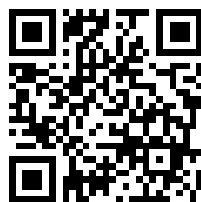

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JOURNAL

OF THE

COUNCIL

DURING THE THIRD SESSION OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF MINNESOTA,

BEGUN AND HELD AT ST. PAUL, ON WEDNESDAY, JANUARY SEVENTH,
ONE THOUSAND EIGHT HUNDRED AND FIFTY-TWO.

Published by Authority of the Legislative Assembly.

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JOURNAL

OF THE

COUNCIL OF MINNESOTA TERRITORY.

WEDNESDAY JANUARY 7, 1852.

The 7th day of January being the day designated by law for the annual meeting of the Legislative Assembly of the Territory of Minnesota, at twelve o'clock, M., the members elect to the Council were called to order by Joseph R. Brown, Esq., Secretary of the last Council.

The certificates of election of the following persons, as members of the Council, were handed in, examined and filed, viz:

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

From the Second Council District—George W. Farrington and William H. Forbes.

From the Third Council District—William L. Larned.

From the Fourth Council District—Lorenzo A. Babcock.

From the Fifth Council District—Sylvanus B. Lowry.

From the Sixth Council District—Martin McLeod.

From the Seventh Council District—Norman W. Kittson.

All the members of the Council having taken their seats, Rev. Mr. Reiheldafer addressed the Throne of Grace.

The roll of the Council was then called by the Secretary.

Mr. Forbes moved that Chief Justice Fuller be requested to administer the oath of office to the members of the Council;

Which motion was adopted.

Chief Justice Fuller being in attendance, administered the oath of office to each member, as their names were called according to the Council districts.

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

Which motion being put by the Secretary,

Was decided in the affirmative.

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

THURSDAY, JANUARY 8, 1852.

At 10 o'clock A. M., the Council was called to order by the Secretary.

Prayer by Rev. Mr. Reihelstafer.

Mr. McLeod moved that the Council now proceed to a temporary organization; which motion prevailed.

On motion of Mr. Loomis,

Hon. L. A. Babcock was appointed President *pro tem.* of the Council.

And thereupon Mr. Babcock took the chair, when

On motion of Mr. McLeod,

Mr. S. P. Folsom was appointed Assistant Secretary, *pro tem.*

On motion of Mr. Loomis,

Mr. John W. Cormack was appointed Sergeant-at-Arms, *pro tem.*

On motion of Mr. Forbes,

Mr. C. W. Babcock was appointed Messenger *pro tem.*

On motion of Mr. Lowrey,

Mr. R. P. Miller was appointed Fireman, *pro tem.*

On motion of Mr. Loomis,

Mr. H. W. Tracy was appointed Enrolling Clerk, *pro tem.*

Mr. Forbes moved that a committee of two be appointed to inform the House that the Council is now organized temporarily, and ready to proceed to business; which motion prevailed, and

Messrs. Forbes and Lowry were appointed the said committee.

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

On motion of Mr. Kittson,

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

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

A committee from the House of Representatives being announced,

Messrs. Murray and Day appeared and informed the Council that the House of Representatives, was now organized temporarily, and prepared to proceed to business.

On motion of Mr. McLeod,

The Council adjourned until 2 o'clock this afternoon.

TWO O'CLOCK, P. M.

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

Mr. McLeod moved that the Council now proceed to the election of officers for a permanent organization of the Council; which motion prevailed.

Mr. Loomis moved that the Council now proceed to the election of President of the Council; which motion prevailed.

Mr. Kittson nominated Hon. W. H. Forbes, for President of the Council.

The Council proceeded to ballot for President, and on the first ballot,

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

Whereupon the ballot was declared to have resulted as follows:

Mr. Greeley received 3 votes,

Mr. Lowry	received 3 votes,
" Forbes	" 3 "
" Farrington	" 1 "

 9

No member having received a majority of all the votes cast, the Council proceeded to ballot again for President of the Council; and on the second ballot,

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

Whereupon the ballot was declared to have resulted as follows:

Mr. Greeley	received 1 vote,
" Lowry	" 3 "
" Forbes	" 1 "
" Loomis	" 1 "
" Farrington	" 1 "
" Kittson	" 1 "
" Larned	" 1 "

 9

No member having received a majority of all the votes cast, the Council proceeded to ballot again for President of the Council; and on the third ballot,

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

Whereupon the ballot was declared to have resulted as follows:

Mr. Greeley	received 4 votes,
" Babcock	" 2 "
" Lowry	" 1 "
" Farrington	" 1 "
" Forbes	" 1 "

 9

No member having received a majority of all the votes cast, the Council proceeded to ballot again for a President of the Council; and on the fourth ballot,

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

Whereupon the ballot was declared to have resulted as follows:

Mr. Greeley	received 3 votes,
" McLeod	" 2 "
" Forbes	" 2 "
" Loomis	" 1 "
" Lowry	" 1 "

9

No member having received a majority of all the votes cast, the Council proceeded to ballot again for President of the Council; and on the fifth ballot;

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

Wherenpon the ballot was declared to have resulted as follows:

Mr. Lowry	received 3 votes,
" Kittson	" 1 "
" Forbes	" 1 "
" McLeod	" 1 "
" Larned	" 1 "
" Loomis	" 1 "
" Farrington	" 1 "

9

No member having received a majority of all the votes cast, the Council proceeded to ballot again for President of the Council; and on the sixth ballot,

Mr. Farrington	voted for	Mr. Lowrey,
" Forbes	"	" Greeley,
" Greeley	"	" Lowry,
" Kittson	"	" McLeod,
" Larned	"	" Greeley,
" Loomis	"	" Forbes,
" Lowry	"	" Greeley,
" McLeod	"	" _____,
" Babcock	"	" Farrington.

Whereupon the ballot was declared to have resulted as follows:

Mr. Greeley	received 3 votes,
" Lowry	" 2 "
" McLeod	" 1 "
" Forbes	" 1 "
" Farrington	" 1 "
" Blank	" 1 "

9

No member having received a majority of all the votes cast, the Council proceeded to ballot again for President of the Council; and on the seventh ballot,

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

Mr. Lowry	voted for	Mr. Greeley,
" McLeod	"	" Forbes,
" Babcock	"	" "

Whereupon the ballot was declared to have resulted as follows:

Mr. Forbes	received 4 votes,
" Greeley	" 2 "
" Larned	" 1 "
" Lowry	" 1 "
" Babcock	" 1 "

9

No member having received a majority of all the votes cast, the Council proceeded to ballot again for President of the Council; and on the eight ballot,

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

Whereupon the ballot was declared to have resulted as follows:

Mr. Lowry	received 3 votes,
" Babcock	" 2 "
" Larned	" 1 "
" Greeley	" 1 "
" McLeod	" 1 "
" Blank	" 1 "

9

No member having received a majority of all the votes cast, the Council proceeded to ballot again for President of the Council; and on the ninth ballot,

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

Whereupon the ballot was declared to have resulted as follows:

Mr. Greeley	received 3 votes,
" Larned	" 2 "
" Farrington	" 2 "
" McLeod	" 1 "
" Forbes	" 1 "

9

No member having received a majority of all the votes cast, the Council proceeded to ballot again for President of the Council; and on the tenth ballot,

Mr. Farrington	voted for	Mr. Loomis,
" Forbes	"	" blank,
" Greeley	"	" Lowrey,
" Kittson	"	" Forbes,
" Larned	"	" Lowry,

Mr. Loomis	voted for	Mr. Babcock,
" Lowry	"	" Greeley,
" McLeod	"	" "
" Babcock	"	" Loomis.

Whereupon the ballot was declared to have resulted as follows:

Mr. Loomis	received 2 votes,
" Lowry	" 2 "
" Forbes	" 1 "
" Babcock	" 1 "
" Greeley	" 1 "
" Blank	" 1 "

9

No member having received a majority of all the votes cast, Mr. Loomis moved that the Council do now adjourn;

Which motion prevailed;

Ayes 5—Noes not counted.

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

FRIDAY, JANUARY 9, 1852.

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

Prayer by the Rev. Mr. Reihelstafer.

The Journal of the session of the Council on yesterday forenoon having been read,

On motion of Mr. McLeod,

The further reading of the Journal of yesterday was dispensed with.

Mr. Loomis moved that the regular order of business under the rules be suspended. Which motion prevailed by a two-thirds vote.

Mr. Loomis moved that the Council now proceed to the election of a President of the Council. Which motion prevailed.

On the first ballot,

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

The first ballot was then declared to have resulted as follows:

Mr. Forbes	received 5 votes,
" Greeley	" 2 "
" Lowry	" 2 "

9

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

On motion of Mr. Loomis,

A committee of two, consisting of Messrs. Loomis and Greeley, was appointed to conduct the President elect to the chair.

Mr. Forbes having been conducted to his seat addressed the Council as follows :

I feel grateful for the honor conferred on me by being elected to preside over

your deliberations. And more so when I see many around me much more competent than myself to fill this office. But, gentlemen, allow me to say, that every act of mine, I trust, shall be such as may conduce towards the promoting of harmony and good feeling among us, without which very little of the duties required at our hands from our constituency can be accomplished.

I will not say, gentlemen of the Council, that I do not seek for the honor conferred on me; but still accept it with diffidence, and a want of confidence in my own ability and talents, for it is "human to err," and I fear my judgment will sometimes be at fault. In such a case, gentlemen, I ask your assistance and indulgence.

I shall conclude by telling you that I intend to do the best I can, and you must take the will for the deed. I again return my sincere thanks for the preference you have to-day shown for me.

Mr. McLeod presented a communication, which was read as follows:

COUNCIL CHAMBER, St. PAUL, M. T., Jan. 9, 1852.

To the Honorable the Legislative Council:

Impressed with a due sense of the honor which has been conferred on me by two elections to the office of Secretary of the Council, and the term for which I was last elected being about to expire, permit me most respectfully to decline becoming a candidate for the office at the present session, as my business is such as to demand my undivided attention.

I have the honor to be, very respectfully, your obd't servant,
JOSEPH R. BROWN.

On motion of Mr. McLeod,

Said communication was directed to be filed and entered on the Journal of the Council.

Mr. Kittson moved that the Council do now proceed to the election of a Secretary of the Council. Which motion prevailed.

Mr. Kittson nominated Mr. Henry L. Tilden for Secretary of the Council.

The Council then proceeded to vote for a Secretary of the Council.

On the first ballot,

Mr. Babcock	voted for	Mr. Tilden,
" Farrington	"	" Lambert,
" Greeley	"	" Blank.
" Kittson	"	" Tilden,
" Larned	"	" Blank,
" Loomis	"	" Tilden,
" Lowry	"	" Blank,
" McLeod	"	" Lambert,
" Forbes	"	" Tilden.

The first ballot was declared to have resulted as follows;

Mr. Tilden	received	4 votes.
" Lambert	"	2 "
Blank,	"	3 "

9

The President of the Council declared Henry L. Tilden duly elected Secretary of the Council, he having received four out of the six votes cast.

The Sergeant-at-Arms, *pro tem*, was instructed to notify Mr. Tilden of his election, and request his presence in the Council.

Mr. Tilden having appeared in his place,

On motion of Mr. Loomis,

The Attorney General of the Territory administered the oath of office to Mr. Forbes as President of the Council, and Mr. Tilden as Secretary of the Council.

On motion of Mr. Babcock,

The Council adjourned until two o'clock this afternoon.

TWO O'CLOCK, P. M.

The Council was called to order by the President of the Council.

The Secretary called the roll and it appeared that all the members were in their seats.

On motion of Mr. Babcock,

The Council proceeded to the election of Assistant Secretary.

When on the first ballot it appeared that

Mr. Babcock	voted for	Mr. Folsom.
" Farrington	"	" "
" Greeley	"	" Lambert,
" Kittson	"	" Bond,
" Loomis	"	" Folsom,
" Larned	"	" Lambert,
" Lowry	"	" "
" McLeod	"	" Bond,
" Forbes, Pres't.	"	" Lambert.

Whereupon this ballot was declared to have resulted as follows:

Mr. Folsom	received 3 votes,
" Lambert	" 4 "
" Bond	" 2 "

9

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

The Council again proceeded to ballot for Assistant Clerk to the Council.

On the second ballot,

Mr. Babcock	voted for	Mr. Folsom,
" Farrington	"	" Bond,
" Greeley	"	" Lambert,
" Kittson	"	" Bond,
" Larned	"	" Folsom,
" Loomis	"	" "
" Lowry	"	" Lambert,
" McLeod	"	" Folsom,
" Forbes Pres't	"	" Folsom.

Whereupon the ballot was declared to have resulted as follows:

Mr. Folsom	received 5 votes
" Lambert	" 2 "
" Bond	" 2 "

9

S. P. Folsom having received a majority of all the votes cast, was declared by the President to be duly elected Assistant Secretary of the Council;

Whereupon on motion the oath of office was administered by the Attorney General of the Territory to

Mr. S. P. Folsom, Assistant Secretary of the Council.

Mr. Loomis moved that the Council do now proceed to the election of Sergeant-at-Arms,

Which motion was decided in the affirmative.

On the first ballot,

Mr. Babcock	voted for	Mr. Bryant,
" Farrington	"	" "
" Greeley	"	" Cormack,
" Kittson	"	" Camp,
" Larned	"	" Cormack,
" Loomis	"	" Cormack,

Mr. Lowry	voted for	Mr. Cormack,
" McLeod	"	" Camp,
" Forbes, Prs'dt.	"	" "

Whereupon the ballot was declared to have resulted as follows:

Mr. Cormack	received 4 votes.
" Bryant	" 2 "
" Camp	" 3 "
	<hr/> 9

No person having received a majority of the votes cast, the Council proceeded to ballot again for Sergeant-at-Arms to the Council.

On the second ballot,

Mr. Babcock,	voted for	Mr. Byrant,
" Farrington	"	" Camp,
" Greeley	"	" Cormack,
" Kittson	"	" Camp,
" Larned	"	" Cormack,
" Loomis	"	" "
" Lowry	"	" "
" McLeod	"	" Camp,
" Forbes Presd't	"	" Cormack.

Whereupon, the ballot was declared to have resulted as follows:

Mr. Cormack	received 5 votes
" Camp	" 3 "
" Bryant	" 1 "
	<hr/> 9

Mr. J. W. Cormack having received a majority of all votes cast, was declared by the President of the Council to be elected Sergeant-at-Arms to the Council and by order of the President of the Council the oath of office was administered by the Attorney General of the Territory.

Mr. McLeod moved that the Council do now proceed to the election of Messenger to the Council,

Which motion was decided in the affirmative.

When on the first ballot,

Mr. Babcock	voted for	Mr. Dhal,
" Farrington	"	" Dunwell.
" Greeley	"	" Greeley,
" Kittson	"	" Camp,
" Larned	"	" Greeley,
" Loomis	"	" "
" Lowry	"	" "
" McLeod	"	" Camp,
" Forbes, Presd't	"	" Dunwell,

Whereupon the ballot was declared to have resulted as follows:

Mr. Greeley	received 4 votes
" Dunwell	" 2 "
" Dhal	" 1 "
" Camp	" 2 "
	<hr/> 9

No person having received a majority of all the votes cast, the Council proceeded to ballot again for Messenger of the Council.

On the second ballot,

Mr. Babcock	voted for	Mr. Dunwell,
" Farrington	"	" "
" Greeley	"	" Greeley,

Mr. Kittson	voted for	“	Dunwell,
“ Larned	“	“	Greeley,
“ Loomis	“	“	Dunwell,
“ Lowry	“	“	Greeley,
“ McLeod	“	“	Camp,
“ Forbes, Pres’t	“	“	Dunwell.

Whereupon the ballot was declared to have resulted as follows:

Mr. Dunwell	received 5 votes,
Greeley	“ 3 “
Camp	1

9

Mr. Dunwell having received a majority of all the votes cast, was declared by the President of the Council to be elected Messenger to the Council, and by order of the President of the Council, the oath of office was administered to Mr. Dunwell by the Attorney General of the Territory.

Mr. Farrington then moved that the Council do now proceed to the election of a Fireman to the Council;

Which motion was decided in the affirmative.

On the first ballot,

Mr. Babcock	voted for	Mr. Sturgeon,
“ Farrington	“	“ “
“ Greeley	“	“ Miller,
“ Kittson	“	“ Sturgeon,
“ Larned	“	“ Miller,
“ Loomis	“	“ Sturgeon,
“ Lowry	“	“ Miller,
“ McLeod	“	“ “
“ Forbes, President	“	“ Sturgeon.

Whereupon the ballot was declared to have resulted as follows:

Mr. Sturgeon	received 5 votes,
“ Miller	“ 4 “

9

Mr. Peter Sturgeon having received a majority of all the votes cast, was declared by the President of the Council to be elected Fireman to the Council, and was thereupon sworn into office by the Attorney General of the Territory.

Mr. Babcock moved that the Council do now proceed to the election of Enrolling and Engrossing Clerk to the Council;

Which motion prevailed; and on the first ballot,

Mr. Babcock	voted for	Mr. Collins,
“ Farrington	“	“ Tracy,
“ Greeley	“	“ Collins,
“ Kittson	“	“ “
“ Larned	“	“ Bristol,
“ Loomis	“	“ Tracy,
“ Lowry	“	“ Bristol,
“ McLeod	“	“ Collins,
“ Forbes, Pres’t.	“	“ Tracy,

Whereupon the ballot was declared to have resulted as follows:

Mr. Collins	received 4 votes,
“ Tracy	“ 3 “
“ Bristol	“ 2 “

9

No person having received a majority of all the votes cast, the Council proceeded to ballot again for Enrolling Clerk to the Council; and on the second ballot,

Mr. Babcock	voted for	Mr. Tracy,
" Farrington	"	" "
" Greeley	"	" Bristol,
" Kittson	"	" Collins,
" Larned	"	" Bristol,
" Loomis	"	" Collins,
" Lowry	"	" Bristol,
" McLeod	"	" Tracy,
" Forbes, Pres't.	"	" "

Whereupon the ballot was declared to have resulted as follows:

Mr. Tracy	received 4 votes,
" Bristol	" 3 "
" Collins	" 2 "

9

No person having received a majority of all the votes cast, the Council proceeded to ballot again for Enrolling Clerk to the Council; and on the third ballot,

Mr. Babcock	voted for	Mr. Tracy,
" Farrington	"	" "
" Greeley	"	" Bristol,
" Kittson	"	" Collins,
" Larned	"	" Bristol,
" Loomis	"	" Collins,
" Lowry	"	" Bristol,
" McLeod	"	" Collins,
" Forbes, Pres't.	"	" Tracy.

Whereupon the ballot was declared to have resulted as follows:

Mr. Tracy	received 3 votes.
" Collins	" 3 "
" Bristol	" 3 "

9

No person having received a majority of all the votes cast, the Council proceeded to ballot again for Enrolling Clerk to the Council; and on the fourth ballot,

Mr. Babcock	voted for	Mr. Tracy,
" Farrington	"	" "
" Greeley	"	" Bristol,
" Kittson	"	" Collins,
" Larned	"	" Bristol,
" Loomis	"	" Collins,
" Lowry	"	" Bristol,
" McLeod	"	" Collins,
" Forbes, Pres't.	"	" "

Whereupon the ballot was declared to have resulted as follows:

Mr. Collins	received 4 votes.
" Bristol	" 3 "
" Tracy	" 2 "

9

No person having received a majority of all the votes cast, the Council proceeded to ballot again for Enrolling Clerk to the Council; and on the fifth ballot,

Mr. Babcock	voted for	Mr. Tracy,
" Farrington	"	" "
" Greeley	"	" Bristol,
" Kittson	"	" Collins,
" Larned	"	" Bristol,
" Loomis	"	" Collins,

Mr. Lowry	voted for	Mr. Tracy,
" McLeod	"	" Collins,
" Forbes, Pres't.	"	" Tracy.

Whereupon the ballot was declared to have resulted as follows:

Mr. Tracy	received 4 votes,
" Collins	" 3 "
" Bristol	" 2 "

9

No person having received a majority of all the votes cast, the Council proceeded to ballot again for Enrolling Clerk to the Council; and on the sixth ballot,

Mr. Babcock	voted for	Mr. Tracy,
" Farrington	"	" "
" Greeley	"	" "
" Kittson	"	" Collins,
" Larned	"	" Tracy,
" Loomis	"	" Collins,
" Lowry	"	" Tracy,
" McLeod	"	" Collins,
" Forbes, Pres't.	"	" "

Whereupon the ballot was declared to have resulted as follows:

Mr. Tracy	received 5 votes,
" Collins	4 "

9

Mr. H. W. Tracy having received a majority of all the votes cast, was declared by the President of the Council to be elected Engrossing and Enrolling Clerk to the Council.

On motion, the oath of office was then administered to Mr. Tracy as Enrolling Clerk, by the Attorney General of the Territory.

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

Which motion prevailed.

The Chair appointed Mr. Lowry, Babcock and McLeod said committee.

Mr. Babcock moved that a committee of three be appointed to act in conjunction with a similar committee from the House of Representatives, to wait upon his Excellency, the Governor, and inform him that the two Houses are organized and ready to receive any communication he may have to make;

Which motion did not prevail.

Mr. McLeod moved that the Council do now adjourn until Monday next, at 10 o'clock, A. M.

Mr. Kittson offered the following amendment to Mr. McLeod's motion:

That the Council adjourn until 2 o'clock on Monday next, which amendment was accepted by Mr. McLeod.

Mr. Lowry moved that the Council do now proceed to the election of a Chaplain, when Mr. McLeod withdrew his motion to adjourn.

The motion to elect a Chaplain, was then decided in the affirmative.

Mr. Babcock moved that the Council reconsider the vote, whereby the Council agreed to proceed to the election of a Chaplain;

Which motion was decided in the affirmative.

So the Council reconsidered the vote.

Mr. McLeod then renewed his motion to adjourn, as amended by Mr. Kittson.

The question being put by the President,

It was decided in the affirmative.

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

MONDAY JANUARY 12, 1852.

The Council was called to order by the President.

The roll was then called by the Secretary, and Messrs. Farrington and McLeod were reported absent.

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

The Sergeant-at-Arms reported Messrs. Farrington and McLeod in their seats.

The following communication was laid before the Council by the President, viz:

ST. PAUL, Jan. 12, 1852.

Hon. W. H. Forbes, President of the Council of the Territory of Minnesota.

SIR:—Owing to a severe cold, I am confined to my room. Deeming it imprudent for me to leave my house for a day or two, I am under the necessity of asking of the Council leave of absence from my duties in the Council for that length of time.

Messrs. Folsom and Tracy have generously offered to perform my duties.

I am, sir, with great respect, your obd't servant,

H. L. TILDEN.

After the reading of the communication,

On motion of Mr. Babcock,

The communication was accepted, and leave of absence was granted Mr. Tilden for two days.

Mr. Babcock offered the following resolution which was read, viz:

Resolved, That the pastors of the several churches of the town of St. Paul, be requested to act in rotation as Chaplains of the Council during the present session.

Mr. Loomis offered the following as a substitute for said resolution:

Resolved, That the Rev. Mr. Whitney be requested to officiate as Chaplain for the Council during the present session.

The question being taken on the adoption of the substitute,

It was decided in the negative.

The question then recurred on the adoption of the resolution as originally offered,

It was decided in the affirmative.

Mr. Loomis, by leave, offered the following resolution which was read and adopted, viz:

Resolved, That a committee of two be appointed to inform the House that the Council is now organized by the election of

Wm. H. Forbes, President;

Henry L. Tilden, Secretary;

S. P. Folsom, Assistant Secretary;

J. W. Cormack, Sergeant-at-Arms;

D. W. C. Dunwell, Messenger;

Pierre Sturgeon, Fireman; and

Henry W. Tracy, Enrolling Clerk;

and are now ready for the transaction of business.

The Chair appointed Messrs. Loomis and Kittson said committee.

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

Mr. Babcock, by leave, offered the following resolution,

Which was read and adopted, viz:

Resolved, by the Council, That a committee of three be appointed to act in conjunction with a similar committee from the House of Representatives, to wait upon his Excellency the Governor, and inform him that the Council and House of Representatives are permanently organized, and ready to receive any communication he may have to make.

The chair appointed Messrs. Babcock, Greely, and Farrington, said committee:

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

Resolved, That the Secretary is hereby authorized to subscribe for such newspapers printed in the territory as the respective members of the Council may direct, to the number of fifty copies for each member, and ten copies for each of the officers of the Council.

Mr. McLeod moved to amend the resolution by striking out "fifty" and inserting in lieu thereof "twenty-five," and by striking out "ten" and inserting "five."

Debate having ensued, the resolution was ordered to lay on the table, one day under the rules.

Mr. Babcock moved that the fifty-eighth rule of the Council be suspended to allow the consideration of the resolution now;

Which motion prevailed by a two-thirds vote.

The question now recurring on the adoption of the amendment proposed by Mr. McLeod,

It was decided in the negative.

Mr. McLeod then moved the following amendment, add ten copies of the Dakota Friend for each member, and five for each officer.

Mr. Babcock, by leave, accepted the amendment.

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

It was decided in the affirmative.

Mr. McLeod, by leave, introduced the following resolution:

Resolved, That the Secretary of the Council is hereby directed and authorized to make arrangements with the Postmaster of St. Paul, for the payment of all postage on letters and papers sent to and from the members of Council during the present session, and report the same to the Council.

Which was read and adopted by the Council.

Mr. Lowry asked and obtained leave to introduce a resolution,

Which was read as follows:

Resolved, That the Secretary of the Council, be, and is hereby authorized and required to procure such Stationery as may be necessary for the use of the Secretary of the Council; and that each of the members and officers of the Council are authorized to purchase such Stationery as they deem proper, not exceeding twenty dollars to each member, and ten dollars to each officer of the Council; and that all bills for Stationery shall be handed to the Secretary of the Council to be by him placed in the hands of the Chairman of the Joint Committee on Legislative expenses, to be included in the Appropriation Bill.

The question then recurring on the adoption of the resolution,

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

Debate having ensued, the President directed the resolution to lie on the table under the rules.

On motion of Mr. Babcock,

Rule fifty-eight of the Council, requiring resolutions which give rise to debate to lay on the table one day, was suspended by a two-thirds vote, so far as to permit the consideration of said resolution now.

The question now recurring on the adoption of the amendment proposed by Mr. McLeod,

It was decided in the negative.

The question then recurring on the adoption of the resolution, as originally introduced,

It was decided in the affirmative.

On motion of Mr. Loomis,

The Council adjourned.

TUESDAY JANUARY 13, 1852.

The Council was called to order by the President.

The roll was called by the Secretary.

The Journal of yesterday was read and corrected.

A committee from the House being announced,

Messrs. Randall and Taylor informed the Council that the House of Representatives is now permanently organized and ready to proceed to business.

Mr. Babcock, from the Special Joint Committee, appointed by the two Houses to wait on his Excellency, Governor Ramsey, reported that they had performed that duty; and were informed by his Excellency that he would in person deliver his annual Message to the Joint Convention of the Council and House of Representatives, to-day at eleven o'clock.

Mr. Babcock moved,

That a committee of two be appointed by the Chair to wait on the House and inform them that the Council is now ready to receive the Message of the Governor.

Messrs. Babcock and Larned were appointed said committee.

Mr. Babcock, from the committee appointed to wait on the House reported that the duty had been performed.

The following Message was received from the House of Representatives, by A. Pierce, Esq., chief Clerk thereof, viz:

MR. PRESIDENT:—The House has appointed Messrs. Day, Randall and Rolette, a committee to act in conjunction with a similar committee appointed on the part of the Council, to inform his Excellency, the Governor, that the two Houses of the Legislative Assembly are now organized, and ready to receive any communication he may have to make.

The chief Clerk then withdrew.

A committee from the House being announced, Messrs. Day and Randall informed the Council that the House is prepared to meet the Council in Joint Convention to receive the Governor's Message.

Mr. Loomis moved that the Council adjourn to the Hall of the House of Representatives, to meet the House in Joint Convention to receive the Governor's Message, which motion was decided in the affirmative.

The Council assembled in the other Council Room;

When, on motion of Mr. McLeod,

The Council adjourned.

WEDNESDAY, JANUARY 14, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The Journal of yesterday was read and corrected.

After which, the President reported to the Council the following proceedings of the Convention of the two Houses of the Legislative Assembly, viz:

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

The names of the members were called.

Mr. Randall moved that the Convention do now adjourn to the Baptist Church, the place selected for the meeting of the Executive.

The convention having assembled at the Church,

On motion of Mr. Loomis,

A committee consisting of Messrs. Babcock, Farrington, and Greely of the Council, and Messrs. Day, Randall, and Rolette of the House of Representatives, were appointed to inform his Excellency, the Governor, that the two Houses of the Legislative Assembly, were now assembled in convention, and ready to receive any Executive communication he may desire to communicate.

The said committee escorted his Excellency to the desk of the Presiding officer of the convention.

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

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

The Rev. Mr. Hobart, at the request of the Speaker addressed the Throne of Grace.

After which, his Excellency delivered the following Message, viz:

Fellow citizens of the Council and House of Representatives:

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 common good. To accomplish practical results, measures must often be shaped and modified by the comparison and partial compromise of different opinions. When these differences 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 in 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 in 1850, the following table exhibits the valuation and revenue of the two years:

COUNTIES.	TOTAL VALUATION 1850.	TOTAL VALUATION 1851.	TOTAL TAX 1850.	TOTAL TAX 1851.
Ramsey,	\$477,334.10	\$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	26.55	64.78
Wabashaw,	33,208.00	33,208.00	33.24	33.21
Wahnata,	36,015.00	36,015.00	36.02	36.02
Dakota,	31,020.00	31,020.00	31.02	31.02
Totals,	\$832,492.38	\$1282,201.00	\$832.49	\$1282.31

The amount of territorial tax for 1850, collected is,	- - -	\$561.41
Amount of delinquent territorial tax for 1850, yet due and unpaid,	271.08	\$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	
Amount of warrants drawn on the territorial treasury for 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 impulse 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.

St. 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 North-west.

St. 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 May last, and the contracts have been let by them for the erection of a Territorial Prison at Stillwater, and for the building of a Capital at St. Paul—the former to be completed by the first 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 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 Wabashaw 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 Douglass to Fort Ripley; that from Point Douglass 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, Lieut. 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 Douglass 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 Douglass and St. Louis river road, to opening and making available the portion lying between Point Douglass 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 Wabashaw to Mendota, running as they do through a country, the Indian title to which is not yet definitively 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 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; not 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 your 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 suffer-

ed 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 definitively 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 obligation 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 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 which may be made of the proceeds of the public lands, we have, in our political relations, no voice; but if a concerted effort is to be made for the division of these lands among the States, it would seem that all the objects contemplated might be attained by a distribution of their proceeds, leaving the present system of survey and sale undisturbed.

To the people of Minnesota, the most interesting political event that has occurred since the organization of the Territory, is the extinction, by the treaties of Traverse des Sioux, Mendota, and Pembina, of the Sioux and Chippewa title to immense tracts of land, upon the western side of the Mississippi. These treaties bridge over the wide chasm, which could alone obstruct the advance of Minnesota to the lofty destination evidently reserved for her.

By the two former treaties, the Dakota Indians relinquish to the government their right of usufruct to all the country previously claimed by them east of the Sioux Wood and Big Sioux rivers, extending over four degrees of latitude and five of longitude, and covering a superficial extent of 45,000 square miles. This vast district nature has marked out for exalted destinies.

Of the 37,000,000 square geographical miles of territorial surface, which the globe, according to Malte Brun, contains, probably no tract of equal extent embraces a 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 faces of thousands will be turned, so soon as intelligence is received of the ratification of the treaties by the Senate.

Equal in beauty and fertility to the basin of the St. Peter's, is the country watered by the Crow river. This stream, after collecting by its north branch, the pure waters near the great bend in the Red river of the North, and by its southern fork draining the lakes as far west as Lac-qui-parle, meanders through the "Grand Bois" of the *voyageurs*, and enters the Mississippi nearly opposite to the town of Itasca. The country upon each margin is highly inviting, and will be early settled.

The Sauk is a bold and rapid river, with well-wooded banks. The valley between this stream and the Watab, presents to the eye the most fascinating landscape in Minnesota, and in quiet beauty is hardly excelled by the most celebrated scenery abroad. This tract is capable of containing a dense population in comfort and affluence.

The region of country which skirts Lake Pepin is familiar to our people. Rich in mineral wealth, studded with sites of extraordinary commercial promise, it will be eagerly sought by thousands, who have long impatiently awaited an opportunity for its occupancy.

The *Undine Region* of Nicollet, situated 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 unconstructed 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 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 forty-ninth 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 the tract, its purchase is of 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 attraction of agricultural 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, more convenient transit by the Mississippi and the Red river. Nor let this be treated as a visionary suggestion. The great currents of traffic, that have enriched cities, have sprung from rills in the first instance, as inconsiderable as the present Red river trade. It becomes us, at this early day, to consider the future importance of the commerce of the factories and settlements north of the international line; and by sagacious forecast secure to the trade of the Upper Mississippi, greater extension and new 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 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 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 expense thereof, on the part of the United States. If the Legislature of Minnesota shall early represent to the President the importance of definitively marking out so much of the 49th parallel, as constitutes our north 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 fiftieth 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, inclosed 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, denote 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 as 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 lands, 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 Ruperts Land, that on Peace river, which empties into Athabasca lake, in latitude 58 degrees, barley and other cereals were successfully cultivated.

These facts are not alone of deep interest to ourselves—they are doubtless gratifying to the friends of humanity every where, 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 to 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 retake 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 recapture. That the very men 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 interest of Minnesota.

ALEX. RAMSEY.

ST. PAUL, January 13th, 1852.

The Governor having completed his Message,

Mr. Babcock 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 each House now repair to their respective Halls.

Which motion was adopted.

The President presented the following communication from S. P. Folsom, Assistant Secretary of the Council, which was read as follows, to wit:

To the Honorable the President of the Council:

In conformity to the provisions of a resolution of the Council of the 12th inst., the Post Master at this place has made the enclosed agreement, relative to the postage on letters and papers to and from members of the Council, and I report accordingly.

S. P. FOLSOM, Assistant Sec'y.

To the Honorable Members of the Council:

GENTLEMEN:—In reply to your application for postage arrangement, I will, with the greatest pleasure, grant your request and charge to the Council all mailable matter to or from this office during the session.

Respectfully your Obedient Servant,
J. W. BASS, P. M.

On motion of Mr. McLeod,

The communication was accepted and placed on file.

Mr. Lowry, from the special committee on rules, made the following report, which was read as follows, to wit:

The committee appointed to prepare rules for the guidance of the Council, after an examination of the rules adopted by the last session, beg leave to recommend their adoption for the present session.

On motion of Mr. Babcock,

The report was accepted, and fifty copies ordered to be printed together with the standing committees.

Mr. Loomis moved to reconsider the vote on printing,

Which was decided in the affirmative.

The question recurring on the motion to print fifty copies of the rules,

Mr. Loomis moved to lay the question on the table,

Which was adopted.

Mr. Loomis moved that a committee of two be appointed by the Chair, in con-

junction with a similar committee on the part of the House to report joint rules for the government of the two Houses of the Legislative Assembly,

Which motion was adopted.

The Chair appointed Messrs. Loomis and Kittson, said committee.

The following message was received from the House of Representatives, by A. Pierse, Esq., Chief clerk thereof, viz:

MR. PRESIDENT:—The House have appointed Messrs. Randall and Day a committee to act in conjunction with the Council's committee to report joint rules for the government of the two Houses. The chief Clerk then withdrew.

The President announced the following standing committees:

Internal Improvements.—Messrs. Farrington, Kittson, and Larned.

Territorial Affairs.—Messrs. McLeod, Babcock, and Greeley.

The Judiciary.—Messrs. Babcock, Lowry, and McLeod.

Agriculture and Manufactures.—Messrs. Greeley, Kittson, and McLeod.

Legislative Expenditures.—Messrs. Loomis, Kittson, and Greeley.

Militia.—Messrs. Larned, Loomis and McLeod.

Schools.—Messrs. McLeod, Farrington and Babcock.

Incorporations.—Messrs. Babcock, Farrington, and Kittson.

Territorial Roads.—Messrs. Lowry, Kittson, and Greeley.

Engrossed Bills.—Messrs. Babcock, Farrington and Kittson.

Enrolled Bills.—Messrs. McLeod, Loomis, and Lowry.

Public Buildings.—Messrs. Babcock, Greeley and Farrington.

Printing.—Messrs. Farrington, Lowry, and McLeod.

Mr. Babcock moved that the Secretary be ordered to have one thousand copies of the Governor's Message printed for the use of the Council.

Which was decided in the affirmative.

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

Which was read and adopted as follows, viz:

Resolved, That the Secretary of the Council is hereby directed to subscribe for fifty copies, each week, during this session, for the Governor and Secretary of the Territory, of such papers published in the Territory as they may direct.

On motion of Mr. Babcock,

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

TWO O'CLOCK, P. M.

The Council was called to order by the President.

On motion of Mr. McLeod,

The Council resolved itself into a Committee of the Whole, for the consideration of the Message of his Excellency the Governor,

Mr. McLeod in the Chair.

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

Leave was granted.

On motion of Mr. McLeod,

The Council adjourned.

THURSDAY, JANUARY 15, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

Mr. Babcock presented the following petition of William Sturges, which was read by the Assistant Secretary, as follows, viz:

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

Your petitioner, William Sturges, a citizen of the United States, respectfully represents to your honorable body, that he has been a resident of the county of Benton, in the said territory of Minnesota, for more than two years, and that he is a legal voter therein.

That at the late general election held in October last, in the county of Benton, this petitioner was a candidate for the Council of the said Territory, for the Fifth Council District.

That S. B. Lowry, the sitting member from said district, was also a candidate for the Council, for the said district.

And your petitioner further represents to this honorable body, that at the election aforesaid, he received a majority of the votes legally polled in the said Council district, for the office of Councillor as aforesaid.

And your petitioner further represents to this honorable body, that in the canvass of the votes given in the said district, at the election aforesaid, the canvassers received and counted the votes given at the Swan river precinct, in the said district, when in fact the said votes ought not to have been received and counted by the said canvassers, or at least they were illegal and of no legal effect, for the following reasons:

1. The judges of the election were not sworn according to law:

2. Two of the judges of the election at the said precinct, were foreigners, and were not electors, under our law; and consequently not entitled to act as judges as aforesaid.

3. The said election at the Swan river precinct, was not conducted legally, for illegal votes were permitted by the *pretended* judges, to be given at the polls, they knowing at the time that the same were illegal.

4. The said election at the said Swan river precinct, was in other respects improperly conducted, and was illegal and void.

And your petitioner further states that if the votes given at the Swan river precinct were not counted, he would have a majority of the legal votes given at the said election, for the office aforesaid.

And your petitioner asks that the matter may be investigated by this honorable body, and that he may be permitted to take his seat as a member of the honorable body, as he is justly entitled to do.

WILLIAM STURGES.

ST. PAUL, January 14th, 1852.

Mr. Babcock moved the petition be referred to a select committee of three, for investigation, with power to send for persons and papers, and in their discretion, to send commissioners not exceeding two in number, to the Fifth Council District, to take testimony in the case;

Which motion was adopted by the Council.

The Chair appointed Messrs. Babcock, Farrington and Larned said committee.

Mr. Lowry gave notice that he would, at some future day, introduce a bill to incorporate the Benton county Agricultural Society.

Mr. Babcock moved that the Sergeant-at-Arms be directed to call on the Secretary of the Territory, for one copy each, of the Journal and Session Laws of the last Council and House of Representatives, for the use of the Council, which was adopted.

Mr. Loomis, from the Joint Special Committee on Rules, made the following report, viz:

The committee appointed to act in conjunction with a similar committee on the part of the House to report Joint Rules for the government of the two Houses, have the honor to report, that they have had the same under consideration, and

recommend the adoption of the Joint Rules of the last Legislature, without amendment.

D. B. LOOMIS,
N. W. KITTSOON,
B. H. RANDALL,
DAVID DAY.

Which report, on motion, was adopted.

On motion of Mr. Babcock,

The Council resolved into a Committee of the Whole,

Mr. Babcock in the Chair,

For the further consideration of the message of his Excellency, the Governor.

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

1. *Resolved*, That so much of the Governor's Message as relates to Public Buildings, be referred to the Committee on Public Buildings.

2. *Resolved*, That so much of the Governor's Message as relates to the Judiciary and a district at Pembina, be referred to the Committee on the Judiciary, with instructions to report by bill or otherwise.

3. *Resolved*, That so much of the Governor's Message as relates to schools and and the Superintendent of common schools, be referred to the Committee on Schools.

4. *Resolved*, That so much of the Governor's Message as relates to School Lands and the University, be referred to the Committee on Schools.

5. *Resolved*, That so much of the Governor's Message as relates to Indian Treaties, be referred to the Committee on Territorial Affairs.

6. *Resolved*, That so much of the Governor's Message as relates to Banks, be referred to the Committee on Corporations.

7. *Resolved*, That so much of the Governor's Message as relates to the Militia, be referred to the Committee on Militia.

8. *Resolved*, That so much of the Governor's Message as relates to Memorials to Congress, be referred to the Committee on Territorial Affairs, with instructions to report as soon as convenient.

The question recurring on the adoption of the resolutions reported by the Committee of the Whole;

Mr. Babcock asked that the question be taken on the resolutions collectively;

Which being ordered, the Council concurred therein.

Mr. Lowry moved that a committee of two be appointed to act in conjunction with a similar committee in the House of Representatives, to whom is referred that portion of the Governor's Message relating to the Territorial Library;

Which motion prevailed.

The Chair appointed Messrs. Lowry and Farrington said committee.

Mr. Babcock moved that the Secretary be instructed to procure the printing, in pamphlet form, of fifty copies of the Rules of the Council, to contain also the Joint Rules of the two Houses, and the lists of the Standing Committees of the two Houses;

Which motion prevailed.

Mr. Farrington moved that Mr. Folsom act as Secretary, during the illness of Mr. Tilden.

Pending the question,

Mr. Lowry moved to lay the motion on the table,

Which was negatived.

The question recurring on the adoption of the original motion,

It was decided in the negative.

Mr. Farrington moved that Mr. Collins act as Secretary *pro tem.* of the Council.

Mr. Loomis offered the following amendment to wit:

Strike out Collins where it occurs, and insert Trask;

Which amendment was accepted by the Council.

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

It was decided in the affirmative.

The Sergeant-at-Arms was directed to notify Mr. Trask of his appointment.

On motion of Mr. Babcock,

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

FRIDAY, JANUARY 16, 1852—2 O'CLOCK, P. M.

The Council was called to order by the President.

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

Mr. Babcock moved that the word "election" be stricken out and in lieu thereof, the word "appointment" be inserted,

Which was adopted.

Mr. Trask, the Secretary *pro tem.*, then appeared, and was sworn into office by the Attorney General of the Territory.

The President presented the following communication which was read by the Secretary, viz:

FRIDAY AFTERNOON, January 16, 1852.

To the Council of the Territory of Minnesota:

GENTLEMEN:—The address will be delivered before the Minnesota Historical Society, Monday evening, January 19th, at 6 1-2 o'clock, in the Methodist Church, by Lieut. J. H. Simpson, of the Topographical Engineer corps, U. S. A. Your presence is respectfully invited.

By order of the Executive Council of the Historical Society.

The report of the Auditor of the Territory was then read.

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 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 Wabashaw, 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.

I respectfully call the attention of your honorable body, to the state of facts in reference to the taxation of unorganized counties, and the collection of such tax.

It has always been a legitimate political principle under our government, that taxation and representation, walk hand in hand. How is it as regards this territory? The three organized counties only have ever paid a cent of tax.

