

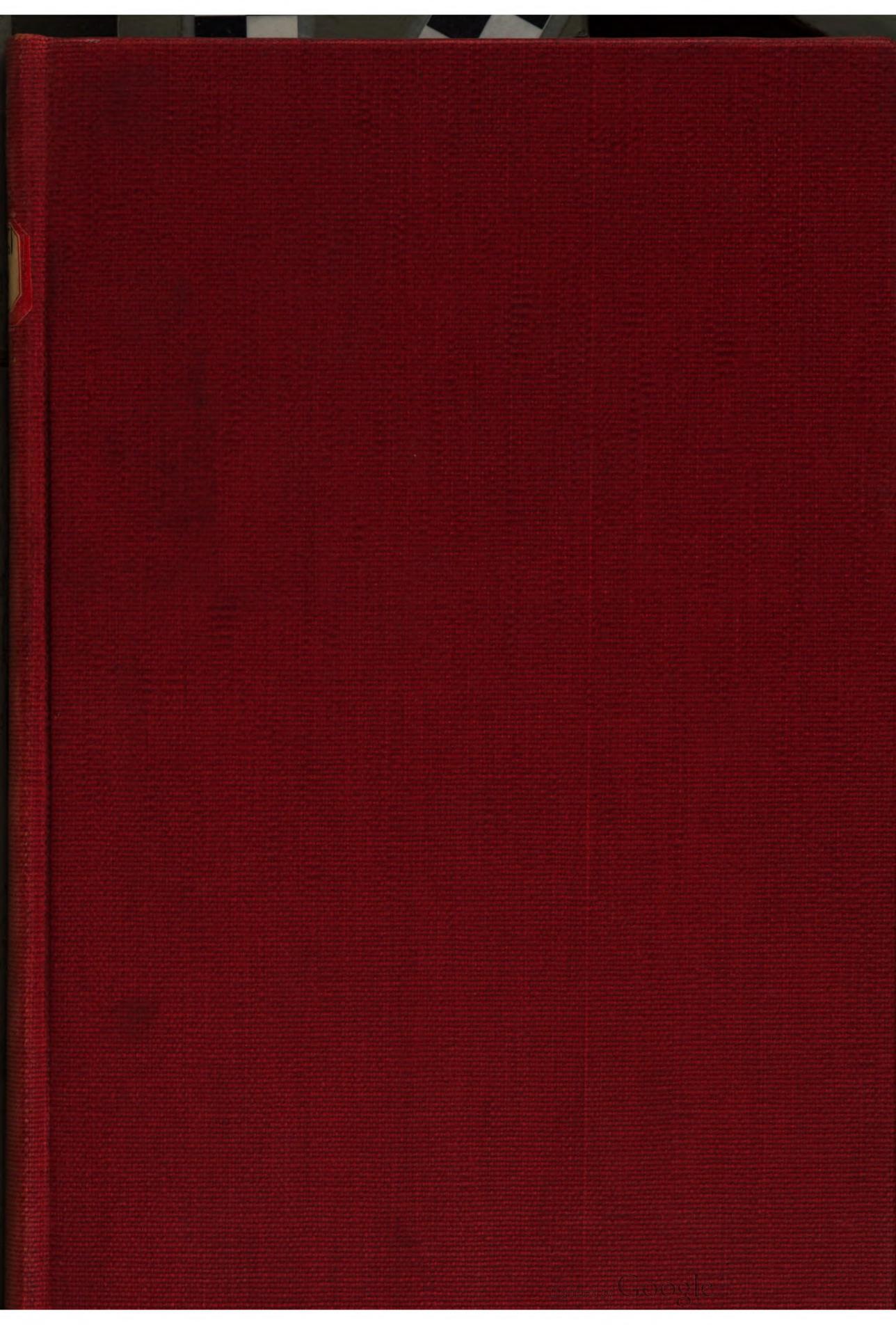
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**JOURNAL**  
**OF THE**  
**HOUSE OF REPRESENTATIVES,**  
**DURING THE**  
**THIRD SESSION**  
**OF THE**  
**LEGISLATIVE ASSEMBLY**  
**OF THE**  
**TERRITORY OF MINNESOTA;**

