title was agreed to.

No. 4, (H. of R.) "Memorial of the Legislative Assembly of Minnesota, to Congress, for an appropriation of fifty thousand dollars, to be expended in removing the obstructions to the navigation of the Minnesota river at Little Rapids and at other points between Little Rapids and Traverse des Sioux,"

Was next in order.

On motion of Mr. Rolette,

It was read a third time by its title.

The question being on the passage of the memorial, Mr. Murray called for the yeas and nays.

Mr. Fullerton moved a call of the House, which was ordered, and Messrs. Boal and Farnham reported absent.

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

He soon appeared and announced that the absent members could not be found.

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

Which was disagreed to.

Mr. Murphy moved to adjourn;

Which motion was lost.

On motion of Mr. Black,

Messrs. Boal and Farnham were excused during the forenoon session.

The question on the passage of the memorial was then put and decided in the negative.

And the ayes and noes having already been called for, were ordered; and there were ayes 7, noes 9.

Those who voted in the affirmative, are

Messrs. Beatty, Day, Fullerton, Gingras, Leavitt, Murray and Richards—7.

Those who voted in the negative, are

Messrs. Black, Cave, Findley, Murphy, Randall, Rolette, Selby, Taylor and Ludden, (Speaker)—9.

No. 43, (H. of R.) "A bill to amend an act entitled an act granting to Anson Northrop, Pierre Bottineau, Louis Roberts and Peter Poncin, the right to establish and maintain a ferry across the Mississippi river, approved February 23, 1852,"

Was then taken up.

Mr. Murphy moved to indefinitely postpone the bill.

Mr. Murphy called for the yeas and nays, which were taken, and there were yeas 2, nays 14.

Those who voted in the affirmative, are

Messrs. Black and Murphy—2.

Those who voted in the negative, are

Messrs. Beatty, Cave, Boal, Findley, Fullerton, Gingras, Leavitt, Murray, Randall, Richards, Rolette, Selby, Taylor and Ludden, (Speaker)—14.

So the motion to postpone indefinitely was negatived.

The Sergeant-at-Arms announced a message from his Excellency the Governor, whereupon

W. B. White, Esq., the private Secretary of the Governor, appeared and stated that he was requested by his Excellency to present to the House several messages in writing;

Which he delivered and then withdrew.

On motion of Mr. Murray,

Said bill, No. 43, received its third reading by its title only.

And the question recurring on its passage,

It was decided in the affirmative.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Murphy,

The messages from the Governor were taken up and read as follows :

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
ST. PAUL, Feb. 27, 1852. }

To the Hon. Speaker of the House of Representatives—

SIR:—I have examined and approved the following acts, viz :

"An act providing for the appointment of a Supreme Court Reporter."

"An act to incorporate John G. Potts Lodge No. 3, of the Independent Order of Odd Fellows, of the town of St. Anthony."

"An act to incorporate the St. Anthony Boom Company,"

"An act granting to Daniel F. Brawley the right to establish and maintain a ferry across the Mississippi river, at the Upper Landing in the town of St. Paul."

"An act granting to James M. Goodhue and Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

I have also examined and approved a

"Memorial of the Legislative Assembly of the Territory of Minnesota, to the Congress of the United States, for a mail route from St. Paul, in this Territory, to

Lansing, Iowa, via Red Wing and Reed's Landing, in Wabasha county, in said Territory."

Very respectfully,

Your obedient servant,

ALEX. RAMSEY.

EXECUTIVE DEPARTMENT, }
Saint Paul, March 1, 1852. }

To the Honorable, the Speaker of the House of Representatives :—

SIR :—I return, without my approval, to the House of Representatives, in which it originated, an act entitled "an act to dissolve the marriage contract of Abram Hull and Julia A. Hull."

In briefly stating some of the reasons which induce me to withhold my signature from this act, it is unnecessary to moot the point whether the jurisdiction over divorces ought not to be confined to the judicial tribunals, under the limitations prescribed by law, inasmuch as the question of divorce involves investigations which are properly of a judicial nature. On this point there is a great variety of practice and opinion; nor has an examination of the several papers which have been submitted to me in connection with this act, and which constitute, I presume, the evidence upon which the Legislative Assembly have predicated their action, removed from my mind any of the objections which are generally urged to legislative divorces, on the ground that there is constant liability to imposition, and no opportunity for a careful scrutiny of the allegations and proofs of the parties.

The statement of the petitioner to the Legislature is of the briefest possible character; the name of the wife and several dates are in pencil mark; the place of marriage, the domicile of the parties at the time of the alleged desertion, or indeed at any other time, are not even mentioned; nor are the facts which are set forth, verified by the affidavit of the petitioner. Under the designation of "proofs accompanying the petition," are submitted the depositions of Richard Morris, Alex. Hull and Milton Bevans, taken some three months since before James M. Davidson, a Notary Public for Fulton county, Illinois, in the absence of the wife, and without notice to her. The deponents state in substance that "the conduct of the said Julia was characterized by obstinacy, ill-temper, and a spiteful disposition—that in the spring of 1849, the said Julia left the residence of her husband, and went to her father's residence, and has not since returned to her said husband." A paper is also submitted, which purports to be an agreement between the husband and wife to separate upon terms.

It does not appear how long the petitioner has been a resident of this Territory. I learn, however, that he has been here but a few months—that the parties were married either in Ohio or Illinois, and that the wife has never been within the limits of Minnesota.

In a case like this, where the wrong complained of is of the mildest character that could possibly justify a divorce; where the parties entered into the contract which is sought to be dissolved, in another State; where the alleged wrong was committed in another State; where the wife has never come within the limits of this Territory, nor submitted herself to the jurisdiction of our courts or Legislature; where no notice of this proceeding has been given to her, rendering a divorce, if obtained, in all probability invalid, as contravening the common rule, that a judgment rendered against a party who had no notice of the proceedings, is in violation of the first principles of justice, and is null and void—may not the propriety of legislative interference well be questioned?

If legislative bodies assume the exercise of judicial powers, they should at least not entirely disregard those obvious rules of justice which every where govern the courts of law.

Why should not Julia A. Hull have notice of this application for the dissolution of

a contract entered into between herself and Abram Hall, the petitioner? Is it not quite possible that she might have something to allege in reply?

The facts complained of in the petition, occurred in the State of Illinois; the parties were domiciled there; the petitioner's case properly belongs there; and is it not clear, that if the person of the party against whom the complaint is made is not subject to our jurisdiction, any attempt to bind her without such jurisdiction, and without hearing or notice, would be extravagant?

The statute of this Territory, which confers jurisdiction upon our courts in applications for divorce, is certainly very liberal. It provides that for certain causes divorces may be granted on the petition of the party aggrieved, and that all persons who shall have resided in the Territory one year, shall be entitled to the benefit of the act. The requirements are moderate; and I see nothing in the papers accompanying this bill, even if full force is given to the *ex parte* depositions, that presents a case of such heinous character as to justify a repeal in this special instance of the reasonable restrictions of the statute.

If the rule of our law is just, that no divorce shall be granted, unless the party applying therefor shall have resided in this Territory, one year immediately preceding the time of exhibiting the complaint, is the alleged, "obstinate, contrary, self-willed, ill-tempered" deportment of the wife an occurrence of such rare enormity as to demand legislative intervention, and an abatement of the legal period of residence?

Is the mere charge of desertion, of which perhaps satisfactory explanation might have been rendered, if proper notice had been given; and the opinion of certain deponents "that it frequently seemed to be her pleasure to annoy her husband by doing what she knew he did not approve," sufficient to warrant hasty proceedings, without notice, against a helpless woman?

Though there is a great variety of practice and opinion upon the subject of divorces, the stronger authority and the better policy is in favor of the stability of the marriage union. Were it necessary, in the present instance, additional reasons might be urged against the propriety of this act, in the revision to which all our legislative enactments are subject from the Congress of the United States, and the embarrassing position in which the parties might be subsequently placed, by Congress annulling the enactment. An act of Congress, of May 15, 1826, disapproves and annuls several acts passed by the Governor and Legislative Assembly of the Territory of Florida, granting divorces. The passage of this act, as well as the opinions which were expressed at the time by leading statesmen in debate, present an instance of strong national reprobation of the practice of granting legislative divorces.

It has been justly said that "though in particular cases the repugnance of the law to dissolve the obligations of matrimonial cohabitation may operate with great severity upon individuals, yet it must be carefully remembered, that the general happiness of the married life is secured by its indissolubility. When people understand that they *must* live together, except for a few reasons known to the law, they learn to soften by mutual accommodation that yoke which they know they cannot shake off; they become good husbands and good wives, from the necessity of remaining husbands and wives; for necessity is a powerful master in teaching the duties which it imposes. If it were once understood that upon mutual disgust married persons might be legally separated, many couples who now pass through the world with mutual comfort, with attention to their common offspring, and to the moral order of civil society, might have been at this moment living in a state of mutual unkindness, and in a state of estrangement from their common offspring. In this case as in many others, the happiness of some individuals must be sacrificed to the greater and more general good.

"If two persons have pledged themselves at the altar of God to spend their lives together, for purposes that reach much beyond themselves, it is a doctrine to which the morality of the law gives no countenance, that they may by private contract dissolve the bands of this solemn tie, and throw themselves upon society, in the undisciplined and dangerous characters of a wife without a husband, and a husband without a wife.

"There are, undoubtedly, cases for which a separation is provided; but it must be lawfully decreed by public authority, and for reasons which the public wisdom ap-

proves. Mere turbulence of temper, petulance of manners, infirmity of body or mind, are not numbered amongst these causes. When they occur, their effects are to be subdued by management if possible, or submitted to with patience, for the engagement was *to take for better for worse*; and painful as the performance of this duty may be, painful as it certainly is in many instances, which exhibit a great deal of the misery that clouds human life, it must be attempted to be sweetened by the consciousness of its being a duty, and a duty of the very first class and importance."

Upon a review then of the testimony presented in the present case, I am constrained to withhold my signature from this act, because among other reasons, legislative divorces at all times, and in Territories especially, are surrounded with danger; because in this instance the petitioner has not a legal residence in the Territory; because the wife has had no notice of the pendency of the proceeding, and no opportunity of being heard; because the "proofs" are wholly *ex parte*; and because, finally, even if every other objection were removed, the causes alleged as matters of grievance are scarcely sufficient to justify a divorce.

ALEX. RAMSEY.

The House then proceeded to reconsider

No. 8, (H. of R.) "A bill entitled an act to dissolve the marriage contract of Abram Hull and Julia A. Hull."

And the question recurring on its passage, the objections of the Governor notwithstanding,

And the yeas and nays being called for and ordered, the result was yeas 3, nays 13.

Those who voted in the affirmative, are

Messrs. Fullerton, Leavitt and Murphy—3.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Day, Findley, Gingras, Murray, Randall, Richards, Rolette, Selby, Taylor and Ludden, (Speaker)—14.

So the House refused to pass the bill.

On motion of Mr. Black,

The House adjourned.

TWO O'CLOCK, P. M.

The House met, and was called to order by the Speaker at 2 o'clock P. M.

Bills No. 34 and 42, and the reports of the committee upon them, presented this morning,

Were taken up, and

On motion of Mr. Cave,

The House went into a committee of the Whole on said bills;

Mr. Richards in the chair.

And after some time passed therein,

The Sergeant-at-Arms announced a message from the Council,

And the Speaker resumed the chair to receive it;

Whereupon, S. Trask, Esq., Secretary thereof, appeared and presented a message.

The Speaker then vacated the chair, and the committee resumed its sitting;

And after some further time passed therein, rose and through its Chairman, reported the bill back to the House with the following amendments:

1st amendment: In line 1, Sec. 1, of bill 34, after the word "of," insert "office of."

2d amendment: Add as Sec. 9, "The said board of Building Commissioners hereby created shall annually report to the Legislative Assembly their proceedings; and the Secretary of the Territory shall account to the Legislative Assembly for all monies received by him as treasurer of the building fund."

3d amendment: the committee recommended the indefinite postponement of bill No. 42.

The House concurred in the two amendments to No. 34, and on the question to postpone No. 42 indefinitely as recommended,

Mr. Murray called for the ayes and noes, which were taken.

Those who voted in the affirmative, are

Messrs. Beatty, Day, Leavitt, Murphy, Randall, Richards, Taylor and Ludden, (Speaker)—8.

Those who voted in the negative, are

Messrs. Black, Boal, Cave, Findley, Fullerton, Gingras, Murray and Selby—8.

So the House refused to postpone the bill (No. 42) indefinitely, as recommended by the committee of the Whole.

Mr. Murray moved a call of the House;

Which was ordered, and Messrs. Farnham and Rolette reported absent.

On motion of Mr. Fullerton,

Mr. Farnham was excused.

Mr. Randall moved to excuse Mr. Rolette;

Which was disagreed to.

On motion of Mr. Black,

Further proceedings under the call were dispensed with.

Bill No. 34, (H. of R.) was then ordered to be engrossed, and read a third time to-morrow, and No. 42 was referred to a select committee of three.

And the Speaker announced as said committee, Messrs. Black, Cave and Findley.

Mr. Selby presented the petition of Henry Buel praying for a divorce from his wife.

The petition was read and referred to a select committee consisting of Messrs. Fullerton, Murray and Selby.

No. 6, (C. F.) "A bill to amend an act entitled an act to authorize William Nobles to keep a ferry across Lake St. Croix, at the mouth of Willow river,"

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

Mr. Randall, from the committee on Enrolled Bills, presented the following report:

The committee on Enrolled Bills, have examined and found correctly enrolled:

No. 17, (H. of R.) "A bill entitled an act to organize Pembina county,"

No. 33, (H. of R.) "A bill to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25th, 1851." And,

"An act to incorporate the Rum River Boom Company."

D. B. LOOMIS, Council	} Committee.
B. H. RANDALL, H. of R.	

Mr. Black, with leave, gave notice that he would on to-morrow or some subsequent day, introduce a bill prescribing the time when certain acts shall take effect.

On motion of Mr. Day,

No. 39, (H. of R.) "A bill to amend an act entitled an act to authorize the establishment and regulation of ferries, approved, Feb. 19, 1851,"

Was taken up.

Mr. Day moved that the report of the majority of the committee to whom the bill had been referred, be adopted.

Mr. Black moved to amend the motion so as to include the minority report also;

Which motion was agreed to.

The question then recurring on the motion as amended, which was to adopt both reports,

A division of the question was called for, and the vote taken on each report separately.

Each question was decided in the negative.

So the House refused to adopt either of the reports.

Mr. Randall then offered the following amendment to said bill :

“Strike out the word ‘heretofore’ in first line, 2d section, and insert ‘the present session of the Legislature.’”

And Mr. Day moved its adoption, and called for the yeas and nays, which were ordered, and the result was, yeas 6, nays 11.

Those who voted in the affirmative, are

Messrs. Beatty, Day, Leavitt, Murphy, Randall and Selby—6.

Those who voted in the negative, are

Messrs. Black, Boal, Cave, Findley, Fullerton, Gingras, Murray, Richards, Rolette Taylor and Ludden, (Speaker)—11.

So the amendment was not adopted.

Mr. Murray moved to strike out all of said bill after the enacting clause ;

On which motion, Mr. Cave called for the yeas and nays, which were taken, and there were yeas 11, nays 6.

Those who voted in the affirmative, are

Messrs. Black, Boal, Cave, Findley, Fullerton, Gingras, Murray, Randall, Richards, Rolette and Ludden, (Speaker)—11.

Those who voted in the negative, are

Messrs. Beatty, Day, Leavitt, Murphy, Selby and Taylor—6.

So the question was decided in the affirmative, and all after the enacting clause struck out of said bill, No. 39.

Mr. Day then moved to add after the enacting clause, the following, as section 1 :

“That an act entitled an act to authorize the establishment and regulation of ferries, approved Feb. 19, 1851, be and the same is hereby repealed.”

Which motion was disagreed to.

Mr. Black moved to refer said bill to the committee on elections ;

Which motion was lost.

On motion of Mr. Day,

The remainder of said bill was struck out.

The following message from the Council, received to-day,

Was then taken up.

MR. SPEAKER : The Council has passed,

No. 18, (C. F.) “A bill to provide for the appointment of Auctioneers.”

No. 28, (H. of R.) “A bill for an act to incorporate the Mississippi Bridge Company.”

With amendments ; and

No. 40, (H. of R.) “A bill granting to Charles T. Jansen the right to establish and maintain a ferry across the Mississippi river, at or near a point in Minnesota opposite to Prairie La Crosse in Wisconsin ;”

Without amendment.

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

S. TRASK,
Secretary of the Council.

No. 13, (C. F.) “A bill to provide for the appointment of Auctioneers,”

Received its first reading.

No. 28, (H. of R.) "A bill for an act to incorporate the Mississippi Bridge Company,"

Was next taken up.

Mr. Black moved to amend an amendment of the Council striking out "ten" and inserting "seven," as the number of years after which the Legislature may regulate the toll for crossing said bridge, by striking out "seven" and inserting "three;"

Which was disagreed to.

And all the amendments of the Council were concurred in.

On motion of Mr. Murray,

The House then adjourned.

TUESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Ravoux.

On a call of the roll a quorum of members appeared in their seats.

The journal of yesterday was then read and corrected.

Mr. Richards gave the following notice:

MR. SPEAKER: I give notice that on to-morrow or some subsequent day I shall introduce a bill to incorporate the St. Paul Hydraulic Company.

F. S. RICHARDS.

Mr. Fullerton presented the report of the committee on Henry Buel's petition for divorce which is as follows:

The committee to whom was referred the petition of Henry Buel, praying for a divorce from his wife Susan Buel, beg leave to report that they have attentively examined the affidavits and testimony accompanying said petition, and are convinced that it is a peculiarly aggravated case, one for which the courts of law do not furnish an adequate, complete and speedy remedy.

Therefore your committee represent the case as one deserving the candid attention of this House.

J. E. FULLERTON,
W. P. MURRAY, } Committee.
J. W. SELBY.

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

The committee on Engrossed Bills beg leave to report the following as correctly engrossed:

No. 34, (H. of R.) "A bill to amend an act to provide for the erection of public

buildings in the Territory of Minnesota, approved February, 1851, and an act amendatory thereto, approved March 31, 1851."

No. 44, (H. of R.) "A bill granting to Robert P. Miller the right to establish a ferry across the Mississippi river.

JOS. ROLETTE,
Chairman.

On motion of Mr. Cave,

The report of the committee to whom was referred the petition of Henry Buel, was accepted.

Mr. Selby with leave, and having given previous notice thereof, introduced

No. 46, (H. of R.) "A bill entitled an act to incorporate the Lake Superior and Mississippi river Rail Road Company."

On motion of Mr. Randall,

Said bill received its first and second reading under a suspension of the rule, by its title only, and was ordered to be printed.

On motion of Mr. Randall,

The rule was suspended and he introduced, with leave,

No. 47, (H. of R.) "A bill for the relief of Abram Hull;"

Said bill received its first reading, and

On motion of Mr. Selby,

The rule was suspended and said bill was read a second time by its title, and

On motion of Mr. Black,

Was ordered to be engrossed and read a third time to-morrow.

Mr. Cave called for the yeas and nays, which were taken, and there were yeas 13, nays 4.

Those who voted in the affirmative, are

Messrs. Beatty, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Rolette, Selby and Ludden, (Speaker)—13.

Those who voted in the negative, are

Messrs. Black, Cave, Richards and Taylor—4.

The Sergeant-at-Arms announced a message from his Excellency, the Governor;

Whereupon, W. B. White, Esq., the private Secretary of the Governor, appeared and stated that he was requested by his Excellency to present to the House a message in writing;

Which he delivered and then withdrew.

Business on the Speaker's table was then taken up, and

No. 13, (C. F.) "A bill to provide for the appointment of Auctioneers;"

Was read a second time.

Mr. Cave offered the following amendment to said bill:

Strike out of the first section the words "Governor with the consent of the Council," and insert "County Commissioners."

Also, strike out "he," in third line, and insert "they."

Said amendments were adopted.

Mr. Murray offered the following amendment:

Strike from section one, the word "five," after the word exceeding, and insert "three."

Which was also adopted.

Mr. Richards offered the following amendment:

Strike out of section one, "not however exceeding three."

Which was agreed to.

The bill was further amended by striking out "Governor," the last word in section one;

And further, by striking out of section three, all after the word "therein," which occurs after the word "approval."

Mr. Day offered the following amendment:

Add as section 8: "Any person being at the time a resident of this Territory, may sell his own property, personal or real, at auction or in any other way, the same being his household goods, any product or manufacture of the Territory, without being in any manner affected by, or subject to any of the preceding provisions of this act."

Which amendment was adopted.

Mr. Black moved to suspend the 51st rule, that the bill might be read a third time now.

Which was disagreed to.

On motion of Mr. Murray,

The bill was then referred to a select committee of three.

The joint conference committee on, No. 31 (H. of R.) reported as follows:

A majority of the joint committee of conference, to whom was referred, No. 31, (H. of R.) "A bill for the restriction of the sale of intoxicating liquors in this Territory, and for other purposes,"

Would respectfully report that they have had the same under consideration, and recommend that the Council recede from the first and last amendments, and that the House concur in the second and third amendments.

WM. L. LARNED,
M. McLEOD,
Committee of the Council.

J. H. MURPHY,
JAMES BEATTY,
Committee of the House.

Mr. Black moved to lay the report on the table until to-morrow.

Mr. Murphy moved to amend the motion, so as to lay the report on the table until this afternoon.

The question being taken on the amendment, it prevailed.

The question then recurring on the motion as amended, was decided in the affirmative.

The Speaker appointed Messrs. Murray, Day and Murphy, the committee to whom was referred No. 13, (C. F.)

Mr. Randall, from the committee on Enrolled Bills presented the following report:

The committee on Enrolled Bills have examined and found correctly enrolled, No. 8, (C. F.) "A bill entitled an act to dissolve the marriage contract between James W. Brown and Lezette Brown;" also,

No. 2, (C. F.) "A Memorial to the President of the United States relative to the survey and establishment of the boundary line between the Territory of Minnesota and the British possessions."

D. B. LOOMIS, Council, } Committee.
B. H. RANDALL, H. of R. }

The committee to whom was referred No. 42, (H. of R.) reported as follows:

The undersigned, a majority of the select committee to whom was referred bill No. 42, (H. of R.) have had the same under consideration, and submit the following report:

"From a careful examination of the provisions of said bill, your committee are of the opinion that the whole object of the bill is to distribute the different offices among the Building Commissioners, so that they can all have an equal chance in the Government funds.

"Under the present arrangement, John McKusick holds two offices, the salaries of which amount to the neat little sum of one thousand dollars, whilst L. Roberts is en-

tirely shut out from this fund, save and except the paltry sum of eighteen dollars per month, the amount of his per diem as Commissioner.

"Your committee are therefore of the opinion that if Mr. Roberts could receive the pay without the office, it would be perfectly satisfactory to him, and would therefore recommend that the bill pass."

M. BLACK,
S. J. FINDLEY,
Committee.

On motion of Mr. Randall,

The report of the committee on bill No. 42, was accepted and the committee discharged.

On motion of Mr. Day,

Said bill No. 42, "To amend an act to provide for the erection of public buildings," was read for the benefit of the House; whereupon,

Mr. Murphy moved to indefinitely postpone the further consideration of the same.

And the yeas and nays were called for by Mr. Murray, and ordered, and there were yeas 9, nays 9.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Farnham, Leavitt, Murphy, Randall, Richards, Taylor and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Boal, Cave, Day, Findley, Fullerton, Gingras, Murray, Rolette, and Selby—9.

So the bill was not indefinitely postponed.

On motion of Mr. Cave,

The House adjourned.

TWO O'CLOCK, P. M.

The House met and was called to order by the Speaker at 2 o'clock, P. M.
No. 42, (H. of R.) was still before the House on its second reading.

On motion of Mr. Murray,

Said bill was laid on the table.

No. 34, (H. of R.) "A bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota,"

Came up on its third reading.

Mr. Murray moved to indefinitely postpone the further consideration of said bill.

Mr. Day called for the yeas and noes which were taken, and there were yeas 4, noes 13.

Those who voted in the affirmative, are

Messrs. Beatty, Findley, Murray and Rolette—4.

Those who voted in the negative, are

Messrs. Black, Cave, Day, Farnham, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Selby, Taylor and Ludden, (Speaker)—13.

So the bill was not indefinitely postponed.

Mr. Murray moved to refer said bill to a select committee of three;

Which motion was disagreed to.

On motion of Mr. Black,
The bill was then read a third time by its title,
And the question recurring on its passage;
Mr. Murray called for the yeas and nays, and they were ordered, and the result was yeas 13, nays 5.

Those who voted in the affirmative, are
Messrs. Black Boal, Day, Farnham, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Selby, Taylor and Ludden, (Speaker)—13.

Those who voted in the negative, are
Messrs. Beatty, Cave, Findley, Murray and Rolette—5.
So the bill passed, and the title thereof was then agreed to.
No. 44, (H. of R.) "A bill granting to Robert P. Miller the right to establish a ferry across the Mississippi river,"

Was taken up on its third reading.
On motion of Mr. Murray,
Said bill was read by its title only.
And the question recurring on its passage,
Mr. Farnham called for the yeas and nays, which were taken, and there were yeas 15, nays 2.

Those who voted in the affirmative, are
Messrs. Beatty, Black, Boal, Cave, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Rolette, Selby, Taylor, and Ludden, (Speaker)—15.

Those who voted in the negative, are
Messrs. Day and Farnham—2.
So the bill passed, and the title thereof was agreed to.

The committee to whom was referred the bill for the relief of W. G. LeDuc, reported as follows:

The special committee to whom was referred a bill for the relief of W. G. Le Duc, beg leave to report, that they have had the same under consideration, and are satisfied, both from their own personal knowledge, and from the evidence laid before them, that the majority of the entire amount of stationery used by the Legislative Assembly of this Territory during their session of 1851, was purchased of and furnished by W. G. Le Duc, agreeably to a resolution passed by the said Assembly. The correctness of the bill of said Le Duc your committee cannot vouch for, as they have no knowledge of the account ever being examined by a committee, but was reported to the House of Representatives at a late hour, on the last day of the session of the Legislature in 1851; and therefore it was impossible to judge of the correctness of said bill. Your committee are unable to recommend any means for paying the amount which the said Le Duc may be justly entitled to; but are of the opinion that it should have been paid by the Secretary of the Territory, out of the moneys appropriated to defray the expenses of the Legislative Assembly for the year 1851. As no appropriation bill was passed by the last Legislature, and many accounts have been paid by the Secretary of the Territory, your committee can see no good reason why the account of W. G. Le Duc should not have been liquidated, if he had furnished satisfactory proof to the said Secretary that said account was just and true. As no evidence to show this has been laid before the committee, your committee would respectfully report the bill back to the House, and recommend that the House take such action in the premises, as they in their wisdom may think best for the promotion of justice.

B. H. RANDALL,
JESSE TAYLOR,
JAS. MC. BOAL,
Committee.

The Sergeant-at-Arms announced a message from the Council; whereupon, S. Trask, Esq, appeared and presented the following message:

MR. SPEAKER: The Governor has notified the Council that he did on Feb. 27, 1852, examine and approve the following acts:

"An act to amend an act entitled an act to incorporate the Mississippi Boom Company."

"An act for the relief of S. B. Olmstead, Alden Bryant, Charles F. Tracy, B. W. Lott and Taylor Dudley."

The Council has passed No. 9, (C. F.) Chapter 1; "A bill to amend the revised statutes;"

In which the concurrence of the House is respectfully requested.

S. TRASK,
Secretary of the Council.

On motion of Mr. Murray,
The message received this morning from the Governor was taken up and read as follows:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
ST. PAUL, March 1, 1852. }

To the Hon. Speaker of the House of Representatives—

SIR:—I have examined and approved the following acts, viz:

"An act to provide for the establishment of election precincts in unorganized counties."

"An act to provide for laying out a Territorial Road from the foot of Lake Pepin or Reed's Landing, to some point on the Minnesota river, between Flint Prairie and the mouth of Blue Earth river."

"An act granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, near the foot of Lake Pepin, Minnesota Territory."

Very respectfully,
Your obedient servant,
ALEX. RAMSEY.

On motion of Mr. Murphy,

The report of the Joint Conference Committee was taken up, when the minority of said committee reported as follows:

The minority of the committee of Conference to whom was referred No. 81, (H. of R.) "A bill for the restriction of the sale of intoxicating liquors and for other purposes," beg leave to report:

That in their opinion the 4th and 7th of the Council amendments to said bill, are essential to its perfection.

The 4th in preventing an improper use of the liberty granted to certain persons to retain spirituous liquors in their possessions, and more particularly would they remonstrate against the Council receding from the 7th amendment to said bill, it being as they conceive, the only section in the entire bill which requires the returns from the whole Territory to be received previous to the canvassing of the votes as required in the act, and which if stricken out, would leave it to the voters only of Ramsey, Washington, Benton and Chisago counties to decide upon the merits of a law affecting equally the people of the entire Territory.

Your committee are also of the opinion that the proviso contained in section 19, is unconstitutional and will render the law void and of no effect, and regret that by a direct vote of the House, they were required to report without having time to prepare their reasons for the "faith which is in them," but, as an amendment is now pending to said proviso, would recommend that all of section 19, after and including the word "Provided" in line six of said section be stricken from the bill.

D. B. LOOMIS, Council }
MAHLON BLACK, H. of R. } Committee.

Mr. Cave moved that the reports be laid on the table and made the special order of the day on to-morrow.

On which motion Mr. Cave called for the yeas and nays, which were taken, and there were yeas 10, nays 8.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Day, Leavitt, Murray, Randall, Richards, Taylor, and Ludden (Speaker)—10.

Those who voted in the negative, are

Messrs. Boal, Farnham, Findley, Fullerton, Gingras, Murphy, Rolette, and Selby—8.

No. 45, (H. of R.) "A bill granting to Henry G. Bailly the right to establish and maintain a ferry across the Mississippi river, at or near Olive Grove, in the county of Wabasha,"

Was taken up on its second reading.

Mr. Murray moved to strike out "Henry G. Bailly," wherever it occurs, and insert "Martin Leavitt." in said bill;

Which motion did not prevail.

On motion of Mr. Murphy,

The bill was ordered to be engrossed and read a third time on to-morrow.

On motion of Mr. Cave,

The message from the Council was taken up.

No. 9, (C. F.) "A bill to amend the revised statutes;"

Was then considered, and

On motion of Mr. Richards,

The House went into a committee of the Whole on said bill,

Mr. Day in the Chair;

And after some time passed therein rose and through its Chairman reported progress and asked leave to sit again;

Leave was granted.

Mr. Randall from the committee on Enrolled Bill presented the following report :

The committee on Enrolled Bills have examined and found correctly enrolled :

"A bill entitled an act to incorporate the Mississippi Bridge Company;" and

"An act granting to Charles T. Jansen the right to establish and maintain a ferry across the Mississippi river at or near a point in Minnesota opposite to Prairie La Crosse, in Wisconsin;" and

No. 11, (C. F.) "A bill granting to W. F. Corbett and J. W. Bond the right to establish and maintain a ferry across the Mississippi river, at or near the foot of Sauk Rapids, Benton county, Minnesota Territory."

