

**Minnesota legislative manual / compiled by the Secretary of the Senate and the Clerk of the House.**

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# MINNESOTA

## LEGISLATIVE MANUAL.

1868.

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**Compiled by the Secretary of the Senate and Clerk of the House.**

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**SAINT PAUL:**  
**OFFICE OF THE PRESS PRINTING CO.**  
**1868.**





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**CIVIL GOVERNMENT**  
**OF MINNESOTA,**  
**FOR THE POLITICAL YEAR**  
**1868.**

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**EXECUTIVE.**

**GOVERNOR,**

**WILLIAM R. MARSHALL.**

*Governor's Private Secretary, Gen'l S. P. Jennison.*

**LIEUT. GOVERNOR,**

**THOMAS H. ARMSTRONG.**

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**SECRETARY OF STATE,**

**HENRY C. ROGERS.**

*Assistant Secretary of State, Pennock Pusey.*

## LEGISLATIVE.

## SENATE.

<i>First District</i> , .....	Geo. L. Becker.
<i>Second District</i> , .....	William H. C. Folsom.
<i>Third District</i> , .....	C. A. Gilman.
<i>Fourth District</i> , .....	J. S. Pillsbury.
<i>Fifth District</i> , .....	C. H. Pettit.
<i>Sixth District</i> , .....	H. L. Gordon.
<i>Seventh District</i> , .....	Seagrave Smith.
<i>Eighth District</i> , .....	O. F. Perkins.
<i>Ninth District</i> , .....	Warren Bristol.
<i>Tenth District</i> , .....	J. L. Armstrong.
<i>Eleventh District</i> , .....	Benjamin Franklin.
<i>Twelfth District</i> , .....	J. V. Daniels.
<i>Thirteenth District</i> , .....	Geo. F. Potter.
<i>Fourteenth District</i> , .....	Luke Miller.
<i>Fifteenth District</i> , .....	W. E. Harris.
<i>Sixteenth District</i> , .....	A. Armstrong.
<i>Seventeenth District</i> , .....	E. P. Freeman.
<i>Eighteenth District</i> , .....	L. L. Baxter.
<i>Nineteenth District</i> , .....	C. T. Brown.
<i>Twentieth District</i> , .....	J. B. Wakefield.
<i>Twenty-first District</i> , .....	C. W. Griggs.
<i>Twenty-second District</i> , .....	Reuben Butters.

## OFFICERS OF THE SENATE.

PRESIDENT,

LIEUTENANT GOVERNOR T. H. ARMSTRONG,

Ex-Officio.

<i>Secretary,</i> .....	A. B. Webber.
<i>Assistant Secretary,</i> .....	F. E. Snow.
<i>Enrolling Clerk,</i> .....	S. H. Nichols.
<i>Engrossing Clerk,</i> .....	A. M. Olin.
<i>Sergeant-at-Arms,</i> .....	G. R. Wedgewood.
<i>Fireman,</i> .....	J. P. Plummer.
<i>Chaplain,</i> .....	L. G. White.
<i>Messengers,</i> .....	George E. Bryant, Fred. E. Nichols.

## HOUSE OF REPRESENTATIVES.

<i>First District,</i> .....	William P. Murray, De Witt C. Jones, Charles H. Lienau.
<i>Second District,</i> .....	J. W. Furber, Thomas Lowell.
<i>Third District,</i> .....	D. G. Pettijohn, N. H. Miner.
<i>Fourth District,</i> .....	Samuel Ross.
<i>Fifth District,</i> .....	C. D. Davison, Charles H. Clark, John H. Hechtman.

<i>Sixth District,</i> .....	Lewis Harrington, J. B. Salisbury.
<i>Seventh District,</i> .....	R. J. Chewning, Robert Foster.
<i>Eighth District,</i> .....	Christian Erb, Jesse Ames.
<i>Ninth District,</i> .....	E. G. Comstock, K. K. Finseth, J. F. Pingrey.
<i>Tenth District,</i> .....	George Bryant, Frank W. Seeley.
<i>Eleventh District,</i> .....	H. W. Hill, George B. Dresbach, John Ball.
<i>Twelfth District,</i> .....	Charles Stewart, S. W. Eaton, Caleb Sawyer.
<i>Thirteenth District,</i> .....	J. P. Schaller, Isaac Thompson.
<i>Fourteenth District,</i> .....	J. Q. Farmer, Hiram Walker, W. W. Braden, William Meighen.
<i>Fifteenth District,</i> .....	D. A. Shaw, E. K. Proper.
<i>Sixteenth District,</i> .....	William R. Kinyon, J. E. Smith, George A. La Dow.
<i>Seventeenth District,</i> .....	John A. Reed, O. O. Pitcher.
<i>Eighteenth District,</i> .....	William Henry.
<i>Nineteenth District,</i> .....	John Rudolph, Adam Buck.
<i>Twentieth District,</i> .....	A. B. Colton.
<i>Twenty-first District,</i> .....	Isaac Lewis.
<i>Twenty-second District,</i> .....	Dennis Doyle.

