

Chamberlin, G. C.

House of Representatives Patchen, A. L.

SECOND DAY.

1871

WEDNESDAY, January 4, 1871.

The House met at the usual hour and was called to order by the Speaker.

Prayer by the Chaplain.

The roll being called the following members were found to be absent:

Messrs. Barton, Couplin, Densmore, Flood, Moore and Wedge.

The journal of yesterday was read and approved.

The Speaker announced that he had received the testimony and other papers pertaining to the contested election case from the 20th Legislative District, wherein A. L. Patchin is contestant, and G. C. Chamberlain respondent.

Mr. Honner presented a petition from Henry Luscher and others, praying for the confirming of their name as Luscher, for certain reasons therein named.

Which was laid on the table for reference.

Mr. Fowler asked for three days leave of absence for Mr. Moore.

Which was granted.

The committee appointed to confer with a similar committee from the Senate, for the purpose of arranging for canvassing the votes cast at the last general election of State officers, and on the various proposed Constitutional amendments,

Report 10½ o'clock to-day as the hour fixed for such convention, and the Hall of the House of Representatives as the place thereof.

W. D. WASHBURN,

JNO. F. MEAGHER,

Committee on part of the House.

The following message was received from the Senate:

MR. SPEAKER:—I have to announce that the Senate has adopted the report of the joint committee fixing the time and place for the meeting of a joint convention to canvass the votes cast at the last general election.

F. E. SNOW,

Secretary of the Senate.

On motion of Mr. Hall the House took a recess until 10½ o'clock, to prepare for joint convention.

The hour of 10½ o'clock having arrived, the members and officers of

H. F. No. 38, A bill for an act for the removal of the county seat of Kandiyohi county from Kandiyohi Station to Wilmar,

Was read the third time and put upon its final passage.

The question being taken upon the passage of the bill, there were yeas 32, and nays none as follows :

Those who voted in the affirmative were—

Messrs. Atwater, Barton, Brisbane, Bullis, Collier, Cool, Davis, Flannegan, Flood, Fowler, Fridley, Gilbertson, Greenleaf, Hall, Honner, Johnson, Jones, Marvin, Meagher, Moore, Pearson, Platt, Railson, Sencerbox, Somerville, Stahlman, Stannard, Underwood, Valder, Washburn, Wedge and Mr. Speaker.

So the bill was passed and its title agreed to.

H. F. No. 42, A bill for an act to amend title three of chapter sixty-five of the general statutes of this State, relating to pleadings and trials in justices courts,

Was read the third time and put upon its final passage.

The question being taken upon the final passage of the bill, there were yeas 25, and nays 10, as follows :

Those who voted in the affirmative were—

Messrs. Atwater, Brisbane, Bullis, Colburn, Flood, Greenleaf, Honner, Johnson, Jones, Marvin, Meagher, Moore, Pearson, Phelps, Platt, Railson, Sencerbox, Sibley, Somerville, Stahlman, Stannard, Valder, Vale, Wedge and Mr. Speaker.

Those who voted in the negative were—

Messrs. Barton, Collier, Cool, Davis, Flannegan, Fowler, Gilbertson, Hall, Underwood and Washburn.

So the bill was passed and its title agreed to.

The hour of 11½ o'clock having arrived, the contested election case of Patchin vs. Chamberlain, which was made the special order for that hour, was then taken up.

Mr. Sibley moved a called of the House.

The roll being called, the following members were found to be absent :

Messrs. Chamberlain, Couplin, Densmore, Griswold, Haskell and Jackson.

The Sergeant-at-Arms was ordered to report the absentees in their seats, except Messrs. Hyde and Telfer, who had leave of absence.

Messrs. Densmore and Couplin appearing in their seats,

On motion of Mr. Meagher, further proceedings under the call were dispensed with.

Mr. Atwater offered the following resolution :

Resolved, That A. L. Patchin received a majority of all the legal votes cast for member of the House of Representatives for this State in the present session in the 20th Senatorial District, and that he is entitled to his seat in this body.

The question being taken on the adoption of the resolution,

And the yeas and nays being ordered, there were yeas 28, and nays 12, as follows :

Those who voted in the affirmative were—

Chamberlain, G. C.
Patchin, A. L.

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Messrs. Atwater, Bullis, Colburn, Collier, Cool, Davis, Densmore, Flannegan, Fowler, Fridley, Gilbertson, Hall, Hubbell, Johnson, Jones, Meagher, Page, Pearson, Phelps, Platt, Sibley, Somerville, Stahlman, Underwood, Valder, Vale; Washburn and Wedge.

Those who voted in the negative were—

Messrs. Barton, Brisbane, Couplin, Flood, Greenleaf, Honner, Marvin, Moore, Railson, Sencerbox, Stannard and Mr. Speaker.

So the resolution was adopted.

Mr. Eyer was excused from voting.

Mr. Colburn offered the following resolution which was unanimously adopted :

Resolved, That while in the opinion of this House a gross fraud was committed at the late election in the town of Blue Earth city, the effect of which deprives George C. Chamberlain, of the Twentieth Senatorial District, of his seat in this House, yet there is no evidence produced tending to show that said Chamberlain was in any manner responsible for, or had any knowledge of the perpetration of said fraud.

On motion of Mr. Sibley, Mr. Patchin appeared within the bar of the House, and took the oath of office as member from the 20th Legislative District.

The Speaker announced that Mr. Patchin would occupy the same position on the several committees as were occupied by Mr. Chamberlain.

On motion of Mr. Washburn, the rules were suspended, and the vote whereby

H. F. No. 7, A bill for an act to amend an act entitled "an act to incorporate the Minnesota Western Railroad Company, approved March third, one thousand eight hundred and fifty three, and the acts amendatory thereof," approved February fourth, one thousand eight hundred and seventy,

Was passed was reconsidered.

On motion of Mr. Washburn, the bill was referred to the judiciary committee for examination.

General orders having been reached the House resolved itself into committee of the whole,

Mr. Barton in the chair.

After some time spent therein the committee rose and reported that they had had under consideration

The general orders, and report progress.

On motion of Mr. Sibley, the House adjourned.

S. P. JENNISON,
Chief Clerk.