M. McLEOD, Council
B. H. RANDALL, H. of R. } Committee.

The Speaker signed said enrolled bills.

On motion of Mr. Leavitt,

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

WEDNESDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock A. M.

Prayer by the Rev. Mr. Ravoux.

On a call of the roll a quorum of members appeared in their seats.

The journal of yesterday was then read.

The special order was taken up.

Mr. Murphy moved to adopt the report of the majority of the conference committee on bill

No. 31, (H. of R.) "A bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes."

Mr. Day called for the yeas and nays, which were taken; and there were yeas 13, nays 5.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Rolette, and Selby—13.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Taylor, and Ludden, (Speaker)—5.

So the report of the majority of the committee was adopted.

On motion of Mr. Black,

The minority report was accepted and the committee discharged.

Mr. Randall, from the joint committee on Enrolled Bills, presented the two following reports:

The committee on Enrolled Bills have examined and found correctly enrolled

No. 14, (C. F.) "A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife." Also,

No. 3, (C. F.) "A memorial to the Senate and House of Representatives, praying for a grant of land to settlers on land ceded by the treaty of Pembina."

D. B. LOOMIS, Council, } Committee.
B. H. RANDALL, H. of R. }

The committee on Enrolled Bills have examined and found correctly enrolled

"A bill entitled an act to incorporate the Benton County Agricultural Society."

"An act granting to D. T. Sloan the right to establish and maintain a ferry across the Mississippi river at or near Aitkin's Crossing."

"A memorial for a further appropriation for the Point Douglas and St. Louis river road."

M. McLEOD, Council, } Committee.
B. H. RANDALL, H. of R. }

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

The committee on Engrossed Bills beg leave to report the following as correctly engrossed:

No. 45, (H. of R.) "A bill granting to Henry G. Bailly the right to establish and maintain a ferry across the Mississippi river."

No. 47, (H. of R.) "A bill for the relief A. Hull."

JOS. ROLETTE,
Chairman.

On notice previously given, and with leave first obtained, Mr. Richards introduced No. 48, (H. of R.) "A bill to incorporate the St. Paul Hydraulic Company."

Said bill received its first reading; when,

On motion of Mr. Black,

The 51st rule was suspended, and the bill was read a second time by its title. Whereupon,

On motion of Mr. Day,

The bill was laid on the table and ordered to be printed.

Mr. Black, on notice previously given, and with leave, introduced

No. 49, (H. of R.) "A bill prescribing the time when certain acts shall take effect."

Said bill received its first reading.

Mr. Fullerton introduced a bill, by leave, under a suspension of the rule, no notice having been given,

No. 50, (H. of R.) "A bill to dissolve the marriage contract between Henry Buel and his wife, Susan Buel."

Said bill was read a first time; and,

On motion of Mr. Fullerton,

The 51st rule was suspended, and the bill was read a second time by its title. And,

On motion of Mr. Murray,

Was laid on the table until this afternoon's session.

No. 35, (H. of R.) "A bill for the relief of W. G. LeDuc."

Was taken up and received its second reading; when,

On motion of Mr. Selby,

The rule was suspended, and the bill ordered to be engrossed and read a third time this afternoon.

No. 45, (H. of R.) "A bill granting to Henry G. Bailly the right to establish and maintain a ferry across the Mississippi river, at or near Olive Grove, in the county of Wabasha,"

Was taken up.

On motion of Mr. Randall,

Said bill was read a third time by its title.

Mr. Black asked and obtained the unanimous consent of the House to make the following amendment to the bill:

"After the word 'Bailly,' in section 5, insert his 'heirs, executors, administrators and assigns.'"

The amendment was adopted.

The question was then put on the passage of the bill, and decided in the affirmative.

The title thereof was then agreed to.

No. 47, (H. of R.) "A bill for the relief of Abram Hull,"

Was next taken up.

Mr. Cave moved to indefinitely postpone further action on said bill.

Mr. Murphy called for yeas and nays, and they were ordered, and the result was yeas 11, nays 5.

Those who voted in the affirmative, are

Messrs. Black, Cave, Findley, Gingras, Leavitt, Murphy, Randall, Richards, Selby, Taylor and Ludden, (Speaker)—11.

Those who voted in the negative, are

Messrs. Beatty, Boal, Farnham, Fullerton, and Murray—5.

So the bill was indefinitely postponed.

Mr. Murray, from the select committee to whom was referred No. 13, (C. F.) reported as follows:

The special committee to whom was referred

No. 13, (C. F.) "A bill to provide for the appointment of auctioneers,"

Report that they have had the same under consideration, and with an amendment, viz :

"To strike out the word 'twenty-five' in section three, and insert 'fifty,'"
They would recommend its passage.

W. P. MURRAY,
DAVID DAY,
J. H. MURPHY,
Committee.

Said bill then received its second reading ; when.

On motion of Mr. Cave,

The report of the committee was adopted.

Mr. Cave moved that the rule be suspended and that the bill be read a third time now.

Which motion was disagreed to.

On motion of Mr. Farnham,

The bill was laid on the table, and ordered to have its third reading to-morrow.

On motion of Mr. Cave,

The House adjourned.

TWO O'CLOCK, P. M.

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

Mr. Day, with leave, and in pursuance of notice, introduced

No. 51, (H. of R.) "A bill to provide for the collection of Territorial taxes in un-organized counties,"

Having previously given notice of the same;

Which received its first reading.

On motion of Mr. Cave,

It was read a second time by its title and ordered to be printed.

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

"A bill granting to Charles S. Cave the right to establish and maintain a ferry across the Mississippi river, at or near the mouth of Rum river."

No. 46, (H. of R.) "A bill entitled an act to incorporate the Lake Superior and Mississippi River Railroad Company,"

Came up in order ; and.

On motion of Mr. Murphy,

Was laid on the table.

Mr. Rolette, chairman of the committee on Engrossed Bills, reported the following as correctly engrossed :

No. 35, (H. of R.) "A bill for the relief of W. G. Le Duc."

On motion of Mr. Selby,

The House resolved itself into a committee of the Whole, to take into consideration

No. 9, (C. F.) "A bill to amend the Revised Statutes,"

Mr. Day in the chair.

And after some time passed therein,

A message from the Council was announced. Whereupon, the Speaker resumed the chair, and

S. Trask, Esq., Secretary thereof, appeared and delivered the following message :

COUNCIL, March 3, 1852.

MR. SPEAKER: The Council has passed

No. 16, (C. F.) "A bill to amend an act entitled an act to incorporate the St. Croix Boom Company;" and

No. 34, (H. of R.) "A bill 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 21, 1851; with an amendment.

No. 36, (H. of R.) "A bill granting to Samuel Groff the right to establish and maintain a Ferry across Lake St. Croix, and for other purposes."

Without amendments; and

No. 44, (H. of R.) "A bill granting to Robert P. Miller the right to establish and maintain a ferry across the Mississippi river,"

With an amendment.

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

S. TRASK,
Secretary of the Council.

The Secretary then retired; when the Speaker vacated the chair, and the committee of the Whole resumed its sitting.

And after some further time passed in considering the bill before them, rose, and through their chairman reported progress and asked leave to sit again; which was granted.

The committee on Enrolled Bills reported as follows:

The joint committee on Enrolled Bills, did on the 3d of March, A. D. 1852, present to his excellency, the Governor of Minnesota, for his examination and approval, the following entitled bills and memorial, viz:

"A bill entitled an act to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25, 1851."

"A bill entitled an act to incorporate the Rum River Boom Company."

"A bill entitled an act to organize Pembina county."

"A bill entitled an act granting to W. F. Corbett and J. W. Bond the right to establish and maintain a ferry across the Mississippi river near the foot of Sauk Rapids, Benton county, Minnesota Territory."

"A memorial to the President of the United States, relative to the survey and establishment of the boundary line between the Territory of Minnesota and the British Possessions."

"An act to dissolve the marriage contract between James W. Brown and Lettice Brown."

"An act granting to Charles T. Jansen the right to establish and maintain a ferry across the Mississippi river at or near a point in Minnesota, opposite to Prairie La Crosse, in Wisconsin."

"An act to incorporate the Mississippi Bridge Company." And

"An act to incorporate the Cottage Grove Academy at Cottage Grove, in the county of Washington."

M. McLEOD, Council, }
B. H. RANDALL, H. of R. } Committee.

On motion of Mr. Selby,
The House adjourned.

THURSDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Ravoux.

On a call of the roll a quorum of members appeared in their seats.

The journal of yesterday was then read.

Mr. Black, on notice previously given, and with leave first obtained, introduced, No. 52, (H. of R.) "A bill granting to Charles S. Cave the right to establish and maintain a ferry across the Mississippi river, at or near the mouth of Rum river;"

Said bill then received its first reading.

Mr. Black moved that rule 51 be suspended, and that the bill be read a second time;

Which was disagreed to.

Mr. Murray moved, that the 51st rule be suspended, and that the bill be now read a second time by its title.

On that motion Mr. Murphy called for the yeas and nays, which were ordered, and there were yeas 9, nays 5.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Findley, Gingras, Murray, Rolette, Selby, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Farnham, Fullerton, Leavitt, Murphy and Richards—5.

Two-thirds not voting in the affirmative, the 51st rule was not suspended.

No. 50, (H. of R.) "A bill to dissolve the marriage contract between Henry Buel and his wife Susan Buel,"

Was taken up.

The testimony in the case was called for, and was read.

The Sergeant-at-Arms announced a message from the Council; whereupon,

S. Trask, Esq., Secretary of the Council, appeared and delivered the following message:

MR. SPEAKER: The Council has passed

No. 9, (C. F.) Chapter 2: "A bill to amend the revised statutes;"

In which the concurrence of the House is respectfully requested.

The Council did, on the 2d day of March, adopt the report of the majority of the committee of conference on

No. 31, (H. of R.) "A bill for the restriction of the sale of intoxicating liquors in the Territory of Minnesota, and for other purposes."

S. TRASK,
Secretary of the Council.

The Secretary then retired.

Mr. Cave moved to suspend rule 51, so as to have bill No. 50 ordered engrossed and read a third time this afternoon;

Which motion was disagreed to, and

On motion of Mr. Black,

Said bill was ordered to be engrossed and read a third time to-morrow.

Mr. Black called for the yeas and nays, which were taken, and there were yeas 9, nays 8.

Those who voted in the affirmative, are

Messrs. Beatty, Black Cave, Findley, Fullerton, Murray, Selby, Taylor and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Day, Farnham, Gingras, Leavitt, Murphy, Randall, Richards and Rolette—8.

So the bill was ordered to be engrossed and read a third time to-morrow.

No. 46, (H. of R.) "A bill to incorporate the Lake Superior and Mississippi river Railroad Company,"

Was taken up, when

Mr. Cave moved to indefinitely postpone the bill, and called for the yeas and nays, which were taken, and there were yeas 4, nays 13,

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave and Taylor—4.

Those who voted in the negative, are

Messrs. Day Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Rolette, Selby and Ludden, (Speaker)—13.

So the bill was not indefinitely postponed.

On motion of Mr. Day,

Said bill was laid on the table.

No. 48, (H. of R.) A bill to incorporate the St. Paul Hydraulic Company ;"

Mr. Murphy moved to lay the bill on the table ;

Which motion was disagreed to.

On motion of Mr. Day,

The House went into committee of the Whole to consider No. 48, (H. of R.) "A bill to incorporate the St. Paul Hydraulic Company ;

Mr. Selby in the chair.

Soon after, the Sergeant-at-Arms announced a message from his Excellency the Governor, and

The Speaker resumed the chair ; whereupon,

W. B. White, Esq., the private Secretary of the Governor, appeared and delivered a message in writing.

The committee again resumed its sitting, and soon after rose and through its chairman reported the bill back to the House, and recommended its indefinite postponement.

The question on the indefinite postponement was put,

And decided in the negative.

On motion of Mr. Murray,

Said bill was referred to Messrs. Murray, Selby, Fullerton, Rolette and Findley.

On motion of Mr. Murray,

The messages from the Council were taken up ;

The message received on yesterday afternoon, was read, and

No. 34, (H. of R.) "A bill 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 31, 1851,"

Was taken up.

The question was put on concurring in the Council's amendment to said bill, and agreed to.

Said amendment was to strike out of section 6, all to and including "appoint," and insert "the board of commissioners shall appoint," in line 5 of said section.

Mr. Cave moved to insert in said bill before the word commissioners the word "building ;"

Which was disagreed to.

No. 44, (H. of R.) "A bill granting to Robert P. Miller the right to establish and maintain a ferry across the Mississippi river.

Was taken up, and

The question was on concurring in the following amendment made by the Council :
"Strike out the word 'ten' and insert 'six;'"

The House concurred in said amendment.

No. 16, (C. F.) "A bill to amend an act entitled an act to incorporate the St. Croix Boom Company;"

Had its first reading.

On motion of Mr. Black,

The 51st rule was suspended and the bill read a second time by its title.

On motion of Mr. Selby,

The bill was laid on the table and ordered to have its third reading to-morrow.

The message received from the Council this morning was read.

On motion of Mr. Day,

No. 9, (C. F.) "A bill to amend the revised statutes;"

Was read a first time by its title.

On motion of Mr. Richards,

The 51st rule was suspended, and the bill read a second time by its title.

On motion of Mr. Murphy,

The bill was laid on the table.

Mr. Black from the committee on Legislative Expenditures, to whom was referred No. 38, (H. of R.) "A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

Reported a bill of particulars in part which was read, and

On motion of Mr. Murray,

The report of the committee was accepted.

No. 51, (H. of R.) "A bill to provide for the collection of Territorial taxes in unorganized counties,"

Was next in order.

Mr. Murphy moved that the House resolve itself into a committee of the whole to consider said bill;

This motion was disagreed to.

Mr. Day offered the following amendment to said bill:

Add as section 5: "That so much of any law now in force as contravenes the provisions of this act is repealed;"

And moved that it be adopted;

Which motion was agreed to.

Mr. Murphy moved to strike out "200" and insert "500;" this motion was negatived.

On motion, the House adjourned.

TWO O'CLOCK, P. M.

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

Mr. Murray moved that the rule be suspended that he might introduce a bill for a ferry charter for W. B. Dodd, across the Mississippi river, and called for the yeas and nays; which were ordered, and there were yeas 11, nays 5.

Those who voted in the affirmative, are

Messrs. Day, Findley, Fullerton, Gingras, Murray, Randall, Richards, Rolette, Selby, Taylor and Ludden, (Speaker)—11.

Those who voted in the negative, are

Messrs. Black, Cave, Farnham, Leavitt and Murphy—5.

Two-thirds of the members present voting in the affirmative, the rule was suspended and Mr. Murray introduced,

No. 53, (H. of R.) "A bill granting to William B. Dodd the right to establish and maintain a ferry across the Mississippi river, at or near Red Rock in the county of Washington."

Said bill had a first reading; and

On motion of Mr. Day,

The 51st rule was suspended, and the bill was read the second time by its title.

The Sergeant-at-Arms announced a message from the Council; whereupon, S. Trask, Esq, the Secretary thereof, appeared and delivered the following message:

MR. SPEAKER: The Council has passed

No. 17, (C. F.) "A bill to establish the county of Hennepin," and

No. 18, (C. F.) "A bill granting to Richard Arnold the right to establish and maintain a ferry across the St. Croix river," and

No. 19, (C. F.) "A bill to provide for the appointment of Clerk of Probate Courts, to specify their duties, and for other purposes," and

No. 20, (C. F.) "A bill granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi."

Also, the following House bills

No. 4, (H. of R.) "A bill granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river," with an amendment; and

No. 12, (H. of R.) "A bill to punish trespassers on school lands in Minnesota Territory;" with amendments; and

No. 20, (H. of R.) "A bill to change the time of electing a Delegate to Congress," and

No. 45, (H. of R.) "A bill granting to Henry G. Bailly the right to establish and maintain a ferry across the Mississippi river at or near Olive Grove, in the county of Wabasha," with amendments.

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

S. TRASK,

Secretary of the Council.

Mr. Murray moved that bill No. 53 be engrossed and read a third time to-morrow.

Mr. Day called for the yeas and nays and they were ordered, and the result was yeas 10, nays 6.

Those who voted in the affirmative, are

Messrs. Findley, Fullerton, Gingras, Murphy, Murray, Randall, Richards, Rolette, Selby and Taylor—10.

Those who voted in the negative, are

Messrs. Black, Cave, Day, Farnham, Leavitt and Ludden, (Speaker)—6.

So the bill was ordered to be engrossed and read a third time to-morrow.

The reports of the committee to whom was referred bill No. 48 was received and read as follows:

The select committee to whom was referred No. 48, (H. of R.) "A bill to incorporate the St. Paul Hydraulic Company," report:

That they have had the same under consideration, and would recommend its passage, as introduced, with the following amendment, viz:

Add to section 11 as follows: *Provided*, That the said company shall complete within two years after the passage of this act, the work of laying pipes, and conducting water to all of St. Paul and its additions where the public want may require it, or all right accruing under this charter shall be forfeited.

W. P. MURRAY,
J. E. FULLERTON,
S. J. FINDLEY,
J. W. SELBY.

Majority of the Committee.

The minority of the committee, to whom was referred bill No. 48, beg leave to report that the amendment proposed by the majority of the committee, should be concurred in with the following amendment:

That the title of the bill should be so amended as to read: "To incorporate the St. Paul Gas Company." Also, an amendment to section 1, by striking out the words "John R. Irvine, W. P. Murray, Justus C. Ramsey, Joseph E. Fullerton, B. B. Ford, Alex. Wilkin," and inserting the words "the Gas Company."

With these amendments the minority of the committee are of the opinion that the bill should receive the favorable consideration of the House.

JOSEPH ROLETTE,
Minority of the Committee.

Mr. Black moved to adopt the report of the minority committee.

Mr. Murray called for the yeas and nays, and they were ordered, and there were yeas 4, nays 13.

Those who voted in the affirmative, are
Messrs. Black, Cave, Rolette and Taylor—4.

Those who voted in the negative, are
Messrs. Beatty, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Randall, Richards, Selby and Ludden, (Speaker)—13.

So the minority report was not adopted; and

On motion of Mr. Murray,

The report of the majority committee was adopted.

On motion of Mr. Murray,

The House resolved itself into a committee of the whole to consider

No. 9, (C. F.) Chapters 1 and 2: "A bill to amend the revised statutes,"

Mr. Richards in the chair;

And after some time passed therein, the committee rose, and reported said bill back to the House with the following amendments:

Amendments to Chapter I:

1st amendment: Strike out the Council's amendment to section 136 of chapter 70, p. 346, of the revised statutes.

2d amendment: Strike out "fifteenth day of April."

Amendments to Chapter II:

3d amendment: Amend paragraph 9, by adding after the word "coin," the last word in said paragraph, the words "or Territorial Auditor's warrants."

4th amendment: Amend paragraph 10, by striking out "one thousand" before the word "dollars," and insert "four hundred."

5th amendment: Strike out the whole of paragraph 14, which amends section 11 of chapter 29, page 146.

6th amendment: Restore the following words, erased from the printed bill in paragraph 15. "Sec. 20. All acts of the Legislative Assembly of the Territory of Minnesota, connecting common school districts with chartered institutions of learning, are hereby repealed."

The question recurred on adopting said amendments.

The House voted upon them separately, and the 1st amendment was not adopted.

The 2d, 3d, and 4th amendments were adopted.

The 5th amendment was not adopted.

Mr. Black having called for the ayes and nays on the 5th amendment, they were ordered, and there were ayes 6, nays 11.

Those voting in the affirmative, are

Messrs. Black, Fullerton, Murray, Richards, Taylor and Ludden, (Speaker)—6.

Those voting in the negative, are

Messrs. Beatty, Cave, Day, Farnham Findley, Gingras, Leavitt, Murphy, Randall, Rolette and Selby—11.

On the 6th amendment, Mr. Randall called for the ayes and nays, which were ordered, and there were ayes 9, nays 8.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Day, Farnham, Findley, Gingras, Leavitt, Murphy and Selby.—9.

Those who voted in the negative, are

Messrs. Cave, Fullerton, Murray, Randall, Richards, Rolette, Taylor and Ludden (Speaker)—8.

So the 6th amendment was adopted.

On motion of Mr. Randall,

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

Mr. Randall, from the joint committee on Enrolled Bills, presented the following report :

The joint committee on Enrolled Bills, did on the 4th of March, A. D. 1852, present to his excellency, the Governor of Minnesota, for his examination and approval, the following entitled bills and memorials, viz :

"A bill entitled an act to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife."

"A bill entitled an act granting to D. T. Sloan the right to establish and maintain a ferry across the Mississippi river at or near Aitkin's Crossing."

"A bill entitled an act to incorporate the Benton County Agricultural Society,"

"A memorial for a further appropriation for the Point Douglas and St. Louis river road."

"A memorial to the Senate and House of Representatives, praying for a grant of land to settlers on land ceded by the treaty of Pembina."

D. B. LOOMIS, Council, }
B. H. RANDALL, H. of R. } Committee.

Mr. Murray moved to adjourn until 7 o'clock this evening ;

Which was disagreed to.

On motion of Mr. Black,

The House adjourned.

FRIDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Ravoux.

On a call of the roll a quorum of members appeared in their seats.

The journal of yesterday was then read, in part, when,

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

Whereupon, S. Task, Esq., Secretary of the Council, appeared and delivered the following message :

COUNCIL, March 4, 1852.

MR. SPEAKER —The Council has passed

No. 18, (H. of R.) "A bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes,"

With an amendment.

The Council has postponed until the second Tuesday in October,

No. 24, (H. of R.) "A bill defining the manner of contesting elections for members of the Legislative Assembly of the Territory of Minnesota."

The Council has negatived

No. 43, (H. of R.) "A bill to amend an act entitled an act granting to Anson Northrop, Pierre Bottineau, Louis Roberts and Peter Poncin, the right to establish and maintain a ferry across the Mississippi river, approved February 23, 1852,"

By refusing to order the bill to a third reading.

The Governor has informed the Council that he has examined and approved

"A memorial to the President of the United States, relative to the survey and establishment of the boundary line between the Territory of Minnesota and the British Possessions." And

"A bill entitled an act granting to W. F. Corbett and J. W. Bond the right to establish and maintain a ferry across the Mississippi river at or near the foot of Sauk Rapids, Benton county, Minnesota Territory ;"

S. TRASK,
Secretary of the Council.

The Secretary then withdrew ; and the reading of the journal was continued, concluded and corrected.

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

The committee on Engrossed Bills beg leave to report the following as correctly engrossed :

No. 50, (H. of R.) "A bill to dissolve the marriage contract between Henry Buel and his wife, Susan Buel."

No. 53, (H. of R.) "A bill granting to William B. Dodd the right to establish and maintain a ferry across the Mississippi river, at or near Red Rock, in the county of Washington."

JOS. ROLETTE,
Chairman.

Mr. Randall presented the following resolution, which was read :

Resolved, That the Chief Clerk of this House be instructed to call on the Council and request that bill No. 31, (H. of R.) be transmitted to this House.

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

Mr. Fullerton called for the yeas and nays, which were ordered, and there were yeas 4, nays 13.

Those who voted in the affirmative, are

Messrs. Black, Cave, Murray, and Taylor—4.

Those who voted in the negative, are

Messrs. Beatty, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Rolette, Selby and Ludden, (Speaker)—13.

So the motion to lay the resolution on the table did not prevail.

On motion of Mr. Selby,

The resolution was adopted.

Mr. Randall, from the committee on Enrolled Bills presented the following report :

The committee on Enrolled Bills have examined and found correctly enrolled,

"A bill entitled an act to amend an act entitled an act to authorize William Nobles to keep a ferry across Lake St. Croix, at the mouth of Willow river."

"A bill entitled an act to amend an act to provide for the erection of public buildings in the Territory of Minnesota, approved February 9, 1851; and an act amendatory thereto, approved March 31, 1851."

"A bill entitled an act granting to Samuel Groff the right to establish and maintain a ferry across Lake St. Croix, and for other purposes."

"A bill entitled an act granting to R. P. Miller the right to establish and maintain a ferry across the Mississippi river."

"A bill entitled an act to change the time of electing a Delegate to Congress."

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

The message received from his Excellency, the Governor, on yesterday, was then taken up and read as follows :

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, March 1, 1852. }

To the Honorable, the Speaker of the House of Representatives :—

SIR :—I have this day examined and approved the following acts, viz :

"An act to organize Pembina county."

"An act to amend an act providing for the appointment of a Librarian and for other purposes, approved February 25, 1851."

"An act to incorporate the Rum River Boom Company."

"A bill entitled an act to incorporate the Mississippi Bridge Company."

"An act to incorporate the Cottage Grove Academy at Cottage Grove, in the county of Washington." And

"An act granting to Charles T. Jansen the right to establish and maintain a ferry across the Mississippi river, at or near a point in Minnesota, opposite to Prairie La Crosse, in Wisconsin."

Very respectfully,

Your obd't servant,

ALEX. RAMSEY.

No. 12, (H. of R.) "A bill to punish trespassers on School Lands in Minnesota Territory,"

Being returned from the Council with amendments, was called up.

The question on concurring in the amendments made by the Council, was put,

And all the amendments were agreed to.

No. 4, (H. of R.) "A bill granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river,"

Was next in order.

The amendment made by the Council was concurred in.

No. 45, (H. of R.) "A bill granting to Henry G. Bailly the right to establish and maintain a ferry across the Mississippi river at or near Olive Grove, in the county of Wabasha,"

Was taken up and the amendments of the Council were all concurred in.

No. 17, (C. F.) "A bill to establish the county of Hennepin,"

Had a first reading.

On motion of Mr. Randall,

The 51st rule was suspended and the bill was read a second time by its title.

Mr. Randall moved to insert the word "days" after the word "ten."

Mr. Murray moved to amend the motion so as to insert "years" instead of "days;"

Which was disagreed to.

The question then recurred on its original motion, and was decided in the affirmative.

So the word "days" was inserted after the word "ten" in said bill.

On motion of Mr. Randall,

The 51st rule was suspended, and the bill was read a third time by its title; and

The question recurring on its passage, was decided in the affirmative, and the title thereof was agreed to.

No. 18, (C. F.) "A bill granting to Richard Arnold the right to establish and maintain a ferry across the St. Croix river,"

Was taken up.

Mr. Murray moved that the rule be suspended and that said bill be read a first and second time by its title,

Which motion was disagreed to.

On motion of Mr. Day,

The bill was read a first time by its title only.

On motion of Mr. Day,

The 51st rule was suspended, and said bill was read a second time.

On motion, sundry amendments were made to said bill and adopted; and

On motion of Mr. Selby,

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

No. 19, (C. F.) "A bill to provide for the appointment of Clerks of Probate Courts, to specify their duties, and for other purposes,"

Was taken up and had its first reading.

Mr. Murray moved that the 51st rule be suspended, and that the bill be now read a second and third time by its title.

Which motion was disagreed to.

Mr. Murray moved to read it the second time by its title;

And that motion was disagreed to.

On motion of Mr. Selby,

Said bill was laid on the table.

No. 20, (C. F.) "A bill granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi."

On motion of Mr. Day,

Said bill was read a first time by its title.

Mr. Murray moved to lay the bill on the table;

Which motion was disagreed to.

On motion of Mr. Day,

The 51st rule was suspended, and the bill was read a second time.

On motion, sundry amendments were made to said bill and adopted; when,

On motion of Mr. Randall,

The 51st rule was suspended, and the bill was read a third time by its title and passed, and the title thereof was agreed to.

No. 52, (H. of R.) was called up in order; and

On motion of Mr. Cave,

Was indefinitely postponed.

No. 49, (H. of R.) "A bill prescribing the time when certain acts shall take effect,"

Was read a second time; and

On motion of Mr. Day,

Was so far amended as to take effect on the 1st day of May.

On motion of Mr. Black,

The 51st rule was suspended, and said bill was ordered to be engrossed and read a third time this afternoon.

No. 50, (H. of R.) "A bill to dissolve the marriage contract between Henry Buel and Susan Buel, his wife,"

Had a third reading by its title;

When Mr. Farnham moved to indefinitely postpone further action on said bill;

Mr. Randall called for the ayes and noes and they were ordered, and there were ayes 7, noes 9.

Those voting in the affirmative, are

Messrs. Beatty, Farnham, Findley, Leavitt, Murphy, Randall, and Richards—7.

Those voting in the negative, are

Messrs. Black, Cave, Day, Fullerton, Murray, Rolette, Selby, Taylor, and Ludden, (Speaker)—9.

So the bill was not indefinitely postponed.

The question was put on the passage of the bill.

Mr. Cave called for the ayes and noes, and they were ordered, and there were ayes 8, noes 8.

Those voting in the affirmative, are

Messrs. Black, Cave, Fullerton, Murphy, Murray, Rolette, Taylor and Ludden, (Speaker)—8.

Those voting in the negative, are

Messrs. Beatty, Day, Farnham, Findley, Leavitt, Randall, Richards, and Selby—8.

So the House refused to pass the bill.

No. 51, (H. of R.) "A bill to provide for the collection of Territorial taxes in unorganized counties,"

On motion of Mr. Day,

The rule was suspended, and said bill was ordered to be engrossed and read a third time this afternoon.

On motion of Mr. Black,

Further consideration of bill No. 16, (C. F.) was indefinitely postponed.

On motion of Mr. Cave,

No. 13, (C. F.) was read a third time by its title, passed, and the title thereof was agreed to.

No. 53, (H. of R.) "A bill granting to Wm. B. Dodd the right to establish and maintain a ferry across the Mississippi river;"

Mr. Murphy moved to lay the bill on the table;

Mr. Murray called for the ayes and noes, which were ordered, and there were ayes 9, noes 7.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Farnham, Leavitt, Murphy, Randall, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Day, Findley, Fullerton, Murray, Richards, Rolette, and Selby—7.

So the bill was laid on the table.

No. 35, (H. of R.) "A bill for the relief of W. G. Le Duc,"

On motion of Mr. Cave,

Was referred to the committee on Legislative Expenditures.

On motion of Mr. Murray,

Bill No. 42 was taken up;

Mr. Black moved to indefinitely postpone the bill, and called for the ayes and noes, which were ordered, and there were ayes 7, noes 10.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Farnham, Randall, Richards, Taylor, and Ludden, (Speaker)—7.

Those who voted in the negative, are

Messrs. Cave, Day, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Rolette, and Selby—10.

So the bill was not postponed.

On motion of Mr. Black,

The House adjourned.

TWO O'CLOCK, P. M.

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

Mr. Rolette, from the committee on Engrossed Bills, presented the following report:

The committee on Engrossed Bills, beg leave to report the following as correctly engrossed, viz:

No. 51, (H. of R.) "A bill to provide for the collection of taxes in unorganized counties. And

No. 49, (H. of R.) "A bill prescribing the time when certain acts shall take effect."

JOSEPH ROLETTE,
Chairman.

Bill No. 49 was then taken up, read a third time, passed, and its title agreed to.