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<i>Chief Clerk</i> , .....	S. P. Jennison.
<i>Assistant Clerk</i> , .....	Mark D. Flower.
<i>Enrolling Clerk</i> , .....	B. Kihlholz.
<i>Engrossing Clerk</i> , .....	Peter McCracken.
<i>Sergeant-at-Arms</i> , .....	A. H. Reed.
<i>Fireman</i> , .....	John Benson.
<i>Chaplain</i> , .....	Rev. C. D. Bowdish.
<i>Messengers</i> , .....	William Caine.
	Joseph Wilson.

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<i>Deputy Warden</i> , .....	Robert K. Davis.
<i>Inspectors</i> , .....	William M. McCluer, Z. H. Foss, H. A. Jackman.
<i>Physician</i> , .....	H. F. Noyes.
<i>Chaplain</i> , .....	J. S. Howell.

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	Miss A. L. Steele.
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<i>Attending Physician,</i> .....	Z. B. Nichols.
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<i>Steward,</i> .....	George W. Tower.

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## AGRICULTURAL COLLEGE BOARD.

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                                  Jabez Brooks.  
                                  Henry Hill.  
                                  B. A. Lowell.  
                                  R. S. Donaldson.

# CONSTITUTION

## OF THE

# STATE OF MINNESOTA.

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### PREAMBLE.

WE, the people of the State of Minnesota, grateful to God for our civil and religious liberty, and desiring to perpetuate its blessings, and secure the same to ourselves and our posterity, do ordain and establish this Constitution :

### ARTICLE I.—BILL OF RIGHTS.

SECTION 1. Government is instituted for the security, benefit and protection of the people, in whom all political power is inherent, together with the right to alter, modify or reform such Government, whenever the public good may require it.

SEC. 2. No member of this State shall be disfranchised, or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land, or the judgment of his peers. There shall be neither slavery nor involuntary servitude in the State, otherwise than in the punishment of crime, whereof the party shall have been duly convicted.

SEC. 3. The liberty of the press shall forever remain inviolate, and all persons may freely speak, write and publish their senti-

ments on all subjects, being responsible for the abuse of such right.

SEC. 4. The right of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy, but a jury trial may be waived by the parties in all cases, in the manner prescribed by law.

SEC. 5. Excessive bail shall not be required, nor shall excessive fines be imposed; nor shall cruel or unusual punishments be inflicted

SEC. 6. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the County or District wherein the crime shall have been committed, which County or District shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel in his defense.

SEC. 7. No person shall be held to answer for a criminal offense unless on the presentment or indictment of a Grand Jury, except in cases of impeachment or in cases cognizable by justices of the peace, or arising in the army or navy, or in the militia when in actual service in time of war or public danger, and no person for the same offense shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to [be] witness against himself, nor be deprived of life, liberty, or property, without due process of law. All persons shall before conviction be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great; and the privilege of the writ of *habeas corpus* shall not be suspended, unless, when in cases of rebellion or invasion, the public safety may require.

SEC. 8. Every person is entitled to a certain remedy in the laws for all injuries or wrongs which he may receive in his person, property or character; he ought to obtain justice freely and without purchase; completely and without denial; promptly and without delay, conformably to the laws.

SEC. 9. Treason against the State shall consist only in levying

war against the same, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

SEC. 10. The right of the people to be secure in their persons' houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

SEC. 11. No bill of attainder, *ex post facto* law, nor any law impairing the obligation of contracts shall ever be passed, and no conviction shall work corruption of blood or forfeiture of estate.

SEC. 12. No person shall be imprisoned for debt in this State, but this shall not prevent the Legislature from providing for imprisonment, or holding to bail persons charged with fraud in contracting said debt. A reasonable amount of property shall be exempt from seizure or sale, for the payment of any debt or liability; the amount of such exemption shall be determined by law.

SEC. 13. Private property shall not be taken for public use without just compensation therefor, first paid or secured.

SEC. 14. The military shall be subordinate to the civil power, and no standing army shall be kept up in this State in time of peace.

SEC. 15. All lands within this State are declared to be allodial, and feudal tenures of every description, with all their incidents, are prohibited. Leases and grants of agricultural lands for a longer period than twenty-one years, hereafter made, in which shall be reserved any rent or service of any kind, shall be void.