The counties of Itasca, Wabashaw, Cass, Dakota and Pembina, have a voice in electing seven representatives, and send exclusively from themselves six members of the House, being one-third of that whole body. Dakota and Pembina each send a Councillor, while Itasca, Cass and Wabashaw, have a voice in electing four members of the Council, being in all more than a majority of the body. . But three of these unorganized counties, it will be perceived, were taxed for 1850, and not one of them has paid that tax. Not an unorganized county has been assessed the past year, and consequently, no tax will be derived from them. A grave question of law may arise as to the power of the Legislature to tax these counties; with this I have nothing to do, as I but present the facts to the Legislature; yet it would seem a well settled principle, that if the Legislature has no power to tax them, they on the other hand have no right to a representation. If these counties have possessed and do possess now such a right, ought they not to be taxed, not only for the future, but also made to contribute their share of the revenue for the past two years? or should the three organized counties pay all the Territorial tax, contribute all the Territorial tax revenue, and leave the unorganized counties to enjoy their representation, conscious that while they have the privilege to dance, the organized counties can console themselves by "paying the piper?"

All of 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.	AMOUNT TAXABLE PROPERTY.	AMOUNT TERRITORIAL 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.	AMOUNT PAID.	AMOUNT DELINQUENT.
Ramsey,	\$304 00	\$173 33
Wabashaw,		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 1850,		1,182 06
" " " liabilities "		850 00
Balance of tax over,		332 06
Balance against Territory for 1850,		349 01
Balance in favor of " " "		332 06
Amount of liability of Territory assets over January 1st, 1852, } provided all delinquent taxes shall be paid,		\$16 95

SCHEDULE B.

AMOUNT OF 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

AMOUNT OF OTHER EXPENSES AND LIABILITIES OF THE TERRITORY FOR THE YEAR 1851.

For roads,	-	-	-	-	-	\$88 50
“ account books Treasurer’s office,	-	-	-	-	-	23 50
“ “ “ Auditor’s “	-	-	-	-	-	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 for 1850,	-	-	-	-	\$558 91
“ delinquent “ “	-	-	-	-	273 58
“ uncollected “ 1851, now due,					1,182 06
Total amount assets,	-	-	-	-	\$2,014 55
Liabilities, warrants drawn for 1850,	-	-	-	-	\$1,181 50
“ “ “	-	-	-	-	850 00
Total amount liabilities over assets,	-	-	-	-	\$16 95
Amount of warrants now outstanding against the Territory					\$1,472 59

On motion of Mr. McLeod,

The Report of the Auditor was laid on the table.

Mr. Loomis then presented the petitions of James S. Norris and others, which were read as follows, viz:

To the Council and House of Representatives of Minnesota Territory:

Your petitioners, citizens of Washington county, in said Territory, most respectfully petition your honorable body to repeal an act of the Territory of Wisconsin, entitled an act to authorize William Noble to keep and maintain a Ferry across Lake St. Croix, at the mouth of Willow river, in St. Croix county, passed by the Legislature of Wisconsin, A. D. 1848. Your petitioners would further represent to your body, that at the passage of the said act, Minnesota was attached to the then Territory of Wisconsin, since which Wisconsin has become a State, leaving said act in full force, and the said act binding upon our citizens, and a great injury and injustice to our rights as citizens of Minnesota. Signed by

JAMES S. NORRIS, and thirty-eight others.

To the Council and House of Representatives of Minnesota Territory:

The undersigned citizens of Washington county Minnesota Territory, respectfully petition your honorable body to grant to William H. Oliver and John Oliver, jr., a charter to keep and maintain a ferry across Lake St. Croix, nearly opposite Willow river, under such restrictions and regulations as may seem advisable to your honorable body; and as in duty, &c. Signed by

JAMES S. NORRIS, and thirty-seven others.

On motion of Mr. Loomis,

The petition was referred to the Committee on Corporations.

The President announced the following Joint Committees:

On Enrolled Bills.—Messrs. McLeod, Loomis and Kittson.

Legislative Expenditures.—Messrs. Kittson, Loomis and Greeley.

Mr. McLeod moved that the committee on the contested election case, be instructed to report by the 20th instant.

Mr. McLeod, on leave, withdrew the motion.

On motion of Mr. Loomis,

The Council adjourned.

SATURDAY, JANUARY 17, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Fullerton.

The Journal of yesterday was read and corrected.

The following message was received from the House of Representatives by A. Pierse, Esq., Chief Clerk thereof, viz:

MR. PRESIDENT:—The House have appointed Messrs. Randall and Rolette on the joint committee of the two Houses to consider that part of the Governor's message which relates to the Territorial Library.

A committee from the House of Representatives being announced,

Messrs. Randall and Richards appeared and informed the Council that the House of Representatives is now ready to receive the Council in joint convention for the election of printers.

Mr. Larned moved that Mr. Babcock be excused from serving on the committee to whom was referred the petition of Wm. Sturgis, on the Fifth Council District contested election case; which was negatived.

Mr. Farrington moved that the Council adjourn to the Hall of the House of Representatives to meet the House in joint convention for the election of printer; Which was adopted.

The Council having again assembled in the Council Chamber, the President reported the following proceedings had in joint convention of the two Houses of the Legislative Assembly:

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

The names of the members of the Convention were then called, when Mr. Day, of the House of Representatives, did not answer to his name.

Mr. McLeod moved that the Convention do now proceed to the election of printer or printers; which was adopted.

The roll of the Council and House of Representatives was then called, when

Mr. Babcock voted for J. M. Goodhue and the firm of Owens & Moore.

" Farrington " J. M. Goodhue and the firm of Owens & Moore.

" Greeley " D. A. Robertson.

" Kittson " J. M. Goodhue and the firm of Owens & Moore.

" Larned " D. A. Robertson.

" Loomis " J. M. Goodhue and the firm of Owens & Moore.

" Lowry " D. A. Robertson.

" McLeod " J. M. Goodhue and the firm of Owens & Moore.

" Forbes, (Pres.) voted for J. M. Goodhue and the firm of Owens & Moore;

" Beatty voted for J. M. Goodhue and the firm of Owens & Moore.

" Black " " " " " " "

Mr. Boal voted for J. M. Goodhue and the firm of Owens & Moore.

" Cave " " " " " " "

" Farnham " D. A. Robertson.

" Findley voted for J. M. Goodhue and the firm of Owens & Moore.
 " Fullerton " " " " " " "
 " Gingrais " " " " " " "
 " Leavitt " D. A. Robertson.
 " Murphy " J. M. Goodhue and the firm of Owens & Moore.
 " Murray " " " " " " "
 " Randall " " " " " " "
 " Richards " D. A. Robertson.
 " Rollette " J. M. Goodhue and the firm of Owens & Moore.
 " Selby " " " " " " "
 " Taylor " " " " " " "

" Ludden, (Speaker,) voted for J. M. Goodhue and Owens & Moore.

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

There was twenty-six votes cast, of which J. M. Goodhue and the firm of Owens & Moore received twenty votes, and D. A. Robertson received six votes.

J. M. Goodhue and the firm of Owens & Moore having a majority of all the votes cast, were declared by the Speaker to be elected Printers to the Legislative Assembly for one year from the date hereof.

On motion of Mr. Murray,

The Convention proceeded to the election of a Binder.

Mr. McLeod nominated Mr. McIntosh;

The roll was called, and

Mr. Babcock voted for Mr. J. McIntosh.

" Farrington " " "
 " Greeley " " "
 " Kittson " " "
 " Larned " D. A. Robertson.
 " Loomis " " "
 " Lowry " J. McIntosh.
 " McLeod " "

" Forbes, (President,) voted for J. McIntosh.

" Beatty voted for J. McIntosh.

" Black " D. A. Robertson.
 " Boal " J. McIntosh.
 " Cave " J. W. Vincent.
 " Day " J. McIntosh.
 " Farnham " Dr. Borup.
 " Findley " J. McIntosh.
 " Fullerton " "
 " Gingrais " "
 " Leavitt " "
 " Murray " D. A. Robertson.
 " Murphy " J. McIntosh.
 " Randall " "
 " Richards " J. M. Goodhue.
 " Rollette " J. McIntosh.
 " Selby " "
 " Taylor " "

" Ludden, (Speaker,) voted for J. McIntosh.

Whereupon the vote was declared to have resulted as follows:

Mr. J. McIntosh received 20 votes.

Mr. D. A. Robertson " 4 "

Dr. Borup " 1 "

Mr. J. W. Vincent " 1 "

Mr. J. M. Goodhue " 1 "

Mr. J. McIntosh having received a majority of all the votes cast, was declared by the Speaker to be elected Binder for one year from the date hereof. When,

On motion of Mr. Loomis,

The Convention adjourned, *sine die*.

On motion of Mr. McLeod,

Leave of absence was granted Mr. Lowry for seven days.

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

Which was adopted.

MONDAY, JANUARY 19, 1852—TWO O'CLOCK, P. M.

The Council was called to order by the President.

Prayer by the Rev. Mr. Fullerton.

The Journal of Saturday was read and corrected.

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.

TUESDAY, JANUARY 20, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Fullerton.

The Journal of yesterday was read and corrected.

Mr. Larned presented the petition of Sylvanus B. Lowry, by Rice, Hollinshead & Becker, on the Fifth Council District contested election case; which was read.

Mr. McLeod moved that the petition be referred to the Special Committee on Elections; which was adopted.

Mr. Farrington moved that Mr. Babcock be excused from serving on the Special Committee on Elections; which was adopted.

The Chair appointed Mr. McLeod on said Committee on Elections.

Mr. McLeod from the Committee on Schools, made the following report, 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.

Mr. Babcock moved that the report be accepted and five hundred copies ordered to be printed.

Which was decided in the affirmative.

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

Which was read and adopted by the Council, viz:

Resolved, That the Secretary be requested to furnish each member of this House with a copy of the Revised Laws as soon as the same may be bound.

Mr. Loomis moved that the Council do now proceed to the election of Secretary to the Council, to fill the vacancy occasioned by the death of H. L. Tilden, Esq., late Secretary;

Which was adopted.

The roll was called, when

Mr. Farrington voted for Mr. Trask.

" Babcock	"	"
" Greely	"	"
" Kittson	"	"
" Larned	"	Mr. Newman.
" Loomis	"	" Trask.
" McLeod	"	" "
" Forbes, (President,)	voted for Mr. Trask.	

Whereupon the vote was declared to have resulted as follows:

Mr. Trask received 7 votes.

" Newman " 1 "

—
8

Mr. Sylvanus Trask having received a majority of all the votes cast, was declared by the President, duly elected Secretary of the Council.

Mr. Trask, the Secretary, was then sworn into office by the Attorney General of the Territory.

Mr. McLeod moved that the report of the Auditor of the Territory be taken from the table;

Which was adopted.

Mr. McLeod moved that all that part of the report of the Auditor commencing with the words "I respectfully call the attention," to including the words "paying the piper," be stricken out;

Which was adopted.

Mr. Loomis moved that the Secretary of the Council be directed to furnish the Auditor with an authenticated copy of the proceedings of the Council on his report;

Which was adopted.

On motion of Mr. Loomis, the Council adjourned.

WEDNESDAY, JANUARY 21, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Fullerton.

The Journal of yesterday was read and corrected.

Mr. Babcock gave notice that he would at some future day, introduce a bill to amend an act, entitled an act to incorporate the Mississippi Boom Company, and, also a bill to amend an act, entitled an act for revising and consolidating the general statutes of the Territory.

Mr. Babcock moved that the Council do now adjourn.

The question being put, the Chair was unable to decide.

A division was called for and ordered, there were ayes 4, and noes 4.

So the motion was lost.

Mr. McLeod moved that the Committee on Public Buildings, be instructed to report as soon as practicable,

Which was adopted.

Mr. Farrington moved that the Council do now adjourn until 2 o'clock to-morrow.

The question being put, the Chair was unable to decide.

A division was called for and ordered; there were ayes 3, and noes 4.

So the motion was lost.

On motion of Mr. McLeod, the Council adjourned until half past 10 o'clock to-morrow.

THURSDAY, JANUARY 22, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Fullerton.

The Journal of yesterday was read and corrected.

Mr. Babcock moved that the Council adjourn until to-morrow morning at 8 o'clock, Which was lost.

Mr. Babcock moved a call of the Council.

Which was ordered.

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

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

Mr. Loomis moved that the Council do now adjourn.

The President decided the motion out of order.

Mr. Loomis appealed from the decision of the Chair.

The question being put, on sustaining the decision of the Chair,

There were Ayes 5, Noes 2. So the decision of the Chair was sustained.

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

Which was adopted.

Mr. Babcock moved that the report of the Superintendent of Common Schools be taken up and referred to the Committee on schools.

Pending the question, Mr. McLeod moved that the report be laid on the table.

Mr. McLeod withdrew his motion.

Mr. McLeod moved that the Council do now adjourn until 2 o'clock P. M.

The question being put, the Chair was unable to decide.

A division was ordered. There were ayes 4, noes 3.

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

Two O'CLOCK, P. M.

The Council was called to order by the President.

The report of the Commissioners of Public Buildings was presented by the President and read.

Mr. McLeod moved that the report of the Commissioners on Public Buildings be referred to the Committee on Public Buildings.

Mr. McLeod, on leave, withdrew his motion.

Mr. Babcock moved that the report be laid on the table, and ordered to be printed together with the accompanying documents.

The question being put, the Chair was unable to decide. A division was ordered. There were ayes 3, nays 3.

So the motion was lost.

Mr. Babcock moved that the report be laid on the table,

Which was adopted.

On motion of Mr. McLeod, the Council resolved itself into a Committee of the Whole, Mr. Babcock in the Chair, for the consideration of the report of the Superintendent of Common Schools.

After some time passed therein, the Committee rose, and through their Chairman reported sundry resolutions as follows, viz :

1st. *Resolved*, That so much of the report as relates to School Houses, be referred to the Committee on Schools.

2d. *Resolved*, That so much of the report as relates to Diplomas, be referred to the Committee on Schools.

3d. *Resolved*, That so much of the report as relates to the publication of the School Laws, in pamphlet form, be referred to the Committee on Legislative Expenditures.

The question then recurring on the adoption of the resolutions reported from the Committee of the Whole,

Mr. McLeod asked that the resolutions be acted upon separately,

Which was granted.

The first resolution was read, and the Council concurred therein.

The second resolution was then read, and the Council concurred therein.

The third resolution was then read, and the Council concurred therein.

On motion of Mr. Babcock, the Council adjourned.

FRIDAY, JANUARY 23, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Fullerton.

The Journal of yesterday was read and corrected.

Mr. Babcock moved that the Report of the Commissioners of Public Buildings be taken from the table.

Which was decided in the affirmative.

Mr. Babcock moved that 250 copies of said Report, together with the accompanying documents, be printed for the use of the Council.

Which motion prevailed.

Mr. McLeod, on leave, introduced a Memorial (No. 1, C. F.) to the Senate of the United States, praying for the ratification of the Sioux Treaties, and the Treaty of Pembina, concluded with the Chippewas,

Which was read the first and second time.

On motion of Mr. McLeod, so much of Rule 40 as relates to the printing of Bills, was suspended by a two-thirds vote.

On motion of Mr. Loomis, the Council resolved itself into a Committee of the

Whole, Mr. Loomis in the Chair, for the consideration of (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.

After some time spent therein, the Committee rose, and by their Chairman reported the same back to the Council without amendment.

The question then recurring on the adoption of the report by the Committee of the Whole,

It was decided in the affirmative.

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

It was decided in the affirmative.

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

MONDAY, JANUARY 26, 1852.—TWO O'CLOCK, P. M.

The Council was called to order by the President.

Prayer by the Rev. Mr. Bradley.

The Journal of the 23d inst., was then read.

Mr. Babcock offered the following resolutions, which were read, to wit :

WHEREAS, Louis Kossuth, the Republican Governor of Hungary, after a noble contest for the cause of Liberty with the combined despots of Russia and Austria, has at length become an exile upon American soil, and is now the honored guest of this Republic. Therefore,

Be it Resolved by the Council and House of Representatives of the Territory of Minnesota, That in Governor Kossuth we recognize the embodiment and champion of the Republican and liberal spirit of the oppressed patriots of Europe; and whilst we remember with reverence and gratitude the devoted patriotism of our own Washington, who led our own country triumphantly out of the thralldom of European tyranny, we recognize in Kossuth the same great and noble qualities which distinguished our own immortal patriot.

Resolved, That while the allied despots of Europe are determined upon the overthrow and annihilation of every vestige of Republicanism on their Continent, it becomes our nation who are enjoying the fruits of that freedom bequeathed us through the patriotism of our fathers, not forgetting the '*foreign intervention*' which aided them in the night of their peril, to lend a helping hand to all who suffer for freedom's cause, and to protect from the encroachments of despotism, every Government which is struggling to maintain the principles which have placed our own country upon the pinnacle of National Greatness.

Resolved, That while we deeply sympathize with the hero of Hungary, and call upon our Government to give not only its *sympathy*, but "aid and comfort" to the cause of which he is the champion, we cannot withhold our condemnation from the course pursued by the Autocrat of Russia, in wantonly aiding the tyrannical house of Austria, in its efforts to enslave the Republican sons of Hungary, and we regard both the governments of Russia and Austria as obnoxious to, and deserving the execration and contempt of the friends of humanity throughout the world.

Resolved, That copies of these resolutions be transmitted, through our delegate in Congress, to Kossuth, the Emperor Nicholas, and, to Chevalier Hulseman.

Debate having arisen, the President decided that the resolutions be laid on the table under the rules.

On motion of Mr. Loomis, one hundred copies of the resolutions were ordered to be printed.

Mr. Babcock, from the committee on engrossed bills made the following report, viz :

The Committee on engrossed bills have examined 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, and beg leave to report the same as correctly engrossed.

L. A. BABCOCK,
Chairman.

On motion of Mr. McLeod, the 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 read a third time.

The question then recurring on the passage of the Memorial, it was decided in the affirmative; and the title thereof agreed to.

On motion of Mr. McLeod, the Council adjourned.

TUESDAY, JANUARY 27, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Bradley.

The Journal of yesterday was read and corrected.

The resolutions regarding Kossuth, introduced on yesterday, and laid on the table under the rules now coming up in the order of business; and the question recurring on the passage of the resolutions,

Mr. Loomis moved that the resolutions be laid on the table and made the special order of the day for Thursday, February 5th, 1852;

Which motion prevailed.

Mr. Kittson gave notice that on some future day, he would, on leave, introduce a bill for an act to organize the county of Pembina.

Mr. McLeod gave notice that on to-morrow, or some future day, he would, on leave, introduce a bill for an act to define the boundaries of a new county on the north of the Minnesota river.

The following Message from the House, by A. Pierce, Esq., Chief Clerk thereof, was received, to wit:

MR. PRESIDENT:—I am directed by the House of Representatives, to request the Council that the last annual report of the Territorial Auditor be transmitted to the House.

It is also my duty to inform the Council that the House has received the Report of the Territorial Librarian, and ordered the printing of 100 copies thereof.

And then the Chief Clerk withdrew.

On motion of Mr. Babcock,

The message from the House was then taken up and read as follows, to wit:

MR. PRESIDENT:—I am instructed by the House of Representatives, to request the Council, that the last annual report of the Territorial Auditor be transmitted to the House.

On motion of Mr. McLeod,

The Secretary of the Council was directed to transmit the Auditor's Report to the House.

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

Resolved, That the President and Secretary of the Council, be hereby authorized to certify to one days services each, to Angus M. A. Brown, as Messenger, and Charles Crawford, as Fireman to the Council, upon being satisfied that they performed the duties pertaining to the said offices, under an appointment by the Secretary of the Council previous to a temporary organization of the Council;

Which was adopted.

Mr. Farrington moved that the Council do now adjourn;

Which was lost.

Mr. McLeod moved that the Council do now adjourn until 2 o'clock, P. M.

Mr. Loomis offered the following amendment: add "to-morrow;"

Which amendment was lost.

The question recurring on the motion to adjourn, and the Chair being unable to decide, a division was ordered.

There were ayes 4; nays 4.

So the motion was lost.

Mr. McLeod moved that the Council do now adjourn until 3 o'clock, P. M.

The question being put, the Chair was unable to decide.

A division was called for and ordered.

There were ayes 4: nays 3.

So the motion prevailed.

THREE O'CLOCK, P. M.

The Council was called to order by the President.

Mr. McLeod moved a call of the Council,

Which was ordered.

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

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

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

Mr. McLeod, on leave, introduced,

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

Which was read a first and second time.

Mr. Babcock, on leave, presented the petition of Franklin Steele and others, praying for an alteration in the act entitled "An act to incorporate the Mississippi Boom Company."

Mr. McLeod moved that the petition be referred to the Committee on Incorporation;

Which motion prevailed.

Mr. Loomis moved that the Council do now adjourn;

Which motion was lost.

Mr. Babcock moved a call of the Council;

Which was ordered.

The roll was then called, and Mr. Loomis was reported absent.

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

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

Which motion was lost.

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

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

Resolved, That Councillor Loomis, from the first Council district, having vacated his seat pro tem—for want of a cushion—be supplied with one immediately, under the direction of the Sergeant-at-Arms;

Which resolution was adopted.

Mr. Farrington moved that the Council do now adjourn.

The ayes and nays being called for and ordered, there were yeas 4, nays 4, so the motion was lost.

Those who voted in the affirmative, are Messrs. Farrington, Kittson, Larned and Forbes, President—4.

Those who voted in the negative, are Messrs. Babcock, Greeley, Loomis and McLeod—4.

Mr. McLeod moved that so much of Rule 40, as relates to printing bills, be suspended.

Which motion was adopted by a two-thirds vote.

On motion of Mr. Babcock, the Council resolved itself into a Committee of the Whole, Mr. Babcock in the Chair, for the consideration of (C. F. No. 1) Joint Resolution, authorizing the Secretary of the Territory to purchase certain copies of the Annals of the Minnesota Historical Society.

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

The question recurring on the adoption of the amendment made in Committee of the Whole,

It was adopted.

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

It was adopted.

Mr. Farrington moved that the Council do now adjourn.

The yeas and nays being called for and ordered, there were, yeas 4, nays 4.

So the motion was lost.

Those who voted in the affirmative, are Messrs. Babcock, Kittson, Larned and Forbes, President—4.

Those who voted in the negative, are Messrs. Farrington, Greeley, Loomis and McLeod—4.

On motion of Mr. McLeod, the vote by which the Council ordered the Joint Resolution (C. F. No. 1,) authorizing the Secretary of the Territory to purchase certain copies of the Annals of the Minnesota Historical Society, to be engrossed, was re-considered.

The question then recurring on ordering the Joint Resolution to be engrossed for a third reading: it was negatived.

Mr. McLeod moved to re-consider the vote by which the Council refused to order the Joint Resolution to be engrossed for a third reading;

Which was adopted.

The question then recurring on ordering the Joint Resolution to be engrossed for a third reading, it was decided in the affirmative.

Mr. Babcock from the Committee on Engrossed Bills, made the following report, viz;

MR. PRESIDENT:—The Committee on Engrossed Bills, beg leave to report (C. F. No. 1) Joint Resolution authorizing the Secretary of the Territory to purchase certain documents, as correctly engrossed,

L. A. BABCOCK,
Chairman.

On motion of Mr. Loomis, Rule 37 was suspended.

Mr. Babcock moved that the Joint Resolution (C. F. No. 1,) be read a third time now;

Which was adopted.

The question then recurring on the passage of the Joint Resolution, it was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Farrington, the Council adjourned.

WEDNESDAY, JANUARY 28, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The journal of yesterday was read and corrected.

Mr. Loomis gave notice, that on leave, he would, on to-morrow or some future day, introduce a memorial relative to the seizure of lumber on Government land; and also,

A bill for an act to incorporate the Minnesota Lodge, No. 1, of the I. O. O. F.

Mr. Farrington, on leave, introduced the following resolution, which was adopted, viz:

Resolved, That the Secretary of the Territory be requested by the President of the Council, to furnish a clock for the use of this Hall.

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

The roll was called, and Messrs. Kittson, Lowry and McLeod were reported absent.

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

The Sergeant-at-Arms reported Messrs. Kittson and McLeod in their seats, and Mr. Lowry not to be found.

Mr. Babcock moved that the Council do now adjourn.

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

There were, ayes 3, nays 4.

So the motion was lost.

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

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

There were, ayes 4, nays 3.

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

TWO O'CLOCK, P. M.

The Council was called to order by the President.

On motion of Mr. Kittson,

The Council adjourned.

THURSDAY, JANUARY 29, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Bradley.

The journal of yesterday was read and corrected.

Mr. Loomis, on leave, introduced

(C. F. No. 1,) a bill for an act to incorporate the Minnesota Lodge, No. 1, of the I. O. O. F., which was read a first and second time.

A message was then received from the House, by A. Pierse, Esq., chief Clerk thereof, as follows, viz:

MR. PRESIDENT:—The House has passed

(H. of R. No. 1,) a bill granting to Anson Northop, Pierre Bottineau, Louis Roberts and Peter Poncin, the right to establish and maintain a Ferry across the Mississippi river, in which the concurrence of the Council is respectfully requested.

A bill (No. 1, H. of R.) granting to Anson Northop, Pierre Bottineau, Louis Roberts and Peter Poncin, the right to establish and maintain a ferry across the Mississippi river, was then taken up in the order of business, and read a first and second time.

The petition of Anson Northop and others, praying for a ferry across the Mississippi river above the Falls of St. Anthony, was presented and read.

Mr. Babcock moved that a bill

(H. of R. No. 1,) granting to Anson Northop, Pierre Bottineau, Louis Roberts and Peter Poncin, the right to establish and maintain a ferry across the Mississippi river, Be referred to the Committee on Internal Improvements,

With instructions to inquire if there is not a license for a ferry granted, and by whom.

Which motion prevailed.

On motion of Mr. Farrington, the Council adjourned.

FRIDAY, JANUARY 30, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Bradley.

The journal of yesterday was read and corrected.

Mr. Babcock gave notice, that on leave, he would on to-morrow or some future day, introduce a bill to amend an act entitled an act, supplementary to an act, entitled an act to incorporate the town of St. Paul.

Mr. Babcock from the Committee on Incorporations, reported (C. F. No. 2,) a bill to amend an act, entitled an act to incorporate the Mississippi Boom Company, which was read a first and second time.

And laid on the table to be printed under the rules.

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

MONDAY, FEBRUARY 2, 1852.—TWO O'CLOCK, P. M.

The Council was called to order by the President.

Prayer by the Rev. Mr. Bradley.

The Journal of Friday last was then read and corrected.

Mr. Babcock, on leave, introduced

(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; which was read a first and second time, and laid on the table to be printed under the rules.

Mr. Loomis moved, that so much of rule 40 as requires bills to lay on the table one day after being printed, before they are acted upon by the Council, be now suspended, which motion was carried by a two-thirds vote.

On motion of Mr. Loomis, the Council resolved itself into a Committee of the Whole, Mr. Larned in the chair, for the consideration of

(C. F. No. 1,) a bill to incorporate Minnesota Lodge No. 1, I. O. O. F.

And also, (C. F. No. 2,) a bill to amend an act, entitled an act to incorporate the Mississippi Boom Company.

A message from the House of Representatives being announced, the President took the chair;

When A. Pierse, Esq., chief Clerk thereof appeared and delivered the following message, viz:

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

(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. Also in

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

And the House has passed

(No. 2, H. of R.) A joint petition to the President of the United States, concerning suits for trespass on the Pine lands; And also,

(No. 5, H. of R.) A bill providing for the appointment of a Supreme Court Reporter; in which the concurrence of the Council is respectfully requested.

Further, I am instructed to request of the Council, that 150 copies each of the reports of the Commissioners of Public Buildings, and the Superintendent of Common Schools, be transmitted to the House.

In performance of that duty, I have the honor to present herewith a copy of the resolution by which I am instructed, and a preamble by which it is prefaced:

Whereas, The 12th joint rule of the two Houses specifies, 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.

And then the chief Clerk withdrew, and the Committee resumed its session.

After some time passed therein, the Committee rose, and by their Chairman reported

(C. F. No. 1,) A bill to incorporate Minnesota Lodge No. 1, I. O. O. F.

Back to the Council without amendment; and also,

(C. F. No. 2,) A bill to amend an act entitled an act, to incorporate the Mississippi Boom Company, with an amendment.

The question then recurring on accepting the report of the Committee of the Whole, it was decided in the affirmative.

The question recurring on the adoption of the amendment to

(C. F. No. 2,) A bill to amend an act to incorporate the Mississippi Boom Company. It was decided in the affirmative.

The question then recurring on ordering

(C. F. No. 1) a bill to incorporate the Minnesota Lodge No. 1, I. O. O. F. to be engrossed for a third reading,

It was decided in the affirmative.

The question then recurring on ordering

(C. F. No. 2) a bill to amend an act, to incorporate the Mississippi Boom Company, to be engrossed for a third reading, pending the question,

Mr. Loomis moved the following amendment:

Strike out of section 3, the words "to the amount of stock owned."

The question then recurring on the adoption of the amendment,

The ayes and nays were called for and ordered. Pending the order,

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

The roll was then called, and

Messrs. Kittson and McLeod reported absent.

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

The Sergeant-at-Arms reported Mr. Kittson in his seat, and Mr. McLeod not to be found.

Mr. Babcock asked if the report of the Sergeant-at-Arms suspended further proceedings under the call of the Council,

The Chair decided that it did.

Mr. Babcock appealed from the decision of the Chair.

The question was then put, "shall the decision of the Chair stand as the decision of the Council."

It was decided in the affirmative.

The question then recurring on the amendment, the roll was called, and there were yeas 4, nays 4.

So the amendment was lost.

Those who voted in the affirmative are, Messrs. Greeley, Larned, Loomis and Lowry, 4.

Those who voted in the negative are, Messrs. Babcock, Farrington, Kittson and Forbes, President, 4.

Mr. Loomis offered the following amendment:

Strike out of section 3, lines 4 and 5, the words "to the amount of stock owned" and insert the words, "in proportion to the amount of stock each one may own."

Which amendment was adopted.

The question was then put on ordering the bill to be engrossed for a third reading, and decided in the affirmative.

On motion of Mr. Kittson,
The Council adjourned.

TUESDAY, FEBRUARY 3, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hobart.

The Journal of yesterday was then read and corrected.

The message from the House of Representatives was then taken up in the order of business, and

(No. 2 H. of R.) a joint petition to the President of the United States, concerning suits for trespass on pine lands,

Was read a first and second time. And also,

(No. 5 H. of R.) a bill providing for the appointment of a Supreme Court Reporter, was read a first and second time.

The resolution of the House requesting the Council to transmit 150 copies each, of the report of the Commissioners of Public Buildings, and the report of the Superintendent of Common Schools to the House, was then taken up.

Mr. Babcock moved that the Messenger of the Council be instructed to transmit the required number of copies of the two reports, to the House,

Which motion was adopted.

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

The ayes and nays were called for and ordered.

There were ayes 3, nays 5.

So the motion was lost.

Those who voted in the affirmative are Messrs. Babcock, Kittson and Larned 3.

Those who voted in the negative are, Messrs. Farrington, Greeley, Loomis, Lowry and Forbes, President, 5.

Mr. Loomis moved that the Council do now adjourn.

The ayes and nays were called for and ordered.

There were ayes 6, nays 2.

So the Council adjourned.

Those who voted in the affirmative are, Messrs. Farrington, Greeley, Larned, Loomis, Lowry and Forbes, President, 6.

Those who voted in the negative are, Messrs. Babcock and Kittson, 2.

WEDNESDAY, FEBRUARY 4, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Bradley.

The Journal of yesterday was read and corrected.

Mr. Loomis moved a call of the Council;

Which was ordered.

The roll was called, and

Messrs. Babcock, Farrington, Kittson, Lowry and McLeod were reported absent.

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

Mr. Loomis moved that further proceedings under the call of the Council be suspended;

Which motion prevailed.

Mr. Babcock, from the committee on engrossed bills, reported
(C. F. No. 1,) A bill to incorporate Minnesota Lodge No. 1, I. O. O. F.,
As correctly engrossed.

On motion of Mr. Loomis,
(C. F. No. 1,) A bill to incorporate Minnesota Lodge No. 1, I. O. O. F.,
Was read a third time.

The question then recurring on the passage of
(C. F. No. 1,) A bill to incorporate Minnesota Lodge No. 1, I. O. O. F.,
It was decided in the affirmative,
And the title thereof agreed to.

On motion of Mr. Babcock,
The Council resolved itself into Committee of the whole, Mr. Babcock in the Chair,

For the consideration of

(No. 2, H. of R.) Joint petition to the President of the United States, concerning suits for trespass on pine lands.

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

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

It was decided in the affirmative.

The question then recurring on ordering

(No. 2, H. of R.) Joint petition to the President of the United States, concerning suits for trespass on pine lands;

To a third reading;

It was decided in the affirmative.

And the petition was then read a third time.

The question then recurring on the passage of

(No. 2, H. of R.) Joint petition to the President of the United States, concerning suits for trespass on pine lands;

It was decided in the affirmative.

Mr. Babcock moved to reconsider the vote by which the petition was passed;

It was decided in the affirmative.

Mr. Loomis asked the unanimous consent of the Council to amend the petition, by striking out the word "petition" where it occurs, and insert "memorial;" also strike out the word "petitioners" and insert "memorialists;"

Which was granted.

The question then recurring on the passage of the petition as amended,

It was decided in the affirmative.

The question then recurring on agreeing to the title thereof;

Mr. Kittson moved the following amendment:

Strike out the words "joint petition," and insert in lieu thereof, the words memorial of the Legislative Assembly of the Territory of Minnesota;

Which amendment was agreed to.

The question again recurring on agreeing to the title as amended;

It was decided in the affirmative.

On motion of Mr. Loomis,

The Council adjourned.

THURSDAY, FEBRUARY 5, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Bradley.

The Journal of yesterday was read and corrected.

(No. 1, C. F.) Joint resolutions expressing sympathy for Louis Kossuth, in ... unsuccessful struggle for the liberty of Hungary, came up in the order of business.

A message from the House of Representatives was announced,

When A. Pierse, Esq., Chief Clerk thereof appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed,

(H. of R. No. 7,) 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;

(H. of R. 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;

(H. of R. No. 9, A bill to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington; and

(H. of R. No. 10,) A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife.

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

The Chief Clerk then withdrew.

Mr. Farrington moved that the joint resolutions,

(C. F. No. 1,) be laid on the table and made the special order of the day for Thursday next;

Which motion prevailed.

Mr. Babcock, from the committee on engrossed bills, made the following report, viz:

The committee on engrossed bills, have examined,

(C. F. No. 2,) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company;

And beg leave to report the same as correctly engrossed.

L. A. BABCOCK,
Chairman.

The message from the House was then taken up in the order of business; when (H. of R. No. 7,) A bill 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;

Was taken up, and read a first and second time; and

(H. of R. 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,

Was taken up, and read a first and second time; also,

(H. of R. No. 9,) A bill to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington,

Was then taken up and read a first and second time; and also,

(No. 10, H. of R.) A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman his wife;

Was taken up and read a first and second time.

On motion of Mr. Babcock,

(C. F. No. 3,) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company,

Was taken up for a third reading; when Mr. Larned moved that bill

(C. F. No. 3,) Be recommitted to select committee of three;

Which motion prevailed.

The Chair appointed Messrs. Larned, Babcock and Farrington said committee.

On motion of Mr. Babcock,

The Council resolved itself into Committee of the Whole, Mr. Larned in the Chair, for the consideration of

(No. 5, H. of R.) A bill for the appointment of a Supreme Court Reporter.

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

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

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading, Mr. Loomis moved that the bill

(No. 5, H. of R.) For the appointment of a Supreme Court Reporter, be referred to the Committee on the Judiciary;

Which was decided in the affirmative.

(C. F. No. 2,) 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, approved November 1st, 1849, approved March 31st, 1851;

Was then taken up; and

On motion of Mr. McLeod,

The Council resolved itself into a Committee of the Whole, Mr. Loomis in the Chair, for the consideration of

(C. F. No. 2,) 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; approved November 1st, 1849, approved March 31st, 1851.

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

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

It was decided in the affirmative.

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

It was decided in the affirmative.

Mr. Babcock, on leave, introduced

(C. F. No. 4,) A bill granting to W. G. Le Duc the right to establish and maintain a ferry across the Mississippi river, at the foot of Wabashaw street, in the town of St. Paul;

Which was read a first and second time.

Mr. Kittson moved that the Council do now adjourn until 3 o'clock, P. M.;

Which motion was lost.

Mr. Greeley moved that the Council do now adjourn.

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

There were ayes 3; nays 4.

So the motion was lost.

Mr. McLeod, moved that the Council do now adjourn until 2 o'clock, P. M.

The ayes and nays were called for and ordered.

There were ayes 5; nays 3.

Those who voted in the affirmative are Messrs. Babcock, Farrington, Kittson, Larned and McLeod—5.

Those who voted in the negative, are Messrs. Greeley, Loomis and Forbes, President—2.

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

TWO O'CLOCK, P. M.

The Council was called to order by the President.

Mr. Babcock moved a call of the Council;

Which was ordered.

The roll was then called, and Messrs. Loomis and Lowry, were reported absent. The Sergeant-at-Arms was directed to notify the absent members to appear in their seats.

The Sergeant-at-Arms reported Mr. Loomis in his seat, and Mr. Lowry sick and not able to attend.

Mr. Loomis moved that Mr. Lowry be excused from attendance this afternoon. Which motion prevailed.

Mr. Loomis moved that the Council do now adjourn.

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

There were ayes 5.

So the Council adjourned.

FRIDAY FEBRUARY 6, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Bradley.

The Journal of yesterday was read and corrected.

Mr. Babcock gave notice that on to-morrow, or some future day, he would on leave, introduce a bill granting to D. A. J. Baker, the right to establish and maintain a ferry across the Mississippi river, opposite the town of St. Paul.

Mr. Babcock, from the committee on Engrossed Bills, reported (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, as correctly engrossed.

Mr. McLeod, from the joint committee on Enrolled Bills, made the following report, viz:

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.* }
B. H. RANDALL, *H. of R.*, } Committees.

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole, Mr. McLeod in the chair, for the further consideration of

(No. 9, H. of R.) a bill to incorporate the Cottage Grove Academy at Cottage Grove, in the county of Washington.

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

The question recurring on the adoption of the report of the committee of the whole,

Mr. Loomis moved that the amendments be acted upon separately;

Which was agreed to.

The first amendment was read, and the Council concurred therein;

The second amendment was then read, and the Council concurred therein;

The third amendment was then read, and the Council concurred therein;

The fourth amendment was then read, and the Council concurred therein.

The question then recurring on ordering

(No. 9, H. of R.) a bill to incorporate the Cottage Grove Academy, in the county of Washington, to a third reading;

It was decided in the affirmative.

The question then recurring on the passage of the bill;

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

Mr. Babcock moved that

(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; and also,

(No. 10, H. of R.) a bill to dissolve the marriage contract between Tido S. Lottman, and Rosa Lottman, his wife,

Be laid on the table.

Mr. Babcock, on leave, withdrew his motion.

Mr. Babcock moved that

(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,

Be laid on the table;

Which was adopted.

On motion of Mr. Loomis,

(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;

Was laid on the table.

Mr. Loomis moved that

(No. 10, H. of R.) a bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife,

Be taken up and referred to the Committee of the Whole.

Mr. Babcock moved that the bill

(No. 10, H. of R.) be laid on the table.

The ayes and noes being called for and ordered;

The roll was called, and there were ayes 3, nays 5.

Those who voted in the affirmative, are Messrs. Babcock, Kittson and McLeod,

Those who voted in the negative, are Messrs. Greeley, Larned, Loomis, Lowry and Forbes, President, 5.

So the motion was lost.

Mr. Loomis moved that the Secretary of the Council be instructed to request the House to transmit to the Council, all petitions and papers relating to

(No. 10, H. of R.) a bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife.

The President decided the question out of order, as there was a motion before the Council for the bill to be taken up in committee of the whole, which had not been acted upon.

Mr. Loomis, then on leave, withdrew the motion to take up the bill in committee of the whole, and renewed the motion to instruct the Secretary, to request the House to send the papers and testimony in relation to bill

(No. 10, H. of R.) which motion prevailed.

Mr. Babcock moved that

(C. F. No. 3.) a bill to amend an act entitled an act, supplementary to an act, entitled an act to incorporate to town of St. Paul, in the county of Ramsey;

Be read a third time, now.

Pending the question;

Mr. Babcock asked the unanimous consent of the Council;

To amend the bill by striking out the word "twenty" where it occurs, and inserting in lieu thereof, the word "twenty-two."

Which was granted.

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

It was decided in the affirmative.

The bill was then read a third time.

The question then recurring on the passage of the bill,

(C. F. No. 3.) it was decided in the affirmative, and the title thereof agreed to,

Mr. Larned from the Select Committee, to whom was referred the bill,

(C. F. No. 2.) made the following report, viz:

Your committee to whom was re-committed

(No. 2, C. F.) a bill to amend an act entitled, an act to incorporate the Mississippi Boom Company, would respectfully report:

That they have had the same under consideration, and report the same back with the following amendments, viz:

That in section two, after the words "May first, A. D. 1853," be added the following: "*Provided*, That this act shall not be so construed, as to prevent any person or company from erecting or hanging any side or sheer booms to collect their own logs or timber, at any point above or below said boom."

Also, in sections No. 4, and No. 5, where the words "three days" occur, that the word "three" be stricken out and the word "five" be inserted.

WM. L. LARNED,

Chairman Committee.

On motion of Mr. Babcock,

The amendments recommended by the Select Committee, were then concurred in by the Council.

The question then recurring on ordering to a second reading

(C. F. No. 2.) a bill to amend an act entitled an act, to incorporate the Mississippi Boom Company;

It was decided in the affirmative.

On motion of Mr. Babcock,

The Council resolved itself into committee of the whole, Mr. McLeod in the Chair, for the consideration of

(C. F. No. 2.) a bill to amend an act entitled an act to incorporate the Mississippi Boom Company,

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

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

It was accepted.

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

It was decided in the affirmative.

The question then recurring on the passage of the bill, the ayes and noes were called for and ordered.

There were, ayes 7, noes 1.

Those who voted in the affirmative, are Messrs. Babcock, Greeley, Kittson, Larned, Loomis, McLeod and Forbes, President.

Mr. Lowry voted in the negative.

So the bill passed, and the title thereof was agreed to.

A message from the House being announced, A. Pierse, Esq., chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—I present herewith all the papers which have been filed in the House, referring to the bill

(No. 10, H. of R.) to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife.

And then he withdrew.

Mr. Loomis moved that the Council resolve itself into committee of the whole, for the consideration of

(No. 10, H. of R.) a bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife.

Mr. Babcock moved a call of the Council;

Which was ordered.

The roll was then called, and Mr. Farrington was reported absent.

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

On motion of Mr. McLeod,

Further proceedings under the call of Council were dispensed with.

Mr. Loomis then renewed his motion, and the Council resolved itself into committee of the whole;

Mr. Larned in the Chair.

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

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

It was accepted.

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

Mr. Babcock moved that

(No. 10, H. of R.) a bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife, be indefinitely postponed.

The ayes and nays were called for and ordered.

There were ayes, 6, nays, 2.

Those who voted in the affirmative, are Messrs. Babcock, Kittson, Larned, Lowry, McLeod and Forbes, President, 6.

Those who voted in the negative, are Messrs. Greeley and Loomis, 2.

So the bill was indefinitely postponed.

Mr. Greeley moved that the Council do now adjourn.

The ayes and nays were called for and ordered.

There were ayes, 4, nays, 4.

Those who voted in the affirmative, are Messrs. Babcock, Greeley, Loomis and Lowry, 4.

Those who voted in the negative, are Messrs. Kittson, Larned, McLeod and Forbes, President, 4.

So the Council refused to adjourn.

Mr. McLeod moved that the Council do now adjourn until 2 o'clock, P. M.

The ayes and nays were called for and ordered.

There were ayes, 5, nays 3.

Those who voted in the affirmative, are Messrs. Larned, Loomis, Lowry, McLeod and Forbes, President, 5.