Bill No. 51 was then taken up, received its third reading, passed, and the title was agreed to.

Mr. Selby from the committee on Enrolled Bills presented the following report:

The committee on Enrolled Bills have examined and found correctly enrolled,

No. 81, (H. of R.) "A bill for the restriction of the sale of intoxicating liquors in the Territory of Minnesota, and for other purposes."

M. McLEOD, Council, } Committee.
J. W. SELBY, H. of R. }

Mr. Murray moved that No. 19, (C. F.) be now taken up.

Not agreed to.

Mr. Selby moved that bill No. 46, (H. of R.) be taken up.

Also disagreed to.

The following message was received from the Council by S. Trask, Secretary thereof:

COUNCIL, March 5, 1852.

MR. SPEAKER: The Council has passed,
No. 21, (C. F.) "A bill to amend an act to authorize the establishment and regulation of ferries, approved February 19, 1851." And
"A memorial to the President of the United States, relative to the changing of the name of the St. Peters river."

In which the concurrence of the House is respectfully requested.

By a vote of the Council, I am requested to inform the House, that No. 31, (H. of R.) is not in possession of the Council.

S. TRASK,
Secretary of the Council.

The Secretary then retired.

Mr. Day moved to reconsider the vote by which the House refused this morning to pass House bill No. 50.

The motion prevailed, and the question recurring on the passage of the bill,

Mr. Selby asked to be excused from voting.

Mr. Randall moved to excuse him;

Which was not agreed to.

Mr. Murray called for the yeas and nays, which were ordered, and the result was yeas 9, nays 8.

Those who voted in the affirmative, are

Messrs. Black, Cave, Fullerton, Murphy, Murray, Rolette, Selby, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Beatty, Day, Farnham, Findley, Gingras, Leavitt, Randall, and Richards—8.

So the bill passed, and the title thereof was agreed to.

Bill No. 21, (C. F.) had a first reading.

Mr. Day moved that the 51st rule be now suspended, and that the bill be read the second time by its title,

Which was not agreed to.

No. 5, (C. F.) "A memorial to the President of the United States, relative to changing the name of the St. Peters river,"

Had its first reading; when,

On motion of Mr. Cave,

The 51st rule was suspended, and the memorial was read a second time by its title.

On motion the Mr. Black,

The House resolved itself into a committee of the Whole to consider said memorial, and No. 36, (H. of R.)

Mr. Cave in the chair.

And soon thereafter the Sergeant-at-Arms announced a message from the Council; Whereupon the Speaker resumed the chair, and S. Trask, Esq., Secretary of the Council appeared and delivered the following message:

COUNCIL, March 5, 1852.

MR. SPEAKER:—The Council has refused to concur in the 2d and 4th amendments of the House to

No. 9, (C. F.) "A bill to amend the Revised Statutes;"

And have concurred in the 3d amendment, with an amendment, and have concurred in the 1st amendment to chapter 1st of the same bill.

The Council has passed

No. 41, (H. of R.) "A bill to dissolve the marriage contract between Mary A. Alexander and William Alexander."

S. TRASK,
Secretary of the Council.

The committee again resumed its sitting;
And after some time passed therein, rose, and through their chairman reported progress on bill No. 36, and asked leave to sit again on the same;
And also reported memorial No. 5, (C. F.) without amendment.

On motion of Mr. Randall,
The 51st rule was suspended, and said memorial was read a third time and was passed, and the title thereof agreed to.

No. 42, (H. of R.) "A bill to amend an act to provide for the election of Building Commissioners, approved February 7, 1851,"

Came up on its second reading.

Mr. Murphy moved to indefinitely postpone the bill.

Mr. Murray called for the ayes and noes.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Farnham, Leavitt, Murphy, Randall, Richards, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Cave, Day, Findley, Fullerton, Gingras, Murray, Rolette, and Selby—8.

So the bill was indefinitely postponed.

On motion of Mr. Randall,

The last message received from the Council, was taken up.

No. 9, (C. F.) chapter 2, "A bill to amend the Revised Statutes,"

Being in order,

The question recurred on receding from the amendments of the House to chapter 2, of said bill,

The vote was taken on each amendment separately.

The House refused to recede from its second amendment, concurred in the Council's amendment to its third amendment, and refused to recede from its fourth amendment.

On the question of receding from the second amendment,

Mr. Black called for the yeas and nays, which were ordered, and there were yeas 8, nays 14.

Those who voted in the affirmative, are

Messrs. Randall, Rolette, and Selby—3.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Richards, Taylor, and Ludden, (Speaker)—14.

Mr. Day offered the following resolution:

Resolved, That all bills pending before this House on its adjournment this evening, shall be put upon their final passage to-morrow.

On motion of Mr. Murray,

The resolution was adopted.

On motion of Mr. Rolette,

No. 19, (C. F.) was taken up.

Mr. Murray moved to suspend rule 51 that the bill be read a second time now:

Which was agreed to, and the bill received its second reading. And,

On motion of Mr. Black,

Was laid on the table.

On motion of Mr. Black,

Bill No. 46 was taken up.

Mr. Cave moved that it be indefinitely postponed;

Disagreed to.

On motion of Mr. Murray,

The House resolved itself into a committee of the Whole on said bill,

Mr. Murray in the Chair;

And after some time passed therein, rose, and through its Chairman reported the bill back to the House with sundry amendments, and asked the concurrence of the House therein.

Mr. Selby moved to postpone the bill indefinitely, and called for the ayes and noes, which were ordered, and there were ayes 2, noes 12.

Those who voted in the affirmative, are

Messrs. Black and Cave—2.

Those who voted in the negative, are

Messrs. Beatty, Day, Farnham, Fullerton, Leavitt, Murphy, Murray, Richards, Rolette, Selby, Taylor, and Ludden (Speaker)—12.

So the House refused to postpone said bill indefinitely.

On motion of Mr. Murray,
The House adjourned.

SATURDAY MORNING, 10 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker, at 10 o'clock, A. M.

Prayer by the Rev. Mr. Ravoux.

On a call of the roll a quorum of members appeared in their seats.

The journal of yesterday was then read.

The following message was received from his excellency, the Governor, by W. B. White, Esq., his private Secretary :

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
 ST. PAUL, March 6, 1852. }

To the Honorable, the Speaker of the House of Representatives :—

SIR :—I have this day examined and approved the following acts, viz :

"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 31, 1851."

"An act to change the time of electing a Delegate to Congress."

"An act granting to R. P. Miller the right to establish and maintain a ferry across the Mississippi river."

"An act granting to Samuel Groff the right to establish and maintain a ferry across Lake St. Croix, and for other purposes."

Very respectfully,

Your obdt servant,

ALEX. RAMSEY.

Mr. Randall, from the joint committee on Enrolled Bills, reported as correctly enrolled,

"An act granting to Henry G. Bailly the right to establish and maintain a ferry across the Mississippi river, at or near Olive Grove, in the county of Wabasha."

"An act granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river."

"An act to punish trespassers on School Lands in Minnesota Territory."

"An act fixing the terms of the Supreme and District Courts, and for other purposes." And

"An act to dissolve the marriage contract between Mary Ann Alexander and William Alexander." And

As having been presented to the Governor on the 5th inst., for his examination and approval the following :

"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 31, 1851."

"An act granting to Samuel Groff the right to establish and maintain a ferry across Lake St. Croix, and for other purposes."

"An act to amend an act entitled an act to authorize William Nobles to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river."

"An act granting to R. P. Miller the right to establish and maintain a ferry across the Mississippi." And

"An act to change the time of electing a Delegate to Congress."

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

The following message, heretofore received from his excellency the Governor, was read :

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT,
Saint Paul, March 4, 1852. }

To the Hon. Speaker of the House of Representatives—

SIR:—I have this day examined and approved the following acts, viz :

"An act to organize Pembina county."

"An act to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25, 1851."

"An act to incorporate the Rum River Boom Company."

"An act to incorporate the Mississippi Bridge Company."

"An act to incorporate the Cottage Grove Academy at Cottage Grove, in the county of Washington."

"An act granting to Charles T. Jansen the right to establish and maintain a ferry across the Mississippi river at or near a point in Minnesota, opposite to Prairie La Crosse, in Wisconsin."

Very respectfully,
Your obedient servant,
ALEX. RAMSEY.

The Speaker made the following statement to the House :

"A document was reported yesterday by two members of the joint committee on Enrolled Bills, as the bill No. 31 (H. of R.) correctly enrolled. The chairman of the committee on Enrolled Bills refused to recognize this as bill No. 31, which had passed the two Houses, and had refused to receive it as such from the Enrolling Clerk. His reasons for this refusal were distinctly stated, and fully explained to the House by the chairman at the time. The House after hearing his statement, fully endorsed the action of the chairman, by adopting a resolution calling on the Council for the bill ; and this, after it was distinctly stated that the document above referred to, purporting to be bill No. 31, (H. of R.) had been tendered to the chairman by the Enrolling

Clerk, and was then in the hands of the member of the enrolling committee of this House, who reported it as above stated.

"The Council have returned as an answer to the resolution of the House, the simple statement that the bill was not in their possession, although the last that is known of this bill officially, as our journals show, was its transmission to the Council by the Chief Clerk of this House. Under these circumstances it will not be thought strange that, as the Speaker of this House, I should withhold my signature from the document alluded to.

J. D. LUDDEN,
Speaker."

No. 21, (C. F.) "A bill to amend an act to authorize the establishment and regulation of ferries, approved February 19, 1851,"

Was taken up and received its second reading. When,

On motion of Mr. Day,

The rule was suspended, and said bill was read a third time.

And the question recurring on its passage, the yeas and nays were called for and ordered, and there were yeas 9, nays 6.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Gingras, Leavitt, Murphy, Selby, and Taylor—9.

Those who voted in the negative, are

Messrs. Cave, Findley, Murray, Randall, Rolette, and Ludden, (Speaker)—6.

So the bill passed and the title thereof was agreed to.

The following message was received from the Council by S. Trask, Esq., Secretary thereof:

MR. SPEAKER: The Council has passed

No. 49, (H. of R.) "A bill prescribing the time when certain acts shall take effect." Without amendment.

No. 51, (H. of R.) "A bill to provide for the collection of Territorial taxes in unorganized counties." With an amendment.

And has refused to pass,

No. 50, (H. of R.) "A bill to dissolve the marriage contract between Henry Buel and his wife, Susan Buel."

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

S. TRASK,
Secretary of the Council.

Mr. Selby introduced the following resolution:

Resolved, That rules 50 and 51 of this House are so far suspended as to require one day's notice to be given of a motion to bring in a bill, and that no bill shall be read twice on the same day."

Mr. Murphy moved to adopt said resolution.

Mr. Murray moved to lay it on the table.

Disagreed to.

Mr. Murray moved a call of the House, which was ordered. And the Clerk commenced calling the roll. When,

On motion of Mr. Murphy,

Further proceedings under the call were dispensed with.

The question then recurred on the adoption of Mr. Selby's resolution.

Mr. Randall called for the yeas and noes and the result was yeas 14, noes 4.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Rolette, Selby, and Ludden (Speaker)—14.

Those who voted in the negative, are
Messrs. Black, Cave, Murray, and Taylor—4.

So the resolution was adopted.

Mr. Black from the committee on Legislative Expenditures, to whom No. 35, (H. of R.) "A bill for the relief of W. G. Le Duc" was referred, reported verbally the unanimous recommendation of the committee that said bill pass. Reported also a bill of particulars, and an affidavit of John P. Owens, and other papers, in support of the claim of Mr. Le Duc.

Mr. Cave moved that the House go into committee of the Whole on bills No. 35 and 38.

Disagreed to.

The following message was received from the Council by S. Trask, Esq., Secretary thereof :

MR. SPEAKER: The Council has passed
No. 23, (C. F.) "A bill to incorporate the Ramsey County Agricultural Society."
In which the concurrence of the House is respectfully requested.

S. TRASK,
Secretary of the Council.

Mr. Selby introduced the following resolution :

Resolved, That the Clerk of this House return the enrolled copy of bill No. 31, to the committee on Enrolled Bills.

Mr. Murphy moved to adopt said resolution.

Mr. Murray called for the ayes and noes, which were ordered, and there were ayes 13, noes 5.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Rolette, Selby, and Ludden, (Speaker)—13.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Richards, and Taylor—5.

So the resolution passed ;

And the Clerk in compliance therewith returned to Mr. Selby the document he yesterday reported as Enrolled Bill No. 31, to which the Speaker's statement to the House this morning had reference.

Whereupon Mr. Selby (rules 50 and 51 being already suspended) asked leave to introduce a bill for the restriction of the sale of intoxicating liquors and other purposes.

Mr. Day moved that Mr. Selby have leave to introduce his bill.

Mr. Murray called for the ayes and noes, and there were ayes 14, noes 4.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Richards, Rolette, Selby, and Ludden, (Speaker)—14.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, and Taylor—4.

So leave was granted.

Whereupon Mr. Selby introduced

No. 54, (H. of R.) "A bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes."

Mr. Randall moved that said bill be read a 1st, 2d, and 3d time by its title, on which motion Mr. Selby demanded the previous question.

And the question being shall the main question be now put ?

Mr. Cave called for the ayes and noes, which were taken, and there were ayes 12, noes 6.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Randall, Rolette, and Selby—12.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Richards, Taylor and Ludden, (Speaker)—6.

The main question was then put and decided in the affirmative.

And the bill was read a first, second, and third time by its title; and the question recurring on its passage it was decided in the affirmative.

The ayes and noes being called for by Mr. Cave, there were ayes 12, noes 6.

Those who voted in the affirmative are,

Messrs. Beatty, Boal, Day, Farnham Findley, Fullerton, Gingras, Leavitt, Murphy, Rolette, Selby, and Ludden, (Speaker)—12.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Randall, Richards, and Taylor—6.

So the bill passed and the title thereof was agreed to.

On motion of Mr. Murray,

The House resolved itself into a committee of the whole on House bills No. 35 and 38,

Mr. Murphy in the chair;

And after some time passed therein, the committee rose, and through its chairman reported the bills back to the House; recommending the passage of bill No. 35, "A bill for the relief of W. G. Le Duc," without amendment, and asked and obtained leave to sit again on No. 38; the Appropriation bill.

No. 35 being on its second reading, Mr. Cave moved that it be recommitted to the committee on Legislative Expenditures;

Which motion was lost.

On motion of Mr. Randall,

Said bill was then laid on the table.

On motion of Mr. Rolette,

No. 19, (C. F.) "A bill to provide for the appointment of Clerks of Probate Courts, to specify their duties, and for other purposes,"

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

On motion of Mr. Murray,

No. 46, (H. of R.) "A bill to incorporate the Lake Superior and Mississippi River Railroad Company,"

Was taken up.

The question recurred on concurring in the amendments made by the committee of the whole to said bill, and was decided in the negative.

Mr. Black moved that said bill have its third reading now.

Mr. Cave called for the yeas and nays, which were taken; and there were yeas 8, nays 9.

Those who voted in the affirmative, are

Messrs. Day, Farnham, Fullerton, Gingras, Leavitt, Murray, Richards, and Selby—8.

Those who voted in the negative, are

Messrs. Beatty, Black, Boal, Cave, Findley, Randall, Rolette, Taylor and Ludden, (Speaker)—9.

So the House refused to order the bill to a third reading.

Mr. Murray moved that House bill

No. 48, (H. of R.) A bill to incorporate the St. Paul Hydraulic Company,"

Be taken up;

Which motion prevailed.

And the bill was taken up.

On motion of Mr. Murray,

Said bill received its third reading by its title only.

The question then recurred on its passage;

Mr. Cave moved to refer the bill to the members of the House from St. Paul;

Disagreed to.

The question was then put on its passage, and

Mr. Beatty called for the ayes and nays which were taken, and there were ayes 9, nays 8.

Those who voted in the affirmative, are

Messrs. Day, Farnham, Findley, Fullerton, Gingras, Murray, Randall, Richards and Selby—9.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Leavitt, Murphy, Rolette Taylor and Ludden, (Speaker)—8.

The bill having passed, the title was then agreed to.

On motion of Mr. Fullerton,

The House adjourned to half past one o'clock, P. M.

HALF PAST ONE O'CLOCK, P. M.

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

The following message was received from the Council, by S. Trask, Esq., Secretary thereof:

COUNCIL, March 6, 1852.

MR. SPEAKER—The Council has passed

No. 22, (C. F.) "A bill to establish the price of Binding."

The Council has indefinitely postponed the further consideration of the amendments of the House to

No. 18, (C. F.) "A bill to provide for the appointment of auctioneers,"

And have concurred in the amendments of the House to

No. 18, (C. F.) "A bill granting to Richard Arnold the right to establish and maintain a ferry across the St. Croix river,"

And have concurred in the amendment to

No. 17, (C. F.) "A bill to establish the county of Hennepin,"

And also, the amendments to

No. 20, (C. F.) "A bill granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi river."

The Council has concurred in the amendment to

No. 5, (C. F.) "A memorial to the President of the United States relative to changing the name of the St. Peter's river."

The Council has receded from their disagreement to the two House amendments on

No. 9, (C. F.) "A bill to amend the Revised Statutes,"

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

His Excellency the Governor has informed the Council that he has approved and signed the following, viz:

"An act to incorporate the Benton County Agricultural Society,"

"An act granting to D. T. Sloan the right to establish and maintain a ferry across the Mississippi river at or near Aitkin's Crossing."

"A memorial to the Senate and House of Representatives of the United States, praying for a grant of land to settlers on lands ceded by the treaty of Pembina," and

"A memorial for a further appropriation for the Point Douglas and St. Louis river road."

S. TRASK,

Secretary of the Council.

No. 22, (C. F.) "A bill to establish the price of binding,"

Was taken up;

Read a first, second and third time under a suspension of the rule, passed, and the title agreed to.

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

The committee on Enrolled Bills have examined and found correctly enrolled:

"A bill entitled an act to amend the revised statutes,"

M. McLEOD, Council
B. H. RANDALL, H. of R. } Committee.

On motion of Mr. Leavitt,

A message on the table from the Council was taken up.

No. 23, (C. F.) "A bill to incorporate the Ramsey County Agricultural Society,"

Received its first reading, when

The rule was suspended, and it was read a second and third time by its title; and

The question recurring on its passage,

Mr. Murphy called for the yeas and nays, which were taken, and the result was as follows:

Those who voted in the affirmative, are

Messrs. Boal, Findley, Fullerton, Gingras, Murphy Murray, Rolette, Selby and Ludden (Speaker)—9.

Those who voted in the negative, are

Messrs. Beatty, Black, Cave, Day, Farnham, Leavitt, Richards, and Taylor—8.

So the bill passed.

Mr. Day offered the following preamble and resolution:

WHEREAS, Bill No. 31, (H. of R.) entitled "an act for the restriction of the sale of intoxicating liquors and for other purposes" was passed by this Legislative Assembly by a large majority of both Houses—but in the possession of a committee of conference between the two houses, some irregularity was had; and in consequence of which irregularity, and the failure of the committee of conference on the part of this House to report said bill to the House, the Speaker of this House was incapacitated from signing the same; and

Whereas, The only course remaining to be pursued by this House to remedy the aforesaid irregularities in regard to said bill, was to introduce and pass to day, another bill precisely similar to No. 31, (H. of R.) and,

Whereas, J. W. Selby did this day, on motion for leave, introduce bill No. 54, (H. of R.) entitled "A bill for the restriction of the sale of intoxicating liquors, and for other purposes;" which said bill was received and passed by a vote of 12 to 6. Therefore,

Be it resolved, That the passage of said bill No. 54, (H. of R.) was in conformity to the rules of this House, and in accordance with parliamentary practice.

And on its adoption the previous question was moved, and prevailed.

The main question "Shall the resolution pass?" was then put;
And Mr. Cave called for the yeas and nays, which were taken.

Those who voted in the affirmative, are

Messrs. Beatty, Boal, Day, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Rolette, and Selby—11.

Those who voted in the negative, are

Messrs. Black, Cave, Murray, Richards, Taylor, and Ludden, (Speaker)—6.

So the question was decided in the affirmative.

No. 51, (H. of R.) "A bill to provide for the collection of Territorial taxes in unorganized counties,"

Was taken up.

And the amendment of the Council thereto concurred in.

Mr. Black chairman of the committee on Territorial Expenditures laid before the House the following communications from James M. Goodhue, and Owens & Moore, and James Mackintosh, respectfully to wit:

"I wish to have my bills allowed and the appropriations made by the Legislature. If this be done, I have no further claim upon the Territory, and I will discharge the Territory from any claim upon the Territory, for my printing done for the Legislature.

JAMES M. GOODHUE.

Public Printer.

ST. PAUL, March 6th, 1852.

We agree to the foregoing.

OWENS & MOORE."

"My only object in having my bills allowed and the appropriation made by the Legislature is, that I may have some data to go upon, as I am well aware that the printing and binding accounts have to be audited and allowed in Washington city. If the appropriation is made I have no further claim upon the Territory, and I will discharge the Territory for all claims for binding done for the Legislature.

JAMES MACKINTOSH."

ST. PAUL, March 6, 1852.

The House on Mr. Black's amendment resolved itself into a committee of the Whole, on

No. 38, (H. of R.) "A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

Mr. Selby in the chair.

And after some time passed therein rose, and the chairman reported the bill back to the House with sundry amendments; and asked the consent of the House thereon.

The House concurred in all the amendments of the committee.

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

The following message was received from the Council by S. Trask, Esq., Secretary thereof:

MR. SPEAKER: The Council has passed

No. 54, (H. of R.) "A bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes;"

Without amendment.

S. TRASK,

Secretary of the Council.

Mr. Fullerton introduced the following resolution:

Resolved, That the Speaker of this House is fully sustained in his decisions upon the points of parliamentary usage, in relation to the report of the committee of conference upon the disagreeing votes between the two branches of the Legislative Assembly upon bill No. 31, (H. of R.)

It was moved that said resolution be adopted;

Upon which motion Mr. Murray called for the ayes and noes, which were taken, and the result was ayes 14, noes none.

Those voting in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Farnham, Findley, Fullerton, Gingras, Leavitt, Murphy, Murray, Rolette, Selby and Taylor—14.

So the resolution was unanimously adopted.

Mr. Murphy offered the following resolution:

Resolved, That the Chief Clerk of the House of Representatives be instructed to deliver to Abram Hull, his petition and all the accompanying papers herein filed for divorce from his wife Julia A. Hull.

Mr. Cave moved that said resolution be laid on the table;

Which motion was disagreed to.

On motion of Mr. Murphy,

It was then adopted.

Mr. Randall, from the committee on Enrolled Bills presented the two following reports:

The joint committee on Enrolled Bills, did on the 6th of March, A. D. 1852, present to his excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills and memorial, viz:

A bill entitled "An act granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river."

A bill entitled "An act granting to Henry G. Bailly the right to establish and maintain a ferry across the Mississippi river at or near Olive Grove in the county of Wabasha."

A bill entitled "An act granting to Richard Arnold the right to establish and maintain a ferry across the St. Croix river."

"A memorial to the President of the United States relative to the changing the name of the St. Peter's River."

A bill entitled "An act fixing the terms of the Supreme and District Courts and for other purposes,"

A bill entitled "An act to punish trespassers on School Lands in Minnesota Territory,"

A bill entitled "An act to dissolve the marriage contract between Mary A. Alexander and William Alexander,

Chapter 2, "An act to amend the revised statutes;"

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

The committee on Enrolled Bills have examined and found correctly enrolled A bill entitled "An act prescribing the time when certain acts shall take effect," and

"An act to provide for the collection of taxes in unorganized counties."

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

On motion of Mr. Fullerton,
No. 35, (H. of R.) "A bill for the relief of W. G. Le Duc,"
Was taken up; and

On motion of Mr. Murray,
Said bill was ordered to be read a third time now.
Mr. Cave having called for the ayes and noes, they were taken, and there were ayes 13, noes 4.

Those who voted in the affirmative, are
Messrs. Beatty, Black, Boal, Findley, Fullerton, Gingras, Murphy, Murray, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—13.

Those who voted in the negative, are
Messrs. Cave, Day, Farnham, and Leavitt—4.

The bill was then read a third time, and the question recurring on its passage, it was decided in the affirmative, and the title thereof agreed to.

Mr. Cave moved to adjourn to 7 o'clock this evening;

Disagreed to.

Mr. Murray moved (at 4 o'clock) that the House take a recess of half an hour;
Agreed to.

The House met again at half past four, and there being no business on the table,

On motion of Mr. Day,
Adjourned to 7 o'clock this evening.

SEVEN O'CLOCK, P. M.

Mr. Randall, from the committee on Enrolled Bills, presented several reports as follows:

The committee on Enrolled Bills have examined and found correctly enrolled,
A bill entitled "An act to establish the price of binding."
A bill entitled "An act to establish the county of Hennepin."
A bill entitled "An act granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi river."
A bill entitled "An act to amend an act to authorize the establishment and regulation of ferries; approved February 17, 1851."
A bill entitled "An act to incorporate the Ramsey County Agricultural Society."

M. McLEOD, Council, }
B. H. RANDALL, H. of R. } Committee.

The committee on Enrolled Bills have examined and found correctly enrolled,
"An act granting to Richard Arnold the right to establish and maintain a ferry across St. Croix river."

"A memorial to the President of the United States relative to the changing the name of the St. Peters river."

Chapter 2. "An act to amend the Revised Statutes."

M. McLEOD, Council, }
B. H. RANDALL, H. of R., } Committee.

The committee on Enrolled Bills have examined and found correctly enrolled,
No. 54, (H. of R.) "A bill entitled an act for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes."

M. McLEOD, Council, }
B. H. RANDALL, H. of R., } Committee.

Mr. Randall offered the following resolution, which was,

On motion of Mr. Selby,

Unanimously adopted:

Resolved, That the thanks of each member of this House are due, and are hereby tendered, to the Hon. J. D. Ludden for the able and impartial manner in which he has discharged the duties of Speaker of the House the present session of the Legislature.

Mr. Farnham offered the following resolution, which was also,

On motion of Mr. Selby,

Adopted.

Resolved by the House of Representatives, the Council concurring, That the Secretary of the Territory be, and he is hereby directed to deliver, when they shall be published and bound together, one copy of the Revised Statutes of this Territory, with the amendments that may be passed during the present session; and also two copies of the Journal of the House and of the Council of the present session to each of the members and officers of the present Legislative Assembly.

The following message was received from the Council by S. Trask, Esq., Secretary thereof:

COUNCIL, March 6, 1852.

MR. SPEAKER: The Council has passed

No. 35, (H. of R.) "A bill for the relief of W. G. Le Duc," without amendment.

S. TRASK,

Secretary of the Council.

Mr. Randall precepted the following resolution:

Resolved, That the thanks of this House are due, and are hereby tendered to the Chief Clerk and other officers of the House for the efficient and satisfactory manner in which they have discharged the duties of their several offices, the present session of the Legislature.

On motion, said resolution was adopted.

The yeas and nays being demanded by Mr. Cave, were taken, and there were yeas 14, nays 1.

Those who voted in the affirmative, are

Messrs. Beatty, Black, Boal, Cave, Day, Fullerton, Leavitt, Murphy, Murray, Randall, Richards, Selby, Taylor, and Ludden, (Speaker)—14.

Mr. Farnham voted in the negative.

The following message was received from the Council by S. Trask, Esq., Secretary thereof:

MR. SPEAKER: The Council has passed

No. 38, (H. of R.) "A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota," with sundry amendments.

In which the concurrence of the House is respectfully requested.

S. TRASK,

Secretary of the Council.

Said message was,

On motion of Mr. Randall,

Taken up.

No. 38, (H. of R.) was in order;

And the question recurred on concurring in the amendments of the Council thereto;

And they were all concurred in except one which allowed James Wells eighty dol-

lers for his mileage and per diem while contesting a seat in the House of Representatives ;

Which was not concurred in.

The following message was received from his excellency the Governor, by W. B. White, Esq., his Private Secretary :

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
Saint Paul, March 6, 1852. }

To the Hon. Speaker of the House of Representatives—

SIR :—I have this day examined and approved the following acts, viz :

"An act fixing the terms of the Supreme and District Courts, and for other purposes."

"An act to punish trespassers on School Lands in Minnesota Territory."

"An act granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river."

"An act granting to Henry G. Bailly the right to establish and maintain a ferry across the Mississippi river, at or near Olive Grove, in the county of Wabasha."

Very respectfully,

Your obedient servant,

ALEX. RAMSEY.

The following message was received from the Council by S. Trask, Esq., Secretary thereof :

COUNCIL, March 6, 1852.

MR. SPEAKER :—His Excellency the Governor has informed the Council that he has examined and approved

"An act granting to Richard Arnold the right to establish and maintain a ferry across the St. Croix river." And chapter No. 2 of

"An act to amend the Revised Statutes."

"A memorial to the President of the United States, relative to changing the name of the St. Peters river."

The Council has passed

"Joint resolution directing the Secretary of the Territory to deliver to the members and officers of the Legislative Assembly certain copies of the Laws and Journals."

S. TRASK,

Secretary of the Council.

Mr. Randall, from the joint committee on enrolled bills presented the following report :

The joint committee on Enrolled Bills, did on the 6th day of March, A. D. 1852, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills, viz :

A bill entitled "An act for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes."

A bill entitled "An act to amend an act entitled an act to authorize the establishment and regulation of Ferries, approved February 19, 1851."

A bill entitled "An act to establish the county of Hennepin."

"An act to establish the price of binding,"

"An act granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi river."

A bill entitled "An act to incorporate the Ramsey county Agricultural Society. Chapter 1, of "An act to amend the revised statutes."

M. McLEOD, Council, } Committee.
B. H. RANDALL, H. of R. }

Mr. Richards presented the following resolution :

Resolved, That James M. Goodhue, Owens & Moore, and James Mackintosh have liberty to withdraw their communications proposing to release the Territory from the several demands they hold for printing and binding, communicated with a view of humbugging the members of this House to vote for the appropriation bill in which they are largely interested.

On motion of Mr. Rolette,
Said resolution was laid on the table.

On motion, a call of the House was ordered, and Mr. Murray reported absent.

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

The following message was received from the Council by S. Trask, Esq., Secretary thereof :

MR. SPEAKER :—The Council refuses to recede from the amendment to (H. of R.) No. 38, in which the House refused to concur.

S. TRASK,
Secretary of the Council.

On motion of Mr. Randall,

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

The last message from the Council was taken up, and the House refused to recede from its disagreement to the Council's amendment to House bill, No. 38.

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

The joint committee on Enrolled Bills, did, on the 6th of March, A. D. 1852, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills :

A bill entitled "An act to provide for the collection of Territorial taxes in unorganized counties."

A bill entitled "An act to provide for the appointment of Clerk of Probate Courts, to specify their duties, and for other purposes."

A bill entitled "An act prescribing the time when certain acts shall take effect."

A bill entitled "An act for the relief of W. G. LeDuc."

M. McLEOD, Council, } Committee.
B. H. RANDALL, H. of R. }

Mr. Selby introduced the following resolution, which was adopted :

Resolved, (by this House, the Council concurring,) That two hundred and fifty copies of the school laws, with the amendments be printed by the Territorial printers and bound in pamphlet form, and deposited with the Superintendent of Common Schools of the Territory for distribution, to the trustees and clerks of the various school districts of the Territory.