**BEGUN AND HELD AT ST. PAUL, THE SEAT OF GOVERNMENT, ON  
WEDNESDAY, THE SEVENTH DAY OF JANUARY, 1852.**

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**ST. PAUL:**  
**OWENS & MOORE, PRINTERS,**  
**MINNESOTIAN OFFICE,**  
**1852.**

THE

# REPORT OF THE

COMMISSIONERS

OF THE

LAND

OFFICE OF THE

STATE

OF NEW YORK

FOR THE YEAR ENDING AT THE CLOSE OF THE FISCAL YEAR 1892

ALBANY:

WHELAN & WOODRUFF, PRINTERS.

1893.

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1852

# 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., 1852:*

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—Fordyce 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.*

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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.

“ Lcavitt 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,

Murphy,

Newman,

Trask,

8

8

1

1

---

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,   | 9                          |
| Murphy, | 8                          |
| Newman, | 1                          |
|         | <hr style="width: 100%;"/> |
|         | 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,   | 9                          |
| Murphy, | 8                          |
| Newman, | 1                          |
|         | <hr style="width: 100%;"/> |
|         | 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. Morgan.  
 " 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  |
|               | 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  |
|           | 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,                        | 9 votes. |
| Murphy, “                             | 8 “      |
| Dudley “                              | 1 “      |
|                                       | <hr/>    |
|                                       | 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,                      | 2     |
| Murphy,                      | 8     |
| Dudley,                      | 1     |
| Bond,                        | 7     |
|                              | <hr/> |
|                              | 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,                       | 9     |
| Dudley,                       | 3     |
| Oliver,                       | 5     |
| Newman.                       | 1     |
|                               | <hr/> |
|                               | 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,                       | 10    |
| Oliver,                       | 5     |
| Bond,                         | 2     |
| Findley.                      | 1     |
|                               | <hr/> |
|                               | 18    |

Mr. Edward Murphy having received the necessary number of votes was declared duly elected Assistant Clerk.

Mr. Randall moved that a committee be appointed to wait on Mr. Murphy and notify him of his election.

The Chair appointed Messrs. Randall and Day.

After a short absence, Mr. Murphy was reported present, and after being sworn in by the Speaker, entered upon the discharge of his duties.

Mr. Murray moved that the House proceeded to the election of an Enrolling Clerk.

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,

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#### 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,     | 7     |
| Oliver,   | 9     |
| Tibbetts, | 2     |
|           | <hr/> |
|           | 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,     | 6     |
| Dudley,   | 2     |
| Bond,     | 1     |
| Oliver,   | 7     |
| Tibbetts, | 2     |
|           | <hr/> |
|           | 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,

3.

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  |
|           | —  |
|           | 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  |
|           | —  |
|           | 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  
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## 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  
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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,  
 Camp,  
 Grouchy,  
 Brewster,

8  
 5  
 4  
 1  
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## 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,  
 Camp,  
 Grouchy,  
 Brewster,

9  
 5  
 2  
 2  
 —  
 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,                            | 11    |
| Eldridge,                              | 5     |
| Jenkins,                               | 1     |
| Tibbetts,                              | 1     |
|  | <hr/> |
|  | 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     |
|                                      | <hr/> |
|                                      | 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,  
 Boutwell,  
 Riheldaffer,  
 Merrick,  
 Newcomb,  
 Breck,  
 Fullerton,

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 1  
 1  
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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.

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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-

oil, 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,<br>1850. | Total valuation,<br>1851. | Total tax,<br>1850. | Total tax,<br>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            | \$1,282.31          |

|   |            |            |
|---|------------|------------|
| 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 Malta Brun, contains, probably no tract of equal extent embraces a fewer 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 flocks 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 rivers 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 Namecan, 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 tenements 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.

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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.