Those who voted in the negative, are Messrs. Babcock, Greeley and Kittson, 3.

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

TWO O'CLOCK, P. M.

The Council was called to order by the President.

A message from the House being announced, A. Pierse, Esq., chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed (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.

And then he withdrew.

On motion of Mr. McLeod,

The message from the House was taken up for consideration, and the President signed

(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; and it was placed in the hands of the Chairman of the Committee on Enrolled Bills for presentation to his Excellency, the Governor, for examination and approval.

Mr. McLeod, from the Committee on Enrolled Bills, made the following report, viz:

Territory of Minnesota—Legislative Assembly—First Session of the Second Council, A. D. 1852.

The Joint Committee on Enrolled Bills, did, on the 6th of February, A. D. 1852, presented to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following memorial, viz:

Memorial to the Senate of the United States, praying for the ratification of the Sioux treaties, and the treaty of Pembina, concluded with the Chippewas.

M. McLEOD, *Council*,
B. H. RANDALL, *H. of R.*, } Committee.

Mr. Kittson moved that the Council do now adjourn.

Which was lost.

On motion of Mr. McLeod,

The Council adjourned until Monday next, at 10 o'clock, A. M.

MONDAY, FEBRUARY 9, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Hoyt.

The Journal of Friday was read and corrected.

Mr. Greeley presented the remonstrance of J. E. McKusick, Auditor of the Territory, denying the right of the Council to expunge or mutilate any portion of his report;

Which was read.

Mr. Kittson moved that the remonstrance to be laid on the table;

Which was lost.

Mr. Kittson moved a call of the Council;

Which was ordered.

The roll was called, and Messrs. Farrington, Lowry and McLeod, were reported absent.

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

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

Which motion prevailed.

Mr. Kittson moved that the remonstrance of J. E. McKusick, be indefinitely postponed.

The ayes and nays were called for and ordered.

There were ayes, 4, nays, 2.

Those who voted in the affirmative, are Messrs. Babcock, Kittson, Loomis and Forbes, President, 4.

Those who voted in the negative, are Messrs. Greeley and Larned, 2.

So the motion was decided in the affirmative.

Mr. Loomis offered the following resolution;

Which was adopted.

Resolved, That the Standing Committees of the Council, be instructed to report as soon as possible, upon the various portions of the Governor's Message, which were referred to them for consideration.

Mr. Babcock moved that the Council do now adjourn,

The Chair was unable to decide.

A division was ordered;

There were ayes, 3, nays, 3.

So the motion was lost.

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

The yeas and nays were called for and ordered, there were, yeas 4, nays 3.

Those who voted in the affirmative, are Messrs. Babcock, Kittson, Larned and Forbes, President, 4.

Those who voted in the negative, are Messrs. Farrington, Greeley and Loomis, 3.
So the Council adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

The Council was called to order by the President.

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

Whereas, There is every prospect that this Session of the Legislative Assembly, will be completely deluged with applications, praying to be divorced from the silken bands of matrimony; and

Whereas, There is a great diversity of opinion among the members of this Council, as to the legality of the Legislature granting such applications. Therefore, be it

Resolved, That the Attorney General of the Territory, be requested to furnish this Council, with his opinion in writing, in regard to the constitutionality of the granting of divorces by the Legislature.

The resolution eliciting debate, it was ordered to lie on the table for one day, under the rules.

A message in writing was received from his Excellency, the Governor, by W. B. White, Esq., his Private Secretary.

The Secretary then withdrew.

The President decided that debate could not be had on the resolution at this time, as the resolution had been laid on table for one day; consequently, not before the Council.

Mr. McLeod appealed from the decision of the Chair.

The question was put, shall the decision of the Chair be sustained?

It was decided in the negative.

A message from the House was announced, when A. Pierse, Esq., chief Clerk thereof appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has concurred in

(C. F. No. 1,) a bill to incorporate the Minnesota Lodge, No. 1, I. O. O. F.

And has passed

(No. 3, H. of R.) A bill to dissolve the marriage contract of Abram Hull and Julia A. Hull. Also

(No. 4, H. of R.) A bill granting to Emanuel Case, the right to establish and maintain a ferry across the Mississippi river.

In these two latter, the concurrence of the Council is respectfully requested.

You will find herewith all the papers filed in the house, upon which they are founded.

A. PIERSE,
Clerk.

And then he withdrew.

Mr. Babcock moved to amend by striking out the words "Attorney General," and inserting "Chief Justice Fuller."

The amendment was laid on the table under the rules.

On motion of Mr. Larned,

The message from the House was taken up for consideration; and

(No. 3, H. of R.) A bill to dissolve the marriage contract of Abram Hull and Julia A. Hull,

Was read a first and second time.

On motion of Mr. Loomis,

So much of rule 37 as relates to reading bills at length, was suspended.

(No. 4, H. of R.) A bill granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river,

Was read a first and second time by its title.

On motion of Mr. Babcock,

The message from his Excellency, the Governor, was taken up and read as follows:

EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 9, 1852. }

To the Honorable, the President of the Council:

SIR:—I have the honor to transmit herewith, the Annual Report of the Adjutant General of the militia of the Territory.

Very respectfully your ob't. serv't.

ALEX. RAMSEY.

EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 6, 1852. }

To the Honorable, the President of the Council:

SIR:—I have 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."

Very respectfully your ob't. serv't.

ALEX. RAMSEY.

The Annual Report of the Adjutant General was then read.

Mr. Loomis moved that 250 copies of the Report of the Adjutant General be printed.

The ayes and nays were called for and ordered.

There were ayes 7; nays 1.

Those who voted in the affirmative, are Messrs. Babcock, Farrington, Kittson, Larned, Loomis, McLeod and Forbes, President—7.

Mr. Greeley voted in the negative.

So the motion prevailed.

On motion of Mr. Babcock,

The Report of the Adjutant General was referred to the Committee on Militia. Mr. McLeod, from the committee on enrolled bills, made the following report,

viz:

The committee on enrolled bills, have examined and found correctly enrolled,

A joint resolution requiring the Secretary of the Territory to pay out of the Legislative fund, seventy-five dollars, for the purchase of the Annals of the Minnesota Historical Society of 1852.

M. McLEOD,
Chairman Committee.

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

Mr. McLeod, on leave, presented the First Annual Report of the Regents of the University of Minnesota;

Which was read.

On motion of Mr. Kittson,

The report was accepted, and 250 copies ordered to be printed.

On motion of Mr. Babcock,

The report was referred to the Committee on Schools.

On motion of Mr. McLeod,

Rule 36 was so far suspended as to admit of the introduction of a bill now.

Mr. Kittson, on leave, introduced

(C. F. No. 5,) A bill for the relief of S. B. Olmsted, Alden Bryant, C. F. Tracy and B. W. Lott;

Which was read a first and second time.

On motion of Mr. McLeod,

The bill was referred to the committee on legislative expenditures.

On motion of Mr. Babcock, the Council adjourned.

TUESDAY, FEBRUARY 10, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Ravoux.

The Journal of yesterday was then read and corrected.

The resolution introduced on yesterday and laid on the table under the rules, was taken up for consideration.

The question recurring on the adoption of the amendment offered by Mr. Babcock;

A division was ordered, there were, ayes 2, nays 4.

So the amendment was lost.

The question then recurring on the passage of the resolution,

A division was ordered, there were, ayes 1, nays 4.

So the resolution did not pass.

(H. of R. No. 3,) A bill to dissolve the marriage contract of Abram Hull, and Julia A. Hull,

Coming up in the order of business,

Mr. Kittson moved that the bill be referred to a select committee of three;

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

There were ayes 3; nays 2.

So the motion prevailed.

The Chair appointed Messrs. Kittson, Larned and Loomis such committee.

(H. of R. No. 4,) A bill granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river,

Was taken up; and

On motion of Mr. Kittson,

The bill was referred to the committee on internal improvements.

On motion of Mr. Larned,

The Council resolved itself into a Committee of the Whole, Mr. Larned in the chair, for the consideration of

(C. F. No. 4,) A bill granting to Wm. G. Le Duc the right to maintain a ferry across the Mississippi river at the foot of Wabashaw street, in St. Paul,

After some time passed therein, the Committee rose, and by their Chairman reported progress, and asked leave to sit again;

Leave was granted.

On motion of Mr. Farrington,

The Council adjourned.

WEDNESDAY, FEBRUARY 11, 1852

The Council was called to order by the President.

Prayer by the Rev. Mr. Ravoux.

The Journal of yesterday was read and corrected.

Mr. Loomis gave notice, that on leave, he would, on to-morrow or some future day, introduce a bill to repeal an act entitled an act granting to Wm. Nobles the right to establish and maintain a ferry across Lake St. Croix at Willowriver.

Mr. Farrington moved a call of the Council;

Which was ordered.

The roll was called, and

Messrs. Babcock, Greeley and Lowry were reported absent.

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

A message from the House of Representatives was announced,

When A. Pierse, Esq., Chief Clerk thereof appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed a joint resolution authorizing the Secretary of the Territory to purchase Annals of the Minnesota Historical Society;

And 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.

A. PIERSE,
Clerk.

And then he withdrew.

The Sergeant-at-Arms reported Mr. Babcock in his seat, and Messrs. Greeley and Lowry not to be found.

Mr. Loomis moved that the report be accepted.

The ayes and nays were called for and ordered.

There were ayes 4, nays 2.

Those who voted in the affirmative are Messrs. Farrington, Larned, Loomis and Forbes, President—4.

Those who voted in the negative, are Messrs. Babcock and Kittson—2.

So the report was accepted.

Mr. Loomis from the Committee on Enrolled Bills, made the following report, to wit:

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, }
B. H. RANDALL, } Committee.

On motion of Mr. Larned,

The message from the House was taken up and read;

And the President signed a joint resolution, authorizing the Secretary of the Territory to purchase certain copies of the Annals of the Minnesota Historical Society.

And also, Joint Memorial to the President of the United States, concerning suits for trespass on pine lands; and they were placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination and approval.

Mr. Babcock moved a call of the Council;

Which was ordered.

The roll was called, and Messrs. Greeley and Lowry were reported absent.

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

The Sergeant-at-Arms reported that the absentees were not in town.

On motion of Mr. Larned,

Mr. Lowry was excused from attendance in the Council to-day.

Mr. Loomis moved that the Council do now adjourn.

The ayes and nays being called for and ordered.

There were yeas 2, nays 3.

Those who voted in the affirmative, are Messrs. Loomis and Forbes, President—2.

Those who voted in the negative, are Messrs. Babcock, Farrington and Larned—3.

So the motion did not prevail.

Mr. Farrington moved a call of the Council;

Which was ordered.

The roll was called, and Messrs. Greeley and Kittson, was reported absent.

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

The Sergeant-at-Arms reported Messrs. Kittson in his seat, and Mr. Greeley not to be found.

On motion of Mr. Farrington,
The report was accepted.
Mr. Kittson moved that the Council do now adjourn until 2 o'clock, P. M.
The ayes and nays were called for and ordered.
There were ayes 3, nays 2.
Those who voted in the affirmative, are Messrs. Babcock, Kittson and Forbes,
President—3.
Those who voted in the negative, are Messrs. Farrington and Loomis—2.
So the Council adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

The Council was called to order by the President.
Mr. Babcock gave notice that on to-morrow, he would ask leave to amend rule 58 of the Standing Rules of the Council.
On motion of Mr. Farrington,
The Council adjourned.

THURSDAY, FEBRUARY 12, 1852.

The Council was called to order by the President.
Prayer by the Rev. Mr. Ravoux.
The journal of yesterday was read and corrected.
Mr. Greeley presented the petition of James W. Brown, praying to be dissolved from the bands of matrimony.
Mr. Loomis moved that the petition be referred to the Committee on Agriculture and Manufactures.
Mr. Greeley moved to amend the motion so as to have the petition referred to a select committee of three;
Which amendment was accepted.
The motion as amended, was adopted.
The Chair appointed Messrs. Greeley, Larned and Loomis, such committee.
Joint resolution, expressive of sympathy for Louis Kossuth, in late unsuccessful struggle for the liberty of Hungary, was taken up in order.
Mr. Loomis offered the following amendment:
Strike out all after the first resolution, and insert the following:
Resolved, That while we deeply sympathize with the Hero of Hungary, and bid him a cordial welcome to our shores, we cannot wish him success in the efforts he is now making to entangle our government in European affairs.
Mr. Greeley offered the following amendment:
Strike out the last resolution.
Mr. Babcock moved the joint resolution be laid on the table for one week, and made the special order of the day for Thursday next;
Which was adopted.
Mr. Kittson, from the Committee on Internal Improvements, made the following report, viz:
"The majority of the Committee on Internal Improvements, to whom was referred (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, at the Falls of St. Anthony, has had the same under consideration, and beg leave to report, that it was in evidence before your committee, that on the 8th day of July last, at a session of the Board of County Commissioners, of the County of Ramsey, Commissioners Russel and Jarvais being present, Eman-

uel Case, of St. Anthony, made application to said Board for a license to keep and maintain a ferry across the Mississippi river, at or near the same place for which Anson Northrop and others ask for a charter, in the bill under consideration; and that the records of the proceedings of said Board show that on the same day the Board granted said license.

Mr. Jarvais, one of the Commissioners, and whose vote was necessary to the granting of said license, appeared before the undersigned, and stated that he never did vote for Emanuel Case to have a ferry at the point designated in license, purporting to be granted by the Board of County Commissioners, but when spoken to about the matter by Commissioner Russel, stated that he could not vote for Mr. Case to have the ferry, as it was the understanding with at least two of the Commissioners, that Mr. Bottineau was to have a license for that point.

Mr. Russel replied it could in no way interfere with Mr. Bottineau's rights, as the point at which Mr. Case asked for a ferry, was at least three miles above the Falls of St. Anthony; with that understanding he voted for Mr. Case to have a license.

"Your committee being fully satisfied that Mr. Case has never complied with the conditions of his license, and that said license was obtained by a misunderstanding, recommends the passage of the bill under consideration.

NORMAN W. KITTSON,
G. W. FARRINGTON."

"The committee have also had bill

"(No. 4, H. of R.) a bill granting to Emanuel Case, the right to keep and maintain a ferry across the Mississippi river, under consideration; and are of opinion that said bill should be laid on the table indefinitely.

G. W. FARRINGTON,
NORMAN W. KITTSON."

On motion of Mr. Loomis,

The report of the committee was accepted.'

(No. 4, H. of R.) a bill granting to Pierre Bottineau, Louis Roberts and Peter Poncin, the right to keep and maintain a ferry across the Mississippi river, and also,

(No. 4, H. of R.) a bill granting to Emanuel Case, the right to establish and maintain a ferry across the Mississippi river, were taken up and read a second time.

A message from the House of Representatives being announced, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following, viz:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed (H. of R. No. 9,) A act to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington.

And then he withdrew.

Mr. Loomis, from the committee on Legislative Expenditures, made the following report, to wit:

The joint committee on Legislative Expenditures, to whom was referred

(C. F. No. 5.) a bill for the relief of A. Bryant and others, have had the same under consideration, and beg leave to report, that in their opinion, the bill should be so amended as to allow A. Bryant and S. B. Olmstead, each, the sum of one hundred and fifteen dollars; and to B. W. Lott and C. F. Tracy, each, the sum of ninety dollars.

D. B. LOOMIS,
Chairman Committee.

On motion of Mr. Farrington,

The report was accepted.

The question then recurring, on agreeing to the amendments offered by the committee, they were agreed to.

(No. 5, C. F.) a bill for the relief of S. B. Olmstead, Alden Bryant, B. W. Lott and C. F. Tracy, as amended, was then read a second time.

The message from the House was then taken up, and the President signed

(H. of R. No. 9.) a act to incorporate the Cottage Grove Academy at Cottage Grove, in the county of Washington.

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

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole;

Mr. Loomis in the chair;

For the consideration of

(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.

After some time passed therein, the committee rose, and by their Chairman reported there was not a quorum in attendance.

The Sergeant-at-Arms was requested to notify a quorum to appear in their seats.

The Sergeant-at-Arms reported a quorum present; and

The committee again resumed its sitting.

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

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

It was accepted.

Mr. Loomis offered the following amendment to the bill:

Strike out the word "ten" where it occurs in section first, and insert in lieu thereof, the word "two."

Mr. Kittson moved to amend the amendment by striking out the word "two" and inserting the word "six."

A division was ordered;

There were ayes, 4, nays, 2.

So the amendment to the amendment was agreed to.

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

A division was ordered;

There were ayes 5.

So the motion prevailed.

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

The ayes and nays were called for and ordered.

There were ayes, 4, nays, 3.

Those who voted in the affirmative, are Messrs. Farrington, Greeley, Kittson, and Forbes, President, 4.

Those who voted in the negative, are Messrs. Babcock, Larned and Loomis—3.

So the bill was read a third time.

Mr. Babcock moved a call of the Council;

Which was ordered.

The roll was then called, and Messrs. Lowry and McLeod were reported absent.

On motion of Mr. Kittson,

Mr. McLeod was excused from attendance in the Council for to-day.

On motion of Mr. Larned,

Mr. Lowry was excused from attendance on the Council to-day.

The question then recurring on the passage of the bill, the ayes and noes were called for and ordered.

There were ayes 4, nays 3.

Those who voted in the affirmative, are Messrs. Farrington, Greeley, Kittson, and Forbes, President—4.

Those who voted in the negative, are Messrs. Babcock, Larned and Loomis—3.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Farrington,

The Council resolved itself into Committee of the Whole, Mr. Larned in the chair, for the consideration of

(C. F. No. 4.) A bill granting to W. G. Le Duc the right to establish and maintain a ferry across the Mississippi river, at the foot of Wabashaw street, in the town of St. Paul;

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

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

It was accepted.

Mr. Loomis moved to amend the bill by striking out the word "ten" where it occurs in section first, and insert in lieu thereof, the word "six."

On motion of Mr. Greeley,

The Council adjourned.

FRIDAY, FEBRUARY 13, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Ravoux.

The Journal of yesterday was read and corrected.

Mr. Loomis, from the Committee on Enrolled Bills, made the following report, viz:

Territory of Minnesota, Legislative Assembly, First Session of the Second Council, A. D. 1852.

The Joint Committee on Enrolled Bills, did, on the 11th of February, A. D. 1852, presented to his Excellency, the Governor of Minnesota Territory, 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 pine lands; also,

Joint resolution authorizing the Secretary of the Territory to purchase Annals of the Minnesota Historical Society.

D. B. LOOMIS, *Council*,
B. H. RANDALL, *H. of R.*, } Committee.

(C. F. No. 4.) A bill granting to W. G. Le Duc the right to establish and maintain a ferry across the Mississippi river, at the foot of Wabashaw street, in the town of St. Paul.

Mr. Babcock moved to amend the bill as follows, viz:

Amend section 4, line 5, by inserting after the words Wabashaw street, the words "of crossing said island and embarking upon the south side thereof and that," and after the word Le Duc the word "may."

Which amendment was agreed to.

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

A division was ordered;

There were ayes, 4, nays, 2.

So the bill was ordered to be engrossed.

On motion of Mr. Loomis,

The Council resolved itself into committee of the whole, Mr. Babcock in the Chair, for the consideration of

(C. F. No. 5.) A bill for the relief of S. B. Olmstead, Alden Bryant, C. F. Tracy and B. W. Lott;

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

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

It was adopted.

The question then recurring on ordering the bill, (C. F. No. 5,) to be engrossed for a third reading,

It was decided in the affirmative.

Mr. Loomis, from the committee on enrolled bills, made the following report, viz:

The committee on enrolled bills, have examined and found correctly enrolled, (C. F. No. 1,) A bill to incorporate Minnesota Lodge No. 1, I. O. O. F.,

D. B. LOOMIS, *Council*,
B. H. RANDALL, *H. of R.*, } Committee.

On motion of Mr. Babcock,
The Council adjourned until 2 o'clock P. M.

TWO O'CLOCK, P. M.

The Council was called to order by the President.

Mr. Babcock moved a call of the Council;

Which was ordered.

On motion of Mr. Kittson,

Mr. McLeod was excused from attendance on the Council this afternoon.

The roll was then called, and Messrs. Farrington, Loomis and Lowry, were reported absent.

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

On motion of Mr. Babcock,

Further proceedings under the call of Council were dispensed with.

Mr. Babcock, from the committee on the judiciary, reported, (No. 5, H. of R.) A bill for the appointment of a Supreme Court Reporter, back to the Council without amendment, and recommend its passage.

The question then recurring on adopting the report of the Committee, It was adopted.

On motion of Mr. Babcock,

Mr. Loomis was excused from attendance in the Council this afternoon.

Mr. Farrington, from the special committee on elections, to whom was referred the petition of Wm. Sturgis, contesting the seat of S. B. Lowry, reported the same back to the Council together with the accompanying documents;

Which report was accepted.

On motion of Mr. Babcock,

The report and accompanying documents were laid on the table and ordered to be printed.

On motion of Mr. Larned,

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

MONDAY, FEBRUARY 16, 1852.—TWO O'CLOCK, P. M.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The Journal of Friday was read and corrected.

Mr. Kittson moved a call of the Council;

Which was ordered.

The roll was then called, and Messrs. Farrington and Lowry were reported absent.

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

On motion of Mr. Larned,

Mr. Lowry was excused from attendance on the Council this afternoon.

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

Mr. Greeley gave notice that he would, on leave, in five days or subsequently, in accordance with joint rule No. 9, introduce

A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife;

A message from the House was announced, when A. Pierse, Esq., chief Clerk thereof appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has passed,
(No. 2, C. F.) a bill to amend an act entitled, an act to incorporate the Mississippi Boom Company,

With sundry amendments;

The House has also passed,

(H. of R. No. 3,) 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 Wabashaw county, in said Territory;

(H. of R. No. 11,) A bill to incorporate the St. Anthony Boom Company; and

(H. of R. No. 12,) A bill to punish trespassers on school lands in Minnesota Territory;

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

I also present herewith,

(C. F. No. 1,) A bill to incorporate Minnesota Lodge No. 1, I. O. O. F.

Which has been signed by the Speaker of the House;

A. PIERSE,

Clerk.

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

A bill to dissolve the marriage contract between Joseph Renville and Tah-hoyhpu, his wife;

Mr. McLeod, on leave, presented the petition of Joseph Renville, praying to be dissolved from the bands of matrimony;

Which was read.

Mr. Kittson, from the select committee to whom was referred,

(No. 3, H. of R.) A bill to dissolve the marriage contract between Abram Hull and Julia A. Hull,

Made the following report, viz:

The committee to whom was referred the petition of Abram Hull, praying to be divorced from his wife, Julia A. Hull, have had the same under consideration, with the accompanying documents; one of which is, a bill

(No. 3, H. of R.) To dissolve the marriage contract; the said bill having passed the House on the 6th February instant.

Your committee, in consequence of articles of agreement between the parties, rendering a divorce by due course of law difficult, perhaps impossible, beg, therefore, respectfully to recommend the passage of said bill.

NORMAN W. KITTSOON,
WM. L. LARNED,
D. B. LOOMIS.

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

It was accepted.

Mr. Greeley moved a call of the Council;

Which was ordered.

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

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

The Sergeant-at-Arms reported that Messrs. Babcock and Loomis were not to be found.

On motion of Mr. McLeod,

The report of the Sergeant-at-Arms was accepted.

The message from the House was taken up, and the President signed an act to incorporate Minnesota Lodge No. 1, I. O. O. F.

The question then recurring on the first amendment of the House, to (C. F. No. 2,) a bill to amend an act entitled an act to incorporate the Mississippi Boom Company.

Mr. Babcock moved that the bill be laid on the table;

Which was decided in the affirmative.

On motion of Mr. Loomis,

The message was laid on the table.

Mr. Babcock, from the committee on incorporations, to whom was referred the petition of James S. Norris and others, on leave, reported

(C. F. No. 6,) A bill to amend an act entitled an act to authorize Wm. Nobles to keep a ferry across Lake St. Croix, at the mouth of Willow river;

Which was read a first and second time.

On motion of Mr. McLeod,

The Council took a recess.

After a short recess, the Council again assembled in the Council room.

On motion of Mr. McLeod,

The Council resolved itself into a Committee of the Whole, Mr. Babcock in the Chair, for the consideration of

(No. 3, H. of R.) A bill to dissolve the marriage contract of Abram Hull and Julia A. Hull,

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

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

It was accepted.

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

It was decided in the affirmative.

The bill was then read a third time.

The question then recurring on the passage of the bill,

The ayes and nays were called for and ordered.

There were ayes, 6.

Those who voted in the affirmative, are Messrs. Farrington, Greeley, Kittson, Larned, McLeod and Forbes, President—6.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Larned,

The Council resolved itself into a Committee of the whole, Mr. McLeod in the Chair, for the consideration of

(No. 4, H. of R.) A bill granting to Emanuel Case, the right to establish and maintain a ferry across the Mississippi river.

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

The question then recurring on agreeing to the amendment of the Committee of the Whole;

It was agreed to.

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

Mr. Kittson moved that the bill be re-committed to a select committee of three, A division was ordered;

There were ayes, 3, nays, 2.

So the motion prevailed.

The Chair appointed as such committee, Messrs. Kittson, Larned and Loomis.

Mr. Loomis moved that the Council adjourn;
Mr. Loomis, on leave, withdrew his motion.
Mr. Babcock, from the committee on engrossed bills, on leave, reported
(C. F. No. 4,) A bill granting to W. G. Le Duc, the right to establish and maintain a ferry across the Mississippi river; and
(C. F. No. 5,) A bill for the relief of S. B. Olmstead, Alden Bryant, C. F. Tracy and B. W. Lott,
As correctly engrossed.
On motion of Mr. McLeod,
(No. 5, H. of R.) a bill providing for the appointment of a Supreme Court Reporter;
Was read a third time.
The question then recurring on the passage of the bill;
On motion of Mr. Babcock,
The bill was laid on the table until Friday next.
Mr. Babcock moved that the Council do now adjourn;
The ayes and nays were called for and ordered.
There were ayes 4; nays 4.
Those who voted in the affirmative, are Messrs. Babcock, Farrington, Larned and Loomis—4.
Those who voted in the negative, are Messrs. Greeley Kittson, McLeod and Forbes, President—4.
So the Council refused to adjourn.
On motion of M. Greeley,
The Council adjourned until 8'clock A. M., to-morrow.

TUESDAY, FEBRUARY 17, 1852.—EIGHT O'CLOCK A. M.

The Council was called to order by the President.
Prayer by the Rev. Mr. Merrick.
On motion of Mr. McLeod,
The reading of the journal of yesterday was dispensed with.
Mr. Greeley moved a call of the Council;
Which was ordered.
The roll was called, and Messrs. Farrington, Loomis and Lowry were reported absent.
The Sergeant-at-Arms was directed to notify the absent members to appear in their seats.
On motion of Mr. McLeod,
Further proceedings under the call were dispensed with.
Mr. McLeod, on leave, introduced
(C. F. No. 7,) a bill to dissolve the marriage contract between Joseph Renville and Tah-hoyh-pu, his wife;
Which was read a first and second time.
Mr. Loomis moved a call of the Council;
Which was ordered.
The roll was called, and Messrs. Babcock and Lowry, were reported absent.
The Sergeant-at-Arms was directed to notify the absent members to appear in their seats.
On motion of Mr. Kittson,
Further proceedings under the call were dispensed with.
The message from the House was then taken up for consideration.
The question then recurring;

On the adoption of the first amendment of the House, to
(C. F. No. 2.) A bill to amend an act entitled an act to incorporate the Mississippi Boom Company,

The Council concurred therein.

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

The Council concurred therein,

The third amendment was then read, and

The Council concurred therein.

The fourth amendment was then read, and

The Council concurred therein.

(H. of R. No. 3.) Memorial of the Legislative Assembly of the Territory of Minnesota, to the Congress of the United States, for a mail rout from St. Paul to Lansing, Iowa;

Was read a first and second time.

(H. of R. No. 11.) a bill to incorporate the St. Anthony Boom Company,

Was read a first and second time.

A message from his Excellency, the Governor, in writing was received by W. B. White, Esq., his private Secretary.

And then he withdrew.

(H. of R. No. 12.) a bill to punish trespassers on school lands in Minnesota Territory,

Was read a first and second time.

(C. F. No. 4,) a bill granting to W. G. Le Duc, the right to establish and maintain a ferry across the Mississippi river, at the foot of Wabashaw street in the town of St. Paul;

Was taken up for a third reading.

Mr. Kittson moved that the bill be laid on the table.

Mr. Babcock, on leave, presented the petition of S. H. Walker, and others, praying that a charter for a ferry be granted to W. G. Le Duc, and others.

The question was then put;

Shall the bill be laid on the table, and decided in the affirmative.

(C. F. No. 5,) a bill for the relief of S. B. Olmstead, Alden Bryant, C. F. Tracy and B. W. Lott, was taken up and read a third time.

The question then recurring on the passage of the bill, it was decided in the affirmative, and the title thereof agreed to.

On motion of Mr. Larned,

(H. of R. No. 8,) was taken up for consideration, and

On motion of Mr. McLeod,

The Council resolved itself into a Committee of the Whole;

Mr. Loomis in the chair, for the consideration of

(H. of R. 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.

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

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

It was accepted.

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

Mr. Babcock offered the following amendment, viz:

Insert after the word "Minnesota," in the third line of the printed bill, the words "At the foot of Sibley street in the town of St. Paul;" and after the words "them the," where they first occur in the fourth line of the printed bill, add the words, "one fourth of a mile," and strike out the words "of Rice and Irvine's addition, above said ferry, or nearer than the mouth of Trout brook, below said ferry."

Mr. Larned offered the following amendment to the amendment, to wit:
Strike out the word "eighth," where it occurs, and insert the word "fourth,"
in lieu thereof;

Which amendment was accepted.

The question then recurring on the amendment as amended,

The ayes and nays were called for and ordered.

And there were ayes 3, nays 5.

Those who voted in the affirmative, are Messrs. Babcock, Loomis and Forbes,
President—3.

Those who voted in the negative, are Messrs. Farrington, Greeley, Kittson,
Larned and McLeod—5.

So the amendment was lost.

Mr. Babcock then offered the following amendment:

Strike out the word "ten" where it occurs in section 1st, and insert in lieu
thereof the word "six."

The ayes and nays were called for and ordered.

And there were ayes 4, nays 4.

Those who voted in the affirmative, are Messrs. Babcock, Greeley, Larned and
Loomis—4.

Those who voted in the negative, are Messrs. Farrington, Kittson, McLeod and
Forbes, President—4.

So the amendment was rejected.

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

Mr. Babcock moved that the bill be re-committed to a select committee of three.

The ayes and nays were called for and ordered.

There were ayes 2, nays 6.

Those who voted in the affirmative, are Messrs. Babcock and Loomis—2.

Those who voted in the negative, are Messrs. Farrington, Greeley, Kittson,
Larned, McLeod and Forbes, President—6.

So the Council refused to re-commit the bill.

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

Mr. Loomis moved that the bill be laid on the table.

The ayes and nays were called for and ordered.

And there were ayes 3, nays 5.

Those who voted in the affirmative, are Messrs. Babcock, Farrington and
Loomis—3.

Those who voted in the negative, are Messrs. Greeley, Kittson, Larned, McLeod
and Forbes, President—5.

So the Council refused to lay the bill on the table.

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

Mr. Loomis moved that the bill be read a third time by its title.

Which was adopted.

And the bill was read a third time by its title.

The question then recurring on the passage of the bill;

The ayes and nays were called for and ordered.

And there were ayes 6, nays 2.

Those who voted in the affirmative, are Messrs. Farrington, Greeley, Kittson,
Larned, McLeod and Forbes, President—6.

Those who voted in the negative, are Messrs. Babcock and Loomis—2.

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

Mr. Babcock offered the following substitute for the title, viz:

A bill granting to James M. Goodhue and Isaac N. Goodhue, the right to secure
a valuable claim on the west side of the Mississippi river, to the exclusion of all
other citizens of the Territory, and St. Paul in particular.

Mr. Kittson moved that the substitute be laid on the table.

The ayes and nays were called for and ordered.

There were ayes 4, nays 4.

Those who voted in the affirmative, are Messrs. Kittson, Larned, McLeod and Forbes, President—5.

Those who voted in the negative, are Messrs. Babcock, Farrington, Greeley and Loomis—4.

So the Council refused to lay the substitute on the table.

The question then recurring on the adoption of the substitute;

The ayes and nays were called for and ordered.

There were nays 8.

Those who voted in the negative, are Messrs. Babcock, Farrington, Greeley, Kittson, Larned, Loomis, McLeod and Forbes, President—8.

So the Council rejected the substitute.

The question then recurring on agreeing to the title thereof;

It was agreed to.

On motion of Mr. Larned,

(H. of R. No. 7,) 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;

Was taken up, and

On motion of Mr. Loomis,

The Council resolved itself into a Committee of the Whole;

Mr. McLeod in the Chair, for the consideration of (No. 7, H. of R.)

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

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

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

Mr. Babcock moved to amend the bill by striking out the word "ten" where it occurs in section 1st, and inserting in lieu thereof, the word "six."

Which motion was lost.

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

It was decided in the affirmative.

On motion of Mr. McLeod,

The bill was read a third time by its title.

The question then recurring on the passage of the bill;

The ayes and nays were called for and ordered.

There were ayes 4, nays 2.

Those who voted in the affirmative, are Messrs. Farrington, Kittson, McLeod and Forbes, President—4.

Those who voted in the negative, are Messrs. Babcock and Loomis—2.

So the bill passed and the title thereof was agreed to.

On motion of Mr. Loomis,

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

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, February 16, 1852. }

To the Honorable President of the Council:

SIR: I have examined and approved, Joint resolution authorizing the Secretary of the Territory, to purchase certain copies of the Annals of the Minnesota Historical Society.

Very respectfully, your ob't ser'vt.,

ALEX. RAMSEY.

Mr. McLeod from the Committee on Enrolled Bills, made the following report, viz:

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.

B. H. RANDALL, H. of R. }
M. McLEOD, Council, } Committee.

Mr. Loomis, moved that the Council do now adjourn.

The ayes and nays were called for and ordered.

There were ayes 2, nays 5.

Those who voted in the affirmative, are Messrs. Loomis and McLeod—2.

Those who voted in the negative, are Messrs. Babcock, Farrington, Kittson, Larned and Forbes, President—5.

So the the Council refused to adjourn.

Mr. McLeod moved that the Council do now adjourn until 3 o'clock, P. M.

The ayes and nays were called for and ordered.

There were ayes 5, nays 3.

Those who voted in the affirmative, are Messrs. Babcock, Greeley, Kittson, Larned and McLeod—5.

Those who voted in the negative, are Messrs. Farrington, Loomis, and Forbes, President—3.

So the Council adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Council was called to order by the President.

On motion of Mr. McLeod,

The report of the committee on the contested election case of Sturgis vs. Lowry, Was taken up and read.

Mr. Babcock moved that the report and accompanying documents be laid on the table and be made the order of the day for to-morrow, and that the parties be heard by counsel if they desire.

Mr. McLeod called for a division of the question.

The question was divided, and the first division was put as follows:

Shall the petition be laid on the table and made the order of the day for to-morrow?

It was decided in the affirmative.

The second division of the question was put; shall the parties be heard by counsel if they desire?

The ayes and nays were called for and ordered.

There were ayes 3; nays 5.

Those who voted in the affirmative are Messrs. Babcock, Farrington and Forbes, President—3.

Those who voted in the negative, are Messrs. Greeley, Kittson, Larned, Loomis and McLeod—5.

So the question was lost.

Mr. Kittson, on leave, made the following report, viz:

Your committee to whom was re-committed

(H. of R. No. 4,) A bill granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river;

Have had the same under consideration, and respectfully report that they are of the opinion that Mr. Case, in obtaining from the board of county commissioners, a license to establish and maintain a ferry across the Mississippi river above the Falls of St. Anthony, did not himself, or through Mr. Russell, make use of or practice any intentional misrepresentation.

That his application distinctly set forth the facts in relation to the points where he wished to establish said ferry.

That the deed of the two lots purchased of Mr. Bottineau, for the express purpose of establishing such ferry, was before the board of commissioners, and if a misunderstanding existed between the members of said board, Mr. Case was not a party thereto; and his interest should not be thereby jeopardized.

That the bill granting to Anson Northrop, Pierre Bottineau and others, the right to establish and maintain a ferry across the Mississippi river, is believed to be a

sufficient distance from the point contemplated in the petition of Mr. Case, to not interfere with each other.

That Mr. Case has obtained a permit from the Sub. Indian Agent to land a ferry on the Indian, or west side of the Mississippi river; and also to erect a ferry house, and in compliance with which, he has erected, at considerable expense, a very neat house.

That he has procured the necessary materials for the construction of good and sufficient boats, for the accommodation of all persons, teams, or freight, and with commendable sagacity, taking such steps to secure a good claim on the Sioux lands, as his circumstances allow.

Your committee would therefore recommend the passage of this bill.

NORMAN W. KITTSON, } Committee.
WM. L. LARNED, }

On motion of Mr. McLeod,

The report was accepted and the committee discharged.

Mr. Greeley moved that the Council do now adjourn.

The ayes and nays were called for and ordered.

There were ayes 5, nays 3.

Those who voted in the affirmative are Messrs. Babcock, Greeley, Larned, McLeod and Forbes, President—5

Those who voted in the negative are Messrs. Farrington, Kittson and Loomis—3.
So the Council adjourned.

WEDNESDAY, FEBRUARY 18, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The Journal of yesterday was read and corrected.

A message from the House being announced, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed a joint resolution requiring the committee on public buildings of the two houses, to act as a joint committee.

And the Speaker of the House has signed,

“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.”

A. PIERSE, *Chief Clerk*.

And then he withdrew.

Mr. Kittson, on leave introduced

(C. F. No. 2,) 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.

Which was read a first and second time.

The report of the select committee on the contested election case of Sturgis vs. Lowry, was then taken up; and

On motion of Mr. Babcock,

The report of the committee was laid on the table, and made the special order of the day for Tuesday next.

Mr. Greeley, from the select committee to whom was referred the petition of James W. Brown, presented the following report, viz:

Your committee, to whom was referred the petition of James W. Brown, praying to be divorced from the bands of matrimony with his wife Lezette, respectfully report that they have had the same under consideration, and have carefully inquired into the merits of the petition, and examined the testimony produced in support of the same.

And your committee find that the facts stated in the petition are fully proved to their satisfaction, by the testimony of three respectable witnesses, (with whom a majority of your committee are personally acquainted,) and whose well known character for respectability and integrity, as well as their personal acquaintance with the parties for several years past, gives additional weight to their testimony in the minds of your committee.

And your committee find that the facts proved, establish the legal ground for a divorce from the bonds of matrimony, under the fourth subdivision of section seven, page 274, of the Revised Statutes of this Territory.

And your committee are of the opinion that this is one of a class of cases in which the relief prayed for by the petitioners, ought to be granted.

And, therefore, submit herewith, a bill for that purpose, and recommend its passage.

Respectfully,

ELAM GREELEY, }
WM. L. LARNED, } *Committee.*
D. B. LOOMIS, }

And also introduced,

(No. 8, C. F.) A bill for an act to dissolve the marriage contract between James W. Brown and Lezette Brown.

Which was read a first and second time.

The message from the House was then taken up, and the President signed "An act granting to Anson Northrop and others, the right to establish and maintain a ferry across the Mississippi river;"

And it was placed in the hands of the Chairman of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination and approval.

(H. of R. No. 1,) Joint resolution authorizing the Committee on Public Buildings to act as a joint committee;

Was taken up.

Mr. Loomis moved to amend the joint resolution by striking out the words "Legislative Assembly" and insert in lieu thereof, the words "the House of Representatives, the Council concurring."

The amendment was agreed to, and the joint resolution passed.

Mr. Loomis, from the Committee on Enrolled Bills, reported as follows, viz:

The joint committee on Enrolled Bills did, on the 18th day of February, 1852, present to his Excellency, Governor Ramsey, for his examination and approval, the following entitled bills, viz:

An act to incorporate the Cottage Grove Academy, 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.*

On motion of Mr. Babcock,

The House file was taken up; and

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

(H. of R. No. 3,) A 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; and

(No. 11, H. of R.) A bill to incorporate the St. Anthony Boom Company; also, (R. of R. No. 12,) A bill to punish trespassers on the school lands in Minnesota Territory.

After some time passed therein, the committee rose and by their Chairman reported the bills and memorial back to the Council with amendments to H. of R. No. 11.

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

It was accepted.

The question then recurring on agreeing to the amendments to
(H. of R. No. 11,) A bill to incorporate the St. Anthony Boom Company;

It was agreed to.

The question then recurring on ordering

(H. of R. No. 3,) 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 to Lansing, Iowa;

On motion of Mr. Babcock,

The memorial was read a third time by its title.

The question then recurring on the passage of the memorial;

It was decided in the affirmative,

And the title thereof agreed to.

The question then recurring on ordering

(H. of R. No. 11,) A bill to incorporate the St. Anthony Boom Company, to a third reading;

On motion of Mr. Larned,

The bill was read a third time by its title.

The question then recurring on the passage of the bill;

It was decided in the affirmative,

And the title thereof agreed to.

The question then recurring on ordering

(H. of R. No. 12,) A bill to punish trespassers on the school lands in Minnesota Territory, to a third reading;

On motion of Mr. Babcock,

The bill was referred to the committee on schools.

(No. 4, H. of R.) a bill granting to Emanuel Case, the right to establish and maintain a ferry across the Mississippi river,

Was taken up for a third reading, and

On motion of Mr. Babcock,

Laid on the table.

On motion of Mr. Loomis,

The Council resolved itself into a Committee of the Whole, Mr. Larned in the chair, for the consideration of

(C. F. No. 6,) A bill to amend an act entitled an act to authorize Wm. Nobles to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river.

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

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

It was accepted.

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

It was decided in the affirmative.

Mr. Kittson, on leave, presented the petition of Wm. F. Corbett and J. W. Bond, praying for a ferry across the Mississippi river at Sauk Rapids.

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

A bill granting to Wm. F. Corbett and J. W. Bond, the right to establish and maintain a ferry across the Mississippi river, at Sauk Rapids.

Mr. Loomis, from the committee on enrolled bills, made the following report, viz:

The committee on enrolled bills, have examined and found correctly enrolled,
(H. of R. No. 3,) A bill entitled an act to dissolve the marriage contract of Abram Hull, and Julia A. Hull.

D. B. LOOMIS, *Council*,
B. H. RANDALL, *H. of R.*, } Committee.

Mr. Farrington moved that the Council do now adjourn.

The ayes and nays were called for and ordered;

There were ayes, 3, nays, 4.

Those who voted in the affirmative, are Messrs. Farrington, Loomis and Forbes, President—3.

Those who voted in the negative, are Messrs. Babcock, Greeley, Kittson and Larned—4.

So the Council refused to adjourn.

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

Mr. Loomis moved to amend the motion by striking out "two," and inserting "twelve and a half."

The ayes and nays were called for and ordered;

There were ayes 3, nays 4.

Those who voted in the affirmative are Messrs. Farrington, Greeley and Loomis—3.

Those who voted in the negative, are Messrs. Babcock, Kittson, Larned and Forbes, President—4.

So the amendment was lost.

Mr. Kittson moved a call of the Council;

Which was ordered.

The roll was then called, and Messrs. Lowry and McLeod were reported absent.

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

On motion of Mr. Loomis,

Further proceedings under the call was dispensed with.

The question then recurring, on the motion to adjourn until 2 o'clock, P. M.;

The ayes and nays were called for and ordered;

There were ayes 4, nays 3.

Those who voted in the affirmative, are Messrs. Babcock, Greeley, Kittson and Larned—4.

Those who voted in the negative, are Messrs. Farrington, Loomis and Forbes, President—3.

So the Council adjourned until two o'clock, P. M.

AFTERNOON SESSION—TWO O'CLOCK, P. M.