The following message was received from the Council by S. Trask, Esq., Secretary thereof :

MR. SPEAKER:—The Council has receded from its amendment to House bill No. 38, "A bill to provide for the payment of the expenses of the Legislative Assembly of Minnesota."

S. TRASK,
Secretary of the Council,

Soon thereafter,

Another message was received from the Council, by S. Trask, Esq., Secretary thereof, as follows:

MR. SPEAKER:—The Council has passed joint resolution, requiring the printing of certain copies of the School Laws, with an amendment;

In which the concurrence of the House is respectfully requested.

S. TRASK,
Secretary of the Council.

On motion of Mr. Murray,

The message just received from the Council was taken up.

The resolution requiring the printing of certain copies of the school laws, was in order,

And the question recurring on concurring in the amendment of the Council thereto,

It was decided in the negative.

Mr. Rolette moved that the House take a recess of half an hour;

Disagreed to.

Mr. Randall, from the joint committee on Enrolled Bills, presented the following report:

The committee on Enrolled Bills have examined and found correctly enrolled,

A bill entitled "An act to provide for the appointment of clerks of the Probate courts, to specify their powers and duties and for other purposes."

A bill entitled "An act for the relief of W. G. LeDuc."

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

The following message was received from his excellency, the Governor, by W. B. White, Esq., his private Secretary:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT,
ST. PAUL, March 6, 1852. }

To the Honorable, the Speaker of the House of Representatives:—

SIR:—I have this day examined and approved the following acts, viz:

"An act to provide for the collection of Territorial taxes in unorganized counties."

"An act for the relief of W. G. LeDuc."

"An act prescribing the time when certain acts shall take effect."

"An act for the restriction of the sale of intoxicating liquors in the Territory of Minnesota, and for other purposes."

Very respectfully,

Your obd't servant,

ALEX. RAMSEY.

The following message was received from the Council by S. Trask, Esq., Secretary thereof:

MR. SPEAKER: His Excellency the Governor has informed the Council that he has examined and approved the following acts, viz:

"An act to incorporate the Ramsey county Agricultural Society."

"An act granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi river."

"An act to establish the county of Hennepin."

"An act to provide for the appointment of clerks of Probate courts, to specify their duties, and for other purposes."

"An act to amend an act entitled an act to authorize the establishment and regulation of Ferries, approved February 19, 1851."

"An act to establish the price of binding."

The Council has receded from the amendment to joint resolution requiring the printing of certain copies of the school laws."

S. TRASK,
Secretary of the Council.

Mr. Randall, from the joint committee on Enrolled Bills, presented the following reports :

The committee on Enrolled Bills have examined and found correctly enrolled :

A bill entitled "An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota."

M. McLEOD, Council, }
B. H. RANDALL, H. of R. } Committee.

The joint committee on Enrolled Bills, did, on the 6th of March, A. D. 1852, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bill :

A bill entitled "An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota."

M. McLEOD, Council, }
B. H. RANDALL, H. of R. } Committee.

Soon thereafter another message was received from the Council by S. Trask, Esq., Secretary thereof, as follows :

MR. SPEAKER :—His Excellency the Governor has informed the Council that he has approved the following acts, viz :

Chapter 1 of

"An act to amend the Revised Statutes." And

"An act to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife."

S. TRASK,
Secretary.

A message was received from his Excellency the Governor by W. B. White, Esq., his Private Secretary, and read as follows :

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
ST. PAUL, March 6, 1852. }

To the Honorable Speaker of the House of Representatives—

SIR :—I have examined and approved

"An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota."

Very respectfully,
Your obd't servant,
ALEX. RAMSEY.

Mr. Black asked and obtained leave to introduce, and introduced, under a suspension of rule,

No. 55. (H. of R.) "A bill to repeal an act to incorporate the Ramsey County Agricultural Society," approved this day.

Said bill then received its first reading.

Mr. Cave then moved that the rules be suspended, and that the bill be read a second and third time now by its title.

On which motion, Mr. Murphy demanded the ayes and noes, which were taken, and resulted as follows :

Those who voted in the affirmative, are

Messrs. Beatty, Black, Cave, Day, Farnham, Fullerton, Leavitt, Taylor, and Ludden, (Speaker)—9.

Those who voted in the negative, are

Messrs. Boal, Gingras, Murphy, Murray, Richards, Rolette, and Selby—7.

So the rule was suspended.

The bill was then read a second time, and a third time by its title. When

The question recurred on its passage, and

Mr. Murphy called for the ayes and noes, which were taken.

Those who voted in the affirmative, are

Messrs. Beatty and Farnham—2.

Those who voted in the negative, are

Messrs. Black, Boal, Cave, Day, Fullerton, Gingras, Leavitt, Murphy, Murray, Richards, Rolette, Selby, Taylor, and Ludden, (Speaker)—14.

So the bill did not pass.

Mr. Randall presented the following resolution, which was,

On motion of Mr. Murphy,

Adopted.

Resolved, That a select committee of two be appointed on the part of this House, to act in conjunction with a similar committee to be appointed on the part of the Council, to wait on his Excellency the Governor and inform him that the two Houses have completed the business before them, and inquire of him if he has any further communication to lay before either branch of the Legislative Assembly at its present session.

In conformity with said resolution, the Speaker appointed Messrs. Randall and Murray to wait on his Excellency the Governor.

Messrs. McLeod and Babcock appeared and stated that they were appointed a committee on the part of the Council, to act with a similar committee on the part of the House, to wait on his Excellency the Governor and inform him that the two Houses of the Legislative Assembly have completed their business, and are ready to adjourn if he has no further communication to make to them.

Soon thereafter, Messrs. Randall and Murray reported that they had waited on his Excellency the Governor, and had been informed by him that he had no further communication to make to the Legislative Assembly.

Mr. Day then moved that the committee who had waited on his Excellency, the Governor, Messrs. Randall and Murray, wait on the Council and inform them that the House has completed its business, and is ready to adjourn if the Council has no further business for it.

Messrs. Randall and Murray retired, and shortly thereafter reported that duty discharged.

Messrs. Babcock and Loomis, of the Council, appeared and informed the House that the Council had completed its business and was ready to adjourn.

They then withdrew. And

Mr. Randall moved that the House now adjourn *sine die*.

Which motion prevailed.

Whereupon the Speaker delivered the following valedictory :

GENTLEMEN:—When the result of this vote is announced, our official business will be finished—the session will have closed. Before we separate, allow me to direct your attention for a moment to the subjects that have occupied your time here. Probably the most important of these is the amending and correction of the statutes passed at the last session of the Legislative Assembly. This volume of laws will, I believe, be found peculiarly adapted to the wants of the people of this Territory. Some acts of a general nature have been passed during this session, that upon trial, I trust will prove salutary and acceptable to our constituents. Others, local in their application, were much needed in the particular sections of the Territory to which they apply, and it is believed will afford a relief from many inconveniences heretofore existing.

Much of your time has been consumed in the consideration of applications for special enactments. Many of these have been rejected, not because the objects sought to be accomplished were not desirable, but because these objects are all fully provided for by the general laws now in force in the Territory.

Happily, few subjects have been introduced during this session calculated to excite strong personal and local feelings. The session has been a quiet one—not a single occurrence has transpired here that should give rise to an unkind recollection.

Our intercourse here has been agreeable, and I trust its recollection will be pleasant—that when hereafter, we reflect upon our official course, we may find no cause for regret—that there may be no unpleasant associations connected with this Legislative session.

I thank you for the kind expression of your approbation of my course, as your presiding officer, contained in the resolution passed this evening. It has ever been my intention to be candid and impartial. If I have been successful in this, I am satisfied.

I thank you, gentlemen, for your uniform kind and courteous department towards the officers of the House and towards each other; and for the cordial support and kind assistance that I have always received at your hands, I shall ever remain truly grateful.

It only remains for me to announce this House is adjourned *sine die*.

APPENDIX.

REPORT

OF THE

TERRITORIAL AUDITOR.

OFFICE OF THE TERRITORIAL AUDITOR, }
January 7th, 1852. }

To the Legislative Assembly of the Territory of Minnesota :

In obedience to the requirements of the statute, it is my duty to report to you the state 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 and B.

The amount of the territorial tax for the year 1851, is eleven hundred and eighty-two dollars and six cents.

The salaries of the officers of the territory for said year amount to seven hundred dollars.

The amount of other expenses and liabilities for said year, is one hundred and fifty dollars.

The amount of liabilities for the year 1850, over the revenue of that year, was three hundred and forty-nine dollars and one cent.

The amount of liabilities of the territory at the close of the past year, over all assets, was sixteen dollars and ninety-five cents.

The counties of Wabasha, Wahnahta and Dakota have paid none of their territorial tax for the year 1850.

The county of Ramsey is delinquent one hundred and seventy-three dollars and thirty-three cents, upon its territorial tax for said year.

The counties of Ramsey, Washington and Benton only, have made returns of the assessment for the year 1851.

It is believed that no other counties made any valuation or assessment the past year.

All which is respectfully submitted.

JONATHAN E. McKUSICK,
Territorial Auditor.

SCHEDULE A.

Amount of Territorial Tax for the year ending January 1, 1852, no part being as yet paid.

COUNTIES.	A'MT TAXABLE PROP.	AM'T TER. TAX.
Ramsey, - - -	\$782 113	\$782 11
Washington, - - -	335 172	335 17
Benton, - - -	64 775	64 78
Total, - - -	\$1,182 060	\$1,182 06

Amount Delinquent Tax remaining unpaid for 1851.

COUNTIES.	AM'T PAID.	AM'T DELINQ'T.
Ramsey, - - -	\$304 00	\$173 33
Wabasha, - - -		33 21
Wahnahta, - - -		36 02
Dakota, - - -		31 02
Total,		\$273 58

Amount of Territorial Tax for 1850.	- - - -	\$ 832 49
" " liabilities "	- - - -	1,181 50
Balance of liabilities over tax,	- - - -	349 01
Amount of Territorial Tax for 1851,	- - - -	1,182 06
" " liabilities "	- - - -	850 00
Balance of tax over,	- - - -	332 06
Balance against Territory for 1850,	- - - -	349 01
" in favor of " " 1851,	- - - -	332 06
Am't of liability of Territory assets over January 1st. 1852, provided all delinquent taxes shall be paid,		\$16 95

SCHEDULE B.

Amount of the Salaries of the Officers of the Territory, for the year 1851.

Territorial Treasurer,	- - - -	\$150 00
" Auditor,	- - - -	150 00
Attorney General,	- - - -	250 00
Adjutant General,	- - - -	150 00
Total,	- - - -	\$700 00

SCHEDULE B CONTINUED.

Amount of other Expenses and Liabilities of the Territory for the year 1851.

For roads,	-	-	-	-	-	-	-	-	\$88 50
For account books Treasurer's office,	-	-	-	-	-	-	-	-	23 50
For account books Auditor's office,	-	-	-	-	-	-	-	-	38 00
Amount total,	-	-	-	-	-	-	-	-	\$150 00
Amount salaries brought down,	-	-	-	-	-	-	-	-	700 00
Total amount expenses and liabilities for 1851,	-	-	-	-	-	-	-	-	\$850 00

RECAPITULATION.

Assets, amount collected tax 1850,	-	-	-	-	-	\$558 71
" delinquent for 1850,	-	-	-	-	-	273 58
" uncollected for 1851, now due,	-	-	-	-	-	1,182 06
Total amount assets,	-	-	-	-	-	\$2,014 55
Liabilities, warrants drawn for 1850,	-	-	-	\$1,181 50		
" " 1851,				850 00		\$2,031 50
Total amount of liabilities over assets,	-	-	-			\$16 95
Amount of warrants now outstanding against the Territory,	-					\$1,472 59

REPORT

OF THE

TERRITORIAL TREASURER.

TREASURER'S OFFICE,
St. Paul, March 1, 1852.

To the Legislature of the Territory of Minnesota:

The Territorial Treasurer, pursuant to statute, respectfully submits the following Annual Report for the fiscal year, ending the 1st of March, 1852:

	DOLLARS.	CENTS.
Balance in the Treasury on the first day of March, 1851,	4	00
Amount of receipts from the first day of March, 1851, to the first day March, 1852,	605	22
	609	22
Amount of payment during same period,	600	00
Balance in Treasury,	9	00
<i>Receipts from County Treasurers.</i>		
Washington County tax for 1851,	335	17
Ramsey County tax for 1850,	244	00
Benton County tax for 1850,	26	05
	605	22
Total assessments for the years 1850 and 1851,	2,014	55
Total amount of liabilities,	2,031	50
Total amount of receipts for the years 1850 and 1851,	1,101	90
	929	60
Amount of orders outstanding,	912	43
Delinquent Territorial tax,		
Balance against the Territory,	17	17

Summary of Payments.

	DOLL.	
Attorney General's salary,	196	05
Auditor's " "	85	00
Treasurer's " "	150	00
H. Wilson, for surveying Territorial road,	43	30
John A. Ford, " " "	34	00
John Morgan, " " "	8	00
Jacob Mosher, " " "	34	00
John Fulstrom, " " "	13	00
Joseph Marshall, " " "	12	00
John R. Cluet, " " "	14	00
L. A. Babcock, " " "	26	00
Books for Treasurer,	4	30
	600	00

Amount of drafts drawn by the Auditor on the Treasurer.

	DRAWN.	PAID.
Washington County for 1850,	\$262 07	\$228 90
Ramsey, " "	544 37	512 00
Benton, " "	26 05	26 05
Washington, " 1851,	335 17	335 17
Ramsey, " "	782 11	000 00
Benton, " "	64 78	00 00
	2014 55	1102 12

All of which is respectfully submitted.

CALVIN A. TUTTLE,
Treasurer.

REPORT

OF THE

SCHOOL SUPERINTENDENT.

Mr. McLeod, of the Council, from the committee on Schools, made the following report to that body, and also presented the annual report of the Superintendent of Common Schools, which was read :

The committee on Schools beg leave to present the annual report of the Superintendent of Schools in this territory. Your committee, deeply impressed with the importance of the subject, have examined the report with care and much gratification. It is the first report issued by a Superintendent since the organization of the Territory, and is in many respects not only highly interesting, but valuable as a record for future reference, when Minnesota will number her schools by thousands.

The suggestions contained in the report will receive the early attention of your committee, and if deemed requisite and expedient at this time, they will be presented in the proper form for Legislative action.

Your committee, believing that the report would prove of interest and value, not only to the teachers of schools, but to numbers of the intelligent of the community, beg leave to recommend the passage of a resolution by the Council, ordering the printing of 500 copies of the report, in pamphlet form, for distribution by the members of the Council.

M. McLEOD,
Chairman Com. on Schools.

To the Legislative Assembly of the Territory of Minnesota :

The Superintendent of Common Schools, in accordance with the requirements of the Revised Statutes of Minnesota, submits the following report :

Shortly after his appointment by the Governor, the Superintendent addressed circulars to the clerks of the commissioners of the several counties, and to the Trustees of school Districts, asking for information in relation to the amount of money that had been collected for the support of Schools during the year 1851, and their condition.

From the answers that have been received, which were very meagre, the following schedule has been prepared, in which, with other data obtained, an attempt has been made to show the condition of the Common Schools of the Territory :

TABLE REPRESENTING THE CONDITION OF SCHOOL DISTRICTS IN THE TERRITORY OF MINNESOTA.

	School House—by whom owned.	When built.	Cost.	Dimensions.	Size of lot.	Months taught by male teacher.	Salary by the month.	Months taught by female teacher.	Salary by the month.	Persons in the district Oct. 1 and 31, 1888.	Persons in the district Oct. 1 and 31, 1889.	Value of school property.
<i>Washington Co.</i>												
Point Douglas, Cottage Grove, [No school building erected for school kept]	Priv. property			16 by 18 feet	50 by 100 ft.	Winter	\$16 with board.	Summer	\$15 with board.	15	15	\$235 40
Stillwater, Marine Mills,	District do	1848 now building		20 by 30 feet 20 by 30 feet	50 by 100 ft. 75 by 100 ft.	9	\$46			42	42	\$275 20
<i>Benton County.</i> [No returns received.]												
<i>Ramsey County.</i>												
District, No. 1.	District	1860	\$600	18 by 36 feet	50 by 100 ft.	4 at	\$60	2	\$33	208	208	\$275 20
St. Paul, " 2.	Priv. individ.	1848	\$400	20 by 24 feet		4 at	\$40	4	\$25			\$275 20
do " 3.	[No returns.]					2 at	\$50					\$275 20
do " 4.	District	1848	\$600	24 by 35 feet	1-4th acre	3 at	\$40	6	per scholar	75	75	\$275 20
St. Anthony, 5.	None					3 at	\$25					\$275 20
do 6.						3 at	\$25					\$275 20
District, No. 7.												\$275 20
do " 8.	[No returns.]											\$275 20

Owing to the rapid increase of population in Districts Nos. 2 and 3 in the county of Ramsey, the present school accommodations have proved wholly inadequate. About the close of the past year, it became necessary for the Trustees of each District, to rent a room and employ a female assistant teacher, to instruct the less advanced pupils.

Before another year elapses, it may be found that the present school houses in Stillwater, Saint Anthony and Saint Paul are too contracted; but it is hoped that there will be no unnecessary multiplication of Schools Districts in these towns. The money necessary to build two small school houses in different parts of a town, can be much more advantageously employed in erecting a single edifice upon some central and commanding site, containing several rooms.

In this way, a town not only secures a building which is attractive to the sight, but by employing a male principal with a female assistant or assistants, considerably reduces the expenses of education.

As there are already towns that have more than one district, your attention is called to the propriety of introducing a section in the school law, allowing primary school districts in the same town, the privilege of establishing a grammar school for the older and more advanced children of their several districts.

And in this connection, it may be well to suggest the repeal of all laws granting to school districts the power of conferring degrees and granting diplomas. To grant such high powers to the Trustees of a common school district, who are elected annually, not by those who feel a lively interest in education, but "by every inhabitant over the age of twenty-one years, who shall have resided in any school district for three months immediately preceding any district meeting, and who shall have paid, or shall be liable to pay any taxes, except road tax," is to degrade education, and burlesque the University of Minnesota, to whose regents such powers more properly belong.

SCHOOL HOUSES.

The buildings that have been erected for school purposes are far in advance of the log huts that were formerly erected by pioneer settlers, as school rooms for their "little ones," and which even the cows of the farmer might blush to own as their resting place.

In saying this, however, it is not to be understood that they can receive no improvement. Nearly all, like the barns, remain unpainted, and are destitute of all those surrounding conveniences which are so necessary to cultivate neat and modest habits in youth. The Trustees have in almost every instance neglected to plant shade and ornamental trees, and unless some care is shown, it will not be long before the school houses will look as dilapidated as the drunkard's dwelling.

It is strange that "fathers who know how to give good gifts to their children," almost invariably neglect to furnish their offspring with a school house that is calculated to make the associations with their studies pleasant, or to teach them the principles of correct architecture, or give them a single idea of beauty.

"Barnard's School Architecture," is a book that a trifling sum will purchase, and in the erection of school houses in our new settlements and villages, it is desirable that the Trustees should follow some of the plans there detailed. It is, therefore, suggested that the Trustees of each school district purchase a copy for the School Library. Before we pass from the subject of School Architecture, it is proper to call your attention to the importance of Trustees securing larger lots for school buildings.

One of the largest school lots in the Territory is that of District No. 5, in Ramsey county, and yet the building appears to be squeezed into the back ground by the pressure of a building on each side.

To make a full man, the boy must be developed physically as well as intellectually; and the village which would have its youth prosper most in school hours, should take care in this new country, where land is not held at an exorbitant price, that the school house be situated in the centre of at least an acre lot. Nothing raises a population so much in the estimation of a traveler, or emigrant, as to see a crowd of boys issuing from a pleasant school house, to play during the recess, upon a capacious lawn.

LENGTH OF A SCHOOL MONTH.

Much diversity of opinion exists in relation to the number of days that should constitute a school month. In many States the month is considered to require twenty-four days of actual teaching. In other States, for instance Vermont, the school month consists of twenty-two days, or four weeks, each week comprising five and a half days.

SALARIES OF TEACHERS.

The vocation of a teacher is a noble one. He is far from being a drone in society, but is eminently one of the class of producers. His duties are such as often to require "an angel's wisdom ;"

"For he does the work
Deputed by the parent, still uncheered
By that rich filial love, whose magic makes
All burdens light."

In many States, he is forbidden the social position to which, if competent, he is entitled, and looked upon as a servant, rather than an equal, and therefore receives but a servant's wages.

Immediately after the organization of our School Districts, the ground was taken by the friends of Education, that so valuable a member of society as the faithful teacher, shall receive at least the wages of an ordinary day laborer. In several of our Districts the salary of a male teacher was voted to be forty dollars a month. In one or two of the Districts, however, last fall the Trustees voted fifty dollars as the monthly salary of a male teacher. Although a good teacher may earn this amount, it is doubtful whether in this "day of small things," in our youthful Territory, we are warranted in giving about the same salaries as the Comptrollers of Public Schools in the city of Newark, New Jersey.

SCHOOL BOOKS.

The article in the Statutes upon the duties of the Superintendent says: "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."

Inasmuch as the schools for winter were just commenced when the Superintendent received his appointment, he immediately issued the following circular:

"To the Trustees and Teachers of the School Districts of the Territory of Minnesota:

"Among the duties devolving upon the Superintendent of Common Schools, none is more responsible and delicate, than that of recommending a uniform system of text books.

"The difficulty that once existed of obtaining books that were suitable to the various grades of scholars, has ceased. Many enterprising publishers have employed gentlemen of talent and experience in instruction, to prepare books, which are generally forwarded to every point where there is a probability that they will meet with a sale.—This laudable activity, however, has created the new difficulty of not knowing how to select the best, from so many which are really excellent, and have their respective advocates.

"After due deliberation, it has been thought best to recommend the following works, to the Schools of the Territory:

The School Geographies, by S. A. MITCHELL.

First Lessons in Arithmetic, by C. DAVIES, L. L. D.

The Natural Philosophies, by R. G. PARKER.

The English Grammar, by W. H. WELLS.

The Histories of the United States, by E. WILLARD.

The School Arithmetic, by C. DAVIES, L. L. D.

The Elementary Spelling Book, by N. WEBSTER, L. L. D.

The Series of Readers, by R. G. PARKER.

"The Superintendent has aimed to select such Reading Books, as will be unobjectionable to any of the various classes of citizens. A fruitful source of difficulty in our Public Schools, has been the reading of lessons from the Protestant version of the Bible. It is believed that upon examination, there will be found no extracts in the Reading Books recommended, calculated to arouse any religious prejudice. If the State ever expects to have her Schools receive the support of the *entire community*, those who have charge of public instruction cannot be too careful in excluding works that have a sectarian bias; and the 'good,' of every shade of religious belief, should watch that no instruction of that description, be instilled by the teachers.

"But, to apply the language of the Fifth Annual Report on the Common Schools of Vermont, 1850, 'at the same time, we would not have any torment themselves with a jealousy of purposes which have no existence but in their own imagination. The difficulties, however, which are to be encountered upon this subject, are much more likely to arise, in the first place, from differences of opinion in regard to the comparative merits of School Books for legitimate School purposes. But when the proper Board have decided to recommend a given Book, it might be hoped that Teachers and the community would regard the exclusion of another, which they might judge preferable, as a loss of far less moment than are the multiplied evils which the system of recommendations seeks to avert.

"But there is still another source of difficulty in maintaining a uniform system of text books, yet more embarrassing, growing out of efforts prompted by motives of pecuniary interest, to induce the community to disregard the recommendations which may have been duly made.

"In accomplishing the purpose, apparently advantageous offers may be made, in which *better economy and better books* will figure largely. But the remedy for this evil must be found, and we might hope it would be a sufficient one, in the assurance which can be safely given, that no such promised advantages, however plausible and alluring they may appear for the present, can begin to compensate for the ultimate pecuniary disadvantages, as well as other evils, of breaking down a system designed to be one of protection and benefit." pp. 13, 14.

"As yet, the Superintendent is not only unprepared, but deems it unnecessary to recommend text books in the more advanced branches, as it is believed that a great majority of the scholars will not use them, and it is always desirable to 'hasten slowly.'"

Though some of our educated citizens had predilections for other books, and a few of the teachers naturally believed that the works they had formerly used, were the very best, yet all have waived personal prejudices for the sake of securing the uniformity which is so desirable. The Trustees of every district heard from, have approved of the recommendation, and the books, as far as we know, without exception, are used in the preparatory department of the University of Minnesota.

SCHOOL LAW.

The interests of education demand that provision should be made for the wider circulation of the School Law.

The book of statutes, on account of its bulk, is a sealed book, to the inhabitants of the agricultural and more remote districts, and they are forced to remain in ignorance of the provisions of the law designed to promote the welfare of their offspring.

Measures ought to be taken at the present session of the Legislature, for the printing in a separate pamphlet, of a sufficient number of copies of the school law, to furnish the Trustees and Clerks of the several districts. Forms for calling a meeting, employing a teacher, &c., might be appended, thus making a convenient manual for reference at all school meetings.

The present school law might be improved in some respects, but taken as a whole it is admirable.

In article 6th, section 6th, there is an hiatus or gap, the mistake of the compiler, transcriber, or printer, which the committee on education will readily discover. The only amendment that the Superintendent would venture to suggest, is that the law

should not allow districts to draw public money, unless the clerks certify that a school has been taught in the districts for at least three months.

Many other suggestions could have been set forth, but it was thought best for the present, to strive to be "faithful in a few things."

All of which is respectfully submitted.

E. D. NEILL.

St. Paul, January 19, 1852.

REPORT OF THE BOARD OF REGENTS
OF THE
UNIVERSITY OF MINNESOTA.

To the Honorable the Council

and House of Representatives of Minnesota :—

In accordance with chapter 28, section 16, of the Revised Statutes of Minnesota, the undersigned has the honor of presenting to your honorable bodies, the first annual Report of the Board of Regents of the University of Minnesota.

The first meeting of the Board of Regents was held, pursuant to notice, at the St. Charles Hotel, in St. Anthony, May 31st, 1852. The Board organized by the choice of the following persons as officers, viz :

FRANKLIN STEELE, *President.*

ISAAC ATWATER, *Secretary.*

J. W. NORTH, *Treasurer.*

WM. R. MARSHALL, *Librarian.*

A committee was appointed to draft rules for the government of the Board, and of the Preparatory Department of the University.

At this meeting it was unanimously

RESOLVED, That the Board of Regents deem it expedient to take steps for the immediate erection of a building for a Preparatory Department, connected with the University, and that subscriptions be circulated for that purpose.

At a subsequent meeting of the Board, held at the same place, on the 14th day of June last, rules for the government of the Board of Regents, and the Preparatory Department, were reported and adopted. A committee was also appointed, consisting of his Excellency, Governor Ramsey, Hon. H. H. Sibley and A. Van Vorhes, Esq., to correspond with the Secretary of the Interior, on the subject of the grant of lands, made by Congress, at its last session, to the University of Minnesota, and to adopt measures to bring about, without unnecessary delay, the location of the townships granted, in order that the same might be brought under the control, and inure to the benefit and advantage of the University of Minnesota.

The Board of Regents then proceeded, personally, to examine the different pieces of ground which had been offered as sites for the erection of University buildings. Several liberal offers of land had been made for this purpose, by landholders in the immediate vicinity of the village of St. Anthony. After a careful survey of the different locations, and a comparison of their advantages, the Board decided upon the ground offered by Franklin Steele, Esq., situated near the centre of the village of St. Anthony, and consisting of the ground reserved for a public square, and six lots adjacent thereto,

comprising an area of near four acres of ground. It is a most eligible situation on the bluff, just above the mills, fronting Main street and the river, and commanding one of the most beautiful prospects in the Territory.

In pursuance of a resolution passed by the Board of Regents, for the erection of a Preparatory Department, connected with the University, Wm. R. Marshall and Isaac Atwater were appointed a committee on behalf of the Board, to proceed with the erection of such building. By a resolution of the Board, the committee were limited in the cost of the building to an amount not exceeding \$2,500. The amount of the cost was also required to be raised by private subscription only, and no part of the property belonging to the University proper was to be applied to the erection of this Academy.

The committee have erected an Academy building on the grounds selected for the University. It is thirty by fifty feet, of wood, and three stories in height, or two stories with a basement, sufficiently high and commodious to be used as recitation rooms. No part of the building is yet entirely finished, but two rooms are in a condition to be conveniently used. A comparatively small additional expense will finish these two rooms, with two others, including the large hall, which will be sufficient to meet the wants of the Institution for the present.

The costs of the building, in its present condition, has been about \$2,200. Of this amount, between three and four hundred is still due. To meet this, and finish the remainder of the building, a second subscription is now in circulation, by which it is hoped sufficient may be raised to accomplish the object.

The Institution opened about the first of December last, under the superintendence of Prof. Merrill, Principal. There have been about forty students in attendance the present term; several of whom are pursuing the study of the languages, mathematics, and the higher English branches. Prof. Merrill has the highest testimonials as a teacher of experience and ability, and gives general satisfaction.

A valuable donation to the Library has been made by the Smithsonian Institute, consisting of six volumes of the Annals of Congress, previous to 1800. Also, books and pamphlets from the Hon. H. H. Sibley.

In conclusion, the undersigned would beg leave to state, that the Institution has commenced under the most flattering auspices, and promises to realize the most sanguine expectations of its friends. The Board of Regents, comprised of gentlemen residing in different parts of the Territory, it is believed unanimously concur in regarding St. Anthony as the proper location for the University. They are desirous that the infant Institution should receive, not only the liberal support of the citizens of Minnesota, but also the fostering care of the Legislature. The present is the hour of need. The munificent donation of public lands made by Congress at the last session, will furnish the University with a liberal endowment as soon as they shall be available. Let the people of Minnesota extend to this school a generous patronage, not regarding it as a local, but a Territorial enterprise, and an institution will soon be built up which will be to Minnesota what Harvard and Yale are to New England, the cherished mother of her noblest sons.

All of which is respectfully submitted.

I. ATWATER,
Secretary Board of Regents.

St. Anthony, February 7, 1852.

REPORT

OF THE

TERRITORIAL LIBRARIAN.

TERRITORIAL LIBRARY, }
St. Paul, Jan. 26, 1852. }

The Territorial Librarian respectfully makes the following report to the Legislative Assembly of the Territory of Minnesota:

The works mentioned in the following list, have been received at the Territorial Library, since the twenty-eighth of February, 1851, (the date of the commission of the undersigned as Librarian,) in the way of exchanges and donations.

Chandler's Wisconsin Reports, vols. 1 and 2.

Vermont Reports, vol. 21.

North Carolina Reports, vol. 11.

Halsted's (N. J.) Chancery Reports, vol. 2.

Ohio Reports, vol. 19.

Maine Reports, vol. 30.

Florida Reports, January Term, 1851.

Smedes and Marshall's Reports, vol. 14.