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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. KITTSON,

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 Anson Northrop, Pierre Bottineau, Louis Roberts and Peter Poincin, 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 no 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. Randal! 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 yeas 3, 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.

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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 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.

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 Poncin, 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.

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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, Rolatte, 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. Rolatte 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 T. 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. Farham 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—5.

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.

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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, Rolette, 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. Beal 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 Luden, (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 sometime 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.

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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 nays; which were ordered,

And there were yeas 6, nays 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.

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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.

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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. 3, 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 further 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 Eido 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.

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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. 1852, 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, } Committee.  
B. H. RANDALL, H. of R. }

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 Nokesepe precinct, proving most satisfactorily to your committee, the illegality of ten votes at least, given for James Beatty at Nokesepe.

"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 Nokesepe 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 Nokesepe 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 300 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.

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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 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.

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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 administra-

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, }  
B. H. RANDALL, H. of R. } Committee.

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.

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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 th 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. . . Agreed to.

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.

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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. Cave, 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 ayes and noes, which were taken;

And there were ayes 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 ayes and noes, which were taken;

And there were ayes 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 ayes and noes, which were ordered; and the result was ayes 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)—9.

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 noes, and there were ayes 8, noes 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.

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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. 25, (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,  
O. 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 15th 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, Boul, 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.

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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.)—13.

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 ayes 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.

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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. 31, (H. of R.) "A bill for the suppression of drinking houses and tipping 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.

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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 13.

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—13.

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,

Further 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-

introduce 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 Hogh 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,

Recommitted 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 Bompany," 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 Hogh 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.

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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, }  
B. H. RANDALL, H. of R. } Committee.

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. Findley 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 15, 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,  
B. 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 30. (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. Cave,

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 tipping 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 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.

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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 Hough 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.

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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 00       |
| " " " 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 recurring 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 Hull, 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 undefined 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-

provés. 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. 3, (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.

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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 moneys 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 }  
B. H. RANDALL, H. of R. } Committee.

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,  
J. W. SELBY. } Committee.

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, }  
B. H. RANDALL, H. of R. } Committee.

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.

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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. 31, (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, Tayler, 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 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 Lezette 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 ayes 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.

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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.

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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. 31, (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 Luden, (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 3, 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.

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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 obd't 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.

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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. 13, (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 presented 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-

bars 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,  
B. H. RANDALL, H. of R. } Committee.

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,  
B. H. RANDALL, H. of R. } Committee.

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, } Committee.  
B. H. RANDALL, H. of R. }

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, } Committee.  
B. H. RANDALL, H. of R. }

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*.

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**APPENDIX.**

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# REPORT

OF THE

## TERRITORIAL AUDITOR.

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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     |
| Total amount of liabilities over assets, - - - - -                  | \$16 95    |
| Amount of warrants now outstanding against the Territory, - - - - - | \$1,472 59 |

THE HISTORY OF THE

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# 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 :

|   | DOLL. | CTS. |
|---|-------|------|
| 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   |
| Amount of payment during same period,   | 609   | 22   |
| Balance in Treasury,  | 600   | 00   |
| <i>Receipts from County Treasurers.</i>   | 9     | 00   |
| 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   |
| Amount of orders outstanding,   | 929   | 60   |
| Delinquent Territorial tax,   | 912   | 43   |
| 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.

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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.