The Council was called to order by the President.

Mr. Greeley moved a call of the Council;

Which was ordered.

The roll was called, and Messrs. Babcock, Farrington, Loomis and Lowry were reported absent.

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

The Sergeant-at-Arms reported Messrs. Babcock, Farrington and Loomis in their seats;

And Mr. Lowry not to be found.

On motion of Mr. Loomis,

Leave of absence was granted to Mr. Lowry for one week.

Mr. Loomis moved that the Council do now adjourn.

The ayes and nays were called for and ordered;

There were ayes 4, nays 4.

Those who voted in the affirmative, are Messrs. Babcock, Farrington, Larned and Loomis—4.

Those who voted in the negative, are Messrs. Greeley, Kittson, McLeod and Forbes, President—4.

So the Council refused to adjourn.

Mr. Greeley moved that the Council adjourn until 9 o'clock, A. M., to-morrow;
Which motion was lost.

On motion of Mr. Farrington,

The Council adjourned until half-past ten o'clock A. M., to-morrow.

THURSDAY FEBRUARY 19, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

A message from the House of Representatives being announced, A. Pierse, Esq., Chief Clerk thereof appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed

(H. of R. No. 21,) 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.

(H. of R. No. 25,) a bill to incorporate the John G. Potts Lodge No. 3, of the Independent Order of Odd Fellows of the town of St. Anthony Falls.

In which the concurrence of the Council is respectfully requested.

And the Speaker of the House has signed,

An act to dissolve the marriage contract of Abram Hull and Julia A. Hull.

A. PIERSE,
Chief Clerk.

And then he withdrew.

The Journal of yesterday was read and corrected.

Mr. Farrington moved a call of the Council;

Which was ordered.

The roll was then called, and

Messrs. Babcock and Loomis, were reported absent.

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

On motion of Mr. Farrington,

Further proceedings under the call were dispensed with.

Mr. Babcock, from the Judiciary Committee, on leave, reported

(C. F. No. 9,) a bill to amend the Revised Statutes.

Mr. McLeod moved that so much of Rule 37, as requires bills to be read a first time at length, be suspended, and that the bill be read a first time by its title.

Which was decided in the affirmative, by a unanimous vote.

The bill was then read a first and second time.

Notice having been previously given by Mr. Lowry,

Mr. Loomis, on leave, introduced

(C. F. No. 10,) a bill to incorporate the Benton County Agricultural Society;

Which was read a first and second time.

Mr. Kittson, on leave, introduced

(C. F. No. 11,) a bill granting to Wm. F. Corbett and J. W. Bond, the right to keep and maintain a ferry across the Mississippi river, at or near Sauk Rapids.

Which was read a first and second time.

Joint resolution, expressive of sympathy for Louis Kossuth, in his recent unsuccessful struggle for the liberty of Hungary, was taken up in the order of business.

And the question then recurring on the amendment offered by Mr. Loomis, on Thursday last;

Mr. Larned then offered the following substitute for the amendment, viz:

WHEREAS, There is an established and well defined code of International Laws,

and by virtue of which laws, every State and Nation is entitled to institute its own form of government, and to have the exclusive control of its domestic administration; and

WHEREAS, No nation can disrespect, and openly violate these laws, without disturbing the peace and security of all the other nations; therefore, be it

Resolved, By the Council and House of Representatives of the Territory of Minnesota, that the combined intervention of Russia and Austria, in the domestic policy of Hungary, whereby Hungary has been deprived of her choicest liberties, and the blessings of a constitutional government, is, in our opinion, a flagrant and daring outrage upon the laws of nations—an outrage which no neutral power can look upon with any degree of complacency, and at the same time be true to its honor, its dignity, and rights.

Resolved, That in our opinion, the humble request of Governor Louis Kossuth, of our Government to lend its influence in causing the laws of nations to be respected and enforced in behalf of Hungary, are such, that they may be with reason, and ought with justice to be granted.

Resolved, That in our opinion, Hungary, by virtue of well established international law, is justly entitled to our sympathy and efficient aid, and that by those same laws our government is bound to grant them.

Resolved, That while the security of our government demands that we should carefully avoid "entangling alliances with foreign powers," it also as strongly demands that we should not be indifferent to the flagrant violation of international law by any nation, however distinct may be its geographical position.

Resolved, That we do deeply sympathize with that illustrious Hero Statesman and Orator, Governor Kossuth, and that we recognize him as one of liberty's noblest champions; a man who had rather become a martyr to freedom, than violate one of its sacred principles; a powerful defender of liberal principles and republican institutions; one who worships at liberty's shrine, and one who has at heart the highest good of all mankind.

The question then recurring on the adoption of the substitute for the amendment, It was decided in the affirmative.

The question then recurring on the adoption of the amendment, as amended, It was decided in the affirmative.

On motion of Mr. McLeod,

The resolutions were laid on the table until Tuesday next, and made the special order of the day.

Mr. McLeod gave notice that on to-morrow, or some future day, he would introduce a bill to incorporate St. Paul Bridge Company.

Mr. Farrington gave notice that on to-morrow or some future day, he would on leave, introduce a bill granting to David T. Sloan, the right to establish and maintain a ferry across the Mississippi river, near the mouth of Swan river, in Benton county.

Mr. Loomis from the Committee on Enrolled Bills, reported as follows, viz:
Territory of Minnesota, Legislative Assembly, First Session of the Second Council, A. D. 1852.

The Joint Committee on Enrolled Bills, did, on the 19th of February, A. D. 1852, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bill:

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.*

The message from the House was then taken up, and the President signed,
An act to dissolve the marriage contract between Abram Hull and Julia A. Hull.

And an act was placed in the hands of the Chairman of the Committee on Enrolled bills for presentation to his Excellency, the Governor, for his examination and approval.

(No. 21, H. of R.) a bill granting to Fordyce S. Richards, the right to establish and maintain a ferry across the Mississippi river, at or near the foot of Lake Pepin, Was taken up and read a first and second time. Also,

(H. of R. No. 25,) a bill to incorporate the John G. Potts Lodge, No. 3, I. O. O. F., of the town of St. Anthony Falls, Was taken up and read a first and second time.

(C. F. No. 2,) 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. McLeod,

The Council resolved itself into committee of the whole, Mr. Babcock in the Chair, for the consideration of said memorial; and

After some time passed therein, the committee rose, and reported the same back to the Council with amendments.

The question then recurring on agreeing to the amendments of the Committee, of the Whole,

They were agreed to.

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

It was decided in the affirmative.

On motion of Mr. Babcock,

The Council adjourned.

FRIDAY, FEBRUARY 20, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Merrick.

The Journal of yesterday was read and corrected.

Mr. Babcock introduced the following resolution, viz:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of amending the law providing for the assessment and collection of taxes in the unorganized counties west of the Mississippi river.

A message from the House of Representatives being announced, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

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

H. of R. No. 26,) 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

(H. of R. No. 27,) A bill to provide for the establishment of election precincts in unorganized counties.

The House has also passed,

(C. F. No. 5.) A bill for the relief of S. B. Olmstead and others, with amendments;

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

A. PIERSE,
Chief Clerk.

And then he withdrew.

The resolution eliciting debate;

On motion of Mr. Babcock,

Rule 58 was so far suspended as to admit of the consideration of the resolution now by a unanimous vote.

The question then recurring on the passage of the resolution,

It was decided in the affirmative.

Mr. Babcock from the committee on Engrossed Bills, reported

(C. F. No. 2,) 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;

As correctly engrossed.

Mr. Loomis from the select committee to whom was referred,

(No. 4, H. of R.) A bill granting to Emanuel Case, the right to establish and maintain a ferry across the Mississippi river;

Made the following minority report, viz:

The undersigned, a minority of the committee to whom was referred

(H. of R. No. 4,) A bill granting to Emanuel Case, the right to establish and maintain a ferry across the Mississippi river;

Would respectfully report, that while he concurs with the majority of the committee in regard to the facts set forth in their report, he is yet unable to perceive why these facts should entitle the applicant to any special favor; and while the undersigned has no fault to find with those who are endeavoring to secure valuable claims on the west bank of the Mississippi river, yet he does not think the Legislature should be called upon to assist in such an enterprize; and being opposed to special legislation, where the interests of the people do not seem to require it, and believing this is a case which should more properly be left with the county commissioners of the proper county, would therefore recommend the indefinite postponement of the bill.

D. B. LOOMIS.

On motion of Mr. Babcock,

The report was accepted.

The message from the House of Representatives was then taken up in the order of business; and

(H. of R. No. 26,) 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 read a first and second time; also,

(H. of R. No. 27,) A bill to provide for the establishment of election precincts in unorganized counties;

Was read a first and second time; also,

(C. F. No. 5,) A bill for the relief of S. B. Olmstead, Alden Bryant, C. F. Tracy and B. W. Lott;

Was taken up; and

The question then recurring on concurring in the first amendment offered by the House to said bill;

It was concurred in.

The question then recurring on concurring in the second amendment to said bill, it was concurred in.

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole, Mr. Greeley in the chair, for the consideration of

(No. 25, H. of R.) A bill to incorporate John G. Potts' Lodge No. 3, I. O. O. F., of the town of St. Anthony, Minnesota Territory.

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

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

It was accepted.

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

It was ordered; and

On motion of Mr. McLeod,

The bill was read a third time by its title.

The question then recurring on the passage of the bill;

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

On motion of Mr. McLeod,

The Council resolved itself into a Committee of the whole, Mr. McLeod in the Chair, for the consideration of

(H. of R. No. 21.) A bill granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river, at or near the foot of Lake Pepin, Minnesota Territory.

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

The question then recurring on agreeing to the amendments of the Committee of the Whole;

They were agreed to.

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

It was ordered.

On motion of Mr. Kittson,

The bill was then read a third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative,

And the title thereof agreed to.

(C. F. No. 2,) 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 for a third reading; and

On motion of Mr. Babcock,

The memorial was read a third time by its title.

The question then recurring on the passage of the memorial;

It was decided in the affirmative,

And the title thereof agreed to.

(No 5, H. of R.) A bill for the appointment of a Supreme Court Reporter;

Was taken up.

The question then recurring on the passage of the bill;

Mr. McLeod asked the unanimous consent of the Council to amend the bill as follows, viz:

Amend section three by inserting in the first line after the word "printed," the words "by the public printers;"

Which was granted.

The question then recurring on the passage of the bill;

The ayes and nays were called for and ordered;

There were ayes 6, nays 2.

Those who voted in the affirmative, are Messrs. Babcock, Farrington, Kittson, Larned, McLeod and Forbes, President—6.

Those who voted in the negative, are Messrs. Greeley and Loomis—2.

So the bill passed and the title thereof was agreed to.

On motion of Mr. Babcock,

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

(C. F. No 7,) A bill to dissolve the marriage contract between Joseph Renville and Tah-hoyh-pu; and also,

(No. 8, C. F.) A bill for an act to dissolve the marriage contract between James W. Brown and Lezette Brown.

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

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

It was accepted.

Mr. McLeod moved to amend the title of the bill, by inserting after the word "and" "Harriet or."

Which was agreed to.

And the title as amended was agreed to by the Council.

(C. F. No. 6,) A bill to amend an act entitled an act granting to Wm. Noble, the right to establish and maintain a ferry across Lake St. Croix, near the mouth of Willow river;

Was taken up in the order of business; and

On motion of Mr. Babcock,

Laid on the table.

On motion of Mr. Greeley,

(C. F. No. 8,) a bill to dissolve the marriage contract between James W. Brown and Lezette Brown,

Was taken up and read a third time.

The question then recurring on the passage of the bill;

It was decided in the affirmative,

And the title thereof was agreed to.

(C. F. No. 10,) and (C. F. No. 11,) were taken up for consideration; and

On motion of Mr. McLeod,

The Council resolved itself into a Committee of the Whole;

Mr. McLeod in the chair, for the consideration of

(C. F. No. 10,) a bill to incorporate the Benton County Agricultural Society; and

(C. F. No. 11,) a bill granting to Wm. F. Corbett and J. W. Bond, the right to establish and maintain a ferry across the Mississippi river at the foot of Sauk Rapids.

After some time passed therein, the Committee rose, and by their Chairman reported the bills back to the Council with an amendment to (C. F. No. 11.)

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

It was accepted.

The question then recurring,

On agreeing to the amendment offered by the Committee to (C. F. No. 11.)

It was agreed to.

The question then recurring on ordering

(C. F. No. 10,) to be engrossed for a third reading,

It was ordered.

The question then recurring on ordering

(C. F. No. 11,) to be engrossed for a third reading,

It was ordered.

On motion of Mr. McLeod,

The Message of his Excellency, the Governor, was taken up and read as follows, viz:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, February 21, 1852. }

To the Honorable President of the Council:

SIR: I have this day examined and approved "An Act to incorporate Minnesota Lodge No. 1, I. O. O. F."

Very respectfully, your ob't ser'vt.,

ALEX. RAMSEY.

On motion of M. Babcock,

So much of rule 36, as requires one days notice to be given for the introduction of bills, was suspended.

Mr. Babcock on leave introduced

(C. F. No. 13,) a bill for the appointment of Auctioneers;

Which was read a first and second time.

Mr. Greeley on unanimous leave introduced,
(C. F. No. 14,) a bill to dissolve the marriage contract between Fido S. Lottman and Rosa Lottman, his wife.

Which was read a first and second time.

On motion of Mr. McLeod,

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

AFTERNOON SESSION.—TWO O'CLOCK, P. M.

The Council was called to order by the President.

On motion of Mr. McLeod,

So much of rule 40 as relates to bills remaining on file one day after being printed was suspended by a two-thirds vote.

On motion of Mr. McLeod,

(C. F. No. 3,) Memorial to the Senate and House of Representatives of the United States, praying for a grant of land, to settlers, on the lands ceded by the treaty of Pembina, was taken up,

And the Council resolved itself into a Committee of the Whole,

Mr. Greeley in the Chair, for the consideration of said bill.

After sometime passed therein,

The committee rose and by their Chairman reported the same back to the Council with an amendment.

The question then recurring on agreeing to the amendments offered,

They were agreed to.

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

It was ordered;

Mr. Greeley, on leave, introduced,

(C. F. No. 4,) a memorial for the further appropriation for the Point Douglass and St. Louis river road.

Which was read a first and second time.

Mr. Babcock moved that the Council adjourn.

The ayes and nays were called for and ordered.

There were ayes, 5, nays, 3.

Those who voted in the affirmative, are Messrs. Babcock, Farrington, Kittson, Larned and Loomis—5.

Those who voted in the negative, are Messrs. Greeley, McLeod and Forbes, President—3.

So the Council adjourned.

TUESDAY, FEBRUARY 24, 1862.

The Council was called to order by the President.

Prayer by the Rev. Mr. Bradley.

The Journal of yesterday was read and corrected.

Mr. Babcock presented the following communication, viz:

To the Honorable Council of the Territory of Minnesota:

The following resolution, passed at the 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 to each branch of the Legislature, signed by the President of the Society.

B. F. HOYT, *Chairman pro tem.*

L. M. FORD, Secretary.

On motion of Mr. McLeod,

The communication was laid on the table.

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

A bill to amend an act entitled an act to incorporate the Saint Croix Boom Company.

Mr. Farrington offered the following resolution, to wit:

Resolved, That the sum of five hundred dollars be, and the same is hereby allowed to Alexander Wilkin, out of any money appropriated for legislative expenditures, for extra services rendered in fitting up and superintending the preparation of Halls and Committee rooms, for the Legislative Assembly; also, for purchasing various articles, preserving public property, distributing the laws to the several States and Territories; also, for other extra copies of acts, memorials, &c., and for other extra services not provided for in the organic act of the Territory; and

On motion of Mr. McLeod,

The resolution was referred to the committee on legislative expenditures.

Joint resolutions expressive of sympathy for Louis Kossuth, in the recent unsuccessful struggle for the liberty of Hungary;

Came up in the order of business, and

On motion of Mr. McLeod,

Were laid on the table, and made the special order of the day for next Monday.

The report of the select committee on the contested election case of Sturgis vs. Lowry;

Came up in the order of business; and

On motion of Mr. McLeod,

The Council resolved itself into a Committee of the Whole, Mr. Farrington in the Chair, for the consideration of said report.

A message from the House of Representatives being announced, the committee rose and the President took the Chair, and A. Pierse, Esq., Chief Clerk of the House, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed

(H. of R. No. 24,) A bill defining the manner of contesting the elections of members of the Legislative Assembly of the Territory of Minnesota;

And the Speaker of the House has signed,

(C. F. No. 3,) a bill to amend an act entitled an act to incorporate the Mississippi Boom Company; also,

(C. F. No. 5,) a bill for the relief of S. B. Olmstead, Alden Bryant, C. F. Tracy, B. W. Lott, and Taylor Dudley.

The House has concurred in the amendment of the Council to

(No. 5, H. of R.) a bill providing for the appointment of a Supreme Court Reporter.

His Excellency, the Governor has informed the House that he has approved the 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;

And then the Chief Clerk withdrew, and then the committee again resumed its sitting.

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

Leave was granted; and

On motion of Mr. Loomis,

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

AFTERNOON SESSION—TWO O'CLOCK, P. M.

The Council was called to order by the President.

Mr. McLeod moved a call of the Council;

Which was ordered.

The roll was called, and Messrs. Babcock, Farrington, Loomis and Lowry were reported absent.

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

On motion of Mr. McLeod,

Further proceedings under the call were dispensed with.

Mr. McLeod, from the Committee on Enrolled Bills, reported as follows, viz:

The Committee on Enrolled Bills have examined and found correctly enrolled, (H. of R. No. 11,) a bill 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.

An act providing for the appointment of a Supreme Court Reporter.

An act to incorporate John G. Potts Lodge No. 3, I. O. O. F., of the town of St. Anthony Falls.

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 Wabashaw county, in said Territory.

M. McLEOD, Council, }
B. H. RANDALL, H. of R. } Committee.

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

And the President signed an act to amend an act entitled an act to incorporate the Mississippi Boom Company;

And the act was placed in the hands of the Chairman of the Committee on Enrolled bills for presentation to his Excellency, the Governor, for his examination and approval. And

(H. of R. No. 24,) A bill defining the manner of contesting elections of members of the Legislative Assembly of the Territory of Minnesota,

Was read a first and second time.

On motion of Mr. McLeod,

The Council again resolved itself into a committee of the whole,

Mr. Larned in the Chair, for the consideration of the contested election case.

After some time passed therein, the committee rose, and by their Chairman reported the report and evidence in the case back to the Council.

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

It was accepted.

Mr. Larned moved that the petition of Wm. Sturgis be indefinitely postponed;

Which was lost.

Mr. Loomis moved that the report of the committee on the contested election case be laid on the table until Thursday next;

Which was lost.

Mr. Babcock moved the report be laid on the table until Tuesday next;

Which was lost.

Mr. McLeod moved that rule 58 be suspended, in order to consider resolutions now;

Which was lost.

Mr. Loomis offered the following resolutions:

Resolved, That the election held at Swan river, in the county of Benton, was not conducted according to law, and was therefore illegal; and the votes polled at said precinct should be rejected:

Resolved, That there is not sufficient evidence before the Council to authorize the rejection of the votes cast at Nokasippi precinct:

Resolved, That S. B. Lowry is not entitled to a seat in this Council:

Resolved, That Wm. Sturgis is entitled to a seat in this Council.

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

Mr. Babcock moved that the Council do now adjourn;

The ayes and nays were called for and ordered.

There were ayes 3, nays 5.

Those who voted in the affirmative, are Messrs. Babcock, Loomis and Forbes, President—3.

Those who voted in the negative, are Messrs. Farrington, Greeley, Kittson, Larned and McLeod—5.

So the Council refused to adjourn.

Mr. Loomis moved to reconsider the vote whereby the Council refused to suspend rule No 58;

Which was decided in the affirmative.

The question then recurring on the motion to suspend rule No. 58,

It was decided in the affirmative.

Mr. McLeod moved to amend the resolutions by striking out the last resolution, which was agreed to.

Mr. McLeod moved a call of the Council;

Which was ordered.

The roll was called, and Messrs. Babcock and Lowry were reported absent.

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

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

Which was decided in the affirmative.

On motion of Mr. McLeod,

The Council adjourned.

WEDNESDAY, FEBRUARY 25, 1862.

The Council was called to order by the President.

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

The question then recurring on the passage of the resolutions, laid over on yesterday.

Mr. Loomis offered the following substitute for the resolutions, viz:

Resolved, That the election held at Swan river, in the county of Benton, was not conducted according to law, and was therefore illegal, and the votes polled at said precinct should be rejected.

Resolved, That the election held at Nokasippi in said county of Benton, was also illegal, and the votes cast at said precinct should also be rejected.

Resolved, That S. B. Lowry having received a majority of the legal votes cast in the 5th Council district, is therefore entitled to retain his seat in this Council.

The question then recurring on agreeing to the substitute,

They were agreed to.

The question then recurring on the passage of the resolutions as substituted,

Mr. Loomis asked that the question be taken on the resolutions separately.

Which was granted.

The first resolution was then read,
The question then recurring on its passage;
It was decided in the affirmative.

The question then recurring on the passage of the 2d resolution,
It was decided in the affirmative.

Mr. Farrington offered the following substitute for the 3d resolution, viz:

Resolved, That the seat now occupied by the Hon. Sylvanus B. Lowry, be declared vacant and again submitted to the people, and the Secretary of the Council be instructed to notify the Governor of such vacancy.

The question then recurring on agreeing to the substitute;

The ayes and nays were called for and ordered.

There were ayes 2, nays 6.

Those who voted in the affirmative, are Messrs. Babcock and Farrington—2.

Those who voted in the negative, are Messrs. Greeley, Kittson, Larned, Loomis, McLeod and Forbes, President—6.

So the substitute was rejected.

The question then recurring on the passage of the third resolution.

The ayes and nays were called for and ordered.

There were ayes 8, nays 0.

Those who voted in the affirmative, are Messrs. Babcock, Farrington, Greeley, Kittson, Larned, Loomis, McLeod and Forbes, President—8.

So the resolution passed.

Mr. Babcock from the Committee on Engrossed Bills, reported as correctly engrossed,

(C. F. No. 10,) a bill to incorporate the Benton County Agricultural Society; and also,

(C. F. No. 11,) a bill granting to Wm. F. Corbett and J. W. Bond, the right to establish and maintain a ferry across the Mississippi river, near the foot of Sauk Rapids.

A message from the House being announced,

A Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following acts:

An act to incorporate John G. Potts Lodge, No. 3, I. O. O. F., of the town of St. Anthony Falls,

An act granting to James M. Goodhue and Isaac N. Goodhue, the right to establish and maintain a ferry across the Mississippi river.

An act providing for the appointment of a Supreme Court Reporter.

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.

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 Wabashaw county, in said Territory; and

An act to incorporate the St. Anthony Boom Company.

And the House has concurred in the amendments of the Council, to

A bill granting to Fordyce S. Richards, the right to establish and maintain a ferry across the Mississippi river, at or near the foot of Lake Pepin, M. T.

And the House has passed

(H. of R. No. 18,) a bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes;

And respectfully ask the concurrence of the Council therein.

And then he withdrew.

The message from the House was then taken up, and the President signed the following bills:

An act to incorporate John G. Potts Lodge No. 3, I. O. O. F., of the town of St. Anthony Falls.

An act granting to James M. Goodhue and Isaac N. Goodhue, the right to establish and maintain a ferry across the Mississippi river.

An act providing for the appointment of a Supreme Court Reporter.

An act granting to D. 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 memorial of the Legislative Assembly of the Territory of Minnesota, to the Congress of the United States, for a mail rout from St. Paul to Lansing, Iowa; via Red Wing and Reed's Landing, in Wabashaw county, in said Territory.

An act to incorporate the St. Anthony Boom Company.

And an act for the relief of S. B. Olmstead, Alden Bryant, Charles F. Tracy, B. W. Lott and Taylor Dudley.

The acts and memorial were then placed in the hands of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor, for his examination and approval.

(H. of R. No. 18,) a bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes;

Was read a first and second time.

(H. of R. No. 24,) was taken up, and

On motion of Mr. Babcock,

The Council resolved itself into Committee of the Whole, Mr. Loomis in the Chair, for the consideration of

(H. of R. No. 24,) a bill defining the manner of contesting the election of members of the Legislative Assembly of the Territory of Minnesota.

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

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

It was accepted.

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

On motion of Mr. Kittson,

The bill was laid on the table.

(C. F. No. 10,) a bill to incorporate the Benton County Agricultural Society, was taken up, and

On motion of Mr. McLeod,

Was read a third time by its title.

The question then recurring on the passage of the bill;

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

(C. F. No. 11,) a bill granting to Wm. 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, M. T., was taken up, and

On motion of Mr. Kittson,

Was read a third time by its title.

The question then recurring, on the passage of the bill,

The ayes and nays were called for and ordered.

There were ayes 5, nays 3.

Those who voted in the affirmative, are Messrs. Farrington, Greeley, Kittson, McLeod and Forbes, President—5.

Those who voted in the negative, are Messrs. Babcock, Larned and Loomis—3.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Babcock,

The Council resolved itself into Committee of the Whole, Mr. Greeley in the chair, for the consideration of

(C. F. No. 4,) a memorial to Congress relative to the further appropriation for the construction of a road from Point Douglass to the St. Louis river.

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

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

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

It was decided in the affirmative.

On motion of Mr. McLeod,

The Council resolved itself into a Committee of the Whole, Mr. McLeod in the chair, for the consideration of

(C. F. No. 13,) a bill to provide for the appointment of Auctioneer.

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

The question then recurring on agreeing to the amendments of the Committee of the Whole;

They were agreed to.

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

It was decided in the affirmative.

On motion of Mr. Greeley,

The Council resolved itself into a Committee of the Whole, Mr. Larned in the Chair, for the consideration of

(C. F. No. 14,) a bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman his wife.

After some time passed therein, the committee rose, and reported the same back to the Council without amendment.

The question then recurring on accepting the report of the Committee.

It was accepted.

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

It was decided in the affirmative.

On motion of Mr. Farrington,

The Council resolved itself into a Committee of the whole, Mr. Greeley in the Chair, for the consideration of

(C. F. No. 12,) a bill granting to D. T. Sloan, the right to establish and maintain a ferry across the Mississippi river at or near the mouth of Swan river, Benton county, M. T.

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

The question then recurring on agreeing to the amendments of the Committee of the Whole,

They were agreed to.

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

It was decided in the affirmative.

On motion of Mr. Babcock,

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

AFTERNOON SESSION—TWO O'CLOCK, P. M.

The Council was called to order by the President.

Mr. McLeod moved a call of the Council;

Which was ordered.

The roll was called, and Messrs. Farrington, Greeley and Lowry, were reported absent.

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

On motion of Mr. Kittson,

Further proceedings under the call were dispensed with.

Mr. Loomis from the committee on Enrolled Bills, reported as follows, viz:
Territory of Minnesota, Legislative Assembly, First Session of the Second Council,
A. D. 1852.

The Joint Committee on Enrolled Bills, did, on the 25th of February, 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 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.

A memorial to Congress in regard to a mail route from the town of St. Paul to Lansing, Iowa.

An act providing for the appointment of a Supreme Court Reporter.

An act to incorporate John G. Potts Lodge No. 3, of the I. O. O. F., 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, C. F. Tracy, B. W. Lott and Taylor Dudley.

D. B. LOOMIS, Council, }
B. H. RANDALL, H. of R. } *Committee.*

On motion of Mr. McLeod,

(C. F. No. 9,) was taken up, and

The Council resolved itself into a Committee of the Whole, Mr. Larned in the Chair, for the consideration of

(C. F. No. 9,) a bill to amend the Revised Statutes.

A message from the House of Representatives being announced, the Committee rose, and the President took the Chair, and A. Pierse, Esq., Chief Clerk of the House, appeared and delivered the following message, viz:

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

(H. of R. No. 17,) a bill to organize Pembina county; and

(H. of R. No. 33,) a bill to amend "An Act providing for the appointment of a Librarian, and for other purposes," approved February 25, 1851, in which the concurrence of the Council is respectfully requested.

A. PIERSE, *Chief Clerk.*

And the Chief Clerk withdrew;

And the Committee again resumed its sitting.

A message from the House of Representatives being announced, the Committee rose, and the President took the Chair.

A. Pierse, Esq., Chief Clerk thereof appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed the following resolution:

Resolved, (The Council concurring,) that his Excellency, the Governor, be requested to return to this House, bill No. 1.

In which the concurrence of the Council is requested.

A. PIERSE,
Chief Clerk.

And the Chief Clerk withdrew.

And the Committee again resumed its sitting.

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

Leave was granted.

Mr. McLeod from the Committee on Enrolled Bills, made the following report, viz:

The Committee on Enrolled Bills, have examined and found correctly enrolled,

(H. of R. No. 5,) 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.

On motion of Mr. Babcock,
The Council adjourned.

THURSDAY FEBRUARY 26, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

The messages from the House of Representatives were taken up in the order of business; and

(H. of R. No. 17,) a bill to organize Pembina County,

Was read a first and second time; and

(H. of R. No. 33,) a bill to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25th, 1852,

Was read a first and second time.

The resolution from the House asking the concurrence of the Council, was taken up;

The question then recurring on the passage of the resolution;

It was decided in the negative.

On motion of Mr. McLeod,

The Council resolved itself into the Committee of the Whole, Mr. Farrington in the Chair, for the consideration of

(H. of R. No. 18,) a bill fixing the terms of the Supreme Court, and District Courts of the Territory of Minnesota, and for other purposes.

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

The question then recurring on agreeing to the first amendment of the Committee of the Whole;

It was agreed to.

The question then recurring on agreeing to the second amendment,

It was agreed to.

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

It was decided in the affirmative,

And the bill was read a third time.

The question then recurring on the passage of the bill;

The ayes and nays were called for and ordered.

Mr. Loomis moved a call of the Council;

Which was ordered.

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

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

The Sergeant-at-Arms reported that Mr. Lowrey was not to be found.

On motion of Mr. McLeod,

The report was accepted.

Mr. Babcock moved to reconsider the vote, whereby the Council ordered

(H. of R. No. 18.) a bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes, to a third reading,

Which was decided in the affirmative.

On motion of Mr. Kittson,

The bill was laid on the table.

On motion of Mr. Loomis,

(C. F. No. 6,) a bill to amend an act entitled an act, granting to Wm. Noble the right to establish and maintain a ferry across Lake St. Croix,

Was taken up and read a third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative.

And the title thereof was agreed to.

On motion of Mr. Babcock,

So much of Rule No. 36 as requires one day's notice of leave to introduce bills, Was suspended by a two-thirds vote.

Mr. Greeley on leave, introduced

(C. F. No. 15,) a bill to provide for an act relating to laborers' liens upon pine saw logs, and other timber,

Which was read a first and second time.

Mr. Loomis, on leave, introduced

(C. F. No. 16,) a bill to amend an act, entitled an act to incorporate the Saint Croix Boom Company,

Which was read a first and second time.

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole, Mr. McLeod in the Chair, for the consideration of

(C. F. No. 9,) a bill to amend the Revised Statutes.

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

Leave was granted.

On motion of Mr. Babcock,

The Council adjourned until half-past 1 o'clock, P. M.

AFTERNOON SESSION—HALF-PAST ONE O'CLOCK, P. M.

The Council was called to order by the President.

A quorum not being in attendance,

The Sergeant-at-Arms was directed to notify a quorum to appear in their seats.

The Sergeant-at-Arms reported a quorum in their seats.

Mr. McLeod moved a call of the Council,

Which was ordered.

The roll was called, and Messrs. Farrington, Kittson, Loomis and Lowry were reported absent.

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

On motion of Mr. Babcock,

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

Mr. Babcock, from the committee on Engrossed Bills, reported as correctly engrossed,

(C. F. No. 3,) 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; and

(C. F. No. 12,) A bill granting to D. T. Sloan the right to establish and maintain a ferry across the Mississippi river, at or near the mouth of Swan river, Benton county, M. T. Also

(C. F. No. 14,) a bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife.

Mr. McLeod from the Committee on Enrolled Bills, made the following report, viz: The Committee on Enrolled Bills, have examined and found correctly enrolled, (H. of R. No. 21,) 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.

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.

M. McLEOD, *Council*.
B. H. RANDALL, *H. of R.*, } Committee.

On motion of Mr. Babcock,

The Council resolved itself into Committee of the Whole, Mr. McLeod in the Chair, for the consideration of

(C. F. No. 9,) a bill to amend the Revised Statutes.

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

Leave was granted.

On motion of Mr. Babcock,

The Council again resolved itself into Committee of the Whole, Mr. Kittson in the Chair, for the consideration of

(C. F. No. 9,) a bill to amend the Revised Statutes.

A message from the House being announced, the President took the Chair, and A. Pierse, Esq., appeared and delivered the following message, viz:

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

(H. of R. No. 30,) a bill to incorporate the Rum river Boom Company; and

(H. of R. No. 31,) a bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes,

In which the concurrence of the Council is respectfully requested.

The Speaker of the House has signed,

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; and

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.

And then he withdrew.

The Committee again resumed its sitting.

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

Leave was granted.

On motion of Mr. Larned,

The message from the House was taken up, and the President signed,

An act to provide for the establishment of election precincts in unorganized counties; and

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; also,

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.

The acts were placed in the hands of the Committee on Enrolled Bills, for presentation to his Excellency, the Governor.

On motion of Mr. Babcock,

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

(No. 31, H. of R.) a bill for the restriction of the sale of intoxicating liquors in the Territory, and other purposes,

Was read a first and second time by its title; also,

(H. of R. No. 30) a bill to incorporate the Rum river Boom Company,

Received its first and second reading.

Mr. McLeod asked to be excused from serving as Chairman of the Committee on Territorial affairs.

On motion of Mr. Babcock,

Mr. McLeod was excused.

The President appointed Mr. Kittson Chairman of said Committee.

On motion of Mr. Babcock,

The Council adjourned.

FRIDAY, FEBRUARY 27, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

Mr. McLeod, on leave, presented the account of the Superintendent of Common Schools; and,

On motion of Mr. McLeod,

The account was referred to the Committee on Legislative Expenditures.

Mr. McLeod, on leave, introduced

(C. F. No. 17,) a bill to establish the County of Hennepin;

Which was read a first and second time.

Mr. Farrington moved a call of the Council,

Which was ordered;

And Messrs. Kittson and Lowry were reported absent.

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

On motion of Mr. Farrington,

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

Mr. Babcock from the Committee on Engrossed Bills, reported as correctly engrossed,

(C. F. No. 4,) a memorial for a further appropriation for the Point Douglass and St. Louis river road.

On motion of Mr. Larned,

Leave of absence was granted Mr. Lowry, for the balance of this session.

On motion of M. Babcock,

The Council resolved itself into a Committee of the Whole,

Mr. Greeley in the Chair, for the consideration of

(H. of R. 17,) a bill to organize Pembina County.

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

The question then recurring on accepting the report of the committee, It was accepted.

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

It was ordered; and

On motion of Mr. Kittson,

The bill was read a third time by its title.

The question then recurring on the passage of the bill;

It was decided in the affirmative,

And the title thereof was agreed to.

On motion of Mr. Greeley,

The Council resolved itself into Committee of the Whole;

Mr. Larned in the chair, for the consideration of

(H. of R. No. 31,) a bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes.

A message from the House of Representatives being announced, the President took the Chair, and A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed

(H. of R. No. 28.) a bill for an act to incorporate the Mississippi Bridge Company;

In which the concurrence of the Council is respectfully requested.

The House has also passed,

(C. F. No. 2,) 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;

His Excellency, the Governor, has notified the House, that he has 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.

And I present herewith petitions from citizens of this Territory, praying for the passage of laws prohibiting the importation, manufacture, sale, or gift of intoxicating liquors, which should have accompanied House Bill, No. 31, yesterday.

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

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

The question then recurring on agreeing to the amendments reported by the Committee of the Whole,

They were agreed to.

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

On motion of Mr. Babcock,

The message from the House was taken up and that portion of the message relating to

(H. of R. No. 31,) a bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes, was read.

Mr. Babcock objected to the reading of the names of the petitioners.

Mr. Loomis moved that the names of the petitioners be read;

Which was lost.

Mr. Loomis moved to amend the bill, by striking out the words "first Monday in April" and inserting in lieu thereof "the next general election."

Which was negatived.

The question then recurring on the passage of the bill,

The ayes and nays were called for and ordered;

And there were ayes 6, nays 2.

Those who voted in the affirmative, are Messrs. Babcock, Farrington, Kittsen, Larned, McLeod and Forbes, President—6.

Those who voted in the negative, are Messrs. Greeley and Loomis—2.

And the bill passed.

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

Mr. Loomis moved to amend the title by striking out the word "restriction" and inserting in lieu thereof, the word "suppression."

Which was negatived.

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

It was decided in the affirmative.

On motion of Mr. Farrington,

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

AFTERNOON SESSION—TWO O'CLOCK, P. M.

The Council was called to order by the President.

Mr. Babcock moved that,

(H. of R. No. 30,) a bill to incorporate the Rum river Boom Company; and
(H. of R. No. 33,) a bill to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25th, 1851,

Be laid on the table.

Which was lost.

On motion of Mr. Larned,

The Council resolved itself into Committee of the Whole, Mr. McLeod in the Chair, for the consideration of

No. 30, H. of R.) a bill to incorporate the Rum river Boom Company.

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

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

The question then recurring on the third reading of the bill, It was ordered.

On motion of Mr. Babcock,

The bill was read a third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative,

And the title thereof agreed to.

On motion of Mr. Babcock,

The Council resolved itself into Committee of the Whole, Mr. Babcock in the Chair, for the consideration of

(H. of R. No. 33,) a bill to amend "an act providing for the appointment of a Librarian, and for other purposes," approved February 25th, 1851.

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

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

It was accepted.

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

It was ordered;

And the bill was read a third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative.

And the title thereof agreed to.

On motion of Mr. Greeley,

(C. F. No. 4,) memorial for a further appropriation for the Point Douglass and St. Louis river Road,

Was ordered to a third reading; and

On motion of Mr. Babcock,

Was read a third time by its title.

The question then recurring on the passage of the memorial,

It was decided in the affirmative.

And the title thereof agreed to.

On motion of Mr. Kittson,

(C. F. No. 3,) Memorial to the Senate and House of Representatives of the United States, praying for a grant of land, to settlers, on the lands ceded by the treaty of Pembina,

Was ordered to be read a third time.

On motion of Mr. McLeod,

The memorial was read a third time by its title.

The question then recurring, on the passage of the memorial,

It was decided in the affirmative,

And the title thereof agreed to.

On motion of Mr. Greeley,

(C. F. No. 14,) A bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman his wife;

Was read a third time.

The question then recurring on the passage of the bill;

The ayes and nays were called for and ordered;

There were ayes 4, nays 3.

Those who voted in the affirmative, are Messrs. Greeley, Kittson, Larned and Loomis—4.

Those who voted in the negative, are Messrs. Farrington, McLeod and Forbes, President—3.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Farrington,

(C. F. No. 12,) A bill granting to D. T. Sloan, the right to establish and maintain a ferry across the Mississippi river;

Was ordered to a third reading.

On motion of Mr. Kittson,

The bill was read a third time by its title.

The question recurring on the passage of the bill;

It was decided in the affirmative.

The question recurring on agreeing to the title;

Mr. Farrington moved to amend the title by striking out the words "mouth of Swan river," and insert in lieu thereof, the words "Aiken's crossing;"

Which was agreed to.

The question then recurring on agreeing to its title as amended:

It was agreed to.

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole, Mr. Farrington in the Chair, for the consideration of

(C. F. No. 9,) A bill to amend the Revised Statutes.

A message from the House being announced, the President took the Chair, when A. Pierce, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

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

(H. of R. No. 29,) A bill to authorize the county of Benton to elect two members to the House of Representatives.

(H. of R. No. 40,) 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;

In which the concurrence of the Council is respectfully requested.

And the House has concurred in the first and third amendments of the Council to (H. of R. No. 31.)

And refused to concur in the second, fourth, fifth, sixth and seventh amendments to said bill.

The House has indefinitely postponed

(C. F. No. 7,) A bill to dissolve the marriage contract between Joseph Renville and Harriet Tah-hoyh-pu;

And the House has passed

(C. F. No. 11,) a bill granting to Wm. F. Corbett and J. W. Bond, the right to establish and maintain a ferry across the Mississippi river at the foot of Sauk Rapids, Benton county;

With amendments;

In which the concurrence of the Council is respectfully requested.

And then he withdrew.

The committee again resumed its sitting.

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

Leave was granted.

Mr. Kittson moved that the Council adjourn until Monday next, at 10 o'clock, A. M.;

Which was lost.

On motion of Mr. Larned,

The Council resolved itself into committee of the whole,

Mr. Loomis in the chair,

For the consideration of

(C. F. No. 9,) A bill to amend the Revised Statutes;

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

Leave was granted.

On motion of Mr. Farrington,

The Council adjourned.

SATURDAY, FEBRUARY 28, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

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

Territory of Minnesota, Legislative Assembly, First Session of the Second Council, A. D. 1852.

The joint committee on Enrolled Bills did, on the 27th of February, 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 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 entitled 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 to dissolve the marriage contract of Abram Hull and Julia A. Hull.

M. McLEOD, Council,	} Committee.
B. H. RANDALL, H. of R.,	

Mr. Babcock from the Committee on Engrossed Bills, reported as correctly engrossed,

(C. F. No. 13,) a bill providing for the appointment of Auctioneers;

The messages from the House of Representatives were taken up in order of business; and

(H. of R. No. 28,) A bill for an act to incorporate the Mississippi Bridge Company,

Was read a first and second time; and

H. of R. No. 29,) A bill to authorize the county of Benton to elect two members to the House of Representatives,

Was read a first and second time; and

(H. of R. No. 40,) 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 read a first and second time; also,

(C. F. No. 11,) a bill granting to Wm. 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.

The question then recurring on agreeing to the first amendment offered by the House to said bill,

It was agreed to.

The second amendment was then read, and the Council concurred therein.

Mr. McLeod moved that (H. of R. No. 31,) be laid on the table, until Monday next;

Which was negatived.

The question then recurring on receding from the second amendment to

(H. of R. No. 31,) a bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes,

In which the House refused to concur;

It was decided in the affirmative; and

The Council refused to recede from the fourth, fifth, sixth and seventh amendments to said bill.

On motion of Mr. Loomis,

A committee consisting of Messrs. Loomis, Larned and McLeod, were appointed to confer with a similar committee on the part of the House, on the disagreeing vote of the two Houses on said bill.

The question then recurring on ordering

(C. F. No. 13,) a bill to provide for the appointment of Auctioneers,

To a third reading;

Mr. Kittson moved to amend the bill by striking out in line three, section one, the word "one" and inserting the word "two;" and striking out the word "eight," in section five, and inserting the word "ten;"

Which was adopted.

The bill was then ordered to a third reading; and

On motion of Mr. Babcock,

Was read a third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative,

And the title thereof agreed to.

Mr. McLeod moved that the Council adjourn until Monday next, at 10 o'clock, A. M.;

Which was lost.

On motion of Mr. Loomis,

(C. F. No. 9,) a bill to amend the Revised Statutes,

Was taken up; and

The Council resolved itself into a Committee of the Whole, Mr. Babcock in the Chair, for the consideration of said bill.

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

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

Mr. Babcock asked that the question of agreeing to the two first amendments, be taken collectively;

Which was granted.

The question was then put, and

The amendments were concurred in.

The other amendments of the committee were then read, and

The Council concurred therein.

A message from the House being announced, A. Pierse, Esq., appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed,
(H. of R. No. 20,) A bill to change the time of electing a Delegate to Congress;

In which the concurrence of the Council is respectfully requested.

The House has also passed, without amendment,
(C. F. No. 8,) a bill to dissolve the marriage contract between James W. Brown and Lezette Brown.

And the Chief Clerk withdrew.