Acts and Resolves of the 30th Legislature of Maine, 1850; 2 copies.

Acts and Resolves of the 31st Legislature of Maine, 1851; 2 copies.

Laws of New-Hampshire, 1851; 3 copies.

Laws of Vermont, 1850; 3 copies.

Laws, Journals and Documents of the State of New York, 1848; 13 vols.

Laws, Journals and Documents of the State of New York, 1849; 14 vols.

Laws of New Jersey, 1851.

Laws of Pennsylvania, 1850.

Laws of Pennsylvania, 1851.

Laws of North Carolina, 1850-51.

Acts, Reports and Resolutions of the General Assembly of South Carolina, 1850;
2 copies.

Laws of Florida, 1850-51.

Laws of Texas, 1850.

Laws of Arkansas, 1851; 2 copies.

Laws of Missouri, 1851; 3 copies.

- Laws of Ohio, 1850-51.
 Laws of Indiana, 1851.
 Laws of Illinois 1849-51; 2 copies.
 Laws of Michigan, 1851.
 Laws of Wisconsin, 1851; 2 copies.
 Code of Iowa; 2 copies.
 House Journal of the 1st session of the 31st Congress.
 House Journal of the 2d session of the 31st Congress.
 Journals of the Legislature of New Hampshire, 1851; 2 copies.
 House Journal of Vermont, 1850.
 Senate Journal of Vermont, 1850.
 Journal of the Constitutional Convention of Vermont.
 Senate Journal of Florida, 1850-1851.
 House Journal of Florida, 1850-1851.
 Senate Journal of Illinois, 1849-1851.
 House Journal of Illinois, 1849-1851.
 Annual Messages and accompanying documents, 1850-1851.
 Report on Commerce and Navigation, 1850; 2 copies.
 Patent Office Report, 1849-1850.
 Patent Office Report, 1850-51; 3 parts.
 Bank Statistics, 1849-50.
 Documents of the 1st session of the 31st Congress, 37 vols.; 2 copies.
 Annals of Congress, 6 vols.; 2 sets.
 Foster and Whitney's Report of the Geology and Topography of a portion of the Lake Superior Land District, 1850.
 Congressional Globe, vol. 21; parts 1 and 2.
 Congressional Globe and Appendix, 2d session of 30th Congress.
 Appendix to Congressional Globe, vol. 22; part 2.
 Congressional Globe, vol. 23.
 First, second, third, and fourth Reports of the Board of Education of the State of Maine, 4 vols.
 Fifth Annual Report on the Common Schools of Vermont, 1850.
 School laws of Rhode Island; 3 copies.
 Sixty-fourth Annual Report of the Regents of the University of the State of New York.
 Notices of public libraries in the United States.
 Catalogue of the Vermont State Library.
 Report of the Auditor of Vermont, 1850.
 Address before the Vermont Historical Society.
 M. Vattermare's Address before the Legislature of New Hampshire.
 Report of Debates in the Convention of California.
 Annual Report of the Trustees of the Astor Library of the city of New York, 1850.
 Annual Report of the Secretary of State of the State of New York, 1850.
 Annual Report of the Commissioners of the Canal Fund of the State of New York, 1850.
 Annual Report of the Canal Commissioners of the State of New York, 1850.
 Annual Report of the Auditor of the Canal Department, 1850.
 Report on Amsden's Hydrostatic Scale, 1850.
 Report of Canal Commissioners of New York on the supply of water, 1850.
 Report in the Senate of New York, March 25th, 1850, on the cholera.
 Railroad statistics of New York, 1850.
 Annual Report of the Commissary General of the State of New York, 1850.
 Annual Report of the Managers of the Western House of Refuge of the State of New York, 1850.
 Report on Assessments in the city of New York, 1850.
 Report on erroneous payment of taxes, 1850.
 Report on alleged frauds in the Chemung canal, 1850.

Report on the manufacture of salt, 1850.
 Transactions of the American Ethnological Society, vols. 1 and 2.
 Catalogue of the New York State Library.
 Third Annual Report of the State Cabinet of Natural History.
 Documentary History of New York, vol. 1.
 U. S. Statutes at Large, 1850-51; 6 copies.
 Smithsonian contributions to knowledge, vols. 1 and 2.
 Life and Works of John Adams, vols. 2 and 3.
 Beecher's Lectures to Young Men.
 Wilke's United States Exploring Expedition, vols. 8, 9 and 10.
 Atlas to vol. 7 of Exploring Expedition.
 Atlas to vol. 10 of Exploring Expedition.
 Hydrographical Atlas of Exploring Expedition, vol. 1.
 Six charts of coast survey.
 Pocket Map of Minnesota.

The following volumes were received during the term of my predecessor, subsequent to the publication of the printed catalogue of the library, a copy of which is herewith annexed and made a part of this report:

Annals of the Minnesota Historical Society, 1850.
 Journals of the Legislature of New Hampshire, 1849; 2 copies.
 Patent Office Report, 1849-50.
 Acts and Resolutions of the 1st session of the 31st Congress.
 United States Statutes at large, 1849-50; 6 copies.
 Bank Statistics, 1849-50.
 Report of the Secretary of War, communicating information in relation to the geography and topography of California, 1850.
 Joint Rules of the Council and House of Representatives of Minnesota, 1851; 18 copies.
 Congressional Directory, 2d session of 31st Congress.
 Twenty-fifth annual report of the prison discipline society, Boston, 1850.
 Map of the gold region of California.

A file of each of the newspapers published in the Territory, during the year 1851, has been preserved in the library. No fines have been collected during the past year; and no books, so far as I am aware, lost in this period. A number of volumes which appear in the printed catalogue, as well as in the original bills of purchase, were missing from the Library at the time it passed into my charge. I am unable to report whether all or any of these volumes are lost, until I hear from the former Librarian, to whom I have written for information in the premises.

Since the 28th of February, 1851, the following bills have been certified by the undersigned, according to the provisions of section 10, of an "act providing for the appointment of a Librarian and for other purposes," approved February 25th, 1851.

P. P. Bishop, services as Assistant Librarian, Second Session of the Legislative Assembly, 14 days,					\$42 00
C. Hinman,	"	"	"	14 days,	42 00
A. Pierse,	"	July Session of Supreme Court, 1851,		13 "	39 00
John Farrington, bill for one box of candles,	-	-	-	-	15 25
W. G. LeDuc, bill for stationery,	-	-	-	-	11 75
W. P. Murray, for policy of insurance from June 7, '51, to June 7, '52,					77 00

With the exception of the second account, these several bills, I understand, have all been paid by the Secretary of the Territory. I have also paid for sundry items, such as repair of furniture, drayage, &c., the sum of \$10 00.

For the coming year the following estimate of expenses is respectfully presented:

Insurance from June 7, 1852, to June 7, 1853,	-	-	-	-	\$77 00
Services of Ass't Librarian during the present Session of the Legislature,					180 00
" " " " July Session of Supreme Court, 1852,					20 00
Stationery and the contingencies,	-	-	-	-	10 00

W. B. WHITE,
Territorial Librarian.

REPORT

OF THE

ADJUTANT GENERAL.

To His Excellency, Governor Ramsey, Commander-in-Chief, etc.:

The Adjutant-General of the Territory of Minnesota, respectfully submits the following, his annual report :

The Territory as has been ordered, constitutes one district, and one brigade. One major-general, one brigadier general, one adjutant-general, and four aids-de-camp to the commander-in-chief have been appointed, and have received their commissions. Two independent companies have been organized, the officers of which, having been duly commissioned, have applied for arms and equipments for their respective companies.

The whole militia force, as computed from the census returns, (which, as yet, is the only mode of computation) amounts to 2003. In compliance with the statute, and with a view of obtaining arms, the adjutant general has made such meagre report as he was able to make under the existing circumstances, to the proper authorities at Washington; and has been advised by the Hon. C. M. Conrad, Secretary of War, that "this partial return will, in this instance, be considered satisfactory, and the number of arms due the Territory, about fifteen muskets or rifles, will be issued upon the requisition of the Governor of the Territory upon the colonel of ordnance."

By act of Congress, April 23, 1808, the sum of \$200,000 is annually expended for the manufacture of arms and military equipments for the whole body of the militia of the United States, which are to be distributed to each State or Territory respectively, and in proportion to the number of effective militia in each State or Territory.

In order that our Territory may receive the full benefit of this provision of Congress, the undersigned respectfully recommends that there be a further division thereof, into regiments, battalions and companies; and that the necessary officers be appointed, an enrolment ordered, and a day of general muster specified, according to law. The adjutant-general will thereby be enabled to make the annual report required by Congress, and to secure such arms and equipments as may, from time to time, be allotted to the Territory.

Although the annual quota of arms is at present exceedingly small, it is apparent that it will be continually increasing from year to year; so that by complying with the law of Congress requiring full and regular returns annually, we will soon be enabled

fully to arm and equip all the volunteer companies that will be formed in the various parts of the Territory.

Under those governmental institutions whose aim it is to maintain the despotism of a few individuals, or a privileged class, the use of fire-arms is carefully prohibited the masses. But to arm the whole people, and to make each and every man an efficient soldier, well skilled in the use of fire-arms, and ready, upon emergency, to do his country service upon the battle field, has ever been the aim of our General Government; the beneficial effect of which has been plainly apparent in every contest of arms in which it has been the fortune of our country to engage.

In our own case, situated upon the frontier, in the immediate vicinity, and partially surrounded by savage tribes, it becomes our duty to take every advantage of the liberal disposition evinced by the General Government, to furnish arms and equipments for the complete organization and arming of the militia force of the Territory.

I would, therefore, also recommend, that the Legislative Assembly of the Territory memorialize Congress for a special appropriation of arms and equipments for the immediate use of the militia of the Territory.

Respectfully submitted by
JAMES McC. BOAL,
Adjutant-General.

ST. PAUL, Jan. 20, 1852.

REPORT OF THE BOARD

OF

BUILDING COMMISSIONERS.

To the Honorable Speaker and members

of the House of Representatives of Minnesota Territory:

Agreeable to section 20, of the "act in relation to the erection of Public Buildings in the Territory of Minnesota," the Board of Building Commissioners, have the honor to transmit you, herewith, a brief outline of its proceedings from the organization up to the present date.

The Board held its first session on the 19th May, 1851, in St. Paul, C. K. Smith, acting President; at which time the present Secretary was elected, and entered upon the discharge of his duties. On the 20th May, D. F. Hrawley was elected by the Board, Building Commissioner for the Capitol, and J. McKusick, Building Commissioner for the Prison. On the 21st May, E. A. C. Hatch was elected Treasurer of the Capitol Fund, and J. McKusick Treasurer of the Prison Fund.

The organization of the Board having been completed, immediate steps were taken for the selection of suitable sites for the Public Buildings; and on the 27th June, a good and perfect title, without any charge on the fund, was given to the Governor and Representatives of Minnesota Territory, of block six, (6) in Bazil & Guerrin's addition to St. Paul; this spot having been selected by the Board as a suitable site for the Capitol Buildings. On the 23d May, the Board adjourned to Stillwater, and selected four acres of ground above the town, on land belonging to Messrs. McKusick & Carli; for which \$100 per acre was paid.

The grounds having been selected, an advertisement was issued on the 24th May, inviting proposals for the erection and completion of a Capitol and Penitentiary for \$40,000 each.

At the next session, the Board resolved to entertain no bids for which contracts were to be entered into involving a larger expenditure than the present appropriation. In pursuance to this resolution, the Board having adopted the plans of N. C. Prentiss for the Capitol, and J. Fisher for the Territorial Prison, again advertised to receive bids for the erection of the public buildings according to the plans adopted.

In compliance with this advertisement, bids were received from several parties; and on the 15th July, the Board decided the bids of Joseph Daniels for the capitol building, and Jesse Taylor & Co., for the territorial prison, to be the lowest, and instructed the Attorney to draw up contracts with the parties.

At this session a contract was entered into with J. Daniels, with security in the sum of \$20,000, for the completion of the exterior of the capitol building, entire, according to the plan adopted, including painting and glazing. The Council chamber,

Representatives' Hall, Governor's, Secretary's and Clerk's rooms are also to be finished in a suitable manner; all for the sum of seventeen thousand (\$17,000) dollars. The dimensions of this building are 139 feet front by 53 1-2 feet deep, with a wing back, 44 feet by 52 feet.

The work on this building has progressed as well as circumstances would admit. The heavy rains during the summer, retarded the work of excavation, and it was necessary that the ground should be drained before the work could go on; notwithstanding this, however, the basement walls are nearly completed and ready for the brick work; and during the present month, all the door frames, window frames, and cornice will be completed. The board have every confidence that this building will be finished according to the contract, and within the time specified, to wit: December 1852.

Warrants have been drawn on the Treasurer of the capital fund for \$2,785, on account of work done and material furnished on this building to date.

The plan for a Territorial prison, adopted by the Board, embraces an area of 280 feet square; the whole to be enclosed by a stone wall 12 feet high, 4 feet thick at the base, and 2 1-2 feet at the top. The Warden's house is outside of the wall. The present contract entered into with Messrs. Jesse Taylor & Co., does not include the workshops, but only specifies that the outside walls, the Warden's house and the main prison building, including two (2) cells for solitary confinement, shall be finished.

The contractors have been to great expense and labor in grading, but it is now nearly completed, as well as the principal part of the foundation walls. There has been about 300 perch of stone laid in the wall above ground; a greater part of the lumber to be used in the construction of the building is on hand, and a large amount of stone on the ground and being quarried. There has been expended on this building for labor and material furnished, the sum of \$3,579, up to date.

The treasurers of the respective funds have received from the treasurer of the United States, the full amount appropriated by Congress for the erection of Public Buildings in the territory. There has been expended for salaries of officers, and per diem of members of the Board, and for work done and materials furnished in the erection of the Public Buildings, the sum of \$9,130 85; of which amount, \$3,849 13, have been drawn from the treasurer of the capitol fund, and \$5,281 75 from the treasurer of the prison fund; leaving a balance of \$16,150 87, in the hands of the treasurer of the capitol fund, and \$14,718 25 in the hands of the treasurer of the Prison fund, as will appear on reference to their respective accounts herewith submitted. (No. 1 and 2.)

It will be perceived that the contracts entered into by the Board, do not contemplate an entire completion of either of the buildings; on the contrary, they are only progressed so far, as will render them convenient for the objects intended. The lowest bid for the completion of the Capitol was \$33,000. This will leave \$13,000 for the building, with no estimate for the improvement of the grounds. There should be a stone wall and iron fence, with conveniences of water, &c., and the grounds should be laid out in a suitable manner. In view of these facts, the Board respectfully suggest that the Legislature memorialize Congress for a further appropriation of \$20,000, to be expended in the completion of the Capitol and grounds.

The Penitentiary, when the present contract is completed, will only contain two cells, and will also be without workshops; but the building is so constructed that the work can be continued with advantage and economy; and the Board further suggest, a memorial to Congress, for \$20,000, to be expended in the completion of this building.

For further particulars, the Board beg leave to refer you to a copy of the journal of their proceedings, which they respectfully offer as a part of this report.

By order of the Board.

CHARLES F. TRACY,
Secretary Board Building Commissioners.

Saint Paul, January 5th, 1852.

JOURNAL OF PROCEEDINGS.

Meeting of the Board of Commissioners of Public Buildings, held in St. Paul, Minnesota Territory, on Monday, the 19th of May, A. D. 1851, in pursuance of an act entitled "an act for the erection of Public Buildings in the Territory of Minnesota."

Present, C. K. SMITH, Acting Governor and President of the Board.

D. F. BRAWLEY, one of the Commissioners elect from Ramsey county.

E. A. C. HATCH, Commissioner elect from Benton county.

J. McKUSICK, Commissioner elect from Washington county.

LOUIS ROBERTS, one of the Commissioners elect from Ramsey county.

On motion of E. A. C. Hatch,

Resolved, That this Board do now proceed to the election of a Secretary by ballot.
Carried.

Ayes—Hatch, McKusick and Mr. President.

Nays—Brawley and Roberts.

On the first ballot, Charles F. Tracy having received two votes, and B. Thompson two votes ; there being a tie,

Mr. President gave the casting vote for Mr. Tracy, and he was declared duly elected Secretary of the Board, to serve according to law.

On motion of D. F. Brawley,

The Board adjourned until to-morrow morning at 9 o'clock, A. M.

Board adjourned.

Attest :
CHARLES F. TRACY,
Secretary, &c.

C. K. SMITH,
President of the Board of Commissioners.

TUESDAY, May 20th, 1851.

Board met pursuant to adjournment.

On motion of J. McKusick,

Resolved, That the meetings of this Board shall be public until otherwise ordered.
Carried unanimously.

On motion of D. F. Brawley,

Resolved, That Alexander Wilkin be employed by the Board as Counsel in Ramsey county, and H. L. Moss as Counsel for the Commissioners in Stillwater, for the purpose of drawing up deeds and contracts, and transacting such other business as the Board may direct, and to receive such compensation therefor as the Board may allow.

Carried unanimously.

On motion of E. A. C. Hatch,

The Board adjourned to meet again at 2 o'clock, P. M.

Two o'clock, P. M.

Board met pursuant to adjournment.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn.

Lost.

Ayes—Roberts and Brawley.

Nays—Hatch, McKusick and Mr. President.

On motion of E. A. C. Hatch,

Resolved, That this Board do now proceed to the election, by ballot, of a Building Commissioner for the erection of Capitol Buildings in St. Paul.

Carried.

Ayes—Hatch, McKusick and Mr. President.

Nays—Roberts and Brawley.

On the first ballot, D. F. Brawley having received two votes, and L. Roberts one, D. F. Brawley was declared duly elected Building Commissioner for the erection of Capitol Buildings in St. Paul, to serve according to law.

On motion of L. Roberts,

Resolved, That the Capitol Buildings for the Territory of Minnesota shall be erected upon the bluff, near the brow of the hill on block No. 12, in the addition to St. Paul laid off by Roberts and Randall; this point being considered by this Board as near the centre of the town, as is required by the act entitled "an act to provide for the erection of Public Buildings in the Territory of Minnesota;" provided, however, that the persons owning the property on which the said Capitol shall be erected, give and donate at least four acres of ground, including the streets, for that purpose.

On motion of J. McKusick,

The resolution was laid on the table.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn till to-morrow at 10 o'clock.

Mr. McKusick moved to amend by striking out "10 o'clock," and inserting 9 o'clock.

Lost.

Ayes—Brawley and McKusick.

Nays—Hatch, Roberts and Mr. President.

Mr. Brawley moved to amend by inserting "7" instead of "10."

Carried unanimously.

Board adjourned.

Attest:

CHARLES F. TRACY,
Secretary, &c.

C. K. SMITH,

President of the Board of Commissioners.

WEDNESDAY, May 21, A. D. 1851.

Board met pursuant to adjournment.

On motion of L. Roberts,

Resolved, That the resolution for locating Capitol Buildings in St. Paul, be now taken up.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn.

Lost.

Ayes—Brawley and Roberts.

Nays—Hatch, McKusick, and Mr. President.

The question then recurring on Mr. Roberts' motion, to take up the resolution for locating the Capitol Buildings in St. Paul,

The motion was lost.

Ayes—Roberts.

Nays—Brawley, McKusick and Hatch.

On motion of E. A. C. Hatch,

Resolved, That this Board do now proceed to the election of Treasurers.

Carried unanimously.

On motion of L. Roberts,

The Board proceeded, first, to the election of a Treasurer in Stillwater, for the Territorial Prison Fund.

On the first ballot,

J. McKusick having received all the votes cast, was declared duly elected Treasurer of the Territorial Prison Fund, to serve according to law.

On motion of D. F. Brawley,

Resolved, That the resolution for the location of the Capitol Buildings in St. Paul be now taken up.

Lost.

Ayes—Brawley and Roberts.

Nays—Hatch, McKusick and Mr. President.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn.

Lost.

Ayes—Brawley and Roberts.

Nays—Hatch, McKusick and Mr. President.

On motion of J. McKusick,

Resolved, That this Board do now proceed to the election of a Treasurer for the fund for the erection of Capitol Buildings in St. Paul.

Carried.

Ayes—Hatch, McKusick and Mr. President.

Nays—Brawley and Roberts.

On the first ballot,

E. A. C. Hatch having received two votes, L. Roberts one, and Gov. Ramsey one; There being no choice, the President gave the casting vote for Mr. Hatch, and he was declared duly elected Treasurer of the Fund for the erection of Capitol Buildings in St. Paul, to serve according to law.

On motion of E. A. C. Hatch,

Resolved, That J. McKusick be appointed Building Commissioner by this Board, for the erection of a Territorial Prison in Stillwater.

Carried.

Ayes—Hatch, McKusick and Roberts.

Nays—Brawley.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn until 2 o'clock, P. M., and invite those

persons having land in the city of St. Paul, to accompany us to inspect the different points at the central part of the city.

Carried unanimously.

Board adjourned until 2 o'clock P. M.

Two o'clock, P. M.

Board met pursuant to adjournment.

On motion of L. Roberts,

The resolution in regard to the erection of Capitol Buildings was taken up and read by the Secretary.

On motion of E. A. C. Hatch,

Resolved, That this Board postpone the consideration of said resolution till to-morrow afternoon session.

On motion of J. McKusick,

Resolved, That the resolution be amended by striking out afternoon session, and inserting morning, at 10 o'clock.

The resolution as amended, passed unanimously.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn.

Lost.

Ayes—Hatch.

Nays—Roberts, Brawley and McKusick.

On motion of L. Roberts,

Resolved, That the resolution postponing the consideration of the Capitol location be now reconsidered.

Carried unanimously.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn till 9 o'clock to-morrow morning.

Lost.

Ayes—Hatch.

Nays—Brawley, Roberts and McKusick.

On motion of D. F. Brawley,

Resolved, That the resolution for locating the Capitol Buildings in St. Paul be adopted.

On motion of J. McKusick,

Resolved, That the said resolution be laid on the table.

Lost.

Ayes—Hatch and McKusick.

Nays—Brawley, Roberts and Mr. President.

The question then recurring on Mr. Brawley's motion,

Resolved, That the resolution for locating the Capitol Buildings in St. Paul, be adopted;

The said resolution passed unanimously.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn till to-morrow morning at 10 o'clock A. M.

Carried.

Ayes—Brawley, McKusick and Hatch.

Nays—Roberts.

Board adjourned.

Attest:

CHARLES F. TRACY,
Secretary, &c.

C. K. SMITH,
President of the Board of Commissioners.

THURSDAY, May 22, A. D. 1851.

Board met pursuant to adjournment.

On motion of E. A. C. Hatch,

Resolved, That when this Board adjourns its present session, it adjourn to meet again on Tuesday, the 24th day of June, A. D. 1851, in St. Paul.

Carried unanimously.

On motion of D. F. Brawley,

Resolved, That no member of this Board shall be allowed to absent himself from any meeting of the Board, unless in case of sickness, or the consent of a majority of the members present.

Carried unanimously.

On motion of D. F. Brawley,

Resolved, That this Board meet to-morrow at Stillwater, for the purpose of selecting a site for a Territorial Prison.

Carried unanimously.

On motion of E. A. C. Hatch,

Resolved, That the Capitol buildings to be erected in St. Paul, be built of brick; *provided*, that the brick be procured at such a price as the Board shall consider reasonable; and that the Territorial Prison, to be erected at Stillwater, shall be of stone.

Carried.

Ayes—McKusick, Roberts and Brawley.

Noes—Hatch.

On motion of D. F. Brawley,

Resolved, That E. A. C. Hatch, Treasurer of the Capitol fund, and J. McKusick, Treasurer of the Territorial Prison fund, be, and they are hereby severally authorized to demand and receive from the proper officer of the Treasury of the United States, any and all moneys that now are, or hereafter may be appropriated for the erection of said public buildings in the Territory—the fund for the building whereof, they are Treasurers—agreeable to an act entitled “An act to provide for the erection of public buildings in the Territory of Minnesota,” and the Supplemental Bill. *Provided, however*, That the said Treasurers shall first qualify and give bonds as provided for by the above recited act.

Carried unanimously.

On motion of D. F. Brawley,

Resolved, That that this Board do now adjourn until 2 o'clock, P. M.

Board adjourned.

Two o'clock, P. M.

Board met.

On motion of E. A. C. Hatch,

Resolved, That the Secretary of this Board be authorized to draw up an advertisement for plans and proposals for the erection of public buildings in St. Paul and Stillwater, and submit the same to this Board for its consideration.

Carried unanimously.

On motion of E. A. C. Hatch,

Resolved, That the proposals be advertised in the two papers published in St. Paul.

Carried unanimously.

On motion of E. A. C. Hatch,

Mr. Roberts was excused from attendance this afternoon.

On motion of E. A. C. Hatch,
Resolved, That this Board adjourn to meet again in Stillwater, to-morrow at 10
 o'clock, A. M., at the Minnesota House.
 Board adjourned.

C. K. SMITH,
 President.

Attest:
 CHARLES F. TRACY,
 Secretary, &c.

FRIDAY, May 23, A. D. 1851.

Board met at Stillwater.

Present—Messrs. Brawley, Roberts, McKusick, and Mr. President.

Absent—Mr. Hatch.

On motion of D. F. Brawley,

Resolved, That the site offered by Mr. McKusick, for the erection of a Territorial
 Prison, be accepted by this Board; *provided*, Messrs. Carli and McKusick will agree
 to receive \$300 for the same.

Adopted.

Ayes—Brawley, Roberts, and Mr. President.

Absent—Hatch and McKusick.

On motion of D. F. Brawley,

Resolved, That L. Roberts be appointed a committee of one to wait upon Messrs.
 McKusick and Carli, and receive their answer.

The committee reported unfavorably.

On motion of D. F. Brawley,

Resolved, That Messrs. Carli and McKusick be allowed by this Board \$100 per
 acre for the land offered by them as a site for the erection of a Territorial Prison, not
 less than four acres.

Adopted.

Ayes—Brawley, McKusick, and Roberts.

Absent—Hatch.

On motion of L. Roberts,

Resolved, That this Board do now adjourn to meet to-morrow morning at 10 o'clock,
 in St. Paul.

Adopted.

Ayes—Brawley, Roberts, and McKusick.

The Board adjourned.

C. K. SMITH,
 President of Board of Commissioners.

Attest:
 CHAS. F. TRACY,
 Secretary, &c.

SATURDAY, May 24, 1851.

Board met in St. Paul, pursuant to adjournment.

Absent—McKusick.

On motion of E. A. C. Hatch,

Resolved, That the advertisement handed in by the Secretary be adopted by this Board, and that he be instructed to advertise in the Pioneer and Democrat, to wit, as follows :

"THE PUBLIC BUILDINGS OF THE TERRITORY OF MINNESOTA.

"The Commissioners of Public Buildings for said Territory, respectfully announce to the public, that sealed proposals will be received at their session in St. Paul, on the 24th day of June next, for furnishing materials and performing the labor for the erection of the Capitol Buildings in St. Paul, at the point designated. Said buildings to be stone foundation, and superstructure of brick or stone, as may be determined upon, the whole cost not to exceed forty thousand dollars, (\$40,000.)

"Also, like proposals will be received at the same time and place, for furnishing materials and performing the labor for the erection of the Territorial Prison in Stillwater. Said Prison to be of stone, and the cost not to exceed forty thousand dollars, (\$40,000.) Plans and specifications sealed for said buildings will be received, and a reasonable sum will be paid for the plans adopted.

"The proposals must contain full and explicit statements agreeing with the requirements of the plans and specifications of said buildings. Said plans and specifications can be seen at the office of said Commissioners on the said 24th day of June next, and the proposals for the erection of said buildings will be opened by said Board of Commissions on Saturday, the 28th day of June next, and the contracts for the erection of the same, let in a reasonable time thereafter. The section of the law bearing upon the duties of said Commissioners in regard to the contracts, is in the following words, and is inserted for the information of those desirous to make bids, to wit :

"SEC. 11. All contracts and other acts of any Commissioner shall be under the supervision and control of the said Board; and no contract shall be entered into for material or labor for the erection of said public buildings, until approved by said Board or a majority thereof; nor until the said Board shall have first given notice by publication in one or more newspapers, printed in the Territory, for three successive weeks, inviting proposals for the performance of the labor, and furnishing the necessary materials for the fulfilment of the contracts so proposed, and the bond which will be required for their fulfilment; and in all cases contracts shall be given to the lowest and best responsible bidder, who will give the security required.' "

Adopted.

Ayes—Hatch, Roberts and Brawley.

Absent—McKusick.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn to meet again in St. Paul, on Tuesday, the 24th day of June next, at 10 o'clock, A. M.

Adopted.

Ayes—Roberts, Brawley and Hatch.

Absent—McKusick.

Board adjourned.

C. K. SMITH,
President of the Board of Commissioners.

Attest :

CHARLES F. TRACY,
Secretary, &c.

ST. PAUL, TUESDAY, *June 24, 1851.*

Board met pursuant to adjournment.

Present—Hatch, Brawley, Roberts and Governor Alexander Ramsey, President of the Board.

Absent—McKusick.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn to 2 o'clock, P. M.

Carried.

Ayes—Hatch, Roberts and Brawley.

Two o'clock, P. M.

Board met—all present.

Plans and specifications were received and examined from Messrs. Prentiss, Daniels, Lewis and Condon, for the Capitol Buildings, and from Messrs. Delano and Daniels for the Penitentiary, and the Board having spent some time thereon,

On motion of L. Roberts,

Resolved, That this Board do now adjourn to meet to-morrow at 10 o'clock, A. M.

Carried.

Ayes—Roberts, Brawley, Hatch and McKusick.

Board adjourned.

ALEX. RAMSEY,
President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

WEDNESDAY, *June 25, 1851.*

Board met at 10 A. M., pursuant to adjournment.

A communication was received from N. C. Prentiss, and by unanimous vote laid on the table.

On motion of E. A. C. Hatch,

Resolved, That Capt. Alexander Wilkin, Attorney for this Board, be ordered by the Board to call on the owners of block No. 12, in Randall and Roberts' addition to St. Paul, and examine the title, and report to this Board to-morrow morning at 10, A. M.

Carried.

Ayes—Brawley, Hatch, McKusick and Roberts.

Plans and specifications for Capitol Buildings and Penitentiary were received from J. Fisher, and examined, and after some time spent thereon,

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn till 10 o'clock, to-morrow morning.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

Board adjourned.

ALEX. RAMSEY,
President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

THURSDAY, June 26, 1851, 10 o'clock, A. M.

Board met pursuant to adjournment.

Absent—McKusick.

The elevation of Mr. Prentiss' plan was received by the hands of Mr. Fisher; and a communication from Mr. Prentiss requesting the Board to allow Mr. Fisher to examine his plans.

Request was granted by the President of the Board.

On motion of J. McKusick,

Resolved, That this Board in adopting plans and receiving proposals for the public buildings of Minnesota, will receive no bids for which contracts are to be entered into involving a larger amount of money than the present appropriation for that purpose.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of J. McKusick,

Resolved, That the Board now go into the consideration of plans to be adopted by the Board.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of J. McKusick,

Resolved, That the Board take into consideration the plans for the erection of Capitol buildings first.

Carried unanimously.