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*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 Dec. 31 and 31 pre. | Average attendance upon school. | Public appropriation for 1862. |
|---|-----------------------------|-------------------|-------|-----------------------------|---------------------------|--------------------------------|----------------------|----------------------------------|----------------------|---|---------------------------------|--------------------------------|
| <i>Washington Co.</i>   |                             |                   |       |                             |                           |                                |                      |                                  |                      |   |                                 |                                |
| Point Douglas, Cottage Grove, [No school building erected for school kept.] | Priv. property              |                   |       | 16 by 18 feet               |                           | winter 9                       | \$16 with board.     | Summer                           | \$15 with board.     |   | 15                              |                                |
| Stillwater, Marine Mills,   | District do                 | 1848 now building |       | 20 by 30 feet 20 by 80 feet | 50 by 150 ft 75 by 150 ft | 9                              | \$46                 |                                  |                      |   | 42                              |                                |
| <i>Benton County.</i> [No returns received.]                                |                             |                   |       |                             |                           |                                |                      |                                  |                      |   |                                 |                                |
| <i>Ramsey County.</i>   |                             |                   |       |                             |                           |                                |                      |                                  |                      |   |                                 |                                |
| District, No. 1.  | District                    |                   |       |                             |                           | 4 at                           | \$60                 |                                  |                      |   |                                 | \$236 40                       |
| St. Paul, " 2.  | Priv. individ.              | 1850              | \$600 | 18 by 36 feet               | 50 by 150 ft              | 2 at                           | \$35                 | 2                                | \$33                 |   |                                 | \$473 20                       |
| do " 3.   | [No returns.]               | 1848              | \$400 | 20 by 24 feet               |                           | 4 at                           | \$40                 | 4                                | \$25                 | 2086  |                                 | \$846 25                       |
| do " 4.   | District                    |                   |       |                             |                           | 2 at                           | \$50                 |                                  |                      |   |                                 |                                |
| St. Anthony, 5.   | None                        | 1849              | \$600 | 24 by 34 feet               | 1-4th acre                | 3                              | \$40                 | 6                                | per scholar.         |   | 75                              | \$372 65                       |
| do " 6.   |                             |                   |       |                             |                           | 3                              | \$25                 |                                  |                      |   |                                 | \$300 82                       |
| District, No. 7.  |                             |                   |       |                             |                           |                                |                      |                                  |                      |   |                                 |                                |
| do " 8.   | [No returns.]               |                   |       |                             |                           |                                |                      |                                  |                      |   |                                 | \$432 39                       |

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.

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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.

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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. Vattemare'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.

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*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 28, 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. Brawley 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. ~~for~~ ~~the~~ ~~erection~~ ~~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.

C. K. SMITH,

President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,

Secretary, &c.

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.

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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.

Attest :

CHARLES F. TRACY,  
Secretary, &c.

D. F. BRAWLEY,  
President *pro tem.*

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.

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*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.

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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 \$100 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 26, 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 \$300, 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 Capital 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.

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*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.

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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.

D. F. BRAWLEY,  
President, *pro tem*.

Attest:

CHAS. F. TRACY,  
Secretary, &c.

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 to Tuesday, 28th, at 4 o'clock P. M.

D. F. BRAWLEY,  
President *pro tem*.

Attest:  
CHARLES F. TRACY,  
Secretary, &c.

TUESDAY, October 28, 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, 1851.

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 \$60, 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 Captol 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 \$3 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 his 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.

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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 \$372, for two quarters' 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.

Attest:

CHARLES F. TRACY,  
Secretary, &c.

ALEX. RAMSEY,  
President of the Board of Commissioners.

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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 \$4,761, 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.

Attest:

CHARLES F. TRACY,

Secretary, &c.

ALEX. RAMSEY,

President of the Board of Commissioners.

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 fifty-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. 26.  | " " 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<br>per diem, - - -           | 251 00      |
| " "       | " " 14,                      | J. McKusick, qr. sal. as Treas. }<br>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.

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## WELLS AGT. RICHARDS.

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### 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.

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### 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 Precient

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 Ombres, 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 ot 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 8, 1852.

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### 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.

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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.

Maxeuie 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  
 MAXEUIE 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.  
 Cotinty of Benton. }

Taylor Dudley, being duly sworn, deposes 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.

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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 Stateler; 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 Depeu's house, M. T.

B. W. LOTT,  
CHAS. F. TRACY, } Commissioners.

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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, }  
County of Benton, } ss.

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, }  
Benton County, } ss.  
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.

Henry, 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. Henry, 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'Connor, 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 Chabrellez. |

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,  
 JOHN H. FAIRBANKS, } Judges.  
 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.



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## 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."













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