On motion of Mr. Kittson,

The message from the House was taken up; and
(H. of R. No. 20,) A bill to change the time of electing a Delegate to Congress,

Was read a first and second time.

On motion of Mr. McLeod,

The vote by which the Council concurred in the first and second amendments of the committee of the Whole, to

(C. F. No. 9,) a bill to amend the Revised Statutes,

Was reconsidered.

The question then recurring on agreeing to the amendments,

It was decided in the negative.

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

It was decided in the affirmative.

On motion of Mr. Loomis,

The Council adjourned.

MONDAY, MARCH 1, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Rhielaffer.

The Journal of Saturday last was read and corrected.

Mr. Loomis presented the petition of W. H. C. Folsom and thirty others, praying for a ferry across the St. Croix river.

On motion of Mr. Loomis,

The petition was referred to the committee on incorporations, with instructions to report by bill.

The President presented the annual report of the Territorial Treasurer;

Which was read.

On motion of Mr. Loomis,

The report was referred to the committee on Territorial Affairs.

A message from the House of Representatives being announced, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed

(H. of R. No. 36,) A bill granting to Samuel Groff the right to establish and maintain a ferry across Lake St. Croix, and for other purposes; and

(H. of R. No. 41,) A bill to dissolve the marriage contract between Mary A. Alexander and William Alexander;

In which I am directed to ask the Concurrence of the Council.

The House has also passed,

(C. F. No. 10,) a bill to incorporate the Benton County Agricultural Society.

The House has appointed on the joint committee of conference, on the disagree-

ing votes of the two Houses on the Council amendments to House bill No. 31, Messrs. Murphy, Beatty and Black.

And the Chief Clerk withdrew.

Mr. Babcock gave notice that he would, on to-morrow, or some future day, on leave, introduce a bill to amend the Statutes.

The message from the House was taken up, and

(H. of R. No. 36,) A bill granting to Samuel Groff the right to establish and maintain a ferry across Lake St. Croix, and for other purposes,

Was read a first and second time; and

(H. of R. No. 41,) A bill to dissolve the marriage contract between Mary A. Alexander and William Alexander,

Was read a first and second time.

Joint resolutions expressive of sympathy for Louis Kossuth, in his recent unsuccessful struggle for the liberty of Hungary,

Were taken up.

The question then recurring on the passage of said resolutions,

Mr. Loomis moved that the resolutions be indefinitely postponed.

The ayes and nays were called for and ordered.

There were ayes 4, nays 4.

Those who voted in the affirmative, are Messrs. Farrington, Kittson, Loomis and Forbes, President—4.

Those who voted in the negative, are Messrs. Babcock, Greeley, Larned, and McLeod—4. So the motion was lost.

The question again recurring on the passage of the resolutions,

The ayes and nays were called for and ordered.

There were ayes, 3, nays, 5.

Those who voted in the affirmative, are Messrs. Babcock, Greeley and Larned —3.

Those who voted in the negative, are Messrs. Farrington, Kittson, Loomis, McLeod and Forbes, President—5.

So the resolutions were lost.

On motion of Mr. McLeod,

The Council resolved itself into Committee of the Whole, Mr. Babcock in the Chair, for the consideration of

(H. of R. No. 28.) a bill for an act to incorporate the Mississippi Bridge Company;

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

The question recurring on agreeing to the amendments of the Committee of the Whole,

They were agreed to.

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

It was ordered; and

On motion of Mr. Kittson,

The bill was read a third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative,

And the title thereof was agreed to.

On motion of Mr. Larned,

The Council resolved itself into the Committee of the Whole, Mr. Farrington in the Chair, for the consideration of

(H. of R. No. 40,) A bill granting to Charles 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.

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

The question recurring on accepting the report of the Committee,
It was accepted.

The question then recurring on ordering the bill to a third reading,
It was ordered; and

On motion of Mr. Farrington,
It was read a third time by its title.

The question then recurring on the passage of the bill;
It was decided in the affirmative,
And the title thereof agreed to.

A message from his Excellency, the Governor, being announced, W. B. White, Esq., his private Secretary, appeared and delivered a message in writing;
And then he withdrew.

On motion of Mr. McLeod,
The Message from his Excellency, the Governor, was taken up and read as follows, viz:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
St. Paul, February 27, 1852. }

To the Honorable President of the Council:

SIR: I have this day examined and approved the following acts, viz:

An act to amend an act, entitled an act to incorporate the Mississippi Boom Company.

And an act for the relief of S. B. Olmsted, Alden Bryant, Charles F. Tracy, B. W. Lott and Taylor Dudley.

Very respectfully, your ob't ser'vt.,

ALEX. RAMSEY.

On motion of Mr. Kittson,
The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION—TWO O'CLOCK, P. M.

The Council was called to order by the President.

On motion of Mr. Loomis,

The Council again resolved itself into Committee of the Whole, Mr. Kittson in the Chair, for the consideration of

(C. F. No. 16,) a bill to amend an act, entitled an act to incorporate the Saint Croix Boom Company.

A message from the House of Representatives being announced, the President resumed the Chair, and A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

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

(H. of R. No. 43,) 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;

In which the concurrence of the Council is respectfully requested.

And the House has also passed

(C. F. No. 3,) 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.

(C. F. No. 4,) memorial for a further appropriation for the Point Douglass and St. Louis river Road; and

(C. F. No. 14,) a bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife;

Without amendment; and

(C. F. No. 12,) A bill granting to D. T. Sloan the right to establish and main-

tain a ferry across the Mississippi river, at Aikin's crossing, Benton county, Minnesota Territory;

With sundry amendments;

In which the concurrence of the Council is respectfully requested.

His Excellency, the Governor, has returned to the House with his objections thereto,

(H. of R. No. 3,) A bill to dissolve the marriage contract of Abram Hull and Julia A. Hull.

And then he withdrew;

And the committee again resumed its sitting.

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

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

It was accepted.

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

It was ordered.

On motion of Mr. Greeley,

The Council resolved itself into Committee of the Whole, Mr. McLeod in the Chair, for the consideration of

(C. F. No. 15,) a bill to provide for an act relative to laborers' lien upon pine saw logs, and other timber.

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

Leave was granted.

On motion of Mr. Greeley,

The bill was laid on the table.

Mr. Loomis from the Committee on Enrolled Bills, reported as follows, viz:

The committee on Enrolled bills have examined and found correctly enrolled,

(H. of R. No. 17,) A bill entitled an act to organize Pembina county.

(H. of R. No. 33,) An act to amend an act "providing for the appointment of a Librarian, and for other purposes," approved February 25th, 1851.

An act to incorporate the Rum river Boom Company.

D. B. LOOMIS, *Council.*

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

Mr. Babcock, from the Committee on Incorporations, on leave, reported

(C. F. No. 18,) a bill granting to Richard Arnold, the right to establish and maintain a ferry across the St. Croix river.

On motion of Mr. Loomis,

Rule 37 was so far suspended as to admit the bill to be read a first time by its title.

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

Mr. Loomis, on leave, gave notice that on to-morrow or some future day, he would on leave, introduce a bill to incorporate the St. Paul Arsaulle Lodge 1001.

On motion of Mr. Babcock,

The Council resolved itself into Committee of the Whole,

Mr. Loomis in the chair, for the consideration of

(C. F. No. 17,) a bill to establish the county of Hennepin.

After sometime passed therein, the committee rose and by their chairman reported the bill back to the Council with an amendment.

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

It was adopted.

On motion of Mr. Kittson,

The bill was laid on the table.

On motion of Mr. Kittson,

Rule 36 was so far suspended as to admit the introduction of bills now.

Mr. Kittson, on leave, introduced

(C. F. No. 19,) a bill for the appointment of a clerk of Probate Courts to specify the duties, and for other purposes;

Which was read a first and second time; also

(C. F. No. 20,) a bill granting to Paul Beaulieu the right to establish and maintain a ferry across the Mississippi river;

Which was read a first and second time.

On motion of Mr. Kittson,

The message from the House was taken up,

(H. of R. No. 43,) a bill to amend an act granting to Anson Northrop and others, the right to establish and maintain a ferry across the Mississippi river,

Approved February 23d, 1852,

Was read a first and second time.

(C. F. No. 12,) a bill granting to D. T. Sloan, the right to establish and maintain a ferry across the Mississippi river.

The question then recurring on concurring in the first amendment of the House to said bill,

It was concurred in.

The second amendment was read, and the Council concurred therein.

The third amendment was read, and the Council concurred therein.

The fourth and last amendment was then read, and the Council concurred therein.

On motion of Mr. Kittson,

The Council adjourned.

TUESDAY, MARCH 2, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Rhielaffer.

The Journal of yesterday was read and corrected.

Mr. Babcock from the Judiciary Committee, introduced Chapter 2, of (C. F. No. 9,) a bill to amend the Revised Statutes.

On motion of Mr. Babcock,

Rule 37 was suspended, and the bill was read a first and second time by its title.

Mr. Loomis moved that the Council do now adjourn;

Which was lost.

Mr. Greeley moved that the Council adjourn until half-past one o'clock, P. M.

Mr. Loomis moved to amend by inserting "half-past three" in lieu of "half-past one,"

Which was lost.

The question then recurring on the original motion,

It was decided in the affirmative.

So the Council adjourned until half-past one o'clock, P. M.

AFTERNOON SESSION—HALF-PAST ONE O'CLOCK, P. M.

The Council was called to order by the President.

Mr. Loomis from the Committee on Enrolled Bills, reported as follows:

The committee on Enrolled Bills, have examined and found correctly enrolled (C. F. No. 8,) A bill entitled an act to dissolve the marriage contract between James W. Brown and Lezette Brown; also,

(C. F. No. 2,) 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.

Mr. Babcock from the committee on Engrossed Bills, reported

(C. F. No. 9,) a bill to amend the Revised Statutes,

As correctly engrossed.

(C. F. No. 9,) a bill to amend Revised Statutes, was taken up for a third reading.

Mr. Babcock moved to amend the bill by inserting after Sec. 28, the following section: 89-29.

Section 136, of chapter 70, page 346 of the Revised Statutes, is hereby amended so as to read as follows:

SEC. 136. The warrant may be issued whenever it shall appear by affidavit, that the cause of action exists against such defendant, specifying the amount of the claim, and the ground thereof, and that the defendant either a foreign corporation or not a resident of this Territory, or has departed therefrom with intent to defraud or delay his creditors or to evade the service of a summons, or keep himself concealed therein, with the like intent, or that he has assigned, secreted, or disposed of, or is about to assign, secrete or dispose of his property, with intent to delay, defraud his creditors, or that the plaintiff's debt was fraudulently contracted, or that for any other good and sufficient reason he will be in danger of losing the same.

SEC. 30. Nothing in this act contained shall in any wise affect or invalidate such attachment or any proceeding had thereupon, or under or in relation thereto.

Which amendment was agreed to.

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

On motion of Mr. Kittson,

The bill was read a third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative.

Mr. Babcock moved to amend the title by inserting chapter 1st,

Which was agreed to.

The title as amended was agreed to.

On motion of Mr. Kittson,

So much of Rule 40, as requires bills to lay on the table one day after being printed, was suspended by a unanimous vote.

On motion of Mr. Kittson,

The Council resolved itself into Committee of the Whole,

Mr. Babcock in the chair, for the consideration of

(C. F. No. 19,) a bill to provide for the appointment of a clerk of Probate Courts to specify the duties, and for other purposes.

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

The question then recurring on agreeing to the amendment,

It was agreed to.

The question then recurring on ordering the bill to be engrossed,

It was ordered.

On motion of Mr. Loomis,

The Council resolved itself into Committee of the Whole,

Mr. Loomis in the chair, for the consideration of the House file of bills, viz:

(H. of R. No. 20,) a bill to change the time of electing a delegate to Congress,

(H. of R. No. 29,) a bill to authorize the county of Benton to elect two members to the House of Representatives.

(H. of R. No. 36,) a bill granting to Samuel Groff, the right to establish and maintain a ferry across Lake St. Croix, and for other purposes.

(H. of R. No. 41,) a bill to dissolve the marriage contract between Mary A. Alexander and William Alexander. And

(H. of R. No. 43,) 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, approved February 23d, 1852.

A message from the House being announced, the President took the Chair, A. Pierce, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed, without amendment,

(C. F. No. 6,) A bill to amend an act entitled an act granting to Wm. Noble to keep a ferry across Lake St. Croix, at the mouth of Willow river.

And the Speaker of the House has signed,

(H. of R. No. 17,) a bill to organize Pembina County.

(H. of R. No. 30,) a bill to incorporate the Rum river Boom Company.

(H. of R. No. 33,) a bill to amend an act providing for the appointment of a Librarian, and for other purposes, approved February 25th, 1851.

(C. F. No. 8,) A bill to dissolve the marriage contract between J. W. Brown and Lezette Brown.

(C. F. No. 2,) 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.

The House has also passed,

(H. of R. No. 34,) a bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota, approved February 7th, 1851.

And an act amendatory thereto, approved March 31st, 1851; and

(H. of R. No. 44,) a bill granting to R. P. Miller, the right to establish and maintain a ferry across the Mississippi river,

In which I am directed to ask the concurrence of the Council.

And then he withdrew.

And the committee again resumed its sitting.

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

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

It was accepted.

The question then recurring on ordering

(H. of R. No. 20,) to a third reading,

On motion of Mr. Loomis,

The bill was laid on the table until Thursday next.

The question then recurring on ordering,

(H. of R. No. 29,) to a third reading,

Mr. Kittson moved that the bill be laid on the table until Friday next.

Mr. Loomis moved to amend the motion by striking out "Friday," and inserting "2d Tuesday of October."

The question then recurring on the amendment,

The ayes and noes were called for and ordered; and

There were ayes 4, noes 4.

Those who voted in the affirmative, are Messrs. Farrington, Greeley, Loomis and Forbes, President—4.

Those who voted in the negative, are Messrs. Babcock, Kittson, Larned and McLeod—4.

So the motion to amend was lost.

The question then recurring on the original motion,

The ayes and noes were called for and ordered;

And there were ayes 5, noes 3.

Those who voted in the affirmative, are Messrs. Greeley, Kittson, Larned, McLeod and Forbes, President—5.

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

So the motion prevailed.

The question then recurring on ordering,
(H. of R. No. 36,) to a third reading,

On motion of Mr. Farrington,

It was read a third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative,

And the title thereof agreed to.

The question then recurring on ordering,

(H. of R. No. 41,) to a third reading,

On motion of Mr. Babcock,

The bill was laid on the table until Friday next.

The question then recurring on ordering

(H. of R. No. 43,) to a third reading.

On motion of Mr. Kittson,

The bill was laid on the table until Thursday next.

Mr. Larned from the Committee of Conference, to whom was referred,

(H. of R. No. 31,) reported as follows, viz:

A majority of the Committee of Conference, to whom was referred

(H. of R. No. 31,) 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 amendment, and that the House concur in the second and third amendments.

WM. LARNED,

M. McLEOD,

Council.

J. H. MURPHY,

JAMES BEATTY,

House.

Mr. Loomis from the Committee of Conference, to whom was referred

(H. of R. No. 31,) made the following report, viz:

The minority of the Committee of Conference, to whom was referred,

(H. of R. No. 31,) a bill for the restriction of the sale of intoxicating liquors in the Territory, 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 possession, 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 opinion that the proviso contained in Sec. 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 Sec. 19, after and including the word "provided," in line six of said section, be stricken from the bill.

D. B. LOOMIS, Council, }
MALON BLACK, H. of R. } *Committee.*

Mr. Loomis moved that the reports be laid on the table;

Which was lost.

Mr. McLeod moved that the majority report be accepted, and the committee discharged;

Which motion prevailed.

The question then recurring on adopting the majority report,

Mr. Loomis appealed from the decision of the Chair,

That where the bill upon which the report of the Conference Committee was founded, was not in possession of the Council; the report itself could not be acted upon.

The question was then put,

Shall the decision of the Chair be sustained?

It was decided in the affirmative.

The report was then adopted by the Council.

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

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.

M. McLEOD, Council, } Committee.
B. H. RANDALL, H. of R. }

The committee on Enrolled Bills, have examined and found correctly enrolled, (C. F. No. 11,) a bill granting to W. F. Corbett and John W. Bond, the right to establish and maintain a ferry across the Mississippi river, near the foot of Sauk Rapids, Benton county, M. T.

M. McLEOD, Council, } Committee.
B. H. RANDALL, H. of R. }

Mr. Babcock moved that the Council do now adjourn;

Which was lost.

On motion of Mr. Farrington,

The message from the House was taken up, and the President signed,

An act to incorporate the Rum river Boom Company.

An act to dissolve the marriage contract between James W. Brown and Lezette Brown.

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 25th, 1851.

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 they were placed in the hands of the Enrolling Committee for presentation to his Excellency, the Governor.

On motion of Mr. Loomis,

So much of rule thirty-seven as requires a bill to be read a first time at length was suspended; and

(H. of R. No. 44,) A bill granting to R. P. Miller the right to establish and maintain a ferry across the Mississippi river;

Was read a first and second time by its title; and

(H. of R. No. 34,) A bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota;

Was read a first and second time.

On motion of Mr. Loomis,

The Council adjourned.

WEDNESDAY MARCH 3, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Rhieldaffer.

The Journal of yesterday was read and corrected.

A message from the House being announced, A. Pierse, Esq., appeared and delivered the following message, viz:

MR. PRESIDENT:—His Excellency, the Governor, has informed the House of Representatives that he has examined and approved the following acts:

A bill 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; and

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.

And the Speaker of the House has signed,

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 granting to W. F. Corbett and John W. Bond, the right to establish and maintain a ferry across the Mississippi river, near the foot of Sauk Rapids, Benton county, Minnesota Territory.

And then he withdrew.

Mr. Babcock presented the petition of H. A. Lambert; which,

On motion of Mr. Babcock,

Was referred to the Committee on Legislative Expenditures.

Mr. McLeod presented the account of J. R. Brown; also,

The account of A. V. Fryer; which,

On motion of Mr. McLeod,

Were referred to the Committee on Legislative Expenditures.

Mr. McLeod, from the Committee on Schools, reported as follows, viz:

The Committee on Schools, to whom was referred

(H. of R. No. 12,) A bill to punish trespassers on school lands in Minnesota Territory,

Respectfully beg leave to report the same back to the Council, and recommend the following amendments:

M. McLEOD,
GEO. W. FARRINGTON, } Committee.
L. A. BABCOCK,

Amend section one so as to read as follows:

SEC. 1. That any person who shall willfully cut any standing or other timber, on any lands set apart as school lands, for the use either of common schools or the University of Minnesota, not having acquired a title to such lands, every such person so offending, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be imprisoned in the county jail for a period of not less than three days nor more than six months; or shall forfeit and pay a fine of not less than twenty-five nor more than five hundred dollars, one half of said fine to go to the party claimant, and the other half to the common school fund; and in case of the neglect or refusal of the person so convicted to pay the fine above specified, he shall be, in addition to the imprisonment above imposed, confined in the county jail or Territorial prison, one day for every dollar thereof, until said fine shall be discharged.

Amend section four so as to read as follows:

Sec. 4. The several District Courts and Justices of the Peace shall have concurrent jurisdiction in all cases arising under this act.

The question then recurring on adopting the amendments of the Committee on Schools;

The motion prevailed.

Mr. McLeod from the Committee on Enrolled Bills, made the following report, viz: 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 Aikin's crossing.

A memorial for a further appropriation for the Point Douglass and St. Louis river road.

M. McLEOD, Council, }
B. H. RANDALL, H of R. } Committee.

The Committee on Enrolled Bills, have examined and found correctly enrolled, (C. F. No. 14,) a bill to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife; also,

(C. F. No. 3,) Memorial to the Senate and House of Representatives of the United States, praying for a grant of land, to settlers, on the lands ceded by the treaty of Pembina,

D. B. LOOMIS, Council, }
B. H. RANDALL, H. of R., } Committee.

Mr. Babcock, from the committee on Engrossed Bills, reported

(C. F. No. 16,) A bill to amend an act entitled an act to incorporate, the Saint Croix Boom Company,

As correctly engrossed.

The message from the House was taken up, and the President signed the following acts:

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

An act to incorporate the Mississippi Bridge Company; and

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.

And the acts were placed in the hands of the Enrolling Committee, for presentation to his Excellency, the Governor.

(H. of R. No. 12,) A bill to punish trespassers on school lands in Minnesota Territory,

Was taken up and read a second time by its title.

On motion of Mr. Babcock,

The Council resolved itself into a Committee of the Whole, Mr. Kittson in the Chair, for the consideration of House file bills, viz:

(H. of R. No. 12,) A bill to punish trespassers on school lands in Minnesota Territory; and

(H. of R. No. 34,) A bill to amend an act to provide for the erection of public buildings in the Territory of Minnesota:

Approved February 7th, 1851;

And an act amendatory thereto, approved March 1st, 1851; and also,

(H. of R. No. 44,) A bill granting to R. P. Miller, the right to establish and maintain a ferry across the Mississippi river.

After some time passed therein, the Committee rose, and by their Chairman reported the bill back to the Council, with amendment to (H. of R. No. 44.)

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

It was accepted.

The question then recurring on adopting the amendment to (H. of R. No. 44,) It was adopted.

The question then recurring on ordering H. of R. No. 34,)

To a third reading;

Mr. Loomis moved to amend the bill as follows, viz:

Strike out in section six, all to, and including the word "appoint," in line three of said section, and insert "the board of commissioners shall appoint;"

Which amendment was agreed to.

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

On motion of Mr. Loomis,

The bill was read a third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative,

And the title thereof agreed to.

The question then recurring on ordering (H. of R. No. 44,)

To a third reading;

Mr. Kittson moved to amend the bill by striking out "fifty" where it occurs, and inserting in lieu thereof, the word "six."

The President decided the motion out of order.

Mr. Babcock moved to reconsider the vote by which the Council adopted the amendment of the Committee of the Whole;

Which motion prevailed.

The question again recurring on adopting the amendment of the Committee of the Whole;

It was negatived.

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

Mr. Babcock moved to amend the bill by striking out the word "ten," and inserting in lieu thereof, the word "six;"

Which motion prevailed.

On motion of Mr. Loomis,

The bill was read a third time by its title.

The question then recurring on the passage of the bill;

It was decided in the affirmative,

And the title thereof agreed to.

(C. F. No. 16,) A bill to amend an act entitled an act to incorporate the Saint Croix Boom Company,

Was taken up; and

On motion of Mr. Greeley,

The bill was read a third time by its title.

The question then recurring on the passage of the bill;

It was decided in the affirmative,

And the title thereof agreed to.

Mr. Loomis moved that the Council do now adjourn;

Which was lost.

On motion of Mr. McLeod,

(C. F. No. 17,) A bill to establish the county of Hennepin;

Was taken up and recommitted to the Committee of the Whole, Mr. Larned in the Chair.

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

The question then recurring on agreeing to the amendment of the Committee of the Whole,

It was agreed to.

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

It was ordered.

On motion of Mr. Babcock,

The Council resolved itself into Committee of the Whole, Mr. Loomis in the Chair, for the consideration of

(C. F. No. 18.) A bill granting to Richard Arnold the right to establish and maintain a ferry across St. Croix river; and

(C. F. No. 20,) A bill granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi river.

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

The question then recurring on agreeing to the amendments;

They were agreed to.

The question then recurring on ordering (C. F. No. 18,) to be engrossed for a third reading,

It was ordered.

The question then recurring on ordering (C. F. No. 20,) to be engrossed for a third reading;

It was ordered.

Mr. Loomis moved that the Council do now adjourn;

Which was lost.

On motion of Mr. Babcock,

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

AFTERNOON SESSION—TWO O'CLOCK, P. M.

The Council was called to order by the President.

On motion of Mr. Babcock,

So much of rule 40 as requires bills to lay on the table one day after being printed, was suspended: and

The Council resolved itself into a Committee of the Whole, Mr. Farrington in the Chair, for the consideration of

(C. F. No. 9, chapter 2,) A bill to amend the Revised Statutes.

A message from the House being announced the President took the Chair, A. Pierce, Esq., appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has adopted the report of the majority of the joint committee of conference on (H. of R. No. 31,)

By which the House concurs in the second and third amendments of the Council to said bill; and

The House has passed

(H. of R. No. 45,) 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 Wabashaw;

In which I am directed to ask the concurrence of the Council.

The Speaker of the House has signed the following acts:

An act to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman his wife.

An act granting to D. T. Sloan the right to establish and maintain a ferry across the Mississippi river, at or near Aiken's crossing.

An act to incorporate the Benton County Agricultural Society.

A memorial to the Senate and House of Representatives, praying for a grant of land to settlers on the lands ceded by the treaty of Pembina; and

A memorial for a further appropriation for the Point Douglass and St. Louis river road.

And then he withdrew;

And the committee resumed its sitting.

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

Mr. Farrington moved a call of the Council;

Which was ordered.

The roll was called, and Mr. Loomis reported absent.

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

The Sergeant-at-Arms reported the absentee in his seat.

The question then recurring on agreeing to the amendments of the Committee of the Whole,

Mr. Babcock asked that the amendments be acted on separately.

The first amendment was then read, and the Council concurred therein.

The second amendment was then read, and the Council concurred therein.

The third amendment was then read, and

The ayes and noes were called for and ordered.

There were ayes 6, nays 2.

Those who voted in the affirmative, are Messrs. Farrington, Greeley, Kittson, Loomis, McLeod and Forbes, President—6.

Those who voted in the negative, are Messrs. Babcock and Larned—2.

So the amendment was concurred in.

The fourth and last amendment was then read, and the Council concurred therein.

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

It was ordered.

Mr. Babcock from the committee on Engrossed Bills reported, (C. F. No. 9, Chapter 2,) a bill to amend the Revised Statutes, as correctly engrossed.

Mr. Greeley, on leave, presented the petition of Elias McKean, and twenty others, remonstrating against postponing the election of Delegate to Congress.

On motion of Mr. Babcock,

The petition was laid on the table till to-morrow.

On motion of Mr. Babcock,

(C. F. No. 9, Chapter 2,) a bill to amend the Revised Statutes,

Was read a third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative.

And the title thereof was agreed to.

On motion of Mr. Loomis,

The message from the House was taken up, and the President signed the following acts, viz:

An act to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman his wife.

An act granting to D. T. Sloan, the right to establish and maintain a ferry across the Mississippi river, at or near Aiken's crossing.

An act to incorporate the Benton County Agricultural Society.

A memorial to the Senate and House of Representatives, praying for a grant of land to settlers on the lands ceded by the treaty of Pembina.

And a memorial for a further appropriation for the Point Douglass and St. Louis river road.

And the acts and memorials were placed in the hands of the committee on Enrolled Bills, for presentation to his Excellency, the Governor.

(H. of R. No. 45,) a bill granting to Henry G. Bailey, the right to establish and maintain a ferry across the Mississippi river.

Mr. Babcock moved that so much of Rule 37, as requires bills to be read a first time at length, be suspended.

The ayes and noes were called for and ordered, and

There were ayes 6, noes 2.

Those who voted in the affirmative, are Messrs. Babcock, Farrington, Kittson, Larned, Loomis and McLeod—6.

Those who voted in the negative, are Messrs. Greeley and Forbes, President—2.
Two-thirds having voted in the affirmative, the rule was suspended,
And the bill was read a first and second time by its title.

Mr. McLeod from the committee on Enrolled Bills, reported as follows:
Territory of Minnesota, Legislative Assembly, First Session of the Second Council,
A. D. 1852.

The Joint Committee on Enrolled Bills, did, on the 3d of March, A. D. 1852, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following entitled bills and memorials, viz:

A bill entitled an act to amend an act, providing for the appointment of a Librarian, and for other purposes, approved February 25th, 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, M. T.

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.

A bill entitled 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.

An act to incorporate the Cottage Grove Academy, at Cottage Grove, in the county of Washington.

M. McLEOD, Council	} Committee.
B. H. RANDALL, H. of R.	

On motion of Mr. Loomis,
The Council adjourned.

THURSDAY, MARCH 4, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Rhieldaffer.

The Journal of yesterday was read and corrected.

Mr. Lowry reported himself in his seat; and on leave was permitted to take his seat.

Mr. McLeod, on leave, introduced

(C. F. No. 5,) Memorial to the President of the United States relative to changing the name of the St. Peter's river.

Which was read a first and second time.

Mr. Babcock from the Committee on Engrossed Bills, reported

(C. F. No. 17,) A bill to establish the county of Hennepin; and

(C. F. No. 18,) A bill granting to Richard Arnold the right to establish and maintain a ferry across St. Croix river.

(C. F. No. 19,) A bill to provide for the appointment of clerks of the probate courts, to specify their duties and for other purposes.

(C. F. No. 20,) A bill granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi river,

As correctly engrossed.

On motion of Mr. Farrington,

The Council resolved itself into a Committee of the Whole, Mr. Lowry in the Chair, for the consideration of

(H. of R. No. 45.) 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 Wabashaw.

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

The question then recurring on agreeing to the amendment offered by the Committee of the Whole;

It was agreed to.

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

On motion of Mr. McLeod,

The bill was read a third time by its title.

The question then recurring on the passage of the bill;

The ayes and nays were called for and ordered; and

There were ayes 4, nays 4.

Those who voted in the affirmative are Messrs. Greeley, Larned, McLeod and Forbes, President—4.

Those who voted in the negative are Messrs. Babcock, Farrington, Loomis and Lowry—4.

So the Council refused to pass the bill.

Mr. Loomis moved to reconsider the vote by which the Council refused to pass (H. of R. No. 45.)

The ayes and nays were called for and ordered;

There were ayes 7, nays 2.

Those who voted in the affirmative are Messrs. Babcock, Greeley, Kittson, Larned, Lowry, McLeod and Forbes, President—7.

Those who voted in the negative are Messrs. Farrington and Loomis—2.

So the vote was reconsidered.

The question then recurring on the passage of the bill;

The ayes nays were called for and ordered;

There were ayes 5, nays 4.

Those who voted in the affirmative are Messrs. Greeley, Kittson, Larned, McLeod and Forbes, President—5.

Those who voted in the negative are Messrs. Babcock, Farrington, Loomis and Lowry—4.

So the bill passed.

The question then recurring on agreeing to the title;

Mr. Kittson moved to amend the title by striking out the name Henry G. Bailly and to insert the name Daniel Farribault;

Which was lost.

Mr. Kittson moved to amend by striking out the title.

The motion was lost.

The title was then agreed to.

On motion of Mr. McLeod,

(H. of R. No. 20.) A bill to change the time of electing a Delegate to Congress,

Was taken up and read a third time.

The petition of Elias McKean and twenty others, remonstrating against postponing the election of Delegate to Congress,

Was taken up and read.

The question then recurring on the passage of the bill;

The ayes and nays were called for and ordered;

There were ayes 6, nays 3.

Those who voted in the affirmative are Messrs. Babcock, Farrington, Kittson, Larned, McLeod and Forbes, President—6.

Those who voted in the negative are Messrs. Greeley, Loomis and Lowry—3.

So the bill passed, and the title thereof was agreed to.

The question then recurring on ordering
(H. of R. No. 12,) A bill to punish trespassers on school lands in Minnesota Territory;

To a third reading,

It was ordered.

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

On motion of Mr. Babcock,

So much of rule 36 as requires one day's notice for the introduction of bills, was suspended; and

Mr. Babcock, on leave, introduced

(C. F. No. 21,) A bill to amend an act entitled an act to authorize the establishment and regulation of ferries; approved February 19, 1851;

Which was read a first and second time.

The question then recurring on ordering

(H. of R. No. 43,) 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; approved February 23, 1852;

To a third reading,

It was decided in the negative.

The question recurring on ordering

(C. F. No. 17,) A bill to establish the county of Hennepin;

To a third reading;

On motion of Mr. Babcock,

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

The question then recurring on ordering

(C. F. No. 18,) A bill granting to Richard Arnold the right to establish and maintain a ferry across the St. Croix river,

To a third reading;

On motion of Mr. Kittson,

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

The question then recurring on ordering

(C. F. No. 19,) A bill to provide for the appointment of clerks of probate court, to specify their duties and for other purposes;

To a third reading.

On motion of Mr. Kittson,

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

The question then recurring on ordering

C. F. No. 20,) A bill granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi river,

To a third reading;

On motion of Mr. Farrington,

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

A message from his Excellency, the Governor, being announced, W. B. White, Esq., private Secretary to his Excellency, the Governor, appeared and delivered a message in writing;

And then he withdrew.

On motion of Mr. Larned,

(H. of R. No. 4,) A bill granting to Emanuel Case, the right to establish and maintain a ferry across the Mississippi river;

Was taken from the table.

On motion of Mr. Kittson,

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

On motion of Mr. McLeod,

The Message from his Excellency, the Governor, was taken up and read as follows, viz:

TERRITORY OF MINNESOTA, EXECUTIVE DEPARTMENT, }
 St. Paul, March 4, 1852. , }

To the Honorable President of the Council:

SIR: I have this day examined and approved the following acts, viz:

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.

I have also examined and approved

An act granting to Wm. 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.

Very respectfully, your ob't ser'vt.,

ALEX. RAMSEY.

On motion of Mr. Babcock,
 The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION—TWO O'CLOCK, P. M.

The Council was called to order by the President.

On motion of Mr. Babcock,

So much of rule 36 as requires one day's notice to be given for the introduction of bills, was suspended.

Mr. Babcock, on leave, introduced

(C. F. No. 22,) A bill to establish the price of Binding;

Which was read a first and second time.

Mr. Loomis moved that the Council do now adjourn;

Which was lost.

Mr. Greeley moved a call of the Council,

Which was ordered.

The roll was called, and Messrs. Farrington and Lowry were reported absent.

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

On motion of Mr. Loomis,

Further proceedings under the call of the Council,

Were dispensed with.

Mr. Loomis from the Committee on Enrolled Bills, reported as follows, viz:

Territory of Minnesota, Legislative Assembly, First Session of the Second Council, A. D. 1852.

The joint committee on Enrolled Bills did, on the 4th of March, A. D. 1852, present to his Excellency, the Governor of Minnesota Territory, 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 Aiken's crossing.

A bill entitled an act to incorporate the Benton County Agricultural Society.

A memorial to Congress for a further appropriation for the Point Douglass and St. Louis river Road.

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.

D. B. LOOMIS, *Council.*

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

On motion of Mr. Loomis,

(H. of R. No. 18,) a bill fixing the terms of the Supreme and District Courts of the Territory of Minnesota, and for other purposes;

Was taken from the table.

The question then recurring on agreeing to the amendment of the Committee of the Whole,

The Council refused to concur in the amendment.

Mr. Loomis moved to amend the bill as follows:

"In section three, line two, between the words 'and' and 'Jerome,' insert the words 'the Hon.'; in line five, same section, between the words 'and' and 'Bradley,' insert the words 'the Hon.'; in line seven, same section, between the words 'and' and 'David,' insert the words 'the Hon.'"

The amendment was agreed to.

On motion of Mr. Babcock,

The bill was read a third time by its title.

The question recurring on the passage of the bill;

It was decided in the affirmative,

And the title thereof agreed to.

On motion of Mr. Loomis,

(C. F. No. 4,) A bill granting to W. G. LeDuc the right to establish and maintain a ferry across the Mississippi river; and

(H. of R. No. 24,) A bill defining the manner of contesting the election of members of the Legislative Assembly of the Territory of Minnesota;

Were taken from the table.

On motion of Mr. Loomis,

(C. F. No. 4,) was indefinitely postponed.

On motion of Mr. Loomis,

(H. of R. No. 24,) was postponed until the second Tuesday in October next.

On motion of Mr. Farrington,

So much of rule 36 as requires one day's notice for the introduction of bills, was suspended; and

Mr. Farrington, on leave, introduced

(C. F. No. 23,) A bill to incorporate the Ramsey County Agricultural Society; Which was read a first and second time.

On motion of Mr. Loomis,

The Council adjourned.

FRIDAY, MARCH 5, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Rhieldaffer.

The Journal of yesterday was read and corrected.

(H. of R. No. 41,) a bill to dissolve the marriage contract between Mary Ann Alexander and William Alexander;

Was taken up for a third reading; and

On motion of M. Babcock,

The petition and testimony in relation to said bill, was read by the Secretary.

A message from the House being announced,

A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, to wit.

MR. PRESIDENT:—His Excellency, the Governor, has informed the House that he has 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 25th, 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 Prairie La Crosse, in Wisconsin.

The House has concurred in the amendment of the Council to House Bill, No. 34, to amend an act to provide for the erection of public buildings in the Territory of Minnesota.

Also, in the Council amendment to House Bill, No. 44, granting to R. P. Miller, the right to establish and maintain a ferry across the Mississippi river.

The House has also passed,

(C. F. No. 9, Chapters 1 and 2,) to amend the Revised Statutes, with amendments; in which I am directed to ask the concurrence of the Council;

And then the Chief Clerk withdrew.

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

It was ordered.

And the bill was read a third time.

The question then recurring on the passage of the bill,

Mr. Greeley moved a call of the Council,

Which was ordered.

The roll was called, and Messrs. Babcock, Kittson and Larned, were reported absent.

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

Mr. Kittson moved, that further proceedings under the call be dispensed with; Which was lost.

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

The question recurring on the passage of the bill,

The ayes and nays were called for and ordered.

Mr. Babcock asked to be excused from voting on the passage of the bill;

Which was refused by the Council.

The roll was then called, and

There were ayes 3, nays 6.

Those who voted in the affirmative, are Messrs. Kittson, Loomis and McLeod—3.

Those who voted in the negative, are Messrs. Babcock, Farrington, Greeley, Larned, Lowry and Forbes, President—6.

So the bill did not pass.

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

The committee on Enrolled Bills, have examined and found correctly enrolled, A bill entitled an act to amend an act, to authorize William Noble, to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river; and

An act to amend an act, to provide for the erection of public buildings in the Territory of Minnesota; approved February 7th, 1851. And

An act amendatory thereto, approved March 31st, 1851.

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.

An act to change the time of electing a Delegate to Congress.

M. McLEOD, Council, } Committee.
B. H. RANDALL, H. of R. }

(H. of R. No. 29,) a bill to authorize the county of Benton, to elect two members to the House of Representatives;

Was taken up and read a third time.

The question then recurring on the passage of the bill,

The ayes and noes were called for and ordered.

There were ayes 4, nays 5.

Those who voted in the affirmative, are Messrs. Babcock, Kittson, Larned and Lowry—4.

Those who voted in the negative, are Messrs. Farrington, Greeley, Loomis, McLeod and Forbes, President—5.

So the Council refused to pass the bill.

On motion of Mr. Babcock,

The message from the House was taken up,

The question then recurring on agreeing to the amendments of the House to (C. F. No. 9,) a bill to amend the Revised Statutes,

The first amendment was then read, and concurred in.

The second amendment was then read, and the Council refused to concur therein.

The third amendment was then read, and the Council concurred therein.

The fourth and last amendment was then read, and the Council refused to concur therein.

On motion of Mr. Loomis,

So much of Rule 40, as requires bills to lie on the table one day after being printed,

Was suspended.

A message from his Excellency, the Governor, being announced, W. B. White, Esq., his private Secretary, appeared and delivered a message in writing;

And then he withdrew.

On motion of Mr. Greeley,

The Council resolved itself into Committee of the Whole,

Mr. Kittson in the chair, for the consideration of

(C. F. No. 21,) a bill to amend an act entitled an act, to authorize the establishment and regulation of ferries; approved February 19th, 1851.

A message from the House being announced, the President took the Chair, and A. Pierse, Esq., appeared and delivered the following message, viz:

MR. PRESIDENT:—The House has this day passed the following resolution:

Resolved, That the Chief Clerk of this House be instructed to call on the Council, and request that bill (No. 3, H. of R.) be transmitted to this House.

And then he withdrew.

And the committee again resumed its session.

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

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

It was accepted.

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

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

Which motion was lost.

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

Mr. Babcock from the committee on Engrossed Bills, on leave, reported as correctly engrossed,

(C. F. No. 21,) a bill to amend an act entitled an act, to authorize the establishment and regulation of ferries; approved February 19th, 1851.

On motion of Mr. Babcock,

(C. F. No. 21,) was read a third time by its title;

Passed, and the title thereof agreed to.

On motion of Mr. Loomis,

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

EXECUTIVE DEPARTMENT, }
St. Paul, March 5, 1852. }

To the Honorable President of the Council:

SIR: I have this day examined and approved the following acts, 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 Aiken's crossing.

I have also examined and approved,

A memorial to the Senate and House of Representatives of the United States, praying for a grant of land to settlers on the lands ceded by the treaty of Pembina.

A memorial for a further appropriation for the Point Douglass and St. Louis river road.

Very respectfully, your ob't sev't,

ALEX. RAMSEY.

On motion of Mr. Babcock,

The further reading of the messages was dispensed with.

On motion of Mr. Loomis,

So much of Rule 40, as requires bills to lay one day on the files after being printed, was suspended by a two-thirds vote. And

(C. F. No. 5,) a memorial to the President of the United States, relative to changing the name of the St. Peter's river,

Was taken up; and

On motion of Mr. Farrington,

The Council resolved itself into Committee of the Whole,

Mr. Babcock in the chair, for the consideration of said memorial.

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

The question then recurring on agreeing to the amendment of the Committee of the Whole,

It was agreed to.

And the memorial was ordered to be engrossed for a third reading.

On motion of Mr. Larned,

The message from the House was taken up and read.

Mr. Larned moved, that the Secretary be instructed to inform the House of Representatives, that the bill asked for, (H. of R. No. 31,) was not in possession of the Council;

Which motion was adopted.

Mr. Babcock from the committee on Engrossed Bills, on leave, reported

(C. F. No. 5,) a memorial to the President of the United States, relative to changing the name of St. Peter's river;

As correctly engrossed.

On motion of Mr. Babcock,

(C. F. No. 5,) memorial to the President of the United States, relative to changing the name of the St. Peter's river,

Was taken up and read a third time by its title;

Passed, and the title thereof agreed to.

On motion of Mr. Loomis,

The Council went into Executive Session;

After some time passed therein, the doors were again opened, and

On motion of Mr. Kittson,

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

AFTERNOON SESSION—TWO O'CLOCK, P. M.

The Council was called to order by the President.

Mr. McLeod moved, to reconsider the vote by which the Council, refused to concur in the third amendment of the House, to

(C. F. No. 9,) a bill to amend the Revised Statutes.

Which motion prevailed.

The question again recurring, on agreeing to the third amendment to

(C. F. No. 9.)

Mr. McLeod moved, to amend the amendment, by striking out the word "four,"

and inserting in lieu thereof, the word "seven;"

Which amendment was agreed to.

The third amendment as amended was then agreed to.

Mr. Lowry moved, to reconsider the vote by which the Council, refused to pass (H. of R. No. 41,) a bill to dissolve the marriage contract between Mary A. Alexander and William Alexander.

The ayes and noes were called for and ordered; and

There were ayes, 7, noes, 2.

Those who voted in the affirmative, are Messrs. Babcock, Greeley, Kittson, Larned, Lowry, McLeod and Forbes, President—7.

Those who voted in the negative, are Messrs. Farrington and Loomis—2.

So the vote was reconsidered.

The question again recurring on the passage of the bill,

The ayes and noes were called for and ordered.

Mr. Kittson moved that Mr. Babcock, be excused from voting on the passage of the bill.

The ayes and noes were called for and ordered; and

There were ayes 5, noes 3.

Those who voted in the affirmative, are Messrs. Greeley, Kittson, Lowry, McLeod and Forbes, President—5.

Those who voted in the negative, are Messrs. Farrington, Larned and Loomis—3.

So Mr. Babcock was excused.

Mr. Larned moved that Mr. Farrington, be excused from voting;

Which was lost.

Mr. Loomis moved that the bill be indefinitely postponed.

Which was lost.

Mr. Farrington moved that the Council adjourn until 7 o'clock, P. M.

Which was lost.

The roll was then called, and

There were ayes 5, nays 3.

Those who voted in the affirmative, are Messrs. Greeley, Kittson, Larned, Lowry and McLeod—5.