The Board proceeded to the examination of Mr. Condon's plans.

On motion of D. F. Brawley,

Resolved, That the said plan be adopted.

Lost.

Ayes—none.

Nays—Hatch, McKusick, Roberts, and Brawley.

Mr. James Lewis' was plan taken up.

On motion of E. A. C. Hatch,

Resolved, That the said plan be laid aside for the present.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

N. C. Prentiss' plan was taken up, and

On motion of L. Roberts,

Resolved, That the said plan be laid aside for the present.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

The Board then proceeded to the plans of Messrs. Daniels and Fisher.

Mr. Daniels' plan was by unanimous consent laid aside for the present; and

On motion of E. A. C. Hatch,

Resolved, That the plan submitted by J. Fisher for erection of Capitol buildings be rejected by this Board.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of D. F. Brawley,

Resolved, That this Board adjourn till 2 o'clock, P. M.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

Board adjourned.

Two o'clock, P. M.

Board met.

On motion of E. A. C. Hatch,

Resolved, That the report of the Attorney to this Board, in regard to the title of block No. 12, in Roberts and Randall's addition, be now read.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn to meet to-morrow morning at 9 o'clock, A. M.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

Board adjourned to 9 o'clock, A. M., to-morrow morning.

ALEX. RAMSEY,
President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

FRIDAY, June 27, 1851, 10 A. M.

Board met pursuant to adjournment.

Communications were received from Messrs. Prentiss and Ewing, Chute & Co., which, by unanimous consent, were laid on the table.

The Secretary presented C. K. Smith's bill for services rendered as member of this Board, and for expenses incurred in Stillwater, and issuing copies of bonds of the Treasurers,

Which was laid on the table.

The President being absent,

On motion of D. F. Brawley,

Resolved, That E. A. C. Hatch be appointed President *pro tem*.

Carried.

Ayes—McKusick, Roberts, and Brawley.

On motion of D. F. Brawley,

Resolved, That the Board now go into consideration of a plan for the erection of Capitol buildings.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

The President appeared and took the chair.

The Board proceeded to the consideration of Messrs. Prentiss', Lewis' and Freeman's plans for erection of Capitol buildings, and after sometime passed therein,

On motion of E. A. C. Hatch,

Resolved, That the plan for a Capitol building, submitted by Mr. Prentiss, be adopted by this Board.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

The Board then proceeded to the consideration of Messrs. Freeman's, Delano's and Fisher's plans for the erection of a Territorial Prison in Stillwater, and after some time passed therein,

On motion of E. A. C. Hatch,

Resolved, That the plan submitted by Mr. Freeman, for the erection of a Territorial Prison, be adopted by this Board.

Carried.

Ayes—Hatch, McKusick and Mr. President.

Nays—Brawley and Roberts.

On motion of J. McKusick,

Resolved, That when this Board adjourns the present session, it adjourns to meet again on Monday the 14th day of July, 1851.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

The communication of Alex. Wilkin, Attorney for the Board, was received, and by consent laid on the table.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn to 2 o'clock, P. M.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

Board adjourned.

Two o'clock, P. M.

Board met.

A communication was received from C. K. Smith, and by consent laid on the table.

On motion of E. A. C. Hatch,

Resolved, That whereas, from the report of Alex. Wilkin, Attorney of this Board, it appears that an unexceptionable title cannot be had to block No. 12, in Roberts and Randall's addition to St. Paul, upon which by resolution of this Board, adopted on the 20th of May, it was determined to locate the Capitol Buildings; therefore,

Resolved, That the Board do now proceed to re-locate the Capitol Buildings.

Adopted.

Ayes—Hatch, McKusick, Brawley and Roberts.

On motion of D. F. Brawley,

Resolved, That the advertisement handed in by the Secretary, be adopted by this Board, and he be instructed to advertise in the papers printed in St. Paul, to wit, as follows:

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

"PUBLIC BUILDINGS OF MINNESOTA TERRITORY.

"The Board have this day adopted plans for the erection of a Capitol Building in St. Paul, and also for the erection of a Territorial Prison in Stillwater, both of which are now open for the inspection of the public, at the office of the undersigned in St. Paul. Sealed proposals will be received at said office till 10 o'clock, on Monday, the 14th day of July.

"1st. For the erection and completion of the Capitol Building entire, according to the plan, and furnishing material and labor for same.

"2d. For the completion of the exterior of the Capitol Building according to the plan, including painting of window sash, frames and doors and glazing. The Council Chamber, Representatives' Hall, the Governor's, Secretary's and Clerks' rooms, and stairway are also to be finished in a suitable manner. The work done on the interior to be carried on in such a manner as that, when necessary, the finishing can go on without any alteration. No proposals for this work will be entertained, involving a cost of over \$20,000, the sum appropriated by Congress.

"3d. Separate sealed proposals will also be received for furnishing the material and performing the labor for each different portion of the building, to wit: for furnishing the lumber for whole building, and doing the carpenter and joiner's work for same, or so much as is required in section No. 2. For the painting and glazing of the whole building, or the painting of so much as is required in section 2d; for plastering of the whole building, three-coat work, or so much as is required in section 2. Sealed proposals will also be received at the same time and place:

"1st. For furnishing material and performing the labor for the erection of a Territorial Prison complete.

"2d. Separate sealed proposals will also be received for furnishing the material and performing the labor for separate parts of the building, to wit: For furnishing materials and performing the labor for the erection of the walls; for furnishing the lumber for the whole building; for plastering; for doing the carpenter and joiner's work of the whole building; for furnishing iron, locks, chains, &c., necessary for the building. The section of the law operating on contracts, is here inserted for the benefit of those wishing to make bids, to wit: 'All contracts and other acts of any Building Commissioner shall be under the supervision and control of said Board; and no contract shall be entered into for material or labor for the erection of said public buildings until approved by said Board, or a majority thereof, nor until the said Board shall have first given notice by publication in one or more newspapers printed in the Territory, for three successive weeks, inviting proposals for the performance of the labor and furnishing the necessary materials for the fulfilment of the contracts proposed, and the bond which will be required for their fulfilment. In all cases contracts shall be given by the Board to the lowest and best responsible bidder, who will give the security required.'"

On motion of E. A. C. Hatch,

Resolved, That the Capitol Buildings be erected on block No 7, in Rice and Irvine's addition to St. Paul, provided that they donate the said block for that purpose, and do bind themselves in the sum of \$2,000, to effectually drain the same forthwith.

Lost.

Ayes—Hatch.

Noes—McKusick, Brawley and Roberts.

On motion of L. Roberts,

Resolved, That the location for the Capitol, offered by Charles Bazil, in his communication, to wit: block No 6, in Bazil and Guerrin's addition to St. Paul, be accepted by this Board.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn to 9 o'clock, A. M., to-morrow morning.

Carried.

Ayes—Hatch, Roberts and Mr. President.

Noes—Brawley and McKusick.

Board adjourned.

ALEX. RAMSEY,
President Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

SATURDAY, June 28, 1851.

Board met pursuant to adjournment.

On motion of E. A. C. Hatch,

Resolved, That the Board now reconsider the vote on the plan adopted for a Territorial Prison.

Carried.

Ayes—Hatch, McKusick and Brawley.

Noes—Roberts.

On motion of J. McKusick,

Resolved, That the plan for a Territorial Prison submitted by J. Fisher, be adopted by this Board.

Carried.

Ayes—Hatch McKusick. and Brawley.

Nays—Roberts.

On motion of J. McKusick,

Resolved, That the report of the Attorney in regard to the title of the land offered by Charles Bazil be accepted by the Board, and that he be authorized to receive the deeds and hand them over to the Secretary.

Carried unanimously.

On motion of E. A. C. Hatch,

Resolved, That the iron work for the Territorial Prison shall be manufactured in the Territory.

Lost.

Ayes—Hatch and McKusick.

Nays—Roberts, Brawley and Mr. President.

On motion of J. McKusick,

Resolved, That this Board do now adjourn to meet again on Monday, 14th day of July, A. D. 1851, at 10 o'clock, A. M.

Carried unanimously.

Board adjourned.

Attest:

CHARLES F. TRACY,

Secretary, &c.

ALEX. RAMSEY,

President of the Board of Commissioners.

MONDAY, July 14, 1851.

Board met pursuant to adjournment.

Absent, L. Roberts and Gov. Alex. Ramsey.

On motion of J. McKusick;

Mr. Brawley was elected President *pro tem*.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn till 2 o'clock P. M.

Board adjourned till 2 o'clock, P. M.

Two o'clock, P. M.

Board met.

On motion of J. McKusick,

Resolved, That this Board do now proceed to open bids for Capitol and Territorial Prison Buildings.

Carried.

Ayes—Hatch and McKusick.

The Board then proceeded to open bids, and after two hours spent therein,

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn till 10 o'clock A. M. to-morrow morning.

Carried.

Ayes—Hatch, McKusick and Mr. President.

Board adjourned.

D. F. BRAWLEY,
President *pro tem.*

Attest:

CHARLES F. TRACY,
Secretary, &c.

TUESDAY, July 15, 1851.

Board met pursuant to adjournment.

Absent, L. Roberts and Gov. Ramsey.

D. F. Brawley, acting President *pro tem.*

Board proceeded to the further examination of proposals, and having spent some time therein,

On motion of E. A. C. Hatch,

Resolved, That this Board have decided that Jesse Taylor & Co.'s bid for performing the labor and furnishing the material for the erection of a Territorial Prison in Stillwater, at \$17,000, is the lowest bid, and that the Secretary request the Attorney of this Board to draw up the contract with the parties, and submit the same to this Board for their consideration to-morrow, at 2 o'clock, P. M.

Carried.

Ayes—Hatch, McKusick and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn by the President *pro tem.*, and countersigned by the Secretary, on the Treasurer of the Territorial Prison Fund, in favor of J. McKusick, for the sum of \$291 50, and also a like order for \$108 50, in favor of C. Carli, or order, the same being in full payment of land purchased from said parties for a Territorial Prison site.

Carried.

Ayes—Hatch, McKusick and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn by the President *pro tem.*, and countersigned by the Secretary, on the Treasurer of the Capitol Fund, in favor of N. C. Prentiss, or order, for the sum of fifty dollars, in full payment for the plan submitted and adopted by this Board.

Carried.

Ayes—Hatch, McKusick and Brawley.

On motion of E. A. C. Hatch,
Resolved, That this Board do now adjourn till 2 o'clock, P. M.
 Carried.
 Ayes—Hatch, McKusick, and Brawley.
 Board adjourned until 2 o'clock P. M.

Two o'clock, P. M.

Board met.
 The Secretary presented the bill of Wm. M. Stees for one desk, purchased of him for twenty dollars.
 An order was drawn on the Treasurer of the Capitol fund for \$20, in full payment of same.
 Ayes—Hatch, and McKusick.
 Nays—Brawley.
 On motion of E. A. C. Hatch,
Resolved, That this Board do now adjourn to 2 o'clock P. M., to-morrow.
 Carried.
 Ayes—Hatch, McKusick, and Brawley.
 Board adjourned.

D. F. BRAWLEY,
 President *pro tem*.

Attest:
 CHARLES F. TRACY,
 Secretary, &c.

WEDNESDAY, July 16, 1851.

Board met pursuant to adjournment.
 D. F. Brawley in the Chair.
 The contracts and bonds with the parties for the erection of Capitol buildings, and a Territorial Prison, were submitted to the Board by the Attorney.
 On motion of E. A. C. Hatch,
Resolved, That the contract with Jesse Taylor & Co., for the erection of a Territorial Prison, bearing date this day, is hereby approved, the same to be valid upon the delivery of the said Jesse Taylor & Co., to J. McKusick, the Building Commissioner of said building, a bond with sufficient security, for the faithful performance of same.
 Carried.
 Ayes—Hatch, McKusick and Brawley.
 On motion of E. A. C. Hatch,
Resolved, That the contract entered into with J. Daniels, bearing date this day, submitted by the Attorney of this Board, and the bond accompanying the same, be, and the same is hereby approved.
 Carried.
 Ayes—Hatch, McKusick and Brawley.
 On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn to meet again on Monday, the 29th day of August, A. D. 1851.

Carried.

Ayes—Hatch and McKusick.

Nays—Brawley.

Board adjourned.

D. F. BRAWLEY,
President *pro tem*.

Attest:

CHARLES F. TRACY,
Secretary, &c.

ST. PAUL, August 25, 1851.

Board met pursuant to adjournment.

D. F. Brawley in the Chair.

The bond from Messrs. Jesse Taylor & Co., contractors for the Territorial Prison, was submitted to the Board.

On motion of J. McKusick,

Resolved, That the bond submitted by Jesse Taylor & Co., be accepted by the Board.

Carried.

Ayes—Hatch, McKusick, Brawley and Roberts.

Communications were received from Messrs. Jesse Taylor & Co., and Jacob Fisher ; and

On motion of J. McKusick,

Resolved, That \$1,100 be audited on the account submitted by Jesse Taylor & Co., of \$1,172 40, for materials and labor performed on the Territorial Prison, and an order be drawn by the Secretary on the Treasurer of the Prison fund for this amount.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

A communication was received from J. Daniels.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn by the Secretary on the Treasurer of the Territorial Prison fund, in favor of J. McKusick, for \$150, being one-fourth salary, to the 19th August, as Building Commissioner of said building.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn by the Secretary on the Treasurer of the Territorial Prison fund, for \$100, being one-fourth salary to the 19th August, as Treasurer of said fund, in favor of J. McKusick.

Passed unanimously.

On motion of E. A. C. Hatch,

Resolved, That the resolution just passed, allowing J. McKusick \$150 for one-fourth salary as Treasurer of the Prison fund, be now re-considered.

Carried.

Ayes—Hatch, Roberts, McKusick and Brawley.

The question then recurred upon the passage of the resolution authorizing an order

on the Treasurer of Prison fund for \$100 in favor of J. McKusick, for one-fourth salary as Treasurer of said fund.

It was decided in the affirmative.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on the Treasurer of the Prison fund, in favor of J. McKusick for \$54, being his per diem for three sessions as member of this Board.

Carried.

Ayes—Brawley, Hatch, McKusick and Roberts.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on the Treasurer of the Capitol fund, in favor of E. A. C. Hatch, for \$100, being one-fourth salary to 19th August, as Treasurer of said fund.

Ayes—Hatch and McKusick.

Nays—Brawley and Roberts.

On motion of E. A. C. Hatch,

Resolved, That the resolution just voted upon be now re-considered.

Carried.

Ayes—Hatch, McKusick and Roberts.

Nays—Brawley.

On motion of L. Roberts,

Resolved, That this Board do now adjourn till to-morrow morning at 10 o'clock, A. M.

Carried.

Nays—Brawley, Roberts, Hatch, and McKusick.

Board adjourned.

D. F. BRAWLEY,
President *pro tem*.

Attest:

CHARLES F. TRACY,
Secretary, &c.

THURSDAY, August 28, 1851, 10 o'clock, A. M.

Board met.

The first business being the consideration of the resolution authorizing an order on the Treasurer of the Capitol fund for \$100 in favor of E. A. C. Hatch, for one-fourth salary as Treasurer of said fund.

On motion of J. McKusick,

Resolved, That the said resolution be laid on the table.

Carried.

Ayes—Brawley, Roberts, Hatch and McKusick.

The Board took a recess to examine the Capitol grounds.

On motion of J. McKusick,

Resolved, That an order be drawn on the Treasurer of the Capitol fund, for \$800, in favor of J. Daniels, on account of work done and performed on Capitol building.

Ayes—Hatch and McKusick.

Nays—Brawley and Roberts.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on the Treasurer of the Territorial Prison fund, in favor of W. G. Le Duc for \$16 25, being in full amount of bill rendered.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on the Treasurer of the Capitol fund, for \$11 13, in favor of John Farrington, being the amount audited on his account.

Carried unanimously.

On motion of L. Roberts,

Resolved, That that this Board do now adjourn until 2 o'clock, P. M.

Ayes—Hatch, McKusick, Roberts and Brawley.

Board adjourned.

Two o'clock, P. M.

Board met pursuant to adjournment.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on J. McKusick, Treasurer of the Territorial Prison fund, in favor of J. M. Goodhue, for \$65, being amount in full of his account to date.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on the Treasurer of the Capitol fund for \$50, in favor of D. A. Robertson, being amount in full of his account to date.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of L. Roberts,

Resolved, That an order be drawn on the Treasurer of the Capitol fund in favor of J. Daniels, for \$200, on account of work done and performed on the Capitol building.

Ayes—Brawley, McKusick and Roberts.

Nays—Hatch.

On motion of J. McKusick,

Resolved, That the account of H. W. Tracy, for rent of room for Secretary of the Board, be allowed.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn to meet again on September 25, 1851.

Ayes—Hatch, McKusick, Roberts, and Brawley.

Board adjourned.

D. F. BRAWLEY,
President *pro tem*.

Attest:

CHARLES F. TRACY,
Secretary, &c.

ST. PAUL, THURSDAY, September 25, 1851.

Board met pursuant to adjournment.

Absent—L. Roberts and Gov. Ramsey.

D. F. Brawley in the Chair.

A communication was received from J. Daniels.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn to 9 o'clock, A. M. to-morrow.

Carried.

Ayes—Hatch, McKusick and Brawley.

Board adjourned till 9 o'clock, A. M.

D. F. BRAWLEY,
President *pro tem*.

Attest:

CHARLES F. TRACY,
Secretary, &c.

FRIDAY, September 26, 1851.

Board met.

A communication was read from Messrs. Jesse Taylor & Co.

The Secretary was ordered by the Board to allow J. Daniels to take a copy of the specifications and contract of the Capitol Buildings, in his presence, and to leave the original with the Building Commissioner of said building.

On motion of J. McKusick,

Resolved, That Messrs. Jesse Taylor & Co.'s account of \$1,600, for work done and labor performed on the Penitentiary at Stillwater, be audited and allowed, and an order be drawn on the Treasurer of the Prison fund for the amount.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of E. A. C. Hatch,

Resolved, That J. Daniels' account of \$1,050, for work done and material furnished on Capitol Building, be audited and allowed, and an order be drawn on the Treasurer of the Capitol fund for this amount.

Carried.

Ayes—Hatch, McKusick, and Brawley.

Nays—Roberts.

On motion of J. McKusick,

Resolved, That E. A. C. Hatch be excused from attendance at the next meeting of this Board.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn to meet again on Friday, 24th October, 1851.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

Attest:
CHARLES F. TRACY,

Secretary, &c.

D. F. BRAWLEY,
President *pro tem*.

FRIDAY, October 24, 1851.

Board met pursuant to adjournment.

Absent—E. A. C. Hatch, J. McKusick and Gov. Alex. Ramsey.

There being no quorum,

On motion of L. Roberts,

Resolved, That this Board do adjourn till to-morrow, 25th, at 10 o'clock A. M.
Board adjourned.

D. F. BRAWLEY,
President *pro tem*.

Attest:
CHARLES F. TRACY,
Secretary, &c.

SATURDAY, October 25, 1851.

Board met pursuant to adjournment.

Absent—E. A. C. Hatch, J. McKusick and Gov. Alex. Ramsey.

There being no quorum,

On motion of L. Roberts,

Board adjourned till Monday, 27th, at 10 o'clock A. M.

D. F. BRAWLEY,
President *pro tem*.

Attest:
CHARLES F. TRACY,
Secretary, &c.

MONDAY, October 27, 1851.

Board met pursuant to adjournment.

Absent—E. A. C. Hatch, J. McKusick and Gov. Alex. Ramsey.

There being no quorum,

On motion of L. Roberts,

Board adjourned till Tuesday, 28th, at 4 o'clock P. M.

D. F. BRAWLEY,
President *pro tem*.

Attest:
CHARLES F. TRACY,
Secretary, &c.

MONDAY, OCTOBER 22, 1851, 4 o'clock P. M.

Board met pursuant to adjournment.

A quorum being present,

The Board proceeded to business.

On motion of L. Roberts,

Resolved, That each of the Treasurers be required to file in the office of the Secretary of the Board, on the first Monday of December, and the first Monday of each following month, a statement of all moneys received from the Treasurer of the United States; the amount expended in the erection of the public buildings, and the amount on hand at the time the account is rendered.

Carried.

Ayes—Roberts and Brawley.

Absent—Hatch and McKusick.

A communication was received from J. Daniels, and read by the Secretary.

On motion of L. Roberts,

Resolved, That this Board do now adjourn till to-morrow at 7 o'clock, P. M.

Carried.

Ayes—Brawley and Roberts.

Board adjourned.

ALEX. RAMSEY,

President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,

Secretary, &c.

ST. PAUL, WEDNESDAY, October 29, 1851.

Board met pursuant to adjournment.

Absent—Hatch and McKusick.

On motion of L. Roberts.

Resolved, That in pursuance of sections 12 and 13 of the act entitled "An act for the erection of public buildings," &c., every bill for work or material furnished by either of the contractors, for erecting the Capitol or Prison, shall, before any action thereon by the Board, receive the endorsement of the Building Commissioner having the work in charge.

Carried.

Ayes—Roberts and Brawley.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn to meet again on to-morrow, the 30th October, at 1 o'clock P. M.

Carried.

Ayes—Brawley and Roberts.

Board adjourned.

ALEX. RAMSEY,

President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,

Secretary, &c.

St. PAUL, THURSDAY, October 30, 1881.

Board met pursuant to adjournment.

Absent E. A. C. Hatch and J. McKusick.

The opinion of A. Wilkin, in regard to salaries, was read.

On motion of D. F. Brawley,

Resolved, That the President be authorized to draw warrants on the Treasurers of the respective funds, for salaries and per diem of members of the Board as follows, to wit:

1st. An order on the Treasurer of the Capitol fund, in favor of D. F. Brawley, for \$372, for two quarters salary as Building Commissioner, and per diem to date.

2d. An order on the Treasurer of the Prison fund, in favor of L. Roberts, for \$30, for per diem to date, as member of the Board.

3d. An order on the Treasurer of the Prison fund, in favor of E. A. C. Hatch, for \$251, being for two quarters salary as Treasurer, and per diem to date.

4th. An order in favor of J. McKusick, on the Treasurer of the Prison fund, for \$250, being for one-fourth salary (\$150) as Building Commissioner, and \$100 for one-fourth salary as Treasurer of Prison fund.

Carried.

Ayes—Brawley and Roberts.

The Secretary presented his account for services to date.

On motion of D. F. Brawley,

Resolved, That the Secretary's account be allowed, and the President be authorized to draw warrants on the Treasurer of the Capitol and Prison funds, in equal sums, say \$196 50 each, in full payment of same.

Carried.

Ayes—Brawley and Roberts.

Capt. A. Wilkin, Attorney for this Board, presented his account of \$100.

On motion of L. Roberts,

Resolved, That A. Wilkin's account be allowed, and an order be drawn by the President on the Treasurer of the Capitol fund for 50, and also an order on the Treasurer of the Prison fund for \$50, in full payment of same.

Carried.

Ayes Brawley and Roberts.

On motion of D. F. Brawley,

Resolved, That the account of \$10, presented by L. Roberts, for the use of his team for the Board, to and from Stillwater, be allowed, and the President be authorized to draw a warrant on the Treasurer of the Capitol fund for this amount, in full payment of same.

Carried.

Ayes—Brawley and Roberts.

On motion of L. Roberts,

Resolved, That \$10, be audited on the account of R. Kennedy of \$15, and the President be authorized to draw a warrant on the Treasurer of the Territorial Prison fund for this amount, in his favor.

On motion of D. F. Brawley,

Resolved, That the account of H. W. Tracy, of \$18, for three months' rent of Secretary's office be allowed, and the President be authorized to draw a warrant on the Treasurer of the Capitol fund for this amount in favor of H. W. Tracy, in full payment of same.

Carried.

Ayes—Brawley and Roberts.

The Building Commissioner having endorsed the bill of J. Daniels, of \$1,535 00, for work and material furnished in the erection of the Capitol building,

On motion of D. F. Brawley,

Resolved, That the President be authorized to draw a warrant on the Treasurer of the Capitol Fund, for \$1,535, in full payment of same to the order of Joseph Daniels.

Carried.

Ayes—Brawley and Roberts.

On motion of D. F. Brawley.

Resolved, That this Board do now adjourn to meet again on Monday, 17th day of November, 1851.

Carried.

Ayes—Brawley and Roberts.

Board adjourned.

ALEX. RAMSEY,
President Board of Commissioners.

Attest:
CHARLES F. TRACY,
Secretary, &c.

SAINT PAUL, November 17, 1851.

Board met pursuant to adjournment.

Absent—E. A. C. Hatch.

After some time spent in consultation,

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn till to-morrow at 10 o'clock, A. M.

Carried.

Ayes—Brawley, Roberts and McKusick.

Board adjourned.

ALEX. RAMSEY,
President Board of Commissioners.

Attest:
CHARLES F. TRACY,
Secretary, &c.

ST. PAUL, November 18, 1851.

Board met pursuant to adjournment.

Absent—E. A. C. Hatch.

Bills were presented from J. Fisher, for the Territorial Prison plan; from Register of Deeds, for recording Deed of the Capitol ground, and from J. McKusick, for rent of office and furniture, and read by the Secretary.

On motion of J. McKusick,

Resolved, That \$50 be audited on the account of J. Fisher, and a warrant be drawn in his favor for this amount on the Treasurer of the Territorial Prison Fund.

Carried.

Ayes—Roberts, Brawley and McKusick.

On motion of J. McKusick,

Resolved, That the account of \$2 50, of the Register of Deeds, be allowed, and an order be drawn on the Treasurer of the Capitol Fund in his favor for this amount.

Carried.

Ayes—Brawley, McKusick and Roberts.

On motion of D. F. Brawley.

Resolved, That the account of J. McKusick, for \$50, rent of office and furniture, be allowed, and an order be drawn on the Treasurer of the Territorial Prison Fund, in favor, for this amount.

Carried.

Ayes—Brawley and Roberts.

On motion of L. Roberts,

Resolved, That when this Board adjourns, it adjourn to meet at Stillwater on Monday, 24th November, at 2 o'clock P. M.

Carried.

Ayes—Brawley, Roberts and McKusick.

A communication was received from J. Daniels, and laid on the table till next meeting of the Board.

On motion of L. Roberts,

Resolved, That this Board do now adjourn.

Carried.

Ayes—Brawley, Roberts and McKusick.

Board adjourned to meet in Stillwater, on Monday, November 24th, 1851.

ALEX. RAMSEY,

President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

STILLWATER, November 24, 1851.

Board met pursuant to adjournment.

The bills of J. Daniels for \$4,700, and J. Taylor & Co., for \$879, were read by the Secretary.

On motion of E. A. C. Hatch,

Resolved, That the following resolution, passed at the last session of the Board, under date of October 30th, be now re-considered, viz:

That the President be authorized to draw his warrant on the Treasurers of the respective funds for salaries and per diem of members of the Board, as follows, to wit:

1st. An order on the Treasurer of the Capitol Fund, in favor of D. F. Brawley, for \$672, for two quarter's salary and per diem to date.

2d. An order on the Treasurer of the Prison Fund, in favor of L. Roberts, for \$80, being per diem to date.

3d. An order in favor of E. A. C. Hatch, on the Treasurer of the Territorial Prison Fund, for \$251, being two quarters salary as Treasurer and per diem to date.

4th. An order on the Territorial Prison Fund, in favor of J. McKusick, for \$250, being \$150 as one quarter salary as Building Commissioner, and \$100 as one quarter salary as Treasurer of Prison Fund to date, October 30th, 1851.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of E. A. C. Hatch,

Resolved, That the said resolution be amended by striking out the words "per diem to date" in the 6th, 10th and 13th lines, and inserting in lieu, "from the 19th May to 18th November, and being per diem to the 17th."

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

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

It was unanimously passed as follows :

Resolved, That the President be authorized to draw his warrants on the Treasurers of the respective funds, for salaries and per diem of members of this Board, to wit as follows :

1st. An order on the Treasurer of the Capitol Fund, in favor of D. F. Brawley for \$372, being for two quarters salary, from the 19th May to the 18th November, and per diem to the 17th November, as Building Commissioner.

2d. An order in favor of L. Roberts, on the Treasurer of the Territorial Prison Fund, for \$60, per diem to the 17th November.

3d. An order on the Treasurer of the Territorial Prison Fund, for \$251, in favor of E. A. C. Hatch, for two quarters salary, as Treasurer, from 19th May to 18th November, and per diem to the 17th November.

4th. An order in favor of J. McKusick, for \$250, being \$150 as one quarter salary as Building Commissioner, and \$100 as one quarter salary as Treasurer, from 10th May to 18th November.

On motion of E. A. C. Hatch,

Resolved, That the account of J. Taylor & Co. having received the endorsement of the Building Commissioner, be allowed by this Board, and a warrant be drawn on the Treasurer of the Prison Fund, for \$879, in full payment of same.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of E. A. C. Hatch,

Board adjourned till 8 o'clock, A. M., 25th November.

ALEX. RAMSEY,

President of the Board of Commissioners.

Attest :

CHARLES F. TRACY,

Secretary, &c.

STILLWATER, November 25, 1851.

Board met pursuant to adjournment.

E. A. C. Hatch presented an account of \$200, for negotiating government drafts.

On motion of L. Roberts,

Resolved, That the consideration of J. Daniels' bill of \$4,701, be postponed till the next session of the Board.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of J. McKusick,
Resolved, That the account of E. A. C. Hatch be allowed.

On motion of L. Roberts,
Resolved, That the account of E. A. C. Hatch be laid over to the next meeting of the Board.

Carried.

Ayes—McKusick, Brawley and Roberts.

On motion of L. Roberts,

Resolved, That the account of \$50, for rent of room, be allowed E. A. C. Hatch, and an order be drawn on the Treasurer of the Capitol Fund, for this amount in his favor, in full payment of same.

Carried.

Ayes—Hatch, McKusick, Roberts, and Brawley.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn, to meet again on the 25th of December, at St. Paul.

Lost.

Ayes—Hatch.

Noes—Brawley McKusick and Roberts.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn, to meet again on the 16th of December, at St. Paul.

Carried.

Ayes—McKusick, Roberts and Brawley.

Nays—Hatch.

Board adjourned.

ALEX. RAMSEY,
 President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,
 Secretary, &c.

SAINT PAUL, December 16, 1851.

Board met pursuant to adjournment.

Absent—J. McKusick.

On motion of L. Roberts,

Resolved, That the bill of Willoughby & Powers, for \$15, be taken up and allowed by the Board, and a warrant be drawn in their favor, on the Treasurer of the Capitol Fund, for this amount, in full payment of the same.

Carried.

Ayes—Roberts, Brawley and Hatch.

On motion of D. F. Brawley,

Resolved, That the bills of J. Daniels, and E. A. C. Hatch, be laid over until the next meeting of the Board.

Carried.

Ayes—Hatch, Roberts and Brawley.

On motion of E. A. C. Hatch,

Resolved, That when this Board adjourns, it adjourn to meet Dec. 26th, at St. Paul.

Carried.

Ayes—Hatch, Brawley and Roberts.

On motion of E. A. C. Hatch,
Resolved, That this Board do now adjourn.
Carried.
Ayes—Hatch, Roberts and Brawley.
Board adjourned.

Attest:
CHARLES F. TRACY,
Secretary, &c.

ALEX. RAMSEY,
President of the Board of Commissioners.

SAINT PAUL, December 26, 1851.

Board met pursuant to adjournment.

On motion of E. A. C. Hatch,
Resolved, That J. Daniels' bill be taken up for consideration.
Carried.

Ayes—Brawley, McKusick, Hatch and Roberts.

On motion of E. A. C. Hatch,
Resolved, That the said bill be rejected by this Board.
Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of J. McKusick,
Resolved, That a warrant be drawn on the Treasurer of the Capitol Fund, in favor of E. A. C. Hatch, for \$200, being for expenses incurred in negotiating government drafts, as per bill rendered.

Carried.

Ayes—Hatch, McKusick and Mr. President.

Nays—Roberts and Brawley.

On motion of J. McKusick,

Resolved, That this Board do now adjourn, to meet again in St. Paul on Monday, January 5th, at 10 o'clock, A. M.

Carried.

Ayes—Brawley, Roberts, Hatch and McKusick.

Board adjourned.

Attest:
CHARLES F. TRACY,
Secretary, &c.

ALEX. RAMSEY,
President of the Board of Commissioners.

NO. 1.

REPORT OF THE TREASURER OF THE CAPITOL FUND.

To the Hon. the Board of Commissioners,

Saint Paul, Minnesota Territory.

GENTLEMEN:

I have received from the U. S. Treasurer, in all, the sum of \$20,000, have paid out upon orders of the Board, Thirty-Six Hundred and Forty-five Dollars and sixty-three cents, (\$3,645 63) and have on hand in the Treasury, Sixteen Thousand three hundred and eighty-four dollars and thirty-seven cents, (\$16,354 37.)

I have the honor to remain,

very respectfully,

E. A. C. HATCH,

Treasurer.

SAINT PAUL, Minnesota Territory,

First Monday in January, A. D. 1852. }

E. O. E.

I certify the above to be a copy of the report, filed in my office, this first Monday in January. There have been two orders drawn since this was filed; one for \$200, the other for \$3 50.

CHARLES F. TRACY,
Secretary of the Board.

NO. 2.

REPORT OF THE TREASURER OF THE PRISON FUND.

The United States, in account with J. McKusick, Treasurer of the Prison Fund, Dr.

July 15.	To Order, No. 1, in favor of	C. Carli, payment of land, - -	\$ 108	50
" "	" " 2, "	J. McKusick, " " - -	291	50
Aug. 28.	" " 4, "	W. G. LeDuc, " Stationery, -	16	25
" "	" " 5, "	J. Taylor & Co., account contract	1,100	00
" "	" " 6, "	J. M. Goodhue, " printing,	65	00
" 27.	" " 7, "	J. McKusick, qr. sal. Build. Com.	150	00
Sept. 25.	" " 8, "	same " " Treasurer,	100	00
" "	" " 9, "	same per diem - - -	54	00
" "	" " 10, "	J. Taylor & Co., account contract,	1,200	00
" "	" " 11, "	same " "	400	00
" "	" " 12, "	L. Roberts, per diem, - - -	60	00
Oct. 30.	" " 13, "	E. A. C. Hatch, 6 mo. salary and per diem, - - -	251	00
" "	" " 14, "	J. McKusick, qr. sal. as Treas. } same, as Building Com. }	250	00
" "	" " 15, "	C. F. Tracy, salary, - - -	196	50
" "	" " 16, "	A. Wilkin, Attorney fees, - -	50	00
" "	" " 17, "	R. Kennedy, rent of room, - -	10	00
Nov. 24.	" " 18, "	J. Fisher, for Prison plan, - -	50	00
" "	" " 19, "	J. McKusick, rent of room, - -	50	00
Dec. 1.	" " 20, "	J. Taylor & Co., account contract,	879	00
	Balance	- - - - -	14,718	25
			\$20,000	00

The United States, in account with J. McKusick, Treasurer of the Prison Fund, Cr.

June 1.	By one Draft from the Secretary of the Treasury on Ass't Secretary at St. Louis.	\$10,000	00
Oct.	By 5 Drafts from Secretary U. S. Treasury on Ass't Treasurer at St. Louis.	10,000	00
		\$20,000	00
	Balance in favor of the U. S. Treasury,	- - -	\$14,718 25

SAINT PAUL, Minnesota Territory, January 5, 1852.

CONTESTED ELECTION REPORTS.

WELLS AGT. RICHARDS.

PETITION OF JAMES WELLS.

To the Hon. House of Representatives of Minnesota Territory :

The undersigned petitioner would respectfully represent to your honorable body, that he is a citizen of the Fourth Council District of Minnesota Territory, and that he received nineteen votes for a seat in your honorable body, at an election held at the house of Augustine Rock, in said district, and that Fordyce S. Richards received for the same sixteen votes, all of which will appear by reference to the returns now on file in the office of Register of Deeds for the county of Ramsey, a copy of which is on file in this House. And your petitioner further shows that the precinct above named is the only one legally established in the county.

Your petitioner, therefore, prays that the whole matter may be investigated, and if found as alleged in this petition, he may be admitted to his seat in your honorable body.

JAMES WELLS.

STATEMENT OF CONTESTANT.

To the Committee to whom was referred the Petition of James Wells, claiming his right to a seat in the House of Representatives, now occupied by Richards :

The contestant claims the following to be the law governing this case, and therefore asks the Committee to engraft into their report the following propositions :

1st. at the time of the organization of the Territory of Minnesota, the county of St. Croix was the only organized county in the Territory ; and no organization of any kind was at that time in being, by or under which the people residing west of the Mississippi river could be entitled to vote or send representatives to the Legislative Assembly.

2d. To provide for this want of organization, the Governor by his proclamation dated 7th July, A. D. 1849, declares among other things, that " The St. Croix Precinct

in the county of St. Croix, and the settlements on the west bank of the Mississippi, south of Crow Village, to the line of Iowa, shall constitute the First Council District, &c.," and it is further declared in said proclamation, that the qualified voters in the First Council District west of the Mississippi, shall hold their election at the *house of Augustine Rock at Lake Pepin*. The provisions above mentioned, conferred the only authority which the people of what is now known as Wabasha county had to vote at the first election in this Territory, and the place of voting was limited to the house of Augustine Rock at Lake Pepin.

3d. By virtue of an act entitled "An act providing for the erection of certain counties therein named and other purposes." It is provided that all that portion of the said Territory lying south of a line running due west from a point on the Mississippi river, opposite the mouth of the St. Croix river, to the Missouri river, be and the same is hereby erected into a separate county, which shall be known by the name of Wabasha. And that Wabasha and certain other counties were organized for the sole and only purpose of the appointment of Justices of the Peace and certain other officers therein mentioned. And that the county of Wabasha is attached to Washington county for judicial purposes.

4th. The fact that Wabasha county was attached to Washington for judicial purposes, did not give the County Commissioners authority to establish election Precincts beyond the limits of the county.

5th. The establishment of the Precinct at Bunnell's, was without authority and void.

6th. The election at Bunnell's being without authority, should be set aside.

PROCEEDINGS OF THE COUNTY COMMISSIONERS OF WASHINGTON.

Territory of Minnesota—To the Honorable the Board of Commissioners for the county of Washington and the counties thereunto attached:

The undersigned residents of Wabasha county, respectfully represent that the establishment of an election Precinct by your Honorable body, at or near Bunnell's Landing, would greatly conduce to the convenience and advantage of the citizens residing in the southern portion of said county of Wabasha, nearly all of whom are now obliged to travel fifty miles to reach the place of holding the election in said county.

The undersigned, therefore, pray that an election Precinct may be established at Bunnell's Landing, in said county, and that suitable persons to act as judges of the election may also be appointed; and your petitioners will ever pray.

May, 1851.

W. B. BUNNELL,
JOHN PUNG,
HARRIS DAY,
PETER GON,

A. T. TINTLER,
N. BROWN,
M. RICHMOND,
ORRIN PHILLIPS,

H. W. CARROLL.

REGISTER OF DEEDS OFFICE, }
WASHINGTON Co., M. T. }

I do hereby certify that the above and foregoing is a true copy of the original petition for the establishment of an election Precinct at Bunnell's Landing, in the county of Wabasha, filed in this office July 22, 1851.

Witness my hand, this 19th day of January, 1852.

JNO. S. PROCTOR,
Register.

At an extra session of the Board of County Commissioners of the county of Washington, held at the office of Register of Deeds in said county, on the 22d day of July, 1851, a petition signed by W. B. Bunnell and other citizens of Wabasha county, was presented, praying the establishment of an election Precinct at Bunnell's Landing, in said county, which was granted. Said Precinct to include so much of Wabasha county as lies south of a line commencing at the mouth of the River Des Omberas, and running thence west to the boundary line of said county. Elections to be held at the house of W. B. Bunnell.

The following persons were appointed as judges of election in said Precinct, viz :

W. B. BUNNELL,
PETER GON,
N. BROWN.

REGISTER OF DEEDS OFFICE, }
WASHINGTON COUNTY. }

I do hereby certify that the foregoing is a true transcript of the record of the proceedings of the Board of Commissioners of the county of Washington, at their session held on the 22d of July, 1851, or so much thereof as relates to the establishment of an election precinct at Bunnell's Landing, in the county of Wabasha.

In witness whereof, I have hereto set my hand, and affixed the
[L. s.] seal of the Board of Commissioners, this 19th day of January, A. D. 1852.

JNO. S. PROCTOR,
Register and Clerk Board County Commissioners.

REPORT OF MAJORITY COMMITTEE.

The committee to whom was referred the Petition of James Wells, contesting the seat in the House now occupied by Fordyce S. Richards, of Wabasha county, have had the matter under consideration, and ask leave to submit the following Report :

That at the General Election held on the 14th day of October, A. D. 1851, there were two Precincts in the county of Wabasha at which elections were held, to wit : One at the house of Augustine Rock, at which James Wells received 19 votes, and Fordyce S. Richards received 16 votes. At the other Precinct, at the house of W. B. Bunnell, Fordyce S. Richards received 12 votes, and James Wells received no votes. That the Precinct at the house of the said Augustine Rock was established by the Governor in his Proclamation of July 7th, 1849, and confirmed by the Legislature.— That the Precinct at the house of the said W. B. Bunnell was established by the Board of Commissioners for Washington county, to which Wabasha is attached, on the 22d day of July, A. D. 1851.

It is therefore the opinion of the majority of the committee that so much of the said petition of James Wells as asks that "he may be admitted to his seat" in this House cannot be granted, inasmuch as he has not received the majority of the legal votes cast in Wabasha county.

Then the only question before the committee is, the legality of the act of the Board of Commissioners in establishing the Election Precinct at Bunnell's, which being entirely a question of law is respectfully submitted for the consideration of the House, together with certified copies of the proceedings of said Board of Commissioners of Washington county.

The petitioner, as also the sitting member, have by their respective attorneys, sub-

mitted to the committee in writing the grounds on which each relies for the support of his case, which is also laid before the House.

D. DAY,
M. BLACK.

REPORT OF MINORITY COMMITTEE.

The minority of the committee, to whom was referred the Petition of James Wells, claiming a seat on this floor, would beg leave to Report:—

That he feels constrained to differ with a majority of the committee in the conclusions to which they arrive in their report, and submits the following, as a more legal and rational view to be taken of the case, as the same appeared before the committee.

The undersigned is clearly of the opinion that an election, to be legal and of any force or effect, must—

1st. Be held on the day fixed by law.

2nd. It must be held at a legal precinct.

If the election does not conform in both these particulars to the provisions of the statutes, there can be no doubt, I think, but that the whole vote would be illegal, and should be set aside in the precinct where such illegality existed.

In Wabasha county, an election was held at Bunnell's, at which place twelve votes were cast for the sitting member for representative in the legislative assembly, and none were cast for James Wells.

This vote, if a legal one, elected the sitting member. With the vote of Bunnell's precinct stricken out and rejected, James Wells would have a majority of votes.

This is not denied by the majority of the committee.

The undersigned is decidedly of the opinion that the election at Bunnell's was illegal and should be rejected, for the following reasons, viz:

There had been no election precinct legally and properly established at the point where the said election was held, and consequently the said election was not held at a place fixed by law.

It is contended that the County Commissioners of Washington county established a precinct, and that people voted in good faith, supposing that such precinct was legally established.

The undersigned has not been able to find any law authorizing the Board of County Commissioners of one county to establish election precincts beyond the limits of their own county; indeed it would be impolitic and unjust to allow them that authority.

In the absence of such legal authority, the Commissioners of Washington county could no more establish an election precinct at Bunnell's in the county of Wabasha than they could at Rice creek in the county of Ramsey, which no one will contend they have the power to do.

The last legislative assembly took the same view of this question, and made special provisions for the counties which were not organized for county purposes by enacting as follows:

"That the election precincts in the unorganized counties west of the Mississippi as established by the Governor in his Proclamation of the 7th day of July, one thousand eight hundred and forty-nine, are hereby confirmed and the election shall take place at the time and in the manner herein provided. The voters in said precincts having the right to elect their judges of elections who shall appoint their clerks, and the returns of the said election shall be made in the manner prescribed by law."

Here is a plain and simple provision of the statute designating where the elections on the west side of the Mississippi should be held, and I am at a loss to see how members of this House can disregard so plain an enactment.

It is supposed by some that we are acting in the capacity of arbitrators, and that we

are at liberty to disregard the provisions of the statutes if our notions of right or justice don't harmonize with them ; but such is not my opinion. It would seem to me to be a poor precedent, for those who make the laws to be the first to decide against them, and by one decision to totally disregard the plain provisions of the statutes.

It is said that Wabasha is attached to Washington county, and that therefore there was some color of authority for the Commissioners of the last mentioned county to establish the precinct at Bunnell's.

But this reasoning cannot be made of any avail, because the law declares, as plainly as words can declare it, that Wabasha is attached to Washington county for *judicial purposes* only. The law no where attaches it to Washington county for election purposes.

I am, therefore, of the opinion that the election held at Bunnell's was not held at a place fixed by law, and that the votes there given were illegal and should be set aside, which would leave James Wells a majority of the votes for Representative in the legislative assembly.

I therefore submit the following resolutions:

Resolved, That Fordyce S. Richards, the sitting member, is not entitled to a seat in this House.

Resolved, That James Wells is entitled to a seat in this House.

W. P. MURRAY.

WARREN AGT. BEATTY.

PETITION OF WILLIAM W. WARREN.

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

The petition of William W. Warren, of the county of Benton, in said Territory, respectfully represents:

That at the last general election held in the said Territory, on the 14th day of October, 1851, your petitioner was a candidate for the office of Representative of the county of Benton, aforesaid, in the Legislative Assembly:

That at the election James Beatty received for said office, at Elk river, twenty-six votes, at Sauk Rapids ten votes, at Swan river seventeen votes, at Crow Wing thirteen votes, and at Nokasepi nineteen votes, in all eighty-five votes:

That your petitioner received at the said election for said office, at Elk river two votes, at Sauk Rapids thirty-six votes, at Swan river forty votes, and at Crow Wing one vote, in all seventy-nine votes; as in and by the returns of the said election, on file in the office of the Secretary of the said Territory, and ready to be produced as your Honorable body shall direct, will more fully and at large appear.

That the said James Beatty obtained a certificate of his election to the said office, and has taken a seat in your Honorable body.

Your petitioner, however, represents that the said James Beatty was not justly and

legally entitled to the said certificate and seat, because the majority of the legal votes deposited at the said election was in favor of your petitioner.

That William Alexander, Augustus Cunradi, John McIntyre, William Curry, Samuel Williams, Michael O'Connor, Elias B. Taylor, Edmund Guy, John T. Garrick, John Conly, John Maphy, Edward Riter, and M. A. Henry voted at the said election, held at the house of Baldwin Olmstead, Nokasepi Precinct, in said county of Benton, for the said James Beatty, as Representative aforesaid.

That the said William Alexander, Augustus Cunradi, John McIntyre, William Curry, Samuel Williams, Michael O'Connor, Elias B. Taylor, Edmund Guy, John T. Garrick, John Conly, John Maphy, Edward Riter, and M. A. Henry were not at the time when they so voted, citizens of, or residents of said county of Benton, but were citizens of the county of Cass, and residents of Fort Ripley, and were not, consequently, entitled to vote for a Representative of the county of Benton.

That, moreover, the said John McIntyre, Michael O'Connor, Samuel Williams, Elias B. Taylor, Edmund Guy, John T. Garrick, William Curry, William Alexander, John Maphy, and Edward Riter were at and before the time when the said election was held, soldiers, regularly enlisted in the army of the United States.

And your petitioner further represents that the election held at the said Nokasepi Precinct was illegal and void, because Augustus Cunradi and William Alexander, citizens of the county of Cass, and residents at Fort Ripley, acted as clerks of the said election.

Wherefore, your petitioner prays that your honorable body will disregard the votes of the said William Alexander, Augustus Cunradi, John McIntyre, William Curry, Samuel Williams, Michael O'Connor, Elias B. Taylor, Edmund Guy, John T. Garrick, John Conly, John Maphy, Edward Riter and M. A. Henry, and all of the votes at Nokasepi precinct, and allow your petitioner to take the seat in your honorable body, to which he is entitled by a majority of thirteen of the legal voters of the county of Benton.

Your petitioner also respectfully prays that a committee may be appointed to examine and determine the rights of your petitioner, and the said James Beatty, respectively, in the premises.

And your petitioner will ever pray.

TERRITORY OF MINNESOTA, }
COUNTY OF RAMSEY, } ss:

William W. Warren having been first duly sworn according to law, doth depose and say that the facts set forth in the foregoing petition are true, so far as they are stated upon his own knowledge, and so far as they are stated upon information and belief, he verily believes them to be true.

WM. W. WARREN.

Sworn to and subscribed before me, January 20, 1852.

W. P. MURRAY, Notary Public,
Ramsey county, Min. Ter.

REPORT OF COMMISSIONERS.

To the Honorable Committee of the House of Representatives of Minnesota Territory:

Your Commissioners would respectfully report that in conformity to the resolution which passed the House of Representatives on the 22nd day of January, 1852, they proceeded forthwith to Benton county and commenced taking the depositions of such persons as were brought before them, in all matters relating to the petition of Wm. W. Warren, claiming his seat as a member of said House of Representatives.

Your Commissioners would further report that inasmuch as their authority did not extend beyond the limits of Benton county they could not take the depositions of those persons mentioned in Mr. Warren's petition, who reside at Fort Ripley, in the county of Cass; with the exception of A. Cunradi, whose deposition was taken within the limits of Benton county. They would state, however, that they used every exertion to procure the remaining depositions, but the parties declined crossing the river to testify, assigning as a reason, that they had once before given their depositions in the same case to Mr. Warren, and that what they had stated at that time was true in every respect.

With the depositions you will also find a certified copy of the "declaration of intentions" of Christopher Highhouse, and of the returns of the Crow Wing Precinct, from the Clerk of the District Court, and Board of County Commissioners of Benton county, all of which is respectfully submitted.

CHAS. F. TRACY, }
B. W. LOTT, } Commissioners.

St. Paul, February 3, 1852.

DEPOSITIONS,

Taken by B. W. Lott and Charles F. Tracy, pursuant to the Resolution of the House of Representatives of Minnesota Territory, under which Resolution they were appointed by the Committee, Commissioners to take the testimony of such persons as might be brought before them, in all matters relating to the petition of William W. Warren claiming his seat as a member of said House:

TERRITORY OF MINNESOTA, } ss.
County of Benton, }

John H. Fairbanks, being duly sworn, deposes and says, that he is acquainted with Paul Bovie, that he voted at the last general election, at the Crow Wing Precinct, according to the best of his recollection for Wm. W. Warren for member of the House of Representatives; that said Paul Bovie is a resident of Itasca county in this Territory.

JOHN H. FAIRBANKS.

Subscribed and sworn before us at Crow Wing, this 27th day of January, 1852.

B. W. LOTT, }
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, } ss.
County of Benton, }

Augustus Cunradi, being first duly sworn, deposes and says: That he resided at Fort Ripley, in Cass county, in the said Territory, and that he resided at the said Fort on and before the day of the last general election, to wit: on and before the 14th day of October, 1851; that at the said election called Nokasepi precinct, which was held at the house of S. B. Olmstead, in the county of Benton, in said Territory; that he voted for James Beatty, for member of the House of Representatives; that he acted as Clerk at said election.

AUG. CUNRADI.

Sworn to and subscribed before us this 27th day of January, 1852.

B. W. LOTT, }
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, }
County of Benton, } ss.

Maxeue Vannoss, being duly sworn, deposes and says: I voted at the last general election, on the 14th day of October, 1851, at the Swan River Precinct, in this county; I think that I voted for Wm. W. Warren, for member of the House of Representatives. I have declared my intention to become a citizen; I procured my papers in St. Paul in this Territory.

his
MAXEUE x VANNOSS,
mark

Subscribed and sworn to before us this 28th day of January, 1852.

B. W. LOTT, }
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, }
County of Benton, } ss.

Henry Sinclair, being duly sworn, deposes and says: I voted at the Swan River Precinct, at the last general election, for Wm. W. Warren for member of the House of Representatives. I was born in the Selkirk Settlement in the British dominions.—I have never been naturalized.

HENRY SINCLAIR.

Subscribed and sworn before us, this 29th day of January, 1852.

B. W. LOTT, }
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, }
County of Benton, } ss.

Christopher Highhouse, being duly sworn, deposes and says: That he acted as Clerk at the Sauk Rapids Precinct, at the last general election, in October, and that he did not vote at said election, and further deponent saith not.

CHRIST. HIGHHOUSE.

Subscribed and sworn to before us, this 29th day of January, 1852.

B. W. LOTT, }
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, }
Benton County, } ss.

J. H. Brisbois being duly sworn according to law, deposes and says: I voted at the last general election on the 14th day of October, 1851, at the Swan River Precinct. I think I was of the age of 21 years either on the fifth or seventh of October, 1851. I believe I voted for Wm. W. Warren for member of the House of Representatives. I was born in Prairie du Chien, in the State of Wisconsin. Further deponent saith not.

J. H. BRISBOIS.

Subscribed and sworn to before us, this 30th day of January, 1852.

B. W. LOTT, }
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, } ss.
County of Benton.

Taylor Dudley, being duly sworn, deposeth and says: I am Register of Deeds of this county, and Clerk of the Board of County Commissioners. In my opinion the law requires that the election returns of each precinct should be made to me as said clerk, together with the poll books. The poll books of the Nokasepi Precinct have never been returned to this office of the last election. In making out my returns of the election of October last, the returns from Nokasepi Precinct were counted as certified by the judges of said election precinct to this office. I canvassed the vote of said election with Geo. Egbert and Isaac Marks, Justices of the Peace of this county, and James Beatty was declared elected by said Clerk and Justices, member of the House of Representatives of Minnesota Territory. There never has been any order of the Board of Commissioners abandoning the Nokasepi Precinct.

TAYLOR DUDLEY.

Sworn to and subscribed before us, this 31st day of January, 1852.

CHAS. F. TRACY, } Commissioners.
B. W. LOTT, }

TERRITORY OF MINNESOTA, } ss.
County of Benton,

John Depue, being duly sworn, deposes and says: I am a citizen of the United States. I was in the Territory six months before the last general election. I acted as judge at that election. I was not sworn as judge. Duncan Stewart acted as judge at that election; he was not sworn in. Messrs. Stillwell and Hauley acted as clerks at said election, and they were sworn by me. Either Mr. Stillwell or Mr. Stewart said it was not necessary for me to be sworn, inasmuch as I had been appointed by the Board of County Commissioners. I acted in good faith as judge. I did not examine the law with regard to elections. I supposed at the time the canvass was going on, that it was conducted strictly according to law. I did not hear that portion of the law read which requires judges of elections to be sworn. I acted just the same as if I had been sworn. I do not know that there were any illegal votes cast at that election. I did not know all the men that voted. I acted under the same sense of obligation as judge, as if I had been sworn; and I believe the others did the same. There were some votes challenged at that election, and they were rejected by the judges. I was not governed by Mr. Stewart in taking in votes, any more than I would have been by any other person occupying the same place that he did. I do not know that Duncan Stewart acted as judge of the previous election.

JOHN DEPUE.

Sworn and subscribed before us, this 31st day of January, 1852.

B. W. LOTT, } Commissioners.
CHAS. F. TRACY, }

TERRITORY OF MINNESOTA, } ss.
County of Benton,

John C. Hauly, being duly sworn, deposes and says: I was here in Benton county six months previous to the last election. I am a citizen of the United States. I acted as clerk of the election at the Swan River Precinct. I was sworn. Mr. Porter was

sworn as one of the judges. I thought the canvass was conducted strictly according to law. I think it was the intention of the judges and clerks of the election to conduct it fairly and impartially. I was there during the whole time, and I saw nothing that was improper or illegal. I did not think at the time there were any illegal votes cast. We had the election law there. I read portions of it. I did not read nor hear read any thing in the law that required the judges to be sworn.

JOHN C. HAULY.

Sworn and subscribed before us, this 31st day of January, 1852.

B. W. LOTT,
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, }
County of Benton, } ss.

S. B. Olmstead, being duly sworn, deposeth and says: I am acquainted with Wm. Nettleton; he resided near Gull river, in what I believe to be Cass county, during the past summer and autumn. I am acquainted with Lieut. Carlin, he resides at Fort Ripley, Cass county. Am acquainted with Sylvester Stater; have never been at his house, but have every reason to believe that he resides at Gull Lake, Cass county, and that he resided there at and before the time of the election in October last. Am acquainted with Chas. Chebrellsz; have always understood that he resided at Red Lake, M. T., and am of the impression that Red Lake is in Itasca county. Am acquainted with a man by the name of Clark; do not know his first name; do not know where he resided at the time of the election. The last I saw of him, previous to the election, he was working at the Chippewa farm, on Gull river, in Cass county.

S. B. OLMSTEAD.

Sworn to and subscribed before us, this 31st day of January, 1852, at John Deppen's house, M. T.

B. W. LOTT,
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, }
County of Benton, } ss.

George Egbert, being duly sworn, deposes and says: I was one of the judges at the last general election in October last, at the Elk River Precinct. Said election was held at Bottineau's house. I noticed improper conduct at said election. There was a ticket put in the ballot box by some individual. I do not know by whom. I am of the opinion the man put it in; but I am not positive whether he or one of the judges put it in. The same ticket was taken out again by Mr. Donnelly, one of the judges, for the reason that he was not considered a voter. I objected, as one of the judges, to having the ticket taken out, as I considered such a proceeding illegal. I have no doubt that the ticket that was taken out was the same that was put in. Mr. Donnelly, when he took out the said ticket did not take out a handful. When the vote was being canvassed, Mr. Donnelly took the tickets from the ballot box and handed them to Mr. Lane, one of the judges, and I strung them. I saw Mr. Donnelly take

out several tickets from the box and hand them to a Mr. Miller and other bystanders to look at, before giving them to Mr. Lane, one of the judges, to be called off.

GEORGE EGBERT.

Sworn and subscribed to, before us, this — day of February, 1852.

B. W. LOTT,
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, } ss.
County of Benton,

Silas H. Lane, being duly sworn, deposes and says: I was one of the judges of the last election at the Elk River Precinct in this county. I saw no improper conduct at that election. I saw no ticket taken out of the ballot box before the poll closed. I do not recollect the circumstances of Mr. Donnelly, one of the judges, taking a ballot from the box. I did not see anything improper in the conduct of any of the judges at the time the votes were being counted. Mr. Donnelly took the tickets from the box. I took the names off. I did not see Mr. Donnelly hand the tickets to any of the bystanders before handing them to me.

SILAS H. LANE.

Sworn and subscribed before us, this — day of January, 1852.

B. W. LOTT,
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA:

We, the Commissioners, appointed under a Resolution which passed the House of Representatives on the 22d day of January, 1852, do hereby certify that the above named witnesses, prior to the taking of their depositions, were by us duly sworn to testify the truth in all relating to the petition of William W. Warren, claiming his seat as a member of the House of Representatives of Minnesota Territory; and that the said depositions were on the several days therein mentioned, in the county of Benton, in said Territory, taken and reduced to writing and signed and sworn to, respectively, by said witnesses in our presence.

Given under our hands, this 3d day of February, A. D., 1852.

B. W. LOTT,
CHAS. F. TRACY, } Commissioners.

TERRITORY OF MINNESOTA, } ss.
Benton County,
At Fort Ripley in the County of Cass.

Personally appeared before me, William Alexander, who having been duly sworn according to law, did depose and say, that he resides at Fort Ripley, in the county of Cass, in said Territory; that he was one of the Clerks of election in the Nokasepi Precinct, at the last general election, to wit: on the 14th day of October, 1851. That at the said election he is knowing to the fact that John Maphy, Edward Riter and M. A.

Henrys, living at the time at Fort Ripley, in Cass county, as aforesaid, voted for James Beatty, for Representative, and that John Maphey and Edward Riter were soldiers in the army of the United States, and were enlisted in the army at and before said election.

And further the deponent said not.

WM. ALEXANDER.

Sworn and subscribed before me, December, 27th, 1851.

ALLAN MORRISON, [L. s.]
Notary Public.

Miller sworn:

I was at Elk River Precinct at the time of election. I saw no improper conduct; tickets were not taken from the Box and handed to me; I think I should have seen any impropriety had there have been any.

Cross Examined:

One vote given—Sturgis and Beatty. — served five years in army.

TERRITORY OF MINNESOTA, } ss.
Benton County, }
At Fort Ripley in the County of Cass.

Personally appeared before me, John McIntyre, Michael O'Connor, Samuel Williams, Elias B. Taylor, Edmund Guy, John Maphey, John T. Garrick, William Curry, Edward Riter, M. A. Henrys, John Conley, Augustus Cunradi and William Alexander, who having been first duly sworn according to law, did depose and say: That they reside at Fort Ripley, in the county of Cass, in the Territory of Minnesota; that they resided at the said Fort on and before the day of the last general election in said Territory, to wit: on and before the 14th day of October, 1851. That at the said election, called Nokasepi Precinct, which was held at the house of S. B. Olmstead, in the county of Benton, in said Territory, these deponents voted for James Beatty, for Representative, and John Hanley for Sheriff; that the said Augustus Cunradi and William Alexander, resident at said Fort as aforesaid, acted as Clerks of the said election.

And the deponents, John McIntyre, Michael O'Conner, Samuel Williams, Elias B. Taylor, Edmund Guy, John T. Garrick, William Curry and William Alexander, did further depose and say: That they are soldiers in the army of the United States, and were enlisted in the army at and before said election. And further the said deponents said not.

WILLIAM ALEXANDER,
AUGUSTUS CUNRADI,
JOHN MCINTYRE,
WILLIAM CURRY,
SAMUEL WILLIAMS,
MICHAEL O'CONNOR,
ELIAS B. TAYLOR, his x mark,
EDMUND GUY, his x mark,
JOHN T. GARRICK, his x mark,
JOHN CONLY, his x mark.

Sworn to and subscribed before me, December 27th, 1851.