Those who voted in the negative, are Messrs. Farrington, Loomis and Forbes, President—3.

So the bill passed, and the title thereof agreed to.

Mr. McLeod from the Committee on Enrolled Bills, reported as follows, viz:

The Committee on Enrolled Bills, have examined and found correctly enrolled, (H. of R. No. 31,) a bill entitled an act, for the restriction of the sale of intoxicating liquors, and for other purposes.

M. McLEOD, Council, } Committee.
J. W. SELBY, H. of R. }

On motion of Mr. Babcock,

So much of Rule 40, as requires printed bills to lie on file on day,

Was suspended; and

(C. F. No. 22,) a bill to establish the price of Binding, was taken up.

On motion of Mr. McLeod,

The Council resolved itself into Committee of the Whole,

Mr. Farrington in the Chair, for the consideration of (C. F. No. 22.)

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

The question then recurring on agreeing to the amendment,

It was agreed to.

And the bill was ordered to be engrossed for a third reading.

A message from the House being announced, A. Pierse, Esq., appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed,

An act to amend an act entitled an act, to authorize William Noble, to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river.

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 to amend an act to provide for the erection of public buildings in the Territory of Minnesota; approved February 7th, 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.

The House has passed

(C. F. No. 13,) a bill providing for the appointment of Auctioneers;

With sundry amendments.

(C. F. No. 18,) a bill granting to Richard Arnold, the right to establish and maintain a ferry across the St. Croix river;

With amendments.

(C. F. No. 17,) a bill to establish the county of Hennepin;

With an amendment.

(C. F. No. 20,) a bill granting to Paul Beaulieu the right to establish and maintain a ferry across the Mississippi river;

With amendments.

The House has passed the following bills:

(H. of R. No. 49,) a bill prescribing the time when certain acts shall take effect.

(H. of R. No. 51,) A bill to provide for the collection of Territorial taxes in unorganized counties; and (H. of R. No. 50.)

A bill to dissolve the marriage contract between Henry Buel and his wife Susan Buel;

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

And then he withdrew.

On motion of Mr. Larned,

The message from the House was taken up, and the President signed the following acts, viz:

An act to amend an act entitled an act to authorize William Noble to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river.

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 to amend an act to provide for the erection of public buildings in the Territory of Minnesota; approved February 7th, 1851; and

An act amendatory thereto; approved March 31st, 1851; and

An act granting to Samuel Groff the right to establish and maintain a ferry across Lake St. Croix, and for other purposes.

(H. of R. No. 49,) A bill prescribing the time when certain acts shall take effect;

Was read a first and second time.

(H. of R. No. 50,) A bill to dissolve the marriage contract between Henry Buel and his wife Susan Buel;

Was read a first and second time.

(H. of R. No. 51,) A bill to provide for the collection of Territorial taxes in unorganized counties;

Was read a first and second time.

The question then recurring on concurring in the amendments to

(C. F. No. 13,) a bill to provide for the appointment of Auctioneers;

The first, second, third, fourth and fifth were then read, and the Council concurred in each separately.

Mr. Loomis moved to amend the sixth amendment by striking out the word "fifty" and inserting the words "one hundred;"

Which was lost.

The Council then refused to concur in the sixth amendment.

On motion of Mr. Loomis,

The seventh amendment was laid on the table.

On motion of Mr. Babcock,

The further consideration of the amendment was indefinitely postponed.

The question then recurring on agreeing to the amendment of the House to (C. F. No. 17,) A bill to establish the county of Hennepin;
It was agreed to.

The question then recurring on agreeing to the House amendments to (C. F. No. 18.) A bill granting to Richard Arnold the right to establish and maintain a ferry across St. Croix river

The first and second amendments were separately read, and concurred in.

The question then recurring on agreeing to the House amendments to

(C. F. No. 20,) A bill granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi river.

The first, second, third, fourth and fifth amendments were then read, and the Council concurred in each separately.

Mr. Babcock, from the committee on Engrossed Bills, on leave, reported

(C. F. No. 22,) A bill to establish the price of Binding,

As correctly engrossed.

On motion of Mr. Loomis,

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

On motion of Mr. Loomis,

So much of rule 40 as requires bills to lay on the table one day after being printed, was suspended.

On motion of Mr. Babcock,

(C. F. No 23,) A bill to incorporate the Ramsey County Agricultural Society,
Was taken up; and

The Council resolved itself into a Committee of the Whole, Mr. Larned in the Chair, for the consideration of said bill.

A message from the House of Representatives being announced, the President resumed the Chair, and A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

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

(C. F. No. 5,) A memorial to the President of the United States, relative to changing the name of the St. Peters river,

Without amendment.

And the Chief Clerk withdrew,

And the committee resumed its sitting.

A message from the House being announced, the President took the Chair, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House refuses to recede from its second amendment to

(C. F. No. 9,) A bill to amend the Revised Statutes.

Concurs in the Council's amendment to the third amendment of the House, and refuses to recede from its fourth amendment to said bill.

And then he withdrew.

And the committee again resumed its sitting.

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

The question then recurring on agreeing to the amendments of the Committee of the Whole;

It was decided in the negative.

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

Mr. Loomis moved to amend the bill by striking out the word "one hundred" in the sixth line of section one, and inserting the word ten;"

Which was adopted.

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

On motion of Mr. Kittson,

The message from the House was taken up, and read.

Mr. Loomis moved a call of the Council,

Which was ordered;

The roll was called and Messrs. Babcock and Greeley were reported absent.

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

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

The question then recurring on adhering to the disagreement of the Council to the second amendment of the House to

(C. F. No. 9,) A bill to amend the Revised Statutes,

It was decided in the negative.

The question then recurring on adhering to the disagreement of the Council to the fourth amendment of the House to said bill,

The ayes and nays were called for and ordered;

And there were ayes 4, nays 5.

Those who voted in the affirmative, are Messrs. Farrington, Greeley, Lowry and Forbes, President—4.

Those who voted in the negative, are Messrs. Babcock, Kittson, Larned, Loomis and McLeod—5.

So the Council refused to adhere to the fourth amendment.

On motion of Mr. Farrington,

The Council adjourned.

SATURDAY MARCH 6, 1852.

The Council was called to order by the President.

Prayer by the Rev. Mr. Rhieldaffer.

The Journal of yesterday was read and corrected.

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

Territory of Minnesota, Legislative Assembly, First session of the second Council, A. D. 1852.

The Joint Committee on Enrolled Bills, did, on the 5th 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 to amend an act to provide for the erection of public buildings in the Territory of Minnesota:

Approved February 7th, 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 to amend an act, entitled an act to authorize William Noble to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river.

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.

D. B. LOOMIS, Council, }
B. H. RANDALL, H. of R. } *Committee.*

The Committee on Enrolled Bills, have examined and found correctly enrolled,

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 Wabashaw.

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 Districts Courts, and for other purposes; and

An act to dissolve the marriage contract between Mary Ann Alexander and William Alexander.

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

Mr. Babcock, from the committee on Engrossed Bills, reported
(C. F. No. 23,) A bill to incorporate the Ramsey County Agricultural Society, as correctly engrossed.

On motion of Mr. Babcock,

The Council resolved itself into Committee of the Whole, Mr. Babcock in the Chair, for the consideration of the House file of bills,

(H. of R. No. 49,) A bill prescribing the time when certain acts shall take effect; and

(H. of R. No. 50,) A bill to dissolve the marriage contract between Henry Buel and his wife Susan Buel; and

(H. of R. No. 51,) A bill to provide for the collection of taxes in unorganized counties.

A message from his Excellency, the Governor, being announced, the President took the Chair, and W. B. White, Esq., his private Secretary, appeared and delivered a message in writing;

And then he withdrew;

And the committee resumed its sitting.

After some time passed therein, the committee rose, and by their Chairman reported the bill back to the Council with an amendment to (H. of R. No. 51.)

The report was accepted.

The question then recurring on agreeing to the amendment offered by the Committee of the Whole to (H. of R. No. 51,)

It was agreed to.

The question then recurring on ordering

(C. F. No. 23,) A bill to incorporate the Ramsey County Agricultural Society, to a third reading;

It was ordered; and

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

Mr. Farrington moved a call of the Council,

Which was ordered.

The roll was called, and Messrs. Babcock, Greeley, Kittson and Lowry were reported absent.

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

On motion of Mr. Larned,

Further proceedings under the call of the Council,

Were dispensed with; and

(H. of R. No. 49,) A bill prescribing the time when certain acts shall take effect;

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

Mr. Farrington moved a call of the Council,

Which was ordered; and

Messrs. Babcock, Kittson and Lowry were reported absent.

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

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

Which was negatived.

The Sergeant-at-Arms reported Messrs. Kittson and Lowry in their seats. and Mr. Babcock not to be found.

(H. of R. No. 50,) A bill to dissolve the marriage contract between Henry Buel and his wife Susan Buel;

Was read a third time.

The question then recurring on the passage of the bill,

Mr. Farrington moved that the bill be indefinitely postponed.

The ayes and noes were called for and ordered.

There were ayes 3, nays 5.

Those who voted in the affirmative, are Messrs. Farrington, Larned and Loomis—3.

Those who voted in the negative, are Messrs. Greeley, Kittson, Lowry, McLeod and Forbes, President—5.

So the Council refused to postpone the bill.

The question then recurring on the passage of the bill;

Mr. Farrington moved a call of the Council,

Which was ordered.

Mr. Babcock was reported absent.

On motion of Mr. Kittson,

Mr. Babcock was excused from voting on the passage of the bill.

The ayes and noes were called for and ordered,

There were ayes 3, nays 5.

Those who voted in the affirmative, are Messrs. Kittson, Lowry and McLeod—3.

Those who voted in the negative, are Messrs. Farrington, Greeley, Larned, Loomis and Forbes, President—5.

So the Council refused to pass the bill.

(H. of R. No. 51,) A bill to provide for the collection of Territorial taxes in unorganized counties;

Was taken up; and

On motion of Mr. Kittson,

Read a third time by its title, passed, and the title thereof agreed to.

On motion of Mr. Lowry,

The message of the Governor was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT, }
St. Paul, March 6, 1852. }

To the Honorable President of the Council:

SIR: I have this day examined and approved

An act to amend an act entitled an act to authorize William Noble to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river.

Very respectfully, your ob't ser'vt.,

ALEX. RAMSEY.

On motion of Mr. Larned,

The Council adjourned until half-past one o'clock, P. M.

AFTERNOON SESSION—HALF-PAST ONE O'CLOCK, P. M.

The Council was called to order by the President.

Mr. McLeod, from the Committee on Enrolled Bills, reported as follows, viz:

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 changing the name of the St. Peter's river.

Chapter 2. An act to amend the Revised Statutes.

M. McLEOD, Council
B. H. RANDALL, H. of R. } *Committee.*

A message from the House being announced, A. Pierse, Esq., appeared and delivered the following message, to wit.

MR. PRESIDENT:—The House of Representatives has postponed indefinitely, (C. F. No. 16,) A bill to amend an act entitled an act to incorporate the Saint Croix Boom Company;

And passed without amendment;

(C. F. No. 21,) A bill to amend an act entitled an act to authorize the establishment and regulation of ferries; approved February 19, 1851.

The House has also passed

(H. of R. No. 54,) A bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes;

In which I am directed to ask the concurrence of the Council.

The Speaker of the House has signed the following acts:

An act granting to Henry G. Bailey, the right to establish and maintain a ferry across the Mississippi river, at or near Olive Grove, in the county of Wabashaw.

An act to dissolve the marriage contract between Mary A. Alexander and William Alexander.

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 granting to Emanuel Case, the right to establish and maintain a ferry across the Mississippi river.

The House has also passed

(C. F. No. 19,) A bill to provide for the appointment of clerks of probate court, to specify their duties and for other purposes;

Without amendment; and

(C. F. No. 22,) A bill to establish the price of Binding;

With an amendment.

In which the concurrence of the Council is respectfully requested.

The Speaker of the House has signed,

Chapter 2. An act to amend the Revised Statutes,

An act granting to Richard Arnold the right to establish and maintain a ferry across St. Croix river; and

A memorial to the President of the United States relative to the changing the name of the St. Peter's river.

And then he withdrew.

On motion of Mr. Farrington,

The message from the House was taken up,

And the President signed the following acts, viz:

An act granting to Henry G. Bailey, the right to establish and maintain a ferry across the Mississippi river, at or near Olive Grove, in the county of Wabashaw.

An act to dissolve the marriage contract between Mary A. Alexander and William Alexander.

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.

An act granting to Emanuel Case, the right to establish and maintain a ferry across the Mississippi river.

Chapter 2, of an act, to amend the Revised Statutes.

An act granting to Richard Arnold, the right to establish and maintain a ferry across the St. Croix river.

And a memorial to the President of the United States, relative to changing the name of the St. Peter's river.

(H. of R. No. 54,) a bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes,

Was read a first and second time.

A message from the House being announced, A. Pierse, Esq., appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed,
(H. of R. No. 48,) a bill to incorporate the St. Paul Hydraulic Company;
In which I am directed to ask the concurrence of the Council,
The House has also passed
(C. F. No. 23,) a bill to incorporate the Ramsey county Agricultural Society;
Without amendment.

And further, the House has concurred in the amendment of the Council to, House Bill, No. 51.

And then he withdrew.

The question then recurring on agreeing to the amendment of the House, to
(C. F. No. 22,) a bill to establish the price of Binding.

It was agreed to.

Mr. Larned moved that so much of Rule 39, as requires bills to be considered in Committee of the Whole, be suspended.

The ayes and noes were called for and ordered.

There were ayes 6, nays 3.

Those who voted in the affirmative, are Messrs. Babcock, Farrington, Kittson, Larned, McLeod and Forbes, President—6.

Those who voted in the negative, are Messrs. Greeley, Loomis and Lowry—3.
So the rule was suspended.

On motion of Mr. Larned,

So much of Rule 37, as prohibits bills from receiving their second and third reading on the same day, was suspended.

On motion of Mr. McLeod,

H. of R. No. 54,) a bill for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes, was taken up for a third reading.

Mr. Loomis moved to amend the bill, by striking out of Sec. 19, all that portion of the section that provides for a special election on the first Monday in April, 1862.

The ayes and nays were called for and ordered;

There were ayes 4, nays 5.

Those who voted in the affirmative are Messrs. Greeley, Kittson, Loomis and Lowry—4.

Those who voted in the negative are Messrs. Babcock, Farrington, Larned, McLeod and Forbes, President—5.

So the motion was lost.

Mr. Loomis moved to amend Sec. 19, by striking out the words, "first Monday in April," and inserting in lieu thereof, the words "next general election;"

Which motion was lost.

On motion of Mr. McLeod,

The bill was read a third time by the title.

The question then recurring on the passage of the bill;

The ayes and nays were called for, and ordered.

There were ayes 6, nays 3.

Those who voted in the affirmative, are Messrs. Babcock, Farrington, Kittson, Larned, McLeod and Forbes, President—6.

Those who voted in the negative, are Messrs. Greeley, Loomis and Lowry—3.
So the bill passed, and the title thereof was agreed to.

On motion of Mr. Larned,

The message from the House was taken up, and

(H. of R. No. 48,) a bill to incorporate the St. Paul Hydraulic Company,
Was read a first and second time.

On motion of Mr. McLeod,

The Council resolved itself into Committee of the Whole,

Mr. Lowry in the Chair, for the consideration of (H. of R. No. 48.)

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

The question recurring on agreeing to the amendment,

It was agreed to.

Mr. Farrington moved that so much of Rule 37, as prohibits bills to be read the second and third time the same day, be suspended,

Which motion was lost.

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

Territory of Minnesota, Legislative Assembly, First Session of the Second Council, A. D. 1852.

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.

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, relating 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.

A message from the House being announced, A. Pierse, Esq., appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed

(H. of R. No. 38,) A bill to defray the expenses of the Legislative Assembly, and for other purposes;

In which the concurrence of the Council is respectfully requested.

And then he withdrew.

On motion of Mr. Larned,

The message from the House was taken up; and

(H. of R. No. 38,) A bill to defray the expenses of the Legislative Assembly, and for other purposes,

Was read a first and second time.

A message from the House of Representatives being announced, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed

(H. of R. No. 35,) A bill for the relief of W. G. LeDuc;
in which I am directed to ask the concurrence of the Council.

And then the Chief Clerk withdrew.

Mr. Kittson, from the Committee on Territorial Affairs, on leave, reported back to the Council, the Annual Report of the Treasurer of the Territory.

On motion of Mr. McLeod,

The Council again resolved itself into Committee of the Whole, Mr. Kittson in the Chair, for the consideration of

(H. of R. No. 38,) A bill to defray the expenses of the Legislative Assembly, and for other purposes.

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

The question then recurring on concurring in the amendments offered by the Committee of the Whole;

They were concurred in.

Mr. McLeod from the Committee on Enrolled Bills, made the following report viz:

The committee on Enrolled Bills have examined and found correctly enrolled,
(H. of R. No. 54,) 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.

On motion of Mr. Farrington,

The Council adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

The Council met pursuant to adjournment, the President in the Chair.

Mr. Farrington moved a call of the Council,

Which was ordered.

Messrs. Babcock, Greeley and Kittson were reported absent.

On motion of Mr. Loomis,

Further proceedings under the call were dispensed with.

Mr. McLeod from the Committee on Enrolled Bills, reported as follows, viz:

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 19th, 1851.

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.

On motion of M. Babcock,

The message from the House was taken up; and

(H. of R. No. 35,) A bill for the relief of W. G. LeDuc,

Was read a first and second time.

On motion of Mr. McLeod,

The Council resolved itself into Committee of the Whole, Mr. Loomis in the Chair, for the consideration of (H. of R. No. 35.)

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

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

It was accepted.

On motion of Mr. Kittson,

So much of rule 37 as prohibits bills from being read a second and third time on the same day, was suspended.

On motion of Mr. McLeod,

(H. of R. No. 35,) A bill for the relief of W. G. LeDuc,

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

On motion of Mr. McLeod,

(H. of R. No. 38,) A bill to defray the expenses of the Legislative Assembly, and for other purposes,

Was taken up.

Mr. McLeod moved to amend the bill by inserting the account of W. H. Forbes for \$6.72,

Which motion was agreed to.

Mr. Farrington moved to amend the bill by inserting the account of James M'Intosh for \$120.00,

Which was agreed to.

On motion of Mr. Babcock,

So much of rule 37 as prohibits bills from being read a second and third time the same day, was suspended.

On motion of Mr. Babcock,

(H. of R. No. 38,) was read a third time by its title, passed, and the title thereof agreed to.

On motion of Mr. Loomis,

(H. of R. No. 48,) A bill to incorporate the St. Paul Hydraulic Company, Was recommitted to the Committee of the Whole, Mr. Loomis in the Chair.

A message from the House being announced, the President took the Chair, and A. Pierse, Esq., appeared and delivered the following message, viz:

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

An act prescribing the time when certain acts shall take effect; and

An act to provide for the collection of Territorial taxes in unorganized counties.

An act for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes.

An act (chapter 1,) to amend the Revised Statutes.

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 amend an act entitled an act, to authorize the establishment and regulation of ferries; approved February 19th, 1851.

An act to incorporate the Ramsey County Agricultural Society; and

An act to establish the price of Binding.

And then he withdrew;

And the Committee again resumed its sitting.

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

The question then recurring on agreeing to the amendments reported by the Committee of the Whole,

They were disagreed to.

A message from the House of Representatives being announced, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

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

And then he withdrew.

A message from the Governor, being announced, W. B. White, Esq., private Secretary to his Excellency, the Governor, appeared and delivered a message in writing;

And then he withdrew.

Mr. Loomis moved that the bill (H. of R. No. 48,) be indefinitely postponed.

The ayes and noes were called for and ordered;

There were ayes 5, noes 4.

Those who voted in the affirmative, are Messrs. Greeley, Kittson, Larned, Loomis and Lowry—5.

Those who voted in the negative, are Messrs. Babcock, Farrington, McLeod and Forbes, President—4.

So the bill was indefinitely postponed.

On motion of Mr. Babcock,

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

EXECUTIVE DEPARTMENT, }
St. Paul, March 6, 1852. }

To the Honorable President of the Council:

SIR: I have examined and approved a memorial to the President of the United States, relative to changing the name of the St. Peter's river.

I have also examined and approved an act, granting to Richard Arnold, the right to establish and maintain a ferry across the St. Croix river; and (Chapter 2,) of an act to amend the Revised Statutes.

Very respectfully, your ob't serv't,

ALEX. RAMSEY.

On motion of Mr. McLeod,

The messages from the House was taken up, and the President signed the following acts, viz:

An act prescribing the time when certain acts shall take effect.

An act to provide for the collection of Territorial taxes in unorganized counties.

An act for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes.

(Chapter 1,) an act to amend the Revised Statutes.

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 amend an act entitled an act, to authorize the establishment and regulation of ferries, approved February 19th, 1851.

An act to incorporate the Ramsey county Agricultural Society.

And an act to establish the price of Binding.

The 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, was laid on the table under the rules.

On motion of Mr. McLeod,

Rule 58 was suspended in order to consider the Joint Resolution now.

The question then recurring on the passage of the resolution,

It was decided in the affirmative.

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

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, and to specify their duties, and for other purposes.

A bill entitled an act, for the relief of W. G. Le Duc.

M. McLEOD, Council, }
B. H. RANDALL, H. of R., } Committee.

A message from the House of Representatives being announced, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has concurred in all the amendments of the Council, to House bill, No. 38,

A bill to defray the expenses of the Legislative Assembly, and for other purposes; except the second, in which the House refuse to concur.

The Speaker of the House has signed

(H. of R. No. 35,) a bill for the relief of W. G. Le Duc.

And an act to provide for the appointment of Clerk of the Probate Courts, to specify their duties, and for other purposes.

And then the Chief Clerk withdrew.

On motion of Mr. Babcock,

The Secretary of the Council was instructed to return to Henry Buel, the papers relative to

(H. of R. No. 50,) a bill to dissolve the marriage contract between Henry Buel and his wife Susan Buel.

On motion of Mr. Farrington,

The message from the House was taken up, and the President signed the following acts, viz:

An act for the relief of W. G. Le Duc, and

An act to provide for the appointment of Clerk of the Probate Courts, to specify their duties, and for other purposes.

The question then recurring on receding from second amendment of the Council to

(H. of R. No. 38,) a bill to defray the expenses of the Legislative Assembly, and for other purposes.

The ayes and noes were called for and ordered;

And there were ayes 3, noes 6.

Those who voted in the affirmative are Messrs. Farrington, Greeley and Larned—3.

Those who voted in the negative are Messrs. Babcock, Kittson, Loomis Lowry, McLeod and Forbes, President—6.

So the Council refused to recede from their amendment.

On motion of Mr. Babcock,

The Council resolved itself into Executive Session.

After a short time passed therein, the doors were again opened, and

Mr. McLeod from the Committee on Enrolled Bills, reported as follows, viz: *Territory of Minnesota, Legislative Assembly, First Session of the Second Council, A. D. 1852.*

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 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 19th, 1851.

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.

Territory of Minnesota, Legislative Assembly, First Session of the Second Council, A. D. 1852.

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 Clerks of the 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. Le Duc.

M. McLEOD, Council,
B. H. RANDALL, H. of R. } Committee.

A message from the House being announced, A. Pierce, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The House refuses to recede from its disagreement to the second amendment of the Council to House bill No. 38.

And then he withdrew.

On motion of Mr. Loomis,

The message of the House was taken up.

The question then recurring on adhering to the disagreement of the second amendment of the Council to

(H. of R. No. 38,) A bill to defray the expenses of the Legislative Assembly of the Territory, and for other purposes.

The ayes and nays were called for and ordered;

And there were ayes 4, nays 5.

Those who voted in the affirmative are Messrs. Babcock, Kittson, McLeod and Forbes, President—4.

Those who voted in the negative are Messrs. Farrington, Greeley, Larned, Loomis and Lowry—5.

So the Council refused to adhere to their disagreement.

On motion of Mr. Loomis,

The Council took a recess, subject to the call of the President.

A message from the House being announced, the President took the Chair, and A. Pierce, Esq., appeared and delivered the following message, viz:

MR. PRESIDENT:—The House of Representatives has passed

A joint resolution requiring the printing of certain copies of the school laws.

And then he withdrew.

On motion of Mr. Larned,

The message from the House was taken up; and

The question then recurring on the passage of the joint resolution requiring the printing of certain copies of the school laws, the resolution was laid on the table under the rules.

On motion of Mr. Larned,

Rule 58 was suspended, and the joint resolution was taken from the table.

A message from the Governor being announced, W. B. White, Esq., his private Secretary, appeared and delivered the following message in writing:

And then he withdrew.

On motion of Mr. McLeod,

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

EXECUTIVE DEPARTMENT,
St. Paul, March 6, 1852. }

To the Honorable President of the Council:

SIR: I have 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 the probate courts, to specify their powers and duties, and for other purposes.

An act to amend an act entitled an act to authorize the establishment and regulation of ferries; approved February 19th, 1851.

An act to establish the price of binding.

Very respectfully, your ob't. ser'vt.,

ALEX. RAMSEY.

Mr. Kittson moved to amend the joint resolution as follows:

After the word "House" insert "Representatives;"

Which amendment was agreed to.

The question then recurring on the passage of the joint resolution as amended, It was decided in the affirmative.

A message from the House being announced, A. Pierse, Esq., appeared and delivered the following message viz:

MR. PRESIDENT:—The House of Representatives refuses to concur in the amendment of the Council to the

Joint resolution requiring the printing of certain copies of the school laws.

And then he withdrew.

On motion of Mr. Babcock,

The Message from the House was taken up and read.

The question then recurring on the Council's receding from the amendment to joint resolution requiring the printing of certain copies of the school laws;

It was decided in the affirmative.

Mr. Farrington, on leave, offered the following resolutions:

Resolved, By the Council, the House concurring therein, that an invitation be extended to that distinguished patriot of Europe, Louis Kossuth, (who is at present occupied in visiting all the great cities of the United States,) to visit the city of St. Paul, and if convenient, to extend his visit to Pembina, and address the citizens of Minnesota generally, upon the importance and necessity of intervention.

Resolved, That Wabashaw, Little Crow, Old Bets, Old Six and Hole-in-the-Day be requested to convene their Red Republicans, and enlist recruits for the war with Russia.

Mr. Farrington moved a call of the Council,

Which was ordered; and

Messrs. Greeley, Kittson, Loomis and Lowry, were reported absent.

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

Which motion was lost.

A message from the House being announced, A. Pierce, Esq., appeared and delivered the following message, viz:

MR. PRESIDENT:—His Excellency, the Governor, has informed the House that he has 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 7th, 1851.

And an act amendatory thereto, approved March 31st, 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.

An act to provide for the collection of Territorial taxes in the unorganized counties.

An act for the relief of W. G. LeDuc.

An act prescribing the time when certain acts shall take effect; and

An act for the restriction of the sale of intoxicating liquors in the Territory, and for other purposes.

And then he withdrew.

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

The Sergeant-at-Arms reported Messrs. Kittson and Lowry in their seats, and Messrs. Greeley and Loomis not to be found.

The report of the Sergeant-at-Arms was accepted by the Council.

A message from the Governor being announced, W. B. White, Esq., his private Secretary, appeared and delivered a message in writing.

And then he withdrew.

Mr. McLeod moved that Rule 58 be suspended in order to consider the resolutions now.

Which was agreed to.

The question then recurring on the passage of the resolutions,

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

Which motion was lost.

A message from his Excellency, the Governor, being announced,

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

And then he withdrew.

On motion of Mr. Kittson,

The resolutions were laid on the table.

On motion of Mr. Babcock,

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

EXECUTIVE DEPARTMENT, }
St. Paul, March 6, 1852. }

To the Honorable President of the Council:

SIR: I have examined and approved Chapter 1, of an act to amend the Revised Statutes.

Very respectfully, your ob't serv't,

ALEX. RAMSEY.

EXECUTIVE DEPARTMENT, }
St. Paul, March 6, 1852. }

To the Honorable President of the Council:

SIR: I have examined and approved "an act to dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife."

Very respectfully, your ob't. serv't.,

ALEX. RAMSEY.

Mr. McLeod from the committee on Enrolled bills reported as follows viz:

The committee on Enrolled Bills have examined and found correctly enrolled,

A bill entitled an act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.

M. McLEOD, Council, }
B. H. RANDALL, H. of R., } Committee.

A message from the House of Representatives being announced, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—The Speaker of the House of Representatives has signed,

An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.

And then he withdrew;

On motion of Mr. Babcock,

The message from the House was taken up, and the President signed,

An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.

Mr. McLeod from the Committee on Enrolled Bills, reported as follows, viz:

Territory of Minnesota, Legislative Assembly, First Session of the Second Council, A. D. 1852.

The joint committee on Enrolled Bills did, on the 6th of March, A. D. 1852, present to his Excellency, the Governor of Minnesota Territory, for his examination and approval, the following bill:

A bill entitled an act, to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.

M. McLEOD, Council, }
B. H. RANDALL, H. of R., } Committee.

Mr. Loomis on leave offered the following resolution viz:

Resolved, That the thanks of the Council, are due and are hereby tendered to the Hon. Wm. Henry Forbes for the able and impartial manner, in which he has discharged his duties as presiding officer of this Council, during its present session.

Which was unanimously adopted by the Council.

A committee from the House of Representatives being announced,

Messrs. Randall and Murray appeared and informed the Council that the House of Representatives had no further business before them and were now ready to adjourn *sine die*.

And then they withdrew.

A message from the House of Representatives being announced, A. Pierse, Esq., Chief Clerk thereof, appeared and delivered the following message, viz:

MR. PRESIDENT:—His Excellency, the Governor, has informed the House that he has examined and approved,

An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota.

And then he withdrew.

On motion of Mr. Babcock,

A committee, consisting of Messrs. Babcock and Loomis, were appointed to inform the House of Representatives that the Council had no further business before them, and were now ready to adjourn *sine die*.

Mr. Babcock, from the committee appointed to wait on the House, reported they had performed the duty assigned them.

A committee from the House being announced,

Messrs. Randall and Murray appeared and informed the Council that they had been appointed a committee to act in conjunction with a similar committee on the part of the Council, to wait on his Excellency, the Governor, and inform him that the two Houses of the Legislative Assembly had no further business before them, and were now ready to adjourn *sine die*.

On motion of Mr. McLeod,

Messrs. McLeod and Babcock were appointed a committee to act in conjunction with the House committee.

Mr. McLeod, from the committee appointed to wait on his Excellency, the Governor, reported that the committee had performed the duty assigned them, and were informed by his Excellency, that he was happy to state that he had no further communications to make to either House.

Mr. Loomis moved that the Council do now adjourn *sine die*;

Which motion was decided in the affirmative.

And the President made the following remarks, viz:

Gentlemen of the Council:—The time has again rolled round which brings us to the close of our session, and we are now about to break the bond which has kept us together for the last two months; we are now about to part, and return each one again to resume his vocations at home. We go, with the satisfaction that we do so, with the best and kindest of feelings one for another. Never has there been a session of the Council where more harmony and better feelings have existed than the present one.

Among the acts which have passed this session, which have emanated in this House, we have passed an act amendatory to our revised Statutes, which will be of great use to our Territory, and of much assistance to our Judges of law. Some special Legislation has been got through with, but as far as revenue to our county Treasury are concerned, the passage of a law making ferry charters pay a tax, will do away with the charge that the county revenue would have been better supplied by having such permits emanate from the County Commissioners.

I feel, gentlemen of the Council, that we have all striven to do what was right, and if we have failed, then, our judgments have been at fault. I have to return gentlemen, my sincere thanks, for the kind spirit you have ever evinced towards me, when I may have been wrong in any of my decisions, and the wish you have shown to overlook my many errors. Many of you have a long, weary way before you; you have my best wishes for your safe return.

Gentlemen, I now again tender you my thanks, and hope we may all live to meet here again next year, and that the same spirit of harmony will ever exist among us, which has characterized our present session. In conclusion, gentlemen, I now pronounce this Council adjourned *sine die*.

EXECUTIVE SESSION.

FRIDAY, MARCH 5, 1852

The lobby being cleared and none but the members and sworn officers of the Council being present, the following message on Executive business, from his Excellency, the Governor, was read, viz:

EXECUTIVE DEPARTMENT, }
St. Paul, March 5, 1852. }

To the Legislative Council:—The following nominations are submitted for your consideration:

Calvin A. Tuttle—*Territorial Treasurer.*

Edward D. Neill—*Superintendent of Common Schools.*

Wallace B. White—*Librarian.*

Isaac Atwater—*Supreme Court Reporter.*

Morton S. Wilkinson, Charles W. Christmas, George W. Prescott, H. S. Masterson, Charles J. Henness, Isaac Van Etten, Jesse M. Stone, David A. Secombe—*Notaries Public in Ramsey County.*

Reuben M. Richardson, Oliver H. Kelley, William H. Wood—*Notaries Public in Benton County.*

ALEX. RAMSEY.

The question then recurring,

Will the Council advise and consent to the appointment of the above named officers?

And they were all unanimously confirmed by the Council.

On motion of Mr. Loomis,

The executive session closed.

WM. HENRY FORBES,
President of the Council.

Attest. S. TRASK,
Secretary.

SATURDAY, MARCH 6 1852.

The lobby being cleared, and none but the members and sworn officers of the Council being present, the following messages on Executive business from his Excellency, the Governor, were then read viz:

EXECUTIVE DEPARTMENT, }
St. Paul, March 6, 1852. }

To the Legislative Council:—The following appointments in the militia of the Territory, are submitted for your consideration.

Joseph W. Furber—*Major General.*

Rufus Farnham—*Brigadier General.*

James McBoal—*Assistant General.*

ALEX. RAMSEY.

EXECUTIVE DEPARTMENT, }
 St. Paul, March 6, 1852. }

To the Legislative Council:—The nomination of C. W. Babcock, as notary public in Ramsey county, is submitted for your consideration.

ALEX. RAMSEY.

The question then recurring, will the Council advise and consent to the appointment of Joseph W. Furber, as major General?

It was decided in the negative.

So the Council refused to confirm the nomination of J. W. Furber.

The question then recurring, will the Council advise and consent to the appointment of Rufus Farnham, as brigadier General, and James McBoal as adjutant General.

It was decided in the affirmative.

The question then recurring, will the Council advise and consent to the appointment of C. W. Babcock as notary public,

It was decided in the affirmative.

On motion of Mr. Babcock,

The executive session closed.

WM. HENRY FORBES,
President of the Council.

Attest. S. TRASK,
Secretary.

APPENDIX

TO THE

JOURNAL OF THE COUNCIL.

REPORT OF THE ADJUTANT GENERAL.

To his Excellency, Governor Ramsey, Commander-in-Chief &c.

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 23d, 1833, 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, 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 enrollment 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 of the volunteer companies that will be formed in the various parts of the Territory. Under those Governmental institutions whose aim 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 M. BOAL,
Adjutant General.

St. Paul, Jan. 20th, 1852.

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 on 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
	609	22
Amount of payment during same period,	600	00
Balance in Treasury,	9	00
<i>Receipts from County Treasurers.</i>		
Washington County tax for 1851,	335	17
Ramsey County tax for 1850,	244	00
Benton County tax for 1850,	26	05
	605	22
Total assessment for the years 1850 and 1851,	2,014	55
Total amount of liabilities,	2,031	50
Total amount of receipts for the years 1850 and 1851,	1,101	90
	929	60
Amount of orders outstanding,	912	43
Delinquent Territorial tax,		
Balance against the Territory,	17	17
<i>Summary of Payments.</i>		
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

<i>Amount of drafts drawn by the Auditor on the Treasurer.</i>			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 LIBRARIAN.

TERRITORIAL LIBRARY, }
St. Paul, Jan. 26, 1852. }

The Territorial Librarian respectfully makes the following report to the Legislative Assembly of the Territory of Minnesota.

The works mentioned in the following list, have been received at the Territorial Library, since the twenty-eighth of February, 1851, (the date of the commission of the undersigned as Librarian,) in the way of exchanges and donations.

Chandler's Wisconsin Reports, vols. 1 and 2.

Vermont Reports, vol. 21.

North Carolina Reports, vol. 11.

Halsted's (N. J.) Chancery Reports, vol. 2.

Ohio Reports, vol. 19.

Maine Reports, vol. 30.

Florida Reports, January Term, 1851.

Smedes and Marshall's Reports, vol. 14.

Acts and Resolves of the 30th Legislature of Maine, 1850; 2 copies.

Acts and Resolves of the 31st Legislature of Maine, 1851; 2 copies.

Laws of New-Hampshire, 1851; 3 copies.

Laws of Vermont, 1850; 3 copies.

Laws, Journals and Documents of the State of New York, 1848; 13 vols.

Laws, Journals and Documents of the State of New York, 1849; 14 vols.

Laws of New Jersey, 1851.

Laws of Pennsylvania, 1850.

Laws of Pennsylvania, 1851.

Laws of North Carolina, 1850-51.

Acts, Reports and Resolutions of the General Assembly of South Carolina, 1850;
2 copies;

Laws of Florida, 1850-51.

Laws of Texas, 1850.

Laws of Arkansas, 1851; 2 copies.

Laws of Missouri, 1851; 3 copies.

Laws of Ohio, 1850-51.

Laws of Indiana, 1851.

Laws of Illinois, 1849, 1851; 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, 1849-1850.

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 first 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 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. Vattenmare'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 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, vol. 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.
 6 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 files 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 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 stationary,	-	-	-	-	-	-	-	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 Assist't Libra'n during the present Sess. of the Legislature,							180 00
" " " July Session of Supreme Court, 1852,							20 00
Stationary and the contingencies,	-	-	-	-	-	-	10 00

W. B. WHITE,
Territorial Librarian.

REPORT

OF THE SUPERINTENDENT OF COMMON SCHOOLS.

Mr. McLeod, from the Committee on Schools, made the following report, and also presented the Annual Report of the Superintendent of Common Schools, which was read:

The Committee on Schools beg leave to present the annual report of the Superintendent of Schools in this Territory. Your Committee, deeply impressed with the importance of the subject, have examined the report with care and much gratification. It is the first report issued by a Superintendent since the organization of the Territory, and is in many respects not only highly interesting, but valuable as a record for future reference, when Minnesota will number her schools by thousands.

The suggestions contained in the report will receive the early attention of your Committee, and if deemed requisite and expedient at this time, they will be presented in the proper form for Legislative action.

Your Committee, believing that the report would prove of interest and value, not only to the teachers of Schools, but to numbers of the intelligent of the community, beg leave to recommend the passage of a resolution by the Council, ordering the printing of 500 copies of the report, in pamphlet form, for distribution by the members of the Council.

M. McLEOD,
Chairman Com. on Schools.

To the Legislative Assembly of the Territory of Minnesota:

The Superintendent of Common Schools, in accordance with the requirements of the Revised Statutes of Minnesota, submits the following report:

Shortly after his appointment by the Governor, the Superintendent addressed circulars to the clerks of the Commissioners of the several counties, and to the Trustees of School Districts, asking for information in relation to the amount of money that had been collected for the support of schools during the year 1861, 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:

T A B L E ,

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 bet. 4 and 21 years.	Average attendance upon school.	Public appropriation for 1881.
<i>Washington Co.</i>												
Point Douglass, Cottage Grove, [No school building erected, or school kept.]	Priv. property			16 by 18 ft.		winter.	\$16 with board	Summer	\$15 with board		15	
Stillwater, Marine Mills,	District do	1848 now building		20 by 30 ft. 20 by 30 ft.	50 by 150 ft. 75 by 150 ft.	9	\$40				42	
<i>Benton County.</i> [No returns received.]												
<i>Ramsey County.</i>										1016		
District, No. 1.	District	1850	\$600	18 by 36 ft.	50 by 150 ft.	{ 4 at	\$60 }	2	\$33			\$236 40
St. Paul, " 2.	Priv. individual	1848	400	20 by 24 ft.		{ 2 at	\$55 }	4	\$25	205		\$473 20
do " 3.	[No returns.]					{ 4 at	\$40 }					\$346 25
do " 4.	[No returns.]					{ 5 at	\$50 }					
St. Anthony, 5.	District	1849	600	24 by 34 ft.	1-4th acre	3	\$40	6	per scholar		75	\$312 65
do 6.	None					3	\$26					\$300 82
District, No. 7.	[No returns.]											\$52 39
do " 8.												

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, St. Anthony and St. Paul, are too contracted; but it is hoped that there will be no unnecessary multiplication of School 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 that 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 or 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 taxes," 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 traveller, 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 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 should 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 Comp-trollers 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 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. WHEELS.

The Histories of the United States, by E. WILLARD.

The School Arithmetic, by C. DAVES, 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 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 safely be 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 that 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 a 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, is admirable.

In article 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

TERRITORIAL AUDITOR.

OFFICE OF THE TERRITORIAL AUDITOR, }
January 7, 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 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 the liabilities of the Territory at the close of the past year, over all assets, was sixteen dollars and ninety-five cents.

The counties of Wabashaw, Wabasha 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 of which is respectfully submitted,

JONATHAN E. MCKUSICK,
Territorial Auditor.

SCHEDULE A.

Amount of Territorial Tax for the year ending January 1st, 1852, no part being as yet paid.

COUNTIES.	AM'T TAXES PROP.	AM'T TERR. TAX.
Ramsey, - - - - -	780 95	782 11
Washington, - - - - -	335,162	335 17
Benton, - - - - -	64,778	64 78
Total, - - - - -	\$1,182,06	\$1,182 06

Amount Delinquent Tax Remaining Unpaid for 1851.

COUNTIES.	AM'T PAID.	AM'T DELINQ'T.
Ramsey, - - - - -	\$304 00	\$173 33
Wabashaw, - - - - -	- - - - -	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 "	860 00
Balance of tax over,	322 06
Balance against Territory for 1850,	349 01
Balance in favor of 1851,	832 06

Amount 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 " - - - - -	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
" account books Treasurer's Office, - - - - -	23 50
" " " Auditor's " - - - - -	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 for 1850, - - - - -	\$558 71
" delinquent " " - - - - -	273 58
" uncollected " 1851, now due, - - - -	1,182 06
Total amount assets, - - - - -	\$2,014 55
Liabilities, warrants drawn for 1850, - - - -	\$1,181 50
" " " " - - - -	850 00
Total amount of liabilities over assets, - - - - -	\$16 95
Amount of warrants now outstanding against the Territory,	\$1,472 50

1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future. The author points out that the study of history is not only a means of acquiring knowledge, but also a means of developing the ability to think critically and to make sound judgments.

2. The second part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future. The author points out that the study of history is not only a means of acquiring knowledge, but also a means of developing the ability to think critically and to make sound judgments.

3. The third part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future. The author points out that the study of history is not only a means of acquiring knowledge, but also a means of developing the ability to think critically and to make sound judgments.

4. The fourth part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future. The author points out that the study of history is not only a means of acquiring knowledge, but also a means of developing the ability to think critically and to make sound judgments.

5. The fifth part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future. The author points out that the study of history is not only a means of acquiring knowledge, but also a means of developing the ability to think critically and to make sound judgments.

REPORT
OF THE
COMMITTEE OF THE COUNCIL.
IN THE CASE OF STURGIS vs. LOWRY:
WITH THE
ACCOMPANYING PAPERS.

THE

COMMITTEE OF THE

AMERICAN ASSOCIATION

OF

AGRICULTURAL

PETITION OF WM. STURGIS.

P. 101. 11

[Presented January 15th, 1852, by Mr. Babcock, and referred to a Committee of Three.]

To the Honorable, the Legislative Council of the Territory of Minnesota:

Your petitioner, William Sturgis, a citizen of the United States, respectfully represents to your Honorable body, that he has been a resident of the county of Benton, in said Territory of Minnesota, for more than two years, and that he is a legal voter therein.

That at the late general election, held in October last, in the said county of Benton, this petitioner was a candidate for the Council of said Territory for the Fifth Council District.

That S. B. Lowry, the sitting member from the said district, was also a candidate for the Council for the said district.

And your petitioner further shows unto this Honorable body, that at the election aforesaid, he received a majority of the votes legally polled in the said Council District, for the office of Councillor as aforesaid.

And your petitioner further represents to this Honorable body, that in the canvass of the votes given in the said district, at the election aforesaid, the canvassers received and counted the votes given at the Swan river precinct, in the said district, when in fact the said votes ought not to have been received, and counted by the said canvassers, or at least, they were illegal and of no legal effect, for the following reasons:

1st. The judges of the election were not sworn according to law.

2d. Two of the judges of the election at the said precinct, were foreigners, and were not electors under our law, and consequently not entitled to act as judges as aforesaid.

3d. The said election at the Swan river precinct, was not conducted legally, for illegal votes were permitted by the *pretended* judges, to be given at the polls, they knowing at the time, that the same were illegal.

4th. The said election, at the said Swan river precinct, was in other respects improperly conducted, and was illegal and void.

And your petitioner further states, that if the votes given at the Swan river precinct were not counted, he would have a majority of the legal votes given at the said election for the office aforesaid.

And your petitioner asks that the matter may be investigated by this Honorable body, and that he may be permitted to take his seat as a member of the Honorable body, as he is justly entitled to do.

WM. STURGIS.

ST. PAUL, January 14, 1852.

PETITION OF S. B. LOWRY.

[Presented January 10th, 1882, by Mr. Larned, and referred to Special Committee on Elections.]

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

The petition of Sylvanus B. Lowry, by Rice, Hollinshead & Becker, his Attorneys, respectfully represents:

That, whereas William Turgis did, on the 15th day of January, instant, present to your honorable body, a petition or memorial purporting to be signed by him, dated the 14th day of January, 1852, stating as therein is particularly set forth:

That on the presentation of the said petition, your honorable body did appoint a select committee of three members, "for investigation, with power to send for persons and papers, and in their discretion, to send commissioners, not exceeding two in number, to the 5th Council District, to take testimony in the case."

That on the 16th instant, the Attorneys for your petitioner, on being informed that the committee thus appointed, had chosen Alden Bryant and S. B. Olmstead, to take such testimony, and that they had left to the respective Attorneys for the contestants, the duty of preparing instructions for the Commissioners, called upon M. S. Wilkinson, Esq., the Attorney for William Sturgis, the petitioner aforesaid, and draw his attention to the fact, that from the general and indefinite character of the allegations in the petition of his client, it was impossible to determine exactly, or nearly, what was charged, and of course, equally impossible to prepare instructions or to arrange a defence.

That M. S. Wilkinson, the Attorney aforesaid, promised to inform the Attorneys for your petitioner, in a specific manner, as to what his client designed to prove, and to give such notice as would enable the Attorneys for your petitioner to meet him for the purpose of preparing the instructions of the Commissioners, in accordance with the wishes of the committee of your honorable body:

That it was not until this morning, January 19th, that your petitioner's Attorneys received any such information or notice from the said M. S. Wilkinson, and then only at their urgent request.

That your petitioner annexes hereto a copy of the said information and notice; and it will be found that your petitioner is hereby notified that the Commissioners will start for Benton county on to-morrow, January 20th; thus giving to your petitioner, less than twenty-four hours to prepare for a journey of 130 miles, to meet a case of the nature and character of which he is but this moment informed.

Neither your petitioner, nor his Attorneys, have received any information what the instructions of the Commissioners are, nor indeed, whether they have received any. Certainly, none have been prepared as the committee required, by the counsel for the contestants, nor has any opportunity been afforded to the Attorneys for your petitioner to aid in such preparation.

Passing the fact that the proceedings already had, and the expense which will be thereupon attending, are in pursuance of a petition or memorial not under oath,

purporting to be signed at St. Paul, by "William Sturgis," on the 14th day of January, 1852, when, in fact, the gentleman who ran for Council in the 5th District, and whose name is "William Sturgis," was not in Minnesota Territory at that time; but had gone to the State of Iowa weeks previously. Your petitioner states that, even supposing the facts set forth in the said alledged petition to be true, which it was not, and supposing the election held at Swan river to be illegal and void, which they are not, still William Sturgis would not have a majority of the legal votes given at the said election, because the election held at Nokasippi precinct, in October last, was illegal and void, and your petitioner asks that the Commissioners may be instructed to inquire into the legality thereof, and particularly into the truth of the following facts, which your petitioner avers are true.

1. Whether William Alexander, Augustus Cunradi, John McIntyre, William Curry, Samuel Williams, Michael O'Connor, Elias B. Taylor, Edmund Guy, John T. Garrick, John Conley, John Naphy, Edward Ruter and M. A. Henry, did not vote at the election held in Nokasippi precincts in October last, for William Sturgis for Council, and whether the said persons were not citizens of the county of Cass, resident at Fort Ripley, and enlisted in or attached to the army of the United States.

2. Whether, at the election held at Nokasippi precinct as aforesaid, Augustus Cunradi and William Alexander (the latter a regularly enlisted soldier in the army of the United States) did not act as clerks of the said election, and whether they were not, both of them, residents at Fort Ripley, in the said county of Cass.

And that the said Commissioners may be further instructed and required, to give to your petitioner or his Attorneys full and adequate notice of the time and place of taking any testimony, so that a fair opportunity for cross-examination and rebuttal may be had. And your petitioner will ever pray, &c.

SYLVANUS B. LOWRY.

By RICE, HOLLINSHEAD & BECKER, his Attorneys.

January 19th, 1852.

To the Hon. Sylvanus B. Lowry, Member of the Council, Minnesota Territory:

You are hereby notified the contestant, William Sturgis, will prove the following facts:

1st. Duncan Stewart, one of the judges of the election in the Swan River precinct, at the late general election in Benton county, was and is a foreigner, and not entitled to act as a judge of election, and was not sworn as said judge.

2d. That De Pue, one of the judges of the said election, was not sworn according to law.

3d. That Duncan Stewart voted at the said election, and was not a voter, he not having declared his intentions to become a citizen of the United States, and taken the oath required by law to make him a voter.

4th. The following illegal votes were received by the judges of the said election, at the Swan River precinct, viz:

Thomas Hitchens voted, who had not been in the Territory six months.

— Van Noss, foreigner, and not a voter.

— Van Noss, " " "

— Sinclair, " " "

Cole Martin, not a resident of the county of Benton.

— — —, not a resident of the said county.

And the contestant will also prove, that about fourteen other persons voted at the said election, who were foreigners, and not entitled to vote at the said election, but whose names the contestant cannot now mention, without a reference to the poll books of the said county of Benton.

5th. That Christopher ———, a minor, under the age of twenty-one years, illegally acted as clerk of the election at the Sauk Rapids precinct, in the said county, and voted at the said election.

6th. That the election at the said Swan River precinct was illegally conducted; for the pretended judges of the election, at the said precinct, left the table whereon the ballot box was placed, and went away leaving the box in an exposed situation on the table, and after been gone some time, again returned and received votes.

The committee to whom was referred the petition of Wm. Sturgis, contesting the election of S. B. Lowry, have appointed S. B. Olmstead and Alden Bryant to go to Sauk Rapids and other places in the Fifth Council District, to take testimony in relation to the said contest, and that said Commissioners will start for Benton county, on Tuesday, January 20th, 1852, and you are notified to attend and put such questions to the witnesses sworn before them as you think fit.

M. S. WILKINSON,
Attorney for Wm. Sturgis.

REPORT OF COMMISSIONERS,

To the Hon. Martin McLeod, George W. Farrington and William Larned, Committee of the Council, to whom was referred the matter of the Petition of William Sturgis, claiming his right to a seat as a member of the Council:

The undersigned, Commissioners appointed by your Honors, under and by virtue of a resolution of your Honorable body to proceed to the Fifth Council District, and take testimony in relation to the said petition, would respectfully submit the following, as their doings in the premises.

That they proceeded to the Fifth Council District, and procured the testimony of several persons, which testimony is herewith submitted, marked A.

Your Commissioners procured from the Register of Deeds of the county of Benton, a certified copy of the poll books, for the said Fifth Council District, which poll books are on file in the said Register's Office, and also a certified copy of the abstracts of the votes given in the said district, which said certified copies are herewith submitted, marked B.

Your Commissioners also beg leave to state, that they made every exertion in their power to ascertain the number of illegal votes which were given at the last general election, in the Swan river and other election precincts in the said district, but were unable in many instances, where the votes were supposed to be illegal, to procure the testimony of the persons themselves, from the fact, as the undersigned have *good reason* to believe, that such persons were induced to keep out of the way of the undersigned, so as not to testify in the matter. The undersigned also submit the instructions which they received from the Attorneys of the parties.

S. B. OLMSTEAD, }
ALDEN BRYANT, } *Commissioners.*

A.

PAPERS OF EVIDENCE.

CROW WING PRECINCT.

Wm. Sturgis, }
 vs. } Contested Election.
 S. B. Lowry, }

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

William McFarland being sworn, says: he is a citizen of the United States; I lived at the Falls of St. Croix, in Wisconsin, until the 1st of July last; I voted at the last election at the Crow Wing precinct. I think as far as my memory serves me, that I voted for S. B. Lowry, for the Council.

WILLIAM MCFARLAND.

Sworn and subscribed before me, this 26th day of January, 1852.

W. B. FAIRBANK,
 Justice of the Peace.

Wm. Sturgis, }
 vs. } Contested Election.
 S. B. Lowry, }

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

John McKee being duly sworn, says: that he acted as one of the Clerks of the last election, held at Crow Wing; deponent further says: that he is acquainted with Charles Choublitz and Paul Bovi, both residents of Itasca county; and that to the best of his knowledge and belief, they both voted at said election for S. B. Lowry, for Councillor.

JOHN MCKEE.

Sworn and subscribed before me, this 27th day of January, 1852.

W. B. FAIRBANK,
 Justice of the Peace.

Wm. Sturgis, }
 vs. } Contested Election.
 S. B. Lowry. }

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

George Hume being sworn, says: he *considers* himself a citizen of the United States, and voted at the last election, at the Crow Wing precinct; voted for Lowry, for Council; had not resided six months next preceeding the election in Minnesota Territory. I left Wisconsin in July last.

GEORGE HUME.

Sworn and subscribed before me, this 26th day of January, 1852.

W. B. FAIRBANK.

Justice of the Peace.

Wm. Sturgis, }
 vs. } Contested Election.
 S. B. Lowry, }

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

J. H. Fairbanks being duly sworn, says: that he is acquainted with Charles Choublitz and Paul Bevi, and that they were both residents (at the date of the last election in this county) of Itasca county in this Territory; and furthermore, that they both voted for S. B. Lowry, for Councilor, at the Crow Wing precinct, at the last election.

JOHN H. FAIRBANKS.

Sworn and subscribed before me, this 27th day of January, 1852.

W. B. FAIRBANK,

Justice of the Peace.

SWAN RIVER PRECINCT.

Wm. Sturgis, }
 vs. } Contested Election.
 S. B. Lowry, }

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

S. B. Olmstead being duly sworn, deposeth and says: I am acquainted with Shepard Fails, whose name appears on the poll books as having voted at the last election at the Swan river precinct. Said Fails told me previous to the election, that he came to this Territory in May last; was not in the Territory during the last

election, did not see said Falls voted. Said Falls told the deponent that he voted at Swan river, at the election in October last. I have no knowledge of the facts above stated, except from what said Falls told me.

S. B. OLMSTEAD.

Sworn and subscribed before me, this 30th day of January, 1852.

W. B. FAIRBANK,
Justice of the Peace.

Wm. Sturgis, }
vs. } Contested Election.
S. B. Lowry, }

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

John DePue, being sworn, deposeth and says:

I am a citizen of the United States; resided six months preceding the last election in this county. I served as one of the judges of election at the Swan river precinct at the election in October last. I was not sworn as a judge of said election. Duncan Stewart also served as one of the judges of said election. Said Duncan Stewart was not sworn. The ballot box was not left exposed, but was locked up in a room; do not know of any illegal votes being cast at said election. I have never served as judge of election at said precinct before the last election. I think there was no improper conduct at said election. The votes were counted in my presence and sealed up. Either Mr. Stewart or Mr. Stilwell said that as the judges were appointed by the County Commissioners, it was not necessary for them to be sworn. Mr. Porter was elected by the judges present, and acted as a judge of said election. I swore Mr. Porter and the two clerks; Mr. Stilwell and Mr. Hanly were the clerks of said election. There was a copy of the election law at the election. Do not know who had the key of the room during the time the ballot box was locked in the room, but think it was Mr. Stewart.

JOHN DE PUE.

Sworn and subscribed this, 31st day of January, 1852.

W. B. FAIRBANK,
Justice of the Peace.

Wm. Sturgis, }
vs. } Contested Election.
S. B. Lowry, }

Territory of Minnesota } ss.
County of Benton, }

Jos. Brown, being sworn, deposeth and says:

I am a citizen of the United States, resident of the Territory of Minnesota, and county of Benton, for the last three years. I am one of the County Commissioners of this county for the last three years. The County Commissioners appointed an election precinct at Nokasippi, some two years ago. I understood that the Nokasippi precinct was vacated at the meeting of the County Commissioners in July last. Had a session of the County Commissioners' Court, in January 1852;

no poll books were sent in from Nokasippi precinct, to the County Commissioners, and no pay was allowed to judges or clerks at the Nokasippi precinct at the last election, and no precinct was recognized at Nokasippi by the County Commissioners at the meeting in January last.

J. BROWN.

Sworn and subscribed before me, this 30th day of January, 1852.

B. W. FAIRBANK.

Justice of the Peace.

Wm. Sturgis, }
vs. } Contested Election.
S. B. Lowry. }

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

Henry Sinclair being duly sworn deposeth and says:
I voted at the Swan river precinct at the last election for Reuben Richardson for Councillor. I was born in the Selkirk Settlement, in the British dominions. I have never declared my intention to become a citizen of the United States.

HENRY SINCLAIR.

Subscribed and sworn before me, this 29th day of January, 1852.

W. B. FAIRBANK.

Justice of the Peace.

Wm. Sturgis, }
vs. } Contested Election.
S. B. Lowry. }

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

John Leget being sworn, says:

I was born in Canada. I have not taken any oath to support the Organic Act organizing the Territory of Minnesota. I voted at the last election at Swan river. I voted for S. B. Lowry for Councillor.

his
JOHN X LEGET.
mark.

Sworn and subscribed before me, this 26th day of January, 1852.

W. B. FAIRBANK.

Justice of the Peace.

Wm. Sturgis, }
vs. } Contested Election.
S. B. Lowry. }

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

Julien Lacroix being sworn says:

That he is a foreigner, and has never declared his intention to become a citizen

of the United States. Deponent further says: That he voted at the last election, held at Swan River, for S. B. Lowry for Councillor.

his
JULIEN M LACROIX.
mark.

In presence of
Ans. CUNRAD.

Subscribed and sworn before me, this 26th day of January, 1852.

W. B. FAIRBANK,
Justice of the Peace.

NOKASIPPI PRECINCT.

Wm. Sturgis,
vs. **S. B. Lowry.** } Contested Election.

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

John McIntyre being sworn says:

That he is a citizen of the United States, resided six months preceding the last election in the Territory. I voted at the last election at the Nokasippi precinct—voted for Wm. Sturgis. I am enlisted in the army of the United States, stationed at Fort Ripley. Deponent further says that he is acquainted with William Alexander, William Curry, Samuel Williams, Michael O'Conover, Elias B. Taylor, Edmund Guy, John F. Garrick, John Conly, John Naphy and Edward Riter, and that they are all enlisted soldiers in the army of the United States, and voted at the last election at the Nokasippi precinct.

JOHN MCINTYRE.

Sworn and subscribed before me, this 26th day of January, 1852.

W. B. FAIRBANK,
Justice of the Peace.

Wm. Sturgis,
vs. **S. B. Lowry.** } Contested Election.

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

Augustus Cunradi being sworn says:

That William Alexander, John McIntyre, William Curry, Samuel Williams, Michael O'Conover, Elias B. Taylor, Edward Guy, John F. Garrick, John Conly, John Naphy, and Edward Riter, are citizens of the United States, attached to the

army of the United States at Fort Ripley. Deponent further says, that the above named persons voted at the last election at Nokasippi precinct, for Wm. Sturgis for Councillor. Deponent further says, that he acted as one the clerks of said election.

AUG. CUNRADI.

Sworn and subscribed before me, this the 26th day of January, 1852.

W. B. FAIRBANK,

Justice of the Peace.

Wm. Sturgis, }
vs. } Contested Election.
S. B. Lowry. }

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

William Alexander being sworn, says:

He is a citizen of the United States; resided six months preceding the last election in this Territory. I voted at the last election and acted as one of the clerks of said election, at the Nokasippi precinct; voted for Wm. Sturgis. I am enlisted in the army of the United States, stationed at Fort Ripley. Deponent further says, that he is acquainted with Wm Curry Samuel Williams, Michael O'Conover, Elias B. Taylor, Edward Guy, John F. Garrick, John Conly, John Naphy, and Edward Riter; and that they are all enlisted soldiers in the army of the United States, and voted at the last election at the Nokasippi precinct.

Wm. ALEXANDER.

Sworn and subscribed before me, this the 26th day of January, 1852.

W. B. FAIRBANK.

Justice of the Peace.

SAUK RAPIDS PRECINCT.

Wm. Sturgis, }
vs. } Contested Election.
S. B. Lowry. }

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

Rueben M. Richardson, being duly sworn, says:

I know Thomas Hichens; first saw him in this Territory at Watab, in the store of Mr. Lowry, in May, after the nineteenth. Said Hichens told me at that time that he had just come from Milwaukee. Do you know of any illegal votes being cast at the Swan River precinct? Can't say that I do. I have no knowledge of the time when said Hichens arrived in this Territory. I do not know that he voted at the last election; and if he did vote, I do not know who he voted for.

R. M. RICHARDSON.

Subscribed and sworn to before me, by the said R. M. Richardson, the 31st of January, 1851.

TAYLOR DUDLEY,

Clerk, District Court for Benton County.

Wm. Sturgis,
vs.
S. B. Lowry.

Contested Election.

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

David Gilman, being duly sworn, deposeth and says:

I am a citizen of the United States; resident of Minnesota Territory six months preceding the last general election in October. I acted as one of the judges of election at the Sauk Rapids precinct in October last. Mr. Seargent and Mr. Beauprey also acted as judges of said election; all of the said judges were sworn. Christopher Highhouse and George Kelly acted as clerks of said election; said clerks were also sworn. The clerks were appointed by the judges of the election; the judges considering them as competent clerks of said election. The ballots agreed exactly with the poll list when counted. I know of no illegal votes having been polled at said election.

DAVID GILMAN.

Subscribed and sworn to by the said David Gilman, before me, this 31st day of January, 1852.

TAYLOR DUDLEY,

Clerk, District Court for Benton County.

Wm. Sturgis,
vs.
S. B. Lowry.

Contested Election.

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

Christopher Highhouse being duly sworn, deposeth and says:

I acted as one of the clerks at the Sauk Rapids precinct, at the last election. Witness refuses to answer the question, How old was you at the time of the election?

C. HIGHHOUSE.

Sworn and Subscribed before me, this 29th day of January, 1852.

W. B. FAIRBANK.

Justice of the Peace.

Wm. Sturgis,
vs.
S. B. Lowry.

Contested Election.

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

James Beatty being duly sworn, deposeth and says:

I was one of the County Commissioners of Benton County in the year 1850 and 1851. There was an election precinct established at Nokasippi previous to the year 1851. The said precinct has never been abandoned by any order of the Board of County Commissioners. I was qualified as a County Commissioner in

July, in the year 1850. I was not a resident of Benton County, previous to July last, but always supposed I was. I was not, to my recollection, present when the Nokasippi precinct was established.

JAMES BEATTY.

Sworn and subscribed before me, this 31st day of January, 1852.

W. B. FAIRBANK.

Justice of the Peace,

Wm. Sturgis,

vs,

S. B. Lowry

Contested Election.

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

David Gilman being duly sworn deposeth and says:

Do you know of any person or persons having used any endeavors to prevent the Commissioners from obtaining the testimony of Mr. Van Noss?

I would answer the question, if Mr. Olmstead had not said that he had been informed that I did use such endeavors. The grounds which I refuse to answer the question upon is, that he calls upon Mr. Olmstead to bring forward the person or persons who told him of such fact.

Refuses to sign his name to the above testimony.

I certify that David Gilman was this day sworn by me, to testify in the above named case. January 31, 1852.

TAYLOR DUDLEY,

Clerk District Court of Benton County;

DEPOSITIONS OF ALDEN BRYANT AND S. B. OLMSTEAD.

Wm. Sturgis, }
 vs. } Contested Election.
 S. B. Lowry, }

Territory of Minnesota, } ss.
 County of Benton.

Alden Bryant being duly sworn, deposeth and says: I am a citizen of the United States, resident of Ramsey county. I was appointed as one of the Commissioners in the above entitled case—was appointed by a committee of the Council—have not been sworn as Commissioner—have no authority to administer oaths in the above case.

ALDEN BRYANT.

Subscribed and sworn to by Alden Bryant, before me the 31st day of Jan., 1852.

TAYLOR DUDLEY,

Clerk District Court for Benton County.

Wm. Sturgis, }
 vs. } Contested Election.
 S. B. Lowry, }

Territory of Minnesota, } ss.
 County of Benton.

S. B. Olmstead being duly sworn, deposeth and says: I am one of the Commissioners appointed to take testimony in the above entitled case. Have never been sworn as Commissioner. I am not authorized to administer oaths. I am acquainted with W. H. Fairbanks. Said Fairbanks resides in Benton county. I do not know of my own personal knowledge, whether said Fairbanks is an acting Magistrate or not—I am of the opinion he is. Said W. H. Fairbanks I have, as one of the Commissioners, employed to administer oaths. I took depositions at Fort Ripley, in Cass county. Said Fairbanks was the Magistrate employed to administer the oaths in taking depositions at Fort Ripley, in said county. Said depositions were headed Benton county. A. Cunradi, William Alexander and Sergeant McIntyre, were sworn at Fort Ripley, in Cass county.

S. B. OLMSTEAD.

Subscribed and sworn to by S. B. Olmstead, before me the 31st day of Jan., 1852.

TAYLOR DUDLEY,

Clerk District Court for Benton County.

DEPOSITIONS OF WM. ALEXANDER, et al.

Territory of Minnesota, Benton County, } ss.

At Ft. 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 resided at Fort Ripley, in the county of Cass, in the Territory of Minnesota, that he was one of the Clerks of election in the Nokasippi precinct, at the last general election, to wit: on the 14th day of October, 1851; that he is knowing to the fact that John Naphy, 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 Naphy 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 saith not.

WM. ALEXANDER.

Sworn and subscribed before me, December 27th, 1851.

ALLAN MORRISON,
Notary Public.

Territory of Minnesota, Benton County, ss. 270ds
At Fort Ripley in the County of Cass, ss. 102

Personally appeared before me, John McIntyre, Michael O'Connor, Samuel Williams, Elias B. Taylor, Edmund Guy, John F. Garrick, William Curry, John Conley, Augustus Conradi, 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 Nokasippi 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 Hanly, for Sheriff. That the said Augustus Conradi and William Alexander, residents at said Fort as aforesaid, acted as Clerks at said election: and the deponents, John McIntyre, Michael O'Connor, Samuel Williams, Elias B. Taylor, Edmund Guy, John F. 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.

WM. ALEXANDER, *his* mark

AUGUSTUS CONRADI, *his* mark

JOHN MCINTYRE, *his* mark

WILLIAM CURRY, *his* mark

SAMUEL WILLIAMS, *his* mark

MICHAEL O'CONNER, *his* mark

ELIAS B. TAYLOR, *his* mark

his mark

his mark

EDMUND GUY, *his* mark

his mark

JOHN F. GARRICK, *his* mark

his mark

JOHN CONLEY, *his* mark

his mark

TO *his* mark

JOHN CONLEY, *his* mark

his mark

Sworn to and subscribed before me, December 27th, 1851.

ALLAN MORRISON,
Notary Public.

CERTIFIED COPIES OF POLL-BOOKS.

FIRST, OR SAUK RAPIDS PRECINCT.

At an election held on the **Second Tuesday**, the 14th day of **October**, A. D. 1851, at the house formerly owned and occupied by **James Hitchens**, at **Sauk Rapids**, and now owned and occupied by **William F. Corbett**, in the 1st, or **Sauk Rapids** precinct, in the county of **Denton**, Territory of **Minnesota**, for the election of a member of the Territorial Council and members of the House of Representatives, and county and precinct officers, the following votes were polled, to wit:

1 Joseph Thompson,	25 Jeremias Russell,
2 Henry Foster,	26 Baptist Arsenaux,
3 Francis X. Shinvear,	27 Samuel Allen,
4 John B. McClure,	28 Jesse Stiles,
5 Edward Winkelmann,	29 James Kough,
6 George McIntyre,	30 John Warde,
7 George Humphrey,	31 William Maxville,
8 David P. Chapman,	32 Alexander Paul,
9 Charles Dingly,	33 Martin Wooly,
10 Samuel Carparall,	34 Taylor Dudley,
11 John Sergeant,	35 J. M. H. Flin,
12 George W. Vincent,	36 E. B. Sloan,
13 John Butterfield,	37 Moses Lamay,
14 Michael Glassell,	38 Joseph Dougall,
15 R. C. Shinveard,	39 Antoyne Lachapell,
16 John McGillows,	40 William Gallion,
17 Victor Shiveriel,	41 Coom Charrye,
18 James Hichens,	42 Augustus Brunell,
19 David Gillman,	43 Andrew Chapman,
20 Alles Kling,	44 George W. Sweet,
21 Phillip Beaupry,	45 John Bowen,
22 George Kelly,	46 John S. Chapman,
23 L. B. Coffe,	47 John Leo.
24 Cyrus Lofit,	

At an election held at the house of James Hitchens, now owned and occupied by W. F. Corbett, in the 1st, or Sauk Rapids precinct, in the county of Benton, and Territory of Minnesota, on the 14th day of October, in the year of our Lord, one thousand eight hundred and fifty-one, the following named persons received the number of votes annexed to their respective names, for the following described offices, to wit:

S. B. Lowry	had 34	votes for the	Territorial Council.
Wm. Sturgis	" 1	"	"
R. M. Richardson	" 11	"	"
Wm. W. Warren	" 36	"	House of Representatives.
James Beatty	" 10	"	"
Charles Donley	" 1	"	County Commissioner.
George Egbert	" 45	"	"
Miss Baker	" 1	"	"
John C. Hanley	" 28	"	Sheriff.
J. W. Vincent	" 19	"	"
J. Russell	" 47	"	County Treasurer.
Taylor Dudley	" 20	"	Register of Deeds.
R. P. Miller	" 25	"	County Assessor.
S. K. Lane	" 2	"	"
Christ. Highhouse	" 7	"	"
George Sweet	" 1	"	"
S. B. Lowry	" 12	"	Supervisor of Roads.
David Gilman	" 3	"	"
C. Highhouse	" 1	"	"
John Sargent	" 18	"	Coroner.
Philip Beaupre	" 9	"	"
S. B. Lowry	" 1	"	"
Wm. H. Wood	" 45	"	Prosecuting Attorney.
L. Emmett	" 1	"	"
E. H. Parker	" 1	"	"
George W. Vincent	" 21	"	Justice of the Peace.
George McIntyre	" 9	"	"
George W. Sweet	" 13	"	"
James Hitchens	" 9	"	Constable.
James Keough	" 14	"	"
Thomas Hardin	" 8	"	"
Certified to by us,			
PHILIP BEAUPRE, DAVID GILMAN, JOHN SARGENT,			
Attest:—CHRIST. HIGHHOUSE, GEORGE KELLY,			
Clerks of Election.			

Territory of Minnesota,
County of Benton,

I, Taylor Dudley, Register of Deeds and Clerk of the Board of Commissioners in and for said county, certify that the foregoing and within, is a full, true and complete a transcript of the original poll book and election returns made to the office of Register of Deeds of said county, from the precinct therein mentioned, as they remain on file in my office.

In testimony whereof, I have hereunto subscribed my name, and affixed the seal of the Board of Commissioners of said county of Benton, at Sauk Rapids, the 28th day of January, A. D. 1852.

TAYLOR DUDLEY,
Reg. of Deeds and Clk Board Comm's Benton Co.

SECOND, OR SWAN RIVER PRECINCT

At an election held on the Second Tuesday, the 14th day of October, A. D. 1851, at the house of William A. Aitken, Esq., in the 2d, or Swan River precinct, in the county of Benton, and Territory of Minnesota, for the election of members of the Territorial Council and House of Representatives, and County and Precinct officers. The following votes were polled, viz:

1	Thomas Porter,	32	Henry St. Clair,
2	Robert Russel,	33	Francis Shinvar,
3	John Hanley,	34	Ecaver Delill,
4	John Stillwell,	35	Duncan Stuart,
5	H. G. Filmore,	36	John Mullen,
6	Edward Grady,	37	Henry Bolier,
7	Johnson Carr,	38	Francis Tebo,
8	M. B. Fairbank,	39	Francis Boudau,
9	Franklin Dugirl,	40	John Pereyan,
10	John Noble,	41	Abram Mitchel,
11	Thomas Hitchens,	42	T. D. Sloan,
12	John Overan,	43	Bt. Belcor,
13	George Ray,	44	John Lesut,
14	William Smith,	45	Wm. Nickles,
15	H. Brunson,	46	Bt. Roy,
16	Jonathan Heath,	47	McYene Van Noss,
17	Jerry Gibson,	48	Francis Boudrie,
18	James Brisbo,	49	Ecavier Roy,
19	Leander Van Noas,	50	Wm. Connell,
20	Lucien Lucroy,	51	Truman Warren,
21	John DuPue,	52	Lorin Jones,
22	John R. Sloan,	53	Mitchel Pennow,
23	Daniel Berman,	54	Shepard Fails,
24	Peter Roy,	55	James Briant,
25	James Vincent,	56	Joseph Posey,
26	James Baty,	57	Benjamin L. Fletcher,
27	Wm. Sturges,	58	Wm. H. Fletcher,
28	Ruben Richison,	59	B. Adams,
29	George Henderson,	60	Frederick Airs,
30	S. S. Bliss,	61	Fransway Bruney,
31	Marion Harper,	62	Fransway Bruney.

	S. B. Lowry,	29
For Council.	Reuben M. Richison,	17
	Wm. Sturges,	12
For Representa-	Wm. Warren,	40
tives.	James Batey,	17
For Sheriff.	John Hanley,	30
	J. W. Vinson,	26
For County Com-	Charles Donley,	37
missioner.	Allen Morrison,	4
	George Egbert,	17
For Treasurer.	Jeremiah Russel,	56

For Assessor.	R. P. Miller, - - - - -	23
	Silas Lane, - - - - -	13
	Wm. Connel, - - - - -	13
	Philip Boprey, - - - - -	1
For Prosecuting Attorney.	Lafayette Emmet, - - - - -	18
	W. H. Woods, - - - - -	40
For Register of Deeds.	Taylor Dudley, - - - - -	25
For Justice of the Peace.	Wm. H. Fairbanks, - - - - -	16
	John McGillis, - - - - -	4
For Coroner.	Philip Boprey, - - - - -	9
For Road Commissioner.	Wm. Sturgis, - - - - -	8
	Wm. Warren, - - - - -	1
	Duncan Stuart, - - - - -	2
For Constable.	Truman Warren, - - - - -	12
For County Surveyor.	George W. Sweet, - - - - -	1
For Judge of Probate.	Frederick Airs, - - - - -	1

We the undersigned, do hereby certify that the above is a true copy of the votes polled at the Swan River precinct.

Judges,
JOHN DEPUE,
DUNCAN STEWART,
THOMAS C. PORTER.
 Clerks,
JOHN T. STILLWELL,
JOHN C. HANLEY.

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

I, Taylor Dudley, Register of Deeds and Clerk of the Board of Commissioners, in and for said county, certify that the foregoing and within is as full, true and complete a copy of the original poll book, and election returns made to the office of Register of Deeds of said county, from the precinct therein mentioned, as remain on file in my office.

{ L. s. } In testimony whereof, I have hereunto subscribed my name, and affixed the seal of the Board of Commissioners of the aforesaid county, at Sauk Rapids, the 28th day of January, A. D. 1852.

TAYLOR DUDLEY,
 Reg. of Deeds and Cl'k Board Comm'rs of Benton Co.

THIRD, OR 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 Churefila,
5	William McFarland,	12	Allen Morrison,
6	Paul Bovie,	13	John H. Fairbanks,
7	George Hume,	14	Charles Chabrillez.

RETURN OF ELECTION AT CROW WING, OCTOBER 14, 1851.

For a Member of Council.

S. B. Lowry,	-	-	-	-	-	-	-	-	7
William Sturgis,	-	-	-	-	-	-	-	-	7

For Representative.

James Beatty,	-	-	-	-	-	-	-	-	13
W. W. Warren,	-	-	-	-	-	-	-	-	1

For County Commissioner.

Charles Donley,	-	-	-	-	-	-	-	-	13
George Egbert,	-	-	-	-	-	-	-	-	0

For Sheriff.

John Hanley,	-	-	-	-	-	-	-	-	8
James Vincent,	-	-	-	-	-	-	-	-	5

District Attorney.

W. H. Woods,	-	-	-	-	-	-	-	-	13
L. Emmett,	-	-	-	-	-	-	-	-	0
E. H. Parker,	-	-	-	-	-	-	-	-	0

Register of Deeds.

Taylor Dudley,	-	-	-	-	-	-	-	-	13
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County Treasurer.

J. Russell,	-	-	-	-	-	-	-	-	13
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Assessor.

Silas Lane,	-	-	-	-	-	-	-	-	13
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County Surveyor.

George W. Sweet,	-	-	-	-	-	-	-	-	13
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Judge of Probate.

F. Ayres,	13
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Justice of the Peace.

John H. Fairbanks,	13
Allen Morrison,	13

Constables.

Paul Beaulieu,	12
Levi Clark,	13

Supervisor of Roads.

Donald McDonald,	13
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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, the respective number of votes set opposite their names, viz:

For Member of Council.

S. B. Lowry, received,	7
William Sturgis, "	7

For Representative.

James Beatty, received	13
W. W. Warren, "	1

For County Commissioner.

Charles Donley, received	13
------------------------------------	----

For Sheriff.

John Hanly, received	8
James Vincent, "	5

District Attorney.

W. H. Woods, received	13
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For Register and Recorder.

Taylor Dudley, received	13
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For County Treasurer.

Jeremiah Russell, received	13
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Assessor.

Silas Lane, received 13

For County Surveyor.

G. W. Sweet, received 13

For Judge of Probate.

Frederick Ayers, received 13

For Justice of the Peace.

John H. Fairbanks, received 13

Allen Morrison, " 13

For Constables.

Paul Beaulieu, received 12

Levi Clark, " 13

For Supervisor of Roads.

Donald McDonald, received 13

We, the Judges and Clerks at this election, do certify that the foregoing is correct.

ALLAN MORRISON,
JOHN H. FAIRBANKS, } Judges.
LEVI CLARK,

JOHN MCKEE, } Clerks.
H. CHEVREFILS,

Territory of Minnesota, } ss.
County of Benton,

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 copy of the original poll book and election returns, made to the Register of Deeds' office, of the general election held on the 14th day of October, 1851, at the 3d, or Crow Wing precinct, in the county of Benton, aforesaid, which remain on file in my office.

{ L. S. } In testimony whereof, I have hereunto subscribed my name and affixed the seal of the Board of Commissioners of the county aforesaid, at Sauk Rapids, the 28th day of January, A. D. 1852.

TAYLOR DUDLEY,
Reg. Deeds and Cl'k Board Comm'rs Benton Co.

FOURTH, OR ELK RIVER PRECINCT.

At an election held on the Second Tuesday, the 14th day of October, A. D. 1851, at the house formerly owned and occupied by Peter Bottineau, on Elk river, in the 4th, or Elk River precinct, in the county of Benton, and Territory of Minnesota, for the election of members of the Territorial Council and House of Representatives, and county and precinct officers, the following votes were polled, to wit:

1 Samuel Holme,	16 C. Donley,
2 James Houghton,	17 S. K. Lane,
3 Hiram Crawford,	18 J. C. Bowers,
4 David Porter,	19 R. P. Miller,
5 P. Shumnay,	20 G. Egbert,
6 J. Crawford,	21 J. Foyles,
7 J. A. Tibbits,	22 M. H. Nutt,
8 O. Heath,	23 Silvester Foy,
9 J. Shumway,	24 W. R. Paddleford,
10 L. Clover,	25 L. Maluskey,
11 E. Noles,	26 D. Edingfield,
12 J. T. Jones,	27 Th. R. Porter,
13 W. Shumway,	28 E. Hathorn,
14 P. Shumway, jr.,	29 R. Greenough.
15 C. Pitman,	

For Council, Wm. Sturgis,	-	-	-	-	-	-	-	-	26
" " S. B. Lowry,	-	-	-	-	-	-	-	-	2
For Representative, James Beatty,	-	-	-	-	-	-	-	-	26
" " W. Warren,	-	-	-	-	-	-	-	-	2
For Commissioner, Charles Donley,	-	-	-	-	-	-	-	-	12
" " George Egbert,	-	-	-	-	-	-	-	-	13
For Sheriff, James Vincent,	-	-	-	-	-	-	-	-	21
" " J. Hanley,	-	-	-	-	-	-	-	-	4
" " S. B. Lowry,	-	-	-	-	-	-	-	-	0
For Assessor, S. K. Lane,	-	-	-	-	-	-	-	-	19
" " T. Sloan,	-	-	-	-	-	-	-	-	3
" " R. P. Miller,	-	-	-	-	-	-	-	-	3
For Treasurer, Jeremiah Russell,	-	-	-	-	-	-	-	-	27
For Recorder, Taylor Dudley,	-	-	-	-	-	-	-	-	15
For Prosecuting, Lafayette Emmet,	-	-	-	-	-	-	-	-	14
" " W. H. Wood,	-	-	-	-	-	-	-	-	13
" " T. Sloan,	-	-	-	-	-	-	-	-	1

We certify that the above is a true list of the votes thrown in Elk River precinct, this 14th day of October, A. D. 1851.

CHARLES DONLEY, [L. s.]	} Judges.
GEORGE EGBERT, [L. s.]	
SILAS K. LANE, [L. s.]	
CORNELIUS PITMAN, [L. s.]	} Clerks.
JNO. C. POWERS, [L. s.]	

Territory of Minnesota }
 County of Benton, } ss.

I, Taylor Dudley, Register of Deeds and Clerk of the Board of Commissioners for said county, certify that the foregoing and within is a full, true and complete copy of the original poll book and election returns made to the Register of Deeds' office from the precinct therein mentioned, as the same was returned to and filed in my office.

{ 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 28th day of January, A. D. 1852.

TAYLOR DUDLEY,
 Reg. of Deeds and Cl'k Board Comm'rs of Benton Co.

FIFTH, OR NOKASIPPI PRECINCT.

This is to certify, that an election held at the house of S. B. Olmstead, Benton county, Territory of Minnesota, the 14th of October, 1851, having no regular appointed Judges of election, or Justice of the Peace *been* present, I, the undersigned, elected Judge of said election, have administered the prescribed oath to the following duly elected for Judges and Clerks, to wit:

J. S. REED,
 JONATHAN EDWARDS, } Judges.
 THOMAS CATHCART, }

A. CUNRAD,
 WM. ALEXANDER, } Clerks.

THOMAS CATHCART.

Attest:—A. CUNRAD, Clerk of Election.

Attest:—WM. ALEXANDER, Clerk of Election.

At an election held at the house of S. B. Olmstead, in the county of Benton, Territory of Minnesota, on the 14th of October, A. D. 1851, the following named persons received the number of votes annexed to their respective name for the following described offices, to wit:

Member of Council, William Sturgis,	-	-	-	-	-	-	19
Representative, James Beatty,	-	-	-	-	-	-	19
County Commissioner, Charles Donly,	-	-	-	-	-	-	19
Sheriff, J. C. Hanly,	-	-	-	-	-	-	18
Assessor, Silas Lane,	-	-	-	-	-	-	19
Treasurer, Jer. Russel,	-	-	-	-	-	-	13
Recorder, Taylor Dudley,	-	-	-	-	-	-	17
Prosecuting Attorney, L. Emmett,	-	-	-	-	-	-	2
“ “ W. H. Woods,	-	-	-	-	-	-	15
Surveyor, George W. Sweet,	-	-	-	-	-	-	3
Judge of Probate, F. Ayers,	-	-	-	-	-	-	6
Justice of the Peace, Lewis Adams,	-	-	-	-	-	-	1

Certified by us,

THOMAS CATHCART,
JONATHAN EDWARDS, } Judges.
JOHN S. REED,

Attest:—AUG. CUNRAD, }
WM. ALEXANDER, } Clerks of Election.

Territory of Minnesota, } ss.
County of Benton,

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 are as full, true and complete copies of all the election returns, made to the Register of Deeds' office of said county, from the Nokasippi precinct, in the county aforesaid, of the general election held thereat, on the 14th day of October, 1851, as full as the same remains on file in my office. The poll book, or list of voters' names of said precinct has not been returned to this office.

{ L. S. } In testimony whereof, I have hereunto subscribed my name, and affixed the seal of the Board of Commissioners of the aforesaid county, at Sauk Rapids, the 28th day of January, A. D. 1852.

TAYLOR DUDLEY,
Reg. Deeds, and Cl'k Board Comm'rs of Benton Co.

LONG PRAIRIE PRECINCT.

MINUTE.

The Judges of the election held on the 14th day of October, 1851, at the Long Prairie Precinct, in the county of Cass, and Territory of Minnesota, were elected by the voters present at the opening of the polls, agreeably to the fourth section of chapter five (5) of the revised statutes of Minnesota.

Certified by us.

G. H. FLETCHER,
ELIJAH T. MIXER, } Judges of Election.
ALEX. PAYEUR, }

Attest:—S. G. KENDRICK, }
JAMES WARREN, } Clerks of Election.

I, George H. Fletcher, do solemnly swear that I will perform the duties of judge of election according to law, and the best of my ability, that I will studiously endeavor to prevent fraud, deceit and abuse in conducting the same.

G. H. FLETCHER.

Sworn and subscribed before me, this 11th day of October, 1851.

ELIJAH T. MIXER,
Judge of Election.

I, Alexander Payeure, do solemnly swear that I will perform the duties of judge according to law, and the best of my ability; that I will studiously endeavor to prevent fraud, deceit and abuse, in conducting the same.

ALEX. PAYEURE.

Sworn and subscribed before me, this 14th day of October, 1851.

G. H. FLETCHER,
Judge of Election.

I, Elijah T. Mixer, do solemnly swear, that I will perform the duties of judge according to law, and the best of my ability; that I will studiously endeavor to prevent fraud, deceit and abuse, in conducting the same.

ELIJAH T. MIXER.

Sworn and subscribed before me, this 14th day of October, 1851.

G. H. FLETCHER,
Judge of Election.

I, James Warren, do solemnly swear, that I will perform the duties of clerk of

election according to law, and the best of my ability; that I will studiously endeavor to prevent fraud, deceit and abuse, in conducting the same.

JAMES WARREN.

Sworn and subscribed before me, this 14th day of October, 1851.

G. H. FLETCHER,
Judge of Election.

I, Solon G. Kendrick, do solemnly swear that I will perform the duties of clerk of election according to law and the best of my ability; that I will studiously endeavor to prevent fraud, deceit and abuse, in conducting the same.

SOLON G. KENDRICK.

Subscribed and sworn before me, this 14th day of October, 1851.

G. H. FLETCHER,
Judge of Election.

LONG PRAIRIE.