ALLAN MORRISON, [L. s.]
Notary Public.

UNITED STATES OF AMERICA, }
3d District Court of Minnesota Territory. } ss.

Be it Remembered, That on the 12th day of April, 1851, personally appeared before me at Sauk Rapids in said District, Christopher Highhouse, a native of the Kingdom of Prussia, who, upon his solemn oath did depose and say that he is a native of the Kingdom of Prussia, now residing in Benton county, Minnesota Territory; twenty years old the forepart of April, or thereabouts, and that it is his *bona fide* intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate or sovereignty whatever, and particularly the King of Prussia, of whom before he was a subject.

[L. s.] In testimony whereof, I have hereunto set my hand and the seal of said Court this 12th day of April, A. D. 1851.

TAYLOR DUDLEY, Clerk,
By JEREMIAH RUSSELL, his Deputy.

TERRITORY OF MINNESOTA, }
3d United States District Court. } ss.

I, Taylor Dudley, Clerk of the 3d United States District Court in and for the Territory aforesaid, certify, That the above is a true copy of the original declaration of intention of Christopher Highhouse to become a citizen of the United States, remaining on record in my office.

[L. s.] In testimony whereof, I have hereunto subscribed my name and affixed the seal of the said Court at Sauk Rapids, the 26th day of January, A. D. 1852.

TAYLOR DUDLEY,
Clerk of the 3d U. S. District Court, M. T.

RETURNS OF CROW WING PRECINCT.

1	William Nettleton,	8	Levi Clark,
2	Oliver Corry,	9	John McKee,
3	Wm. S. Carlin,	10	Sylvester Stateler,
4	Donald McDonald,	11	Gabriel Churefils,
5	William McFarland,	12	Allen Morrison,
6	Paul Bovie,	13	John H. Fairbanks,
7	George Hume,	14	Charles Chabrellsz.

At an election held at the house of Allen Morrison in the Crow Wing precinct, Benton county, Minnesota Territory, on the 14th day of October, 1851, the following named persons received for the offices named, the respective number of votes set opposite their names, viz :

For Member of the Council.

S. B. Lowry,	-	-	-	-	-	-	-	7
William Sturgis,	-	-	-	-	-	-	-	7

APPENDIX TO THE JOURNAL OF THE

For Representative.

James Beatty,	-	-	-	-	-	-	13
W. W. Warren,	-	-	-	-	-	-	1

For County Commissioner.

Charles Donley,	-	-	-	-	-	-	13
-----------------	---	---	---	---	---	---	----

For Sheriff.

John Hanley,	-	-	-	-	-	-	8
James Vincent,	-	-	-	-	-	-	5

District Attorney.

W. H. Wood,	-	-	-	-	-	-	13
-------------	---	---	---	---	---	---	----

For Register and Recorder.

Taylor Dudley,	-	-	-	-	-	-	13
----------------	---	---	---	---	---	---	----

For County Treasurer.

Jeremiah Russell,	-	-	-	-	-	-	13
-------------------	---	---	---	---	---	---	----

Assessor.

Silas Lane,	-	-	-	-	-	-	13
-------------	---	---	---	---	---	---	----

For County Surveyor.

G. W. Sweet,	-	-	-	-	-	-	13
--------------	---	---	---	---	---	---	----

For Judge of Probate.

Frederick Ayre,	-	-	-	-	-	-	13
-----------------	---	---	---	---	---	---	----

For Justices of the Peace.

John H. Fairbanks,	-	-	-	-	-	-	13
Allen Morrison,	-	-	-	-	-	-	13

For Constables.

Paul Beaulieu,	-	-	-	-	-	-	12
Levi Clark,	-	-	-	-	-	-	13

For Supervisor of Roads.

Donald McDonald,	-	-	-	-	-	-	13
------------------	---	---	---	---	---	---	----

We the Judges and Clerks at this election, do certify that the foregoing is correct.

ALLEN MORRISON,	} Judges.
JOHN H. FAIRBANKS,	
LEVI CLARK.	

JOHN MCKEE,	} Clerks.
H. CHEVREUILS.	

TERRITORY OF MINNESOTA, }
County of Benton. } ss.

I, Taylor Dudley, Register of Deeds, and Clerk of the Board of Commissioners, in and for the county aforesaid, certify that the foregoing and within is a full, true and complete transcript of the Poll Book or list of names of voters, and the returns made to the Register of Deeds' office of said county, from the 3d or Crow Wing precinct, in the aforesaid county of Benton of the late election held in the aforesaid precinct and county, on the 14th day of October, 1851.

[L. s.] In testimony whereof, I have hereunto subscribed my name and affixed the seal of the Board of Commissioners of said county, at Sauk Rapids the 31st day of January, A. D. 1852.

TAYLOR DUDLEY,
Register of Deeds and Clerk of the Board of Com's. Benton Co.

INDEX.

A.

- AUDITOR, TERRITORIAL**, his report.
house notified of its reception in the Council, 47.
clerk directed to call on Council for it, 54.
transmitted to the House by the Council, 59.
proceedings of the House thereon, 59, 60.
communication from and proceedings thereon, 98.
- AXTELL, S. H.**, (*See Divorce.*)
- ACADEMY**, Cottage Grove.
petition for a charter for the, 53.
petition in relation thereto, presented, 60.
the subject referred, 65.
bill reported by committee, 67.
read second time and ordered to be printed, 71.
ordered to be engrossed, 73.
passed, as bill No. 9, (H. of R.) 74:
amendments of the Council concurred in, 81.
- ANDERSON, JAMES**, his remonstrance, 58.
- ATTORNEY GENERAL**, resolution introduced asking his opinion, 58.
action of the House thereon, 63.
- ALEXANDER, MARY ANN**, (*See Divorce.*)
- ADJUTANT GENERAL**, his report received and ordered to be printed, 88.
- APPENDIX**, auditor's report, 199.
treasurer's report, 203.
school superintendent's, 205.
regents of the University of Minnesota, report of, 211.
librarian's report, 213.
adjutant general's report, 217.
building commissioners report, 219.
contested elections, reports in relation to, (Wells agt. Richards,) 251; (Warren agt. Beatty,) 255.
- APPROPRIATION BILL**, reported, 182.
read second time and referred, 187.
bill of particulars in part, reported, 169.
passed, 187.
disagreeing votes of the two Houses on, 190, 191, 192.
Council finally recoiled, 193.
- AUCTIONEERS**, bill to provide for the appointment of,
received from Council, 155.
read second time, 157.

AUCTIONEERS, referred, 158.

report of committee, 164.

bill passed, 176.

ACTS, bill prescribing time when certain shall take effect, introduced, 164.

ordered to be engrossed, 176.

passed, 177.

AGRICULTURAL SOCIETY, Ramsey county.

act incorporating (C. F. No. 23.) 186.

received its several readings and passed, 186.

act to repeal introduced, 195.

passed through its several readings, 195.

question on its final passage negatived, 195.

B.**BINDER** of the laws, and journals, elected, 46.**BEATTY, HON. Mr.**, leave of absence granted for ten days, 51.**BOTTINEAU, PIERRE**, and others, (*See Ferry Charter.*)**BRAWLEY, D. F.** (*See Ferry Charter.*)**BOOM COMPANY**, St Anthony, bill to incorporate introduced, 79.

read twice and ordered to be printed, 79.

ordered to be engrossed, 86.

passed, 94.

amendments of the Council concurred in, 113.

Mississippi, Council bill to amend charter of, received, 83.

received a second, and ordered to a third reading, 93.

passed, 96.

St. Croix, bill to amend charter received from Council, 169.

read twice and ordered to a third reading, 169.

indefinitely postponed (as C. F. No. 16) 176.

BOOM, across Rum River.

petition praying for a charter for, 95.

read and referred to a select committee, 95.

bill for Rum River Boom Company, introduced, 112.

action of the House thereon, 117.

bill ordered to be engrossed, 118.

referred, 124.

report of committee, 130.

bill amended in committee of the whole, 131.

amendments concurred in by the House, 131.

ordered to be engrossed, 131.

passed, 133.

BRIDGE COMPANY, Mississippi.

bill to incorporate introduced, 104.

referred, 111.

report of committee, 116.

action of the House thereon, 116.

bill ordered to be engrossed, 117.

received its third reading, 120.

recommitted to a select committee, 124.

their report, 129.

again ordered to be engrossed and read a third time, 130.

passed, 135.

amendments of Council concurred in, 156.

BENTON COUNTY, bill to give two Representatives to, introduced, 110.
 read second time and ordered to be printed, 114.
 ordered to be engrossed, 118.
 referred to a select committee, 127.
 their report, 133.
 again ordered to be engrossed, 134.
 passed, 139.

BENTON COUNTY AGRICULTURAL SOCIETY, bill to incorporate received
 from Council, 133.
 ordered to a third reading,
 137.
 passed, 146.

BRYANT, ALDEN, (*See S. B. Olmstead and others.*)

BROWN, JAMES W., (*See Divorce.*)

BOND, J. W., (*See Ferry Charter.*)

BUEL, HENRY, (*See Divorce.*)

C.

CLERK, Chief of the House, elected, 7.
 Assistant, Edward Murphy, 16.
 Enrolling, J. M. Burt elected, 19.
 Chief directed to make arrangements with Post-Master, 36.
 his report, 38.
 directed to procure session laws for members, 45.
 directed to furnish members with Revised Statutes, 49.
 directed to call on Council for Auditor's Report, 54.
 also, for Report of Building Commissioners, 69.
 and Superintendent of Common Schools, 69.

COMMITTEES, standing, appointed, 41.
 Governor's Message referred to them, 43.

CORBETT, W. F., (*See Ferry Charter.*)

CASE, EMANUEL, (*See Ferry Charter.*)

COMMON SCHOOLS, Report of Superintendent of, received, 54.
 referred, 59.
 Council called upon for 150 copies, 69.
 bill to fix salary of Superintendent of, introduced, 130.
 referred to Committee on Schools, 130.
 their Report, 132.
 bill recommitted with instructions, 132.
 School Laws to be printed and deposited with Superintendent of, 192.

CONTESTED ELECTIONS, (*See W. W. Warren and James Wells.*)
 bill to define the manner of proceeding in, 94.
 action of the House thereon, 103.
 ordered to be engrossed, 115.
 passed, 120.

COURTS, SUPREME AND DISTRICT, a bill fixing the terms of, introduced, 90.
 referred to Judiciary Committee, 107.
 report of the Committee, 115.
 bill ordered to be engrossed, 115.
 passed, 124.

CLERKS OF PROBATE COURTS, bill providing for appointment of, 175.
 passed, 184.

D.

DIVORCE, S. H. Axtell's petition for, 47.
 referred to a select committee, 48.

DIVORCE, their report, 52.

bill introduced, 52.
read twice and ordered to be engrossed, 52.
question on its passage negatived, 54.
vote reconsidered and bill recommitted, 59.
report of committee, 80.
motion to engross negatived, 139.

Abram Hull's petition for, 50.
referred to a select committee, 50.
their report, 52.
bill introduced, 52.
referred to a select committee, 58.
their report, 62.
question to engross negatived, 63.
vote reconsidered, 66.
question to engross carried, 66.
bill passed, 79.
veto message thereon, 151.
action of the House thereon, 153.

Tido S. Lottman's petition for, 61.
referred, 65.
committee report by bill, 70.
bill read second time and ordered to be engrossed, 71,
passed, as bill (H. of R.) No. 10, 74.
(C. F. No. 14,) similar bill passed, 148.

Mary Ann Alexander's petition for, 71.
referred to a select committee, 75.
their report handed in, but not acted on at the time, 132.
taken up, 136.
bill reported, 136.
read first and second time and ordered to be engrossed, 136.
question on its passage negatived, 146.
vote reconsidered and bill passed, 146.

Bill for Joseph Rienville's (C. F. No. 7,) read twice, 127.
proceedings of the House thereon, 138.
indefinitely postponed, 139.
vote reconsidered, 144.
question to postpone again carried, 145.

Sarah J. and Charles Paddock's petition for, 81.
referred to the committee on elections, 81.

B. F. Irvine's petition for, 81.
referred to committee on militia, 81.
their report, 140.

Applications for, postponed, 86.

Bill for James W. Brown, (C. F. No. 8,) read twice, 127.
ordered to a third reading, 138.
passed, 145.

Henry Buel's petition for, 154.
referred to a select committee, 154.

- DIVORCE**, their report, 156.
 bill for, introduced and read twice, 164.
 ordered to be engrossed, 167.
 question on its passage negatived, 176.
 vote reconsidered and bill passed, 178.
- DUDLEY, TAYLOR**, bill for relief of, passed, 114.
- DELEGATE TO CONGRESS**, bill to change the time of electing introduced, 90.
 read second time and ordered to be printed, 92.
 indefinitely postponed, 99.
 vote reconsidered, 104.
 motion to postpone indefinitely, negatived, 104.
 postponed to 27th February, 105.
 referred to committee of the whole, 137.
 amendments of, concurred in by the House, 138.
 ordered to be engrossed, 138.
 passed, 145.

E.

- ELECTION PRECINCTS**, bill to provide, in unorganized counties, introduced, 102.
 action of the House thereon, 107-8.
 question on its passage negatived, 112.
 vote reconsidered, 112.
 bill passed, 113.
- ELECTIONS, CONTESTED**, (*See Contested Elections.*)

F.

- FIREMAN TO THE HOUSE**, R. P. Miller elected, 24.
- FERRY CHARTER**, heretofore granted to John Morgan; petition for its repeal and that one be granted to Samuel Groff, 45.
 referred to committee on corporations, 47.
 James Anderson's remonstrance against, 58.
 committee instructed to report, 89.
 their report, 99.
 Petition of P. Bottineau and others for, 47.
 referred to a select committee, 48.
 committee's report, 49.
 bill for, introduced, 53.
 read a second time and ordered to be printed, 53.
 ordered to be engrossed, 55.
 passed, 58.
 amendment of Council concurred in, 97.
 bill to amend the above introduced, 136.
 ordered to be engrossed, 143.
 passed, 150.
 Petition of Emanuel Case for, 49.
 referred to a select committee, 51.
 committee report by bill, 52.
 bill rejected, 52.
 vote reconsidered, 55.
 bill ordered to be printed, 55.
 recommitted to a select committee, 59.
 their report thereon, 64.
 bill ordered to be engrossed, 77.
 passed, 79.

- FERRY CHARTER**, amendments of the Council concurred in, 175.
 Bill granting to Samuel Groff, introduced, 129.
 ordered to be engrossed, 139.
 passed, 146.
 Bill granting to W. F. Corbett and J. W. Bond, received from Council, (C. F. 11) 133.
 amended in the House, 133.
 passed, 140.
 Bill granting to Antoine Roberts introduced, 62.
 read second time, as House Bill No. 6, 64.
 question on engrossment negatived, 68.
 Bill granting to Charles T. Janson introduced, 134.
 read second time, amended and ordered to be engrossed, 134.
 passed, 140.
 Petition of Charles Miles for, 65.
 referred to a select committee, 77.
 their report, 89.
 indefinitely postponed, 137.
 Bill granting to D. F. Brawley introduced, 66.
 read second time and ordered to be printed, 67.
 ordered to be engrossed, 71, 72.
 passed, as bill (H. R. No. 7,) 74.
 Bill granting to J. M. and I. N. Goodhue introduced, 66.
 read second time and ordered to be printed, 67.
 ordered to be engrossed, 71.
 passed, as bill (H. R. No. 8,) 74.
 Bill granting to F. S. Richards introduced, 90.
 read second time and ordered to be printed, 92.
 referred to committee on corporations, 99.
 their report, 102.
 bill ordered to be engrossed, 103.
 passed, 109.
 amendments of Council acted upon, 119.
 all concurred in, 124.
 Bill granting to R. P. Miller introduced, 143.
 amended and ordered to be engrossed, 149.
 passed, 160.
 amendment of Council concurred in, 169.
 Bill granting to D. T. Sloan received from Council, 146.
 read second time, 148.
 amended and passed, 149.
 Bill granting to Henry G. Bailly introduced, 148.
 read twice and ordered to be printed, 148.
 ordered to be engrossed, 162.
 amended and passed, 164.
 amendments of Council concurred in, 175.
 Bill granting to Charles S. Cave introduced, 167.
 indefinitely postponed (as No. 52,) 176.
 Bill granting to Wm. B. Dodd; motion to suspend rules to introduce, 169.
 bill introduced, 170.
 read twice and ordered to be engrossed, 170.
 laid on the table, 176.
 Bill granting to Richard Arnold, received from Council, 175.
 underwent its several readings and passed, 175.
 Bill granting to P. H. Beaulieu, received, 175.
 went through its several stages and passed, 175.
 Bill to amend Wm. Nobles' received from Council, 185.

- FERRY CHARTER**, referred to committee on roads, 135.
 their report, 147.
 bill passed, 154.
- FINDLEY**, Hon. Mr., proceedings on the death of the daughter of, 53.
- FULLER**, Chief Justice, his opinion asked, 120.
 his answer, 126.
- FERRIES**, bill to amend an act in relation to, introduced, 132.
 ordered to be printed, 137.
 referred to committee of the whole, 145.
 report of that committee and action of the House thereon, 145.
 referred to a select committee, 145.
 their report, 148.
 action of the House on the bill, 154, 155.
 similar bill received from the Council (C. F. 21,) 178.

G.

- GOODHUE, J. M. & I. N.**, (*See Ferry Charter.*)
 J. M., letter from, 137.
 and Owens & Moore, elected public printers, 46.
 letter from, 187.
- GOVERNOR**, the committee appointed to wait upon, 25.
 his annual message, 26.
 his veto message on Hull's divorce, 151.
 committee appointed to wait upon, 195.

H.

- HISTORICAL SOCIETY**, members invited to listen to annual address before, 45.
 resolutions to subscribe for annals of, 61.
 read second time, 63.
 referred to a select committee, 69.
 their report, 70.
 resolution passed, 70.
- HULL, ABBAM**, (*See Divorce.*)
 bill for his relief introduced, 157.
 read twice and ordered to be engrossed, 157.
 indefinitely postponed, 164.
 his papers ordered to be returned to him, 164.
- HOYT, REV. B. F.**, communication from, 126.
- HENNEPIN COUNTY**, bill to establish received from the Council, 175.
 received its several readings and passed, 175.

I.

- IRVINE, B. F.**, (*See Divorce.*)

J.

- JUDICIAL ORGANIZATION**, petition praying for, in Chicago county, 83.
 referred to the committee on the judiciary, 83.
 (*See Pembina county, and Courts Supreme, Supreme and District.*)
- JUDICIAL DISTRICTS**, bill for changing, see pages 91, 93, 103.
- JANSON, CHARLES T.**, (*See Ferry Charter.*)

L.

LUDDEN, JOHN D., elected speaker, 5.

(See *Speaker*.)

LIBRARIAN, Territorial, his report received, 54.

bill to amend an act providing for appointment of, 118.

amended and ordered to be engrossed, 124.

passed, 127.

LOTTMAN, TIDO S., (See *Divorce*.)

LODGE, Minnesota, No. 1, I. O. O. F., House notified of passage of bill to incorporate by Council, 75.

read a second time, 77.

passed, 80.

No. 3, John G. Potts, of the I. O. O. F. of St. Anthony, a bill to incorporate introduced, 98.

ordered to be engrossed, 102.

passed.

LIQUORS, intoxicating, petitions praying the passage of a law prohibiting presented, 100.

proceedings thereon, 100.

referred to a select committee, 103.

committee reported by bill, 113.

bill read twice and ordered to be printed, 113.

proceedings on, 113.

further action on, (proviso adopted) 121, 122, 123.

further proceedings on, 127, 128.

ordered to be engrossed, 128.

passed, 133.

title amended, 134.

amendments of Council acted upon, 141.

committee of conference appointed, 147.

their report, (the majority) 158.

minority report, 161.

majority report adopted, 163.

clerk directed to call on Council for the bill, 173.

House informed that the bill was not in possession of the Council, 178.

reported as correctly enrolled, 177.

statement of the speaker in relation to, 181.

clerk directed to return copy to enrolling committee, 183.

bill again introduced, (as No. 54) 183.

ordered through its several readings and passed, 184.

resolutions respecting speaker's action on, 186, 188.

LOTT, B. W., bill for relief of others, received from Council, 103.

and C. F. Tracy, communication from, received, 107.

bill and communication referred, 109.

report of committee, 111.

bill ordered to a third reading, 111.

amended and passed, 114.

LE DUC, W. G., bill for relief of, introduced, 127.

read and referred, 127.

report of committee, 160.

ordered to be engrossed, 164.

recommitted, 177.

report of committee, 183.

proceedings on the bill, 184.

passed, 189.

M.

MESSENGER TO THE HOUSE, Geo. Farribault elected, 23.

MESSAGE, annual of the Governor, 26.

committee appointed to procure printing of, 38.

referred to appropriate committees, 43.

500 copies and accompanying documents, ordered to be printed for the use of the Governor, 54,

MEMORIAL, to the U. S. Senate for the ratification of the Sioux treaties, 50.

presented, read twice, and ordered to be printed, 50.

House in committee of the whole on, 51.

referred to a select committee of five, 51.

House notified that Council had passed a similar, (C. F. No. 1.) 54.

read twice, 63.

passed, 65.

to the President concerning suits for trespass on the pine lands, 61.

read twice and ordered to be printed, 61.

passed, 68.

notice of its passage by the Council with amendments, 78.

amendments concurred in by the House, 78.

to the President (C. F. No. 2,) relative to boundary line. 118.

House notified of its passage by the Council, 118.

received its second, and ordered to a third reading, 126.

read third time and passed, 132.

to Congress for an appropriation to improve the navigation of the Minnesota river, 132.

introduced and read, 132.

read second time and ordered to be printed, 137.

referred to committee of the whole, 143.

ordered to be engrossed, 144.

question on its passage negatived, 150.

to the Senate and House of Representatives, praying for a grant of land to settlers on the lands ceded by the treaty of Pembina, received from the Council, (C. F. No. 3.) 144.

read twice and ordered to a third reading, 146.

passed, 149.

For a further appropriation for the Point Douglas and St. Louis river road, received from the Council, (C. F. No. 4.) 144.

read twice and ordered to a third reading, 146.

passed, 149

to the President relative to changing the name of St. Peter's river, received from the Council, 178

passed, 179

MAIL ROUTE, memorial for a, from Lansing to St. Paul, introduced, 87

ordered to be engrossed, 88

passed, 94

MILLER, R. P. (*See Ferry Charter.*)

MACKINTOSH JAMES, elected binder, 46

letter from, 187

N.

NEWSPAPERS, members authorised to subscribe for, 26

clerks authorised, 40

and other officers, 54

NORTHRUP ANSON, and others, (*See Ferry Charter.*)

NORTON'S IMPROVED SCALE RULE, petition praying for it to be the legal scale, 87

O.

ORGANIZATION OF THE HOUSE, *pro tem*, 3

OFFICERS OF THE HOUSE, authorised to purchase stationery, 54
permanently, 4 to 24

“ to subscribe for newspapers, 54

and members, voted a copy of the revised statutes
with the amendments, 190
resolution of thanks to, 190

ODD FELLOWS, (*See Lodge.*)

OLMSTEAD, S. B. and others, bill for relief of, (C. F. No. 5,) received from the Council, 102

read twice, 103

referred to committee on legislative expenditures, 109

their report, 111

bill ordered to a third reading, 111

amended and passed, 114

OWENS & MOORE and J. M. Goodhue, elected public printers, 46

P.

PRINTERS, Public, elected, 46.

PUBLIC BUILDINGS, report of commissioners of; notice of its reception in the Council, 52.

received by the House, 53.

Council called upon for 150 copies of, 69.

referred to committee on public buildings, 97.

their report, 152.

Bill to amend an act to provide for erecting introduced, 127.

read twice and ordered to be printed, 127.

referred to committee on public buildings, 135.

report of the committee, 142.

referred to committee of the whole, 153.

ordered to be engrossed, 154.

passed, 160.

amendments of the Council concurred in, 168.

another bill with same title (H. R. No. 42,) introduced, 136.

referred to a select committee, 154.

their report, 158.

action of the House thereon, 159, 177.

indefinitely postponed, 179.

PINE LANDS, petition to the President to forbid suits for trespass on, 61.

carried through its several stages and passed, (*See Memorial.*)

PADDOCK, Sarah J. and Charles, (*See Divorce.*)

PEMBINA COUNTY, a bill to organize introduced, 89.

ordered to be engrossed, 94.

passed, 127.

PENITENTIARY, a bill for the government of, introduced, 90.

all after the enacting clause struck out, 96.

R.

RULES, committee on reported, 39.

- RULES**, joint committee appointed to prepare, 82.
 their report, 40.
 40th adopted, 44.
- REPORT**, of the Librarian, received, 54.
 of building commissioners received, 53.
 of superintendent of common schools received, 54.
 of Territorial Auditor, (*See Auditor.*)
 (*See Appendix for Report of all the Territorial Officers.*)
- ROBERTS**, Antoine, (*See Ferry Charter.*)
- REPORTER**, (*See Supreme Court Reporter.*)
- RICHARDS**, Fordyce S., (*See Ferry Charter.*)
- ROAD**, Territorial, from Lake Pepin to Minnesota river; bill to locate introduced, 99.
 referred to committee on roads, 102.
 their report, 106.
 bill ordered to be engrossed, 107.
 passed, 112.
 From St. Paul to Fort Snelling, introduced, 113.
 read second time, 114.
 question on engrossment negatived, 114.
 vote reconsidered, 114.
 bill ordered to be printed, 114.
 laid on the table, 119.
- RAILROAD CO.**, Lake Superior and Mississippi; bill to incorporate introduced, 157.
 ordered to be printed, 157.
 laid on the table, 165.
 taken up and again laid on the table, 168.
 third reading refused, 184.
- REVISED STATUTES**, bill to amend received from Council, 161.
 referred to committee of the whole, 162.
 report of the committee, 171.
 action of the House thereon, 172.
 bill passed, 172.
 proceedings on disagreeing votes, 179.
 Clerk directed to furnish a copy to each member, 49.
 one copy with the amendments, voted to members and officers, 190.
- RAMSEY COUNTY**, Agricultural Society, (C. F. No. 23,) received its several readings and passed, 186.

S.

- SPEAKER**, election of, proceeded to, 4.
 John D. Ludden elected, 5.
 his address on taking the chair, 6.
 his statement to the House refusing to sign (H. of R. No. 31,) 181.
 resolutions relating to that refusal, 186, 188.
 sustained by the House, 188.
 resolution of thanks to, 190.
 his valedictory, 196.
- SERGEANT-AT-ARMS**, F. N. Grouchy elected, 21.
- STATIONERY**, members authorized to purchase, 86.
 officers authorized to purchase, 54.
- SECRETARY OF THE TERRITORY**, requested to furnish members with journals of last session, 40.
 called upon for information, 69.
 his answer, 71.
 directed to furnish members and officers with revised statutes, 190.

- SUPREME COURT REPORTER**, bill introduced providing for appointment of, 54.
 read second time and ordered to be printed, 58.
 ordered to be engrossed, 65.
 passed, 68.
 amendment of the Council concurred in, 119.
- ST. PAUL**, act amending corporation of, notice of its passage by the Council, 81.
 referred, 82.
- SCHOOL LANDS**, bill to punish trespassers on, 86.
 ordered to be engrossed, 88.
 amended and again ordered to be engrossed, 93.
 passed, 97.
 amendments of the Council agreed to, 174.
- SUPERINTENDENT OF COMMON SCHOOLS**, (*See Common Schools.*)
- SCHOOL LAWS**, to be printed and deposited with superintendent, 192.
- ST. PAUL HYDRAULIC COMPANY**, bill to incorporate, introduced, 164.
 read twice and ordered to be printed, 164.
 proceedings on, 168.
 referred, 168.
 reports of committee, (majority and minority) 171.
 bill passed, 185.

T.

- TILDEN, H. L.**, message from the Council, with proceedings on the death of, 49.
- TREATIES**, memorial to the Senate of the U. S. to ratify, 50.
 House notified that the Council had passed a similar one, 54.
 (C. F.) read twice, 63.
 passed, 65.
- TRACY, CHARLES F.**, bill for relief of, and others, received from Council, 102.
 read twice and ordered to a third reading, 103.
 and B. W. Lott, communication from, received, 107.
 bill and communication referred, 109.
 report of committee, 111.
 bill again ordered to a third reading, 111.
 amended and passed, 114.
- TERRITORIAL TAXES**, bill to provide for collection of, in unorganized counties,
 introduced, 165.
 read twice and ordered to be printed, 165.
 proceedings thereon, 169.
 ordered to be engrossed, 176.
 passed, 177.
 amendments of the Council concurred in, 187.

U.

- UNIVERSITY OF MINNESOTA**, report of the regents of, House notified of its reception by the Council, 95.
- UNORGANIZED COUNTIES**, bill to provide election precincts in, introduced, 112.
 proceedings on, 107, 112.
 passed, 113.
 bill providing for collection of taxes in, (*See Territorial taxes.*)

V.

- VETO**, message on Hull's divorce, 151.

W.

- WELLS, JAMES**, his petition contesting Mr. Richards' seat, 41.
 referred to a select committee, 44.
 their report, 55, 56.
 minority report, 57.
 proceedings of the House on, 72.
 petition indefinitely postponed, 76.
- WARREN, W. W.**, his petition contesting Mr. Beatty's seat, 48.
 referred to a select committee, 48.
 committee authorized to send for persons &c., 48.
 commissioners to Benton county, to take testimony, 51.
 committee requested to report immediately, 78.
 their report, by one member, 82.
 petition recommitted, 82.
 report of committee, 84.
 final action of the House thereon, 87, 88.
- WOOD**, bill for the measurement of, introduced, 86.
 read a second time and ordered to be printed, 88.
 all after enacting clause struck out, 91.

ERRATA.

- Page 7, in line 7 from top, omit the words "*on motion.*"
- " 69, in line 11 from bottom, for "*twelve joint rules*" read "*12th joint rule.*"
- " 76, in line 8 from top, for "*disagreed*" read "*agreed.*"
- " 92, in line 26 from top, for "*which were*" read "*and.*"
- " 109, in line 19 from top, for "*bills were*" read "*bill No. 3 was.*"
- " 112, in line 21 from bottom, omit "*and*"—first word in the line.
- " 113, in line 8 from top, for "*7*" read "*8.*"
- " 114, in line 21 from top, for "*6*" read "*11.*"
- " 115, in line 28 from bottom, after "*witnesses*" insert "*and was.*"
- " 129, in line 21 from top, for "*was*" read "*were.*"
- " 132, in line 17 from top, after "*Murphy*" insert "*from the committee.*"
- " 137, in line 9 from bottom, omit "*engrossed and.*"
- " 182, in line 15 from bottom, for "*to*" read "*they.*"
- " 187, in line 18 from bottom, for "*amendment*" read "*motion.*"

4- 2151

U of Chicago

*** REQUEST ***

Patron Name

GOOGLE 1

Transaction Number

3028795

Patron Number

Item Number

096220533

itory)
semble
sual

UNIVERSITY OF CHICAGO



096 220 533