At an election held on the Second Tuesday, the 14th day of October, A. D. 1851, at the house of David Olmstead, in the Long Prairie precinct, in the county of Cass, and Territory of Minnesota, for the election of a member of the Territorial Council, and member of the House of Representatives, the following votes were polled, to wit:

1 George Culver,	25 James Lacuier,
2 Peter Manaige,	26 Edward Paron,
3 Isaac Marks,	27 Charles R. Rice,
4 William Nevins,	28 Joseph L. Alexander,
5 Aaron P. Howard,	29 Harel Lyons,
6 Robert Fairbanks,	30 Asa White,
7 Charles McCarty,	31 George H. Tew,
8 Oliver Ansell,	32 Charles H. Greene,
9 John Pelkey,	33 Abram Maracle,
10 John Bt. Dion,	34 M. H. Lapalhem,
11 Louis Amell,	35 Beufamin Beeler,
12 David Day,	36 Andrew J. Culver,
13 John C. Davis,	37 S. G. Kendrick,
14 John C. Comsuell,	38 G. H. Fletcher,
15 Charles Manaige,	39 E. T. Mixer,
16 Louis Brisbois,	40 Alexander Payure,
17 John Myles,	41 Joshua Ady,
18 Hyacinth St. Cyr,	42 James Warren,
19 Alfred Holstine,	43 Michael St. Cye,
20 John T. De Laronde,	44 John Mayrand,
21 Antoine Grignon,	45 E. N. Holton,
22 Simes Lacuier,	46 Jonathan Pugh,
23 Frederick Lachapelle,	47 Aaron Foyles,
24 David Twiggs,	48 George Harriss.

G. H. FLETCHER,
ELIJAH T. MIXER, } Judges of Election.
ALEX. PAYEUR,

Attest:—JAMES WARREN, }
S. G. KENDRICK, } Clerks of Election.

TALLY PAPER.

For Legislative Council.

Sylvanus B. Lowry,	-	-	-	-	-	-	-	-	-	12
Wm. Sturgis,	-	-	-	-	-	-	-	-	-	8
Reuben M. Richardson,	-	-	-	-	-	-	-	-	-	27

For Representative.

David Day,	-	-	-	-	-	-	-	-	-	35
James Beatty,	-	-	-	-	-	-	-	-	-	1

Certified by us, G. H. FLETCHER, }
ELIJAH T. MIXER, } Judges of Election.
ALEX. PAYEUR, }

Attest:—S. G. KENDRICK, }
JAMES WARREN, } Clerks of Election.

At an election held at the house of David Olmsted, in the precinct of Long Prairie, in the county of Cass, and Territory of Minnesota, on the 14th day of October, A. D. 1851, the following named persons received the number of votes annexed to their respective names, for the following described offices, to wit:

Sylvanus B. Lowry, had twelve (12) votes for member of the Legislative Council.

William Sturgis had eight (8) votes for member of the Legislative Council.

Reuben M. Richardson, had twenty-seven (27) votes for member of the Legislative Council.

David Day, had thirty-five (35) votes for member of the House of Representatives.

James Beatty, had one (1) vote for member of the House of Representatives.

Certified by us, G. H. FLETCHER, }
ELIJAH T. MIXER, } Judges of Election.
ALEX. PAYURE, }

Attest:—S. G. KENDRICK, }
JAMES WARREN, } Clerks of Election.

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, are full, true and complete copies of the original poll book and election returns, as made to the Register of Deeds' office of said county, from Long Prairie precinct, in Cass county, as the same remains on file in my office, of the October election, held on the 14th of October, 1851.

{ L. s. } In testimony whereof, I have hereunto subscribed my name, and affixed the seal of the Board of County Commissioners of the county of Benton, aforesaid, the 29th day of January, A. D. 1852.

TAYLOR DUDLEY,
Reg. of Deeds and Cl'k Board Comm'rs Benton Co.

FIRST ANNUAL REPORT

OF THE

BOARD OF COMMISSIONERS OF PUBLIC BUILDINGS,

OF THE

TERRITORY OF MINNESOTA.

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REPORT.

To the Honorable President and Members

of the Council of Minnesota Territory:

Agreeable to sec. 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 of 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 Bazel & Guerin's addition to St. Paul; this spot having been selected by the Board as a suitable site for the Capitol Buildings. On the 23d May, the Board adjourned to Stillwater, and selected four acres of ground above the town, on land belonging to Messrs. McKusick & Carli; for which \$100 per acre was paid.

The grounds having been selected, an advertisement was issued on the 24th May, inviting proposals for the erection and completion of a Capitol and Penitentiary for \$40,000 each.

At the next session, the Board resolved to entertain no bids for which contracts were to be entered into involving a larger expenditure than the present appropriation. In pursuance of 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 Buildings, entire according to the plan adopted, including painting and glazing. The Council Chamber, Representatives' Hall, Governor's Secretary's and Clerks' 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 Capitol Fund for \$2,785 00 on account of work done and material furnished on this building to date.

The plan of the Territorial Prison, adopted by the Board, embraces an area of about 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 material 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.

St. 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 co.

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 co.

On motion of E. A. C. Hatch,

Resolved, That this Board do now proceed to the election of 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.

C. K. SMITH,

President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

TUESDAY, MAY 20, 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 Alex. Wilkin be employed by the Board as Counsel in Ramsey county, and H. L. Moss as Counsel for the Commissioners in Stillwater, for the purpose of drawing up deeds and contracts, and transacting such other business as the Board may direct, and to receive such compensation therefor as the Board may allow.

Carried unanimously.

On motion of E. A. C. Hatch,

The Board adjourned to meet again at 2 o'clock P. M.

TWO O'CLOCK, P. M.

Board met pursuant to adjournment.

On motion of D. F. Brawley,

Resolved, That this Board do now adjourn.

Lost.

Ayes—Roberts and Brawley.

Nays—Hatch, McKusick and Mr. President.

On motion of E. A. C. Hatch,

Resolved, That this Board do now proceed to the election, by ballot, of a Building Commissioner for the erection of Capitol Buildings in St. Paul.

Carried.

Ayes—Hatch, McKusick and Mr. President.

Nays—Roberts and Brawley.

On the first ballot, D. F. Brawley having received two votes, and L. Roberts one.

D. F. Brawley was declared duly elected Building Commissioner for the erection of Capitol Buildings in St. Paul, to serve according to law.

On motion of L. Roberts,

Resolved, That the Capitol Buildings for the Territory of Minnesota, shall be erected upon the bluff, near the brow of the hill on block No. 12, in the addition to St. Paul laid off by Roberts and Randall; this point being considered by this Board, as near the centre of the town, as is required by the act entitled "An Act to provide for the erection of Public Buildings in the Territory of Minnesota;" provided, however, that the persons owning the property on which the said Capitol shall be erected, give and donate at least four acres of ground, including the streets, for that purpose.

On motion of J. McKusick,

The resolution was laid on the table.

On motion of E. A. C. Hatch,

Resolved, That this Board do now adjourn till to-morrow at 10 o'clock.

Mr. McKusick moved to amend by striking out "10 o'clock" and inserting "9 o'clock."

Lost.

Ayes—Brawley and McKusick.

Nays—Hatch, Roberts and Mr. President.

Mr. Brawley moved to amend by inserting "7" instead of "10."

Carried unanimously.

Board adjourned.

Attest:

CHARLES F. TRACY,
Secretary, &c.

C. K. SMITH,
President of the Board of Commissioners.

WEDNESDAY, MAY 21, A. D. 1861

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 till 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's 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—Hutch.

Nays—Roberts, Brawley and McKusick.

On motion of L. Roberts,

Resolved, That the resolution postponing the consideration of the Capitol location be re-considered.

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.

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*, the brick can 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.

Nays—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 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 Saint 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 Saint 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:
 CHAS. 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 Commissioners, 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 Commissioners, 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 fulfillment of the contracts so proposed, and the bond which will be required for their fulfillment; 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:

CHAS. F. TRACY,

Secretary, &c.

SAINT 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:

CHAS. 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:

CHAS. F. TRACY,
Secretary, &c.

THURSDAY, JUNE 26, 1851—10 O'CLOCK, A. M.

Board met pursuant to adjournment.

Absent—McKusick.

The elevation to 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 this 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' plan was 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, M'Kusick, 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, 1881—10 O'Clock, 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 some time spent 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, Delano and Fisher's plans, for the erection of a Territorial Prison in Stillwater, and after some time spent 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 adjourn to meet again on Monday the 14th day of July, 1851.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

The communication of Alexander Wilkin, Attorney for 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 Alexander 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 building, therefore,

Resolved, That the board do now proceed to re-locate the Capitol building.

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 at 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 Clerk's 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 fin-

ishing 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 2; 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 fulfillment of the contracts proposed, and the bond which will be required for their fulfillment. 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 Louis Roberts,

Resolved, That the location for the Capitol, offered by Charles Bazille, in his communication, to wit: Block No. 6, in Bazille and Guerin's addition to St. Paul, be accepted by this board.

Carried.

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.

Nays—Brawley and McKusick.

Board adjourned.

ALEX. RAMSEY,

President Board of Commissioners.

Attest:

CHARLES F. TRACY,

Secretary, &c.

SATURDAY, JUNE 23, 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.

Noes—Roberts.

On motion of J. McKusick,

Resolved, That the report of the Attorney in regard to the title of the land offered by Charles Bazille 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.

Noes—Roberts, Brawley and Mr. President.

On motion of J. McKusick,

Resolved, That this Board do now adjourn to meet again on Monday, the 14th day of July, A. D. 1851, at 10 o'clock, A. M.

Carried unanimously.

Board adjourned.

ALEX. RAMSEY,

President Board Commissioners.

Attest: Charles F. Tracy,

Secretary.

MONDAY, JULY 14, 1851.

Board met pursuant to adjournment.

Absent—L. Roberts and Gov. Alex. Ramsey.

On motion of J. McKusick,

Resolved, That this Board do now adjourn till 2 o'clock, P. M.

Board adjourned till 2 o'clock, P. M.

MONDAY, July 14, 1851.

Board met pursuant to adjournment.

Absent—L. Roberts and Gov. Alex. Ramsey.

On motion of J. McKusick,

Resolved, That this Board do now adjourn till 2 o'clock, P. M.

Board adjourned till 2 o'clock, P. M.

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 to 10 o'clock, A. M., to-morrow morning.

Carried.

Ayes—Hatch, McKusick and Mr. President.

Board adjourned.

D. F. BRAWLEY,

President *pro tem.*

Attest:

CHARLES F. TRACEY,

Secretary, &c.

TUESDAY, JULY 15, 1851.

Board met pursuant to adjournment.

Absent—L. Roberts and Gov. Ramsey.

D. F. Brawley, acting President *pro tem.*

Board proceeded to the further examination of proposals, and having spent some time therein,

On motion of E. A. C. Hatch,

Resolved, That this Board have decided that Jesse Taylor & Co.'s bid for performing the labor and furnishing the material for the erection of a Territorial Prison in Stillwater, at \$17,000, is the lowest bid; and that the Secretary request the Attorney of this Board to draw up the contract with the parties, and submit the same to this Board for their consideration to-morrow, at 2 o'clock, P. M.

Carried.

Ayes—Hatch, McKusick and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn by the President *pro tem.*, and countersigned by the Secretary, on the Treasurer of the Territorial Prison Fund, in favor of J. McKusick, for the sum of \$291 50, and also a like order for \$108 50, in favor of C. Carli, or order, the same being in full payment of land purchased from said parties for a Territorial Prison site.

Carried.

Ayes—Hatch, McKusick and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn by the President *pro tem.*, and countersigned by the Secretary, on the Treasurer of the Capitol Fund, in favor of N. C. Prentiss, or order, for the sum of \$50 00, in full payment for the plan submitted and adopted by this Board,

Carried.

Ayes—Hatch, McKusick,

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 till 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Board met.

The Secretary presented the bill of Wm. M. Stees for one desk, purchased of him for twenty dollars.

An order was drawn on the Treasurer of the Capitol Fund for \$20, in full payment of same.

Ayes—Hatch and McKusick.

Nays—Brawley.

On motion of E. A. C. Hatch,

Resolved, That the Board do now adjourn till 2 o'clock, P. M. to-morrow.

Carried.

Ayes—Hatch, McKusick and Brawley.

Board adjourned.

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

Attest:

CHARLES F. TRACY,
Secretary, &c.

WEDNESDAY, JULY 16th, 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 25th, 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 1-4 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 for 1-4 salary to the 19th August, as Treasurer of said Fund, in favor J. McKusick.

Passed unanimously.

On motion of E. A. C. Hatch,

Resolved, That the resolution just passed, allowing J. McKusick \$100 for 1-4 salary as Treasurer of the Prison Fund, be now re-considered.

Carried.

Ayes—Hatch, Roberts, McKusick and Brawley.

The question then recurring upon the passage of the resolution authorizing an

order on the Treasurer of the Prison Fund, for \$100, in favor of J. McKusick, for 1-4 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 1-4 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.

Ayes—Brawley, Roberts, Hatch and McKusick.

Board adjourned.

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

Attest:

CHAS. 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 1-4 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, McKusick and Hatch.

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 the Capitol Buildings.

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. LeDuc, for \$16 25, being full amount of bill rendered.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on the Treasurer of the Capitol Fund, for \$11 13, in favor of John Farrington, being the amount audited on his account.

Carried unanimously.

On motion of L. Roberts,

Resolved, That this Board do now adjourn until 2 o'clock, P. M.

Ayes—Hatch, McKusick, Roberts and Brawley.

Board adjourned.

TWO O'CLOCK, P. M.

Board met pursuant to adjournment.

On motion of E. A. C. Hatch,

Resolved, That an order be drawn on J. McKusick, Treasurer of the Territorial Prison Fund, in favor of James M. Goodhue, for \$65, being the 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 Buildings.

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 25th, 1851.

Ayes—Hatch, McKusick, Roberts and Brawley.

Board adjourned.

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

Attest:

CHARLES F. TRACY,
Secretary, &c.

SAINT PAUL, THURSDAY, SEPTEMBER 25th, 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 till 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:

CHAS. 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 contracts 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 \$16,00, 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 Buildings, 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, the 24th of October, 1851.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

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

Attest:

CHARLES 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 now 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 present,

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.

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.

SAINT 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—Brawley and Roberts.

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 Board Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

SAINT 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 a 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 Treasurers 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 the same.

Carried.

Ayes—Brawley and Roberts.

On motion of D. F. Brawley,

Resolved, That the account of \$10, presented by L. Roberts, for the use of his team for the board, to and from Stillwater, be allowed, and the President be authorized to draw a warrant on the Treasurer of the Capitol Fund for the amount, in full payment of the 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 Buildings,

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 of the board of Commissioners.

Attest:

CHAS. F. TRACY,

Secretary, &c.

SAINT PAUL, M. T., 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 of the board of Commissioners.

Attest:

CHAS. F. TRACY,

Secretary, &c.

SAINT PAUL, M. T., 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 the 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—Brawley, Roberts 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 furni-

ture, 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 at Stillwater, on Monday, November 24th, 1851.

ALEX. RAMSEY,

President of the board of Commissioners.

Attest:

CHAS. F. TRACY,
Secretary, &c.

STILLWATER, NOVEMBER 24, 1851.

Board met pursuant to adjournment.

The bills of J. Daniels, for \$4,700, and J. Taylor & Co., for \$879, were read by the Secretary.

On motion of E. A. C. Hatch,

Resolved, That the following resolution, passed at the last session of the Board, under date of October 30th, be now re-considered, viz:

That the President be authorized to draw his warrant on the Treasurers of the respective funds for salaries and per diem of members of the board, as follows, to-wit:

1st. An order on the Treasurer of the Capitol Fund, in favor of D. F. Brawley for \$372, for two quarter's salary and per diem to date.

2d. An order on the Treasurer of the Prison Fund, in favor of L. Roberts, for \$60, 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 quarter's 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 fourth salary as Building Commissioner, and \$100, as one-fourth 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 and to date," in the 6th, 10th and 18th lines, and inserting in lieu, "from the 19th May to 18th November, and 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 passed unanimously, 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 quarter's salary from the 19th May to the 18th November, and per diem to the 17th November, as Building Commissioner.

2d. An order in favor of L. Roberts, on the Treasurer of the Territorial Prison Fund, for \$60, per diem to the 17th November.

3d. An order on the Treasurer of the Territorial Prison Fund, for \$251, in favor of E. A. C. Hatch, for two quarters salary as Treasurer, from 19th May to 18th November, and per diem to the 17th November.

4th. An order in favor of J. McKusick, for \$250, being \$150 as one quarter salary as Building Commissioner, and \$100 as one quarter salary as Treasurer, from 10th May to 18th November.

On motion of E. A. C. Hatch,

Resolved, That the account of J. Taylor & Co., having received the endorsement of the Building Commissioner, be allowed by this board, and a warrant be drawn on the Treasurer of the Prison Fund, for \$879, in full payment of same.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of E. A. C. Hatch,
Board adjourned till 8 o'clock A. M. 25th November.

ALEX. RAMSEY,
President Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

STILLWATER, NOVEMBER 25, 1851.

Board met pursuant to adjournment.

E. A. C. Hatch presented an account of \$200, for negotiating government drafts,

On motion of L. Roberts,

Resolved, That the consideration of J. Daniels' bill of \$4,701, be postponed till the next session of the board.

Carried.

Ayes—Hatch, McKusick, Roberts and Brawley.

On motion of J. McKusick,

Resolved, That the account of E. A. C. Hatch be allowed.

On motion of L. Roberts,

Resolved, That the account of E. A. C. Hatch be laid over to the next meeting of the board.

Carried.

Ayes—McKusick, Brawley and Roberts.

On motion of L. Roberts,

Resolved, That the account of \$50, for rent of room, be allowed E. A. C. Hatch, and an order be drawn on the Treasurer of the Capitol Fund, for this amount in his favor, as 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 December, at St. Paul.

Lost.

Ayes—Hatch,

Nays—Brawley, McKusick and Roberts.

On motion of D. F. Brawley,

Resolved, That this board do now adjourn, to meet again on the 16th of December, at St. Paul.

Carried.

Ayes—McKusick, Roberts and Brawley.

Nays—Hatch.

Board adjourned.

ALEX. RAMSEY,
President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

SAINT PAUL, DECEMBER 16, 1851.

Board met pursuant to adjournment.

Absent—J. McKusick.

On motion of L. Roberts,

Resolved, That the bill of Willoughby & Powers, for \$15, be taken up and allowed by the board, and a warrant be drawn in their favor, on the Treasurer of the Capitol Fund, for this amount, in full payment of 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 December 20th, 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.

ALEX. RAMSEY,
President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

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.

ALEX. RAMSEY,
President of the Board of Commissioners.

Attest:

CHARLES F. TRACY,
Secretary, &c.

NO. 1.

REPORT OF THE TREASURER OF THE CAPITOL FUND.

*To the Honorable, 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 " station'y.	16 25
" "	" " 5, " J. Taylor & Co. acc't 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. acc't contract,	1,200 00
" "	" " 11, " same " "	400 00
" "	" " 12, " L. Roberts, per diem,	60 00
Oct. 30.	" " 13, " E. A. C. Hatch, 6 mo. sal. and per diem,	251 00
" "	" " 14, " J. McKusick qr. sal. as Trea. } 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
Nov. 24.	" " 18, " J. Fisher, for Prison plan,	50 00
" "	" " 19, " J. McKusick, rent room,	50 00
Dec. 1.	" " 20, " J. Taylor, & Co. acc't 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 Assist't Secretary at St. Louis, - - - - -	\$10,000 00
October.	By five Drafts from Secretary U. S. Treasurer on Assistant 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.

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 No. 1—A bill for an act to incorporate the Minnesota Lodge No. 1, Independent Order of Odd Fellows,
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 Considered in committee of the whole, 44,
 Ordered to be engrossed, 45.

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Reported correctly engrossed, 47.
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 Concurred in by the House of Representatives, 55.
 Reported correctly enrolled, 63.
 Signed by the Speaker of the House of Representatives, 64.
 Signed by the President of the Council, 65.
 Presented to the Governor, 72.
 Approved, 82.

No. 2.—A bill to amend an act entitled an act to incorporate the Mississippi Boom Company.

Presented and read a first and second time, 44.
 Considered in committee of the whole, 45.
 Amended and ordered to be engrossed, 46.
 Re-committed to a select committee, 48.
 Reported back by committee, 52.
 Amended by Council, 52.
 Read third time, passed and title agreed to, 53.
 Amended by House of Representatives, 64.
 Concurred in by Council, 67.
 Reported correctly enrolled, 81.
 Signed by the Speaker of the House of Representatives, 84.
 Signed by the President of the Council, 85.
 Presented to Governor, 90.
 Approved, 102.

No. 3.—To amend an act entitled an act supplementary to an act entitled an act to incorporate the town of St. Paul.

Presented and read a first and second time, 44.
 Considered in committee of the whole, 49.
 Ordered to be engrossed, 49.
 Reported correctly engrossed, 50.
 Read third time, passed and title agreed to, 50.

No. 4.—Granting to W. G. Le Due the right to establish and maintain a ferry across the Mississippi river at the foot of Wabashaw street, in the town of St. Paul.

Presented and read a first and second time, 49.
 Considered in committee of the whole, 57, 62.
 Amended and ordered to be engrossed, 62.
 Reported correctly engrossed, 66.
 Laid on the table, 67.

Taken up and indefinitely postponed, 118.

No. 5.—For the relief of S. B. Ohmsted, Alden Bryant, C. F. Tracy and B. W. Lott.

Presented and read a first and second time, 56.
 Referred to committee on Legislative Expenditures, 56.
 Reported back by committee, 60.
 Considered in committee of the whole, 62.
 Amended and ordered to be engrossed, 63.
 Reported correctly engrossed, 66.
 Read third time, passed and title agreed to, 67.
 Amended by House of Representatives, 77.
 Amendment concurred in by Council, 78.
 Reported correctly enrolled, 81.
 Signed by the Speaker of House of Representatives, 84.
 Signed by President of Council, 88.
 Presented to the Governor, 90.
 Approved, 102.

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No. 6.—To amend an act entitled an act to authorize Wm. Nobles to keep a ferry across Lake St. Croix at the mouth of Willow river.

Reported from committee on incorporations, 65.

Read a first and second time, 65.

Considered in committee of the whole, 73.

Ordered to be engrossed, 73.

Reported correctly engrossed, 80.

Read third time, passed and title agreed to, 92.

Concurred in by House of Representatives, 106.

Reported correctly enrolled, 119.

Signed by Speaker of House of Representatives, 123.

Signed by President of Council, 123.

Presented to Governor, 125.

Approved, 127.

No. 7.—To dissolve the marriage contract between Joseph Renville and Tah hoch pu, his wife.

Read a first and second time, 66.

Considered in committee of the whole, 79.

Ordered to be engrossed, 80.

Reported correctly engrossed, 80.

Read third time, passed and title agreed to, 81, 82.

Negated by House of Representatives, 97.

No. 8.—To dissolve the marriage contract between James W. Brown and Lezette Brown.

Presented and read a first and second time, 72.

Considered in committee of the whole, 79.

Ordered to be engrossed, 80.

Reported correctly engrossed, 80.

Read a third time, passed and title agreed to, 82.

Concurred in by House of Representatives, 100.

Reported correctly enrolled, 104.

Signed by the Speaker of the House of Representatives, 106.

Signed by the President of the Council, 108.

Presented to the Governor, 114.

No. 9.—Chapter 1. To amend the revised Statutes.

Presented and read a first and second time by title, 75.

Considered in committee of the whole, 90, 92, 97, 98, 99.

Amended and ordered to be engrossed, 100.

Reported correctly engrossed, 105.

Read third time, passed and title agreed to, 105.

Amended by House of Representatives, 109.

Amendments non-concurred in by Council, 120.

House adheres to amendments, 124.

Council recedes from disagreement, 125.

Reported correctly enrolled, 131.

Signed by Speaker of House, 132.

Signed by President of Council, 133.

Presented to Governor, 134.

Approved, 137.

No. 9.—Chapter 2. To amend the revised Statutes.

Presented and read a first and second time, 104.

Considered in committee of the whole, 112, 113.

Ordered to be engrossed, 113.

Reported correctly engrossed, 113.

BILLS—

Council File of.

Read a third time, passed and title agreed to, 113.

Amended by House, 119.

Amendments non-concurred in by Council, 120.

House adheres to amendments, 124.

Council recedes from disagreement, 125.

Reported correctly enrolled, 128.

Signed by Speaker of House, 128.

Signed by President of Council, 128.

Presented to Governor, 130.

Approved, 133.

No. 10.—To incorporate the Benton County Agricultural Society.

Presented and read a first and second time, 75.

Considered in Committee of the whole, 82.

Ordered to be engrossed, 82.

Reported correctly engrossed, 87.

Read a third time, passed and title agreed to, 88.

Concurred in by the House, 100.

Reported correctly enrolled, 110.

Signed by Speaker of the House, 112.

Signed by President of Council, 113.

Presented to Governor, 117.

Approved, 120.

No. 11.—Granting to W. F. Corbett and J. W. Bond the right to establish and maintain a ferry across the Mississippi river at or near Sauk Rapids.

Presented and read a first and second times 75.

Considered in committee of the whole, 82.

Amended and ordered to be engrossed, 82.

Reported correctly engrossed, 87.

Read a third time, passed and title agreed to, 88.

Amended by House, 97.

Amendments concurred in by Council, 99.

Reported correctly enrolled, 108.

Signed by Speaker of House, 109.

Signed by President of Council, 110.

Presented to Governor, 114.

Approved, 117.

No. 12.—Granting to D. T. Sloan the right to establish and maintain a ferry across the Mississippi river.

Presented and read a first and second time, 80.

Considered in committee of the whole, 89.

Ordered to be engrossed, 89.

Reported correctly engrossed, 92.

Read a third time, passed and title agreed to, 97.

Amended by the House, 102.

Amendments concurred in by Council, 104.

Reported correctly enrolled, 110.

Signed by Speaker of House, 112.

Signed by President of Council, 113.

Presented to Governor, 117.

Approved, 121.

No. 13.—For the appointment of Auctioneers.

Presented and read a first and second time, 82

Considered in committee of the whole, 89

BILLS—

Council File of.

- Amended and ordered to be engrossed, 89
- Reported correctly engrossed, 98
- Read a third time, passed, and title agreed to, 99
- Amended by House of Representatives, 123
- Indefinitely postponed, 123, 124
- No. 14.—To dissolve the marriage contract between Tido S. Lottman and Rosa Lottman his wife.
 - Presented and read a first and second time, 83
 - Considered in committee of the whole, 89
 - Ordered to be engrossed, 89
 - Reported correctly engrossed, 92
 - Read a third time, passed, and title agreed to, 97
 - Concurred in by House of Representatives, 102
 - Reported correctly enrolled, 110
 - Signed by Speaker of House of Representatives, 112
 - Signed by President of Council, 113
 - Presented to the Governor, 117
 - Approved, 137
- No. 15.—To provide for an act relating to laborers' lien upon pine saw logs and other timber.
 - Presented and read a first and second time, 92
 - Considered in committee of the whole, 103
 - Laid on the table, 103
- No. 16.—To amend an act entitled an act to incorporate the St. Croix boom company.
 - Presented and read a first and second time, 92
 - Considered in committee of the whole, 102
 - Ordered to be engrossed, 103
 - Reported correctly engrossed, 110
 - Read a third time, passed, and title agreed to, 111
 - Indefinitely postponed by House of Representatives, 126
- No. 17.—To establish the county of Hennepin.
 - Presented and read a first and second time, 94
 - Considered in committee of the whole, 103, 111
 - Ordered to be engrossed, 111
 - Reported correctly engrossed, 114
 - Read a third time, passed, and title agreed to, 116
 - Amended by House of Representatives, 123
 - Amendment concurred in by Council, 124
 - Reported correctly enrolled, 131
 - Signed by Speaker of House of Representatives, 132
 - Signed by President of Council, 133
 - Presented to Governor, 134
 - Approved, 135
- No. 18.—Granting to Richard Arnold the right to establish and maintain a ferry across the St. Croix river.
 - Presented and read a first and second time, 103
 - Considered in committee of the whole, 112
 - Ordered to be engrossed, 112
 - Reported correctly engrossed, 114
 - Read a third time, passed, and title agreed to 116
 - Amended by House of Representatives, 123
 - Amendments concurred in by Council, 124
 - Reported correctly enrolled, 127

BILLS—

Council File of.

Signed by Speaker of House of Representatives, 128

Signed by President of Council, 128

Presented to Governor, 130

Approved, 133

No. 19.—For the appointment of a clerk of the probate courts to specify their duties, and for other purposes.

Presented and read a first and second time, 104

Considered in committee of the whole, 105

Amended and ordered to be engrossed, 105

Reported correctly engrossed, 114

Read a third time, passed, and title agreed to, 116

Concurred in by the House of Representatives, 128

Reported correctly enrolled, 133

Signed by Speaker of House of Representatives, 134

Signed by President of Council, 134

Presented to Governor, 134

Approved, 135

No. 20.—Granting to Paul H. Beaulieu the right to establish and maintain a ferry across the Mississippi river.

Presented and read a first and second time, 104

Considered in committee of the whole, 112

Ordered to be engrossed, 112

Reported correctly engrossed, 114

Read a third time, passed, and title agreed to, 116

Amended by House of Representatives, 123

Amendments concurred in by Council, 124

Reported correctly enrolled, 131

Signed by Speaker of House of Representatives, 132

Signed by President of Council, 133

Presented to Governor, 134

Approved, 135

No. 21.—To amend an act, entitled an act to authorize the establishment of ferries.

Presented and read a first and second time, 116

Considered in committee of the whole, 120

Ordered to be engrossed, 120

Reported correctly engrossed, 120

Read a third time, passed, and title agreed to, 120

Concurred in by House of Representatives, 128

Reported correctly enrolled, 131

Signed by Speaker of House of Representatives, 132

Signed by President of Council, 133

Presented to Governor, 134

Approved, 135

No. 22.—To establish the price of binding.

Presented and read a first and second time, 117

Considered in committee of the whole, 122

Ordered to be engrossed, 122

Reported correctly engrossed, 124

Read a third time, passed, and title agreed to, 124

Amended by House of Representatives, 128

Amendments concurred in by Council, 129

Reported correctly enrolled, 131

Signed by Speaker of House of Representatives, 132

BILLS—

Council File of.

Signed by President of Council, 133

Presented to Governor, 134

Approved, 135

No. 23.—To incorporate the Ramsey county agricultural society.

Presented and read a first and second time, 118

Considered in committee of the whole, 124, 125

Ordered to be engrossed, 125

Reported correctly engrossed, 126

Concurred in by House of Representatives, 129

- Reported correctly enrolled, 131

Signed by Speaker of House of Representatives, 132

Signed by President of Council, 133

Presented to the Governor, 133

Approved, 135

BILLS—

House File of,

No. 1.—Granting to Anson Northrop, Pierre Bottineau, Louis Roberts and Peter Poncin the right to establish and maintain a ferry across the Mississippi river.

Read by message, 43

Read a first and second time, 43

referred to committee on internal improvements, 43

Reported back from committee, 59, 60

Considered in committee of the whole, 61

Read a third time, passed, and title agreed to, 61

Reported correctly enrolled, 69

Signed by Speaker of House of Representatives, 71

Signed by President of Council, 72

Presented to Governor, 76

Approved, 95

No. 3.—To dissolve the marriage contract between Abram Hull and Julia A. Hull

Received by message from House of Representatives, 55

Read a first and second time, 55

Reported to select committee, 57

Reported back from committee, 64

Considered in committee of the whole, 65

Read a third time, passed, and title agreed to, 65

Reported correctly enrolled, 73

Signed by Speaker of House of Representatives, 75

Signed by President of Council, 76

Presented to the Governor, 98

Negatived, 103

No. 4.—Granting to Emanuel Case the right to establish and maintain a ferry across the Mississippi river.

Received by message, 55

Read a first and second time by its title, 55

Referred to committee on internal improvements, 57

Reported back from committee, 60

Considered in committee of the whole, 65

Recommitted to a select committee, 65

Reported back from committee, 70

Read a third time, passed, and title agreed to, 116

Reported correctly enrolled, 126

BILLS—

House File of.

Signed by Speaker of House of Representatives, 128

Signed by President of Council, 128

Presented to Governor, 130

No. 5.—To provide for the appointment of a supreme court reporter.

Received by message, 44

Read a first and second time, 46

Considered in committee of the whole, 49

Referred to the judiciary committee, 49

Reported back from committee, 63

Read a third time, 66

Laid on the table, 66

Amended by unanimous consent, 79

Passed as amended and title agreed to, 79

Amendment concurred in by House of Representatives, 84

Reported correctly enrolled, 85

Signed by Speaker of House of Representatives, 87

Signed by President of Council, 88

Presented to Governor, 90

No. 7.—Granting to Daniel F. Brawley the right to establish and maintain a ferry across the Mississippi river.

Received by message, 48

Read first and second time, 48

Laid on the table, 51

Considered in committee of the whole, 69

Read a third time, passed and title agreed to, 69

Reported correctly enrolled, 85

Signed by Speaker of the House, 87

Signed by President of Council, 88

Presented to Governor, 90

No. 8.—Granting to James M. Goodhue and Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river.

Received by message, and read first and second time, 48

Laid on the table, 51

Considered in committee of the whole, 67

Read a third time, passed and title agreed to, 69

Reported correctly enrolled, 85

Signed by Speaker of the House, 87

Signed by President of Council, 88

Presented to Governor, 90

No. 9.—To incorporate the Cottage Grove Academy.

Received by message, 48

Read first and second time 48

Considered in committee of the whole, 50

Read third time, passed and title agreed to, 50

Reported correctly enrolled, 58

Signed by Speaker of the House, 60

Signed by President of Council, 61

Presented to Governor, 114

Approved, 118

No. 10.—To dissolve the marriage contract between Tido S. Lottman and Rosa Lottman, his wife.

Received by message from H. of R. 48

Read first and second time, 48

Considered in committee of the whole, 53

Indefinitely postponed, 53

BILLS—

House File of.

No. 11.—To incorporate the St. Anthony Boom Company.

Received by message, and read a first and second time, 64, 67

Considered in committee of the whole, 72

Amended and read a third time, 73

Passed, and title agreed to, 73

Reported correctly enrolled, 85

Signed by Speaker of the House, 87

Signed by President of Council, 88

Presented to Governor, 90

No. 12.—To punish trespassers on School Lands.

Received by message, 64

Read first and second time, 67

Considered in committee of the whole, 72.

Referred to committee on Schools, 73

Reported back from committee, 109

Read third time, passed and title agreed to, 116

Reported correctly enrolled, 126

Signed by Speaker of the House, 128

Signed by President of Council, 128

Presented to Governor, 130

No. 17.—To organize Pembina County.

Presented by message, 90

Read first and second times, 91

Considered in committee of the whole, 94

Read third time, passed and title agreed to, 94

Reported correctly enrolled, 103

Signed by Speaker of House, 106

Signed by President of Council, 108

Presented to Governor, 114

Approved, 118

No. 18.—Fixing the terms of the Supreme and District Courts, and for other purposes.

Received by message, 87

Read first and second time, 88

Considered in committee of the whole, 91

Amended and laid on table, 91, 92

Read third time, passed and title agreed to, 118

Reported correctly enrolled, 126

Signed by Speaker of House, 128

Signed by President of Council, 128

Presented to Governor, 130

No. 20.—To change the time of electing Delegate to Congress.

Received by message and read a first and second time, 100

Considered in committee of the whole, 105

Read third time, passed and title agreed to, 115

Reported correctly enrolled, 119

Signed by the Speaker of the House, 123

Signed by President of Council, 123

Presented to Governor, 125

Approved, 136

No. 21.—Granting to Fordyce S. Richards the right to establish and maintain a ferry across the Mississippi river.

Received by message, 75.

Read first and second time, 77

BILLS—

House File of.

- Considered in committee of the whole, 79,
- Amended by Council, 79
- Read third time, passed and title agreed to, 79
- Amendments concurred in by the House of Representatives, 87
- Reported correctly enrolled, 93
- Signed by the Speaker of the House of Representatives, 93
- Signed by the President of the Council, 93
- Presented to the Governor, 98
- Approved, 109
- No. 24.—Defining the manner of contesting the election of members of the Legislative Assembly.
 - Received by message, 84
 - Read a first and second time, 85
 - Considered in committee of the whole, 88
 - Postponed to Oct. 12, 1852, 118
- No. 25.—To incorporate the John G. Potts Lodge No. 3, Independent Order of Odd Fellows, of the town of St. Anthony Falls.
 - Received by message, 75
 - Read a first and second time, 77
 - Considered in committee of the whole, 78
 - Read a third time, passed and title agreed to, 78
 - Reported correctly enrolled, 85
 - Signed by the Speaker of the House of Representatives, 87
 - Signed by the President of the Council, 88
 - Presented to the Governor, 90
- No. 26.—To provide for laying out a Territorial Road from Lake Pepin to the Minnesota river.
 - Received by message, 77
 - Read a first and second time, 78
 - Considered in committee of the whole, 81
 - Read third time, passed and title agreed to, 81
 - Reported correctly enrolled, 93
 - Signed by Speaker of House, 93
 - Signed by President of Council, 93
 - Presented to Governor, 98
 - Approved, 109
- No. 27.—To provide for the establishment of election precincts in unorganized counties.
 - Received by message, 77
 - Read a first and second time, 78
 - Considered in committee of the whole, 81
 - Read a third time, passed, and title agreed to, 81
 - Reported correctly enrolled, 93
 - Signed by Speaker of House of Representatives, 93
 - Signed by President of Council, 93
 - Presented to Governor, 98
 - Approved, 109
- No. 28.—To incorporate the Mississippi boom company.
 - Received by message, 95
 - Read a first and second time, 98
 - Considered in committee of the whole, 101
 - Amended and read a third time, 101
 - Passed and title agreed to, 101
 - Reported correctly enrolled, 108
 - Signed by the Speaker of House of Representatives, 109

BILLS—

House File of.

Signed by President of Council, 110

Presented to the Governor, 114

Approved, 118

No. 29.—To authorize the county of Benton to elect two members to the House of Representatives.

Received by message, 97

Read a first and second time, 98

Considered in committee of the whole, 105

Negatived, 119

No. 30.—To incorporate Rum river boom company.

Received by message, 93

Read a first and second time, 94

Considered in committee of the whole, 96

Read third time, passed and title agreed to, 96

Reported correctly enrolled, 103

Signed by the Speaker of the House of Representatives, 106

Signed by the President of Council, 108

Presented to Governor, 114

Approved, 118

No. 31.—For the restriction of the sale of intoxicating liquors, and for other purposes.

Received by message, 93

Read a first and second time by its title, 94

Considered in committee of the whole, 95

Amended and read a third time, 95

Passed and title agreed to, 95

House of Representatives refuses to concur in amendments, 97

Council refuses to recede, 99

Committee of conference appointed by Council, 99

Committee of conference appointed by House of Representatives, 101

Report from committee, 107

Report of majority of committee accepted, 108

Reported correctly enrolled, 122

No. 33.—To amend an act providing for the appointment of librarian; approved Feb. 25, 1851.

Presented by message, 90

Read a first and second times 91

Considered in committee of the whole, 96

Read a third time, passed and title agreed to, 96

Reported correctly enrolled, 106

Signed by Speaker of House of Representatives, 106

Signed by President of Council, 108

Presented to the Governor, 114

Approved, 118

No. 34.—To amend an act to provide for the erection of public buildings.

Received by message, 106

Read a first and second time, 108

Considered in committee of the whole, 110

Amended by Council, 111

Read third time, passed and title agreed to, 111

Amendments concurred in by House of Representatives, 119

Reported correctly enrolled, 119

Signed by Speaker of House, 123

Signed by President of Council, 123

Approved, 136

BILLS—

House File of.

No. 35.—For the relief of W. G. LeDuc.

Presented by message, 131

Read a first and second time, 131

Considered in committee of the whole, 131

Read a third time, passed, and title agreed to, 132

Reported correctly enrolled, 133

Signed by Speaker of House of Representatives, 134

Signed by President of Council, 134

Presented to the Governor, 135

Approved, 136

No. 36.—Granting to Samuel Groff the right to establish and maintain a ferry across Lake St. Croix.

Received by message, 100

Read a first and second time, 101

Considered in committee of the whole, 105

Read a third time, passed, and title agreed to, 107

Reported correctly enrolled, 119

Signed by Speaker of House of Representatives, 123

Signed by President of Council, 123

Presented to Governor, 125

Approved, 136

No. 38.—To defray the expenses of the Legislative Assembly, and for other purposes.

Received by message, 130

Read a first and second time, 130

Considered in committee of the whole, 131

Amended by Council, 132

Read a third time, passed and title agreed to, 132

House refuses to concur, 133

Council adheres to amendments, 134

House refuses to recede 135

Council recedes from disagreement, 135

Reported correctly enrolled, 137

Signed by Speaker of House of Representatives, 137

Signed by President of Council, 137

Presented to Governor, 137

Approved, 138

No. 40.—Granting to Charles T. Janson the right to establish and maintain a ferry across the Mississippi river.

Presented by message, 97

Read a first and second time, 99

Considered in committee of the whole, 101

Read a third time, passed, and title agreed to, 102

Reported correctly enrolled, 108

Signed by Speaker of House of Representatives, 109

Signed by President of Council, 110

Presented to Governor, 114.

Approved, 119

No. 41.—To dissolve marriage contract between Mary A. Alexander and Wm. Alexander.

Received by message, 100

Read a first and second time, 101

Considered in committee of the whole, 105

Read a third time, 119

Negatived on its passage 119

Vote reconsidered, passed, and bill agreed to, 122

BILLS—

House File of.

Reported correctly enrolled, 126

Signed by Speaker of House of Representatives, 128

Signed by President of Council, 128

Presented to Governor, 130

No. 43.—To amend an act entitled an act granting to A. Northrop and others, the right to establish and maintain a ferry across the Mississippi river.

Received by message, 102

Read a first and second time, 104

Considered in committee of the whole, 105

Negative, 116

No. 44.—Granting to R. P. Miller the right to establish and maintain a ferry across the Mississippi river.

Received by message, 106

Read a first and second time, 108

Considered in committee of the whole, 110

Amended by Council, 111

Read a third time, passed, and title agreed to, 111

Amendments concurred in by House of Representatives, 119

Reported correctly enrolled, 119

Signed by Speaker of House of Representatives, 123

Signed by President of Council, 123

Presented to Governor, 125

Approved, 136

No. 45.—Granting to Henry G. Bailey the right to establish and maintain a ferry across the Mississippi river.

Received by message, 112

Read a first and second time by its title, 114

Considered in committee of the whole, 115

Amended by Council, 115

Read a third time, passed, and title agreed to, 115

Reported correctly enrolled, 126

Signed by Speaker of House of Representatives, 128

Signed by President of Council, 128

Presented to the Governor, 130

No. 48.—To incorporate the St. Paul Hydraulic Company.

Received by message, 129

Read first and second time, 130

Considered in committee of the whole, 130, 132

Indefinitely postponed, 133

No. 49.—Prescribing the time when certain acts shall take effect.

Received by message, 123

Read a first and second time, 123

Considered in Committee of the whole, 126

Read a third time, passed and title agreed to, 126

Reported correctly enrolled, 130

Signed by Speaker of the House, 133

Signed by President of Council, 133

Presented to Governor, 135

Approved, 136

No. 50.—To dissolve the marriage contract between Henry Buel and his wife, Susan Buel,

Received by message, 123

Read first and second time, 123

Considered in committee of the whole, 126

Negatived, 127

BILLS—

House File of.

No. 51.—To provide for the collection of taxes in unorganized counties.

Received by message, 123

Read a first and second time, 123

Considered in committee of the whole, 126

Read third time, passed and title agreed to, 127

Reported correctly enrolled, 130

Signed by Speaker of House of Representatives, 132

Signed by President of Council, 133

Presented to Governor, 134

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OF THE

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DURING THE THIRD SESSION OF THE

LEGISLATIVE ASSEMBLY

OF THE

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