SEC. 16. The enumeration of rights in this Constitution, shall not be construed to deny or impair others retained by and inherent in the people. The right of every man to worship God according to the dictates of his own conscience shall never be infringed, nor shall any man be compelled to attend, erect, or

support any places of worship, or to maintain any religious or ecclesiastical ministry against his consent, nor shall any control of, or interference with the rights of conscience be permitted, or any preference be giving by law to any religious establishment or mode of worship; but the liberty of conscience hereby secured, shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the State, nor shall any money be drawn from the treasury for the benefit of any religious societies, or religious or theological seminaries.

SEC. 17. No religious test or amount of property shall ever be required as a qualification for any office of public trust under the State. No religious test or amount of property shall ever be required as a qualification of any voter at any election in this State; nor shall any person be rendered incompetent to give evidence in any court of law or equity in consequence of his opinion upon the subject of religion.

## ARTICLE II.—ON NAME AND BOUNDARIES.

SECTION 1. The State shall be called and known by the name of the State of Minnesota, and shall consist of and have jurisdiction over the Territory embraced in the following boundaries, to wit: Beginning at the point in the centre of the main channel of the Red River of the North, where the boundary line between the United States and the British Possessions crosses the same; thence up the main channel of said river to that of the Bois de Sioux River; thence up the main channel of said river to Lake Traverse; thence up the centre of said lake to the southern extremity thereof; thence in a direct line to the head of Big Stone Lake, thence through its centre to its outlet; thence by a due south line to the north line of the State of Iowa; thence east along the northern boundary of said State to the main channel of the Mississippi river; thence up the main channel of said river and following the boundary of the State of Wisconsin, until the same intersects the St. Louis river; thence down the said river to and through Lake Superior, on the boundary line

of Wisconsin and Michigan, until it intersects the dividing line between the United States and British Possessions; thence up Pigeon river and following said dividing line to the place of beginning.

SEC. 2. The State of Minnesota shall have concurrent jurisdiction on the Mississippi and on all other rivers and waters bordering on said State of Minnesota, so far as the same shall form a common boundary to said State, and any other State or States now or hereafter to be formed by the same; and said river and waters, and navigable waters leading into the same, shall be common highways, and forever free, as well to the inhabitants of said State as to other citizens of the United States, without any tax, duty, impost or toll therefor.

SEC. 3. The propositions contained in the act of Congress entitled "An Act to authorize the people of the Territory of Minnesota to form a Constitution and State Government preparatory to their admission into the Union on an equal footing with the original States," are hereby accepted, ratified and confirmed, and shall remain irrevocable without the consent of the United States; and it is hereby ordained that this State shall never interfere with the primary disposal of the soil within the same, by the United States, or with any regulations Congress may find necessary for securing the title to said soil to bona fide purchasers thereof; and no tax shall be imposed on lands belonging to the United States, and in no case shall non-resident proprietors be taxed higher than residents.

### ARTICLE III.

#### DISTRIBUTION OF THE POWERS OF GOVERNMENT.

SECTION 1. The powers of government shall be divided into three distinct departments, Legislative, Executive and Judicial; and no person or persons belonging to or constituting one of these departments, shall exercise any of the powers properly belonging to either of the others, except in the instances expressly provided in this Constitution.

### ARTICLE IV.—LEGISLATIVE DEPARTMENT.

SECTION 1. The Legislature of the State, shall consist of a

Senate and House of Representatives, who shall meet at the seat of government of the State, at such times as shall be prescribed by law.

SEC. 2. The number of members who compose the Senate and House of Representatives shall be prescribed by law, but the representation in the Senate shall never exceed one member for every five thousand inhabitants, and in the House of Representatives one member for every two thousand inhabitants. The representation in both Houses shall be apportioned equally throughout the different sections of the State, in proportion to the population thereof, exclusive of Indians not taxable under the provisions of law.

SEC. 3. Each House shall be judge of the election returns, and eligibility of its own members; a majority of each shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as it may provide.

SEC. 4. Each House may determine the rules of its proceedings, sit upon its own adjournment, punish its members for disorderly behavior, and with the concurrence of two-thirds, expel a member, but no member shall be expelled a second time for the same offense.

SEC. 5. The House of Representatives shall elect its presiding officer, and the Senate and House of Representatives shall elect such other officers as may be provided by law; they shall keep Journals of their proceedings, and from time to time publish the same, and the yeas and nays, when taken on any question, shall be entered on such Journals.

SEC. 6. Neither House shall, during the session of the Legislature, adjourn for more than three days, (Sunday excepted,) nor to any other place than that in which the two Houses shall be assembled, without the consent of the other House.

SEC. 7. The compensation of Senators and Representatives shall be three dollars per diem, during the first session, but may afterwards be prescribed by law. But no increase of compensation shall be prescribed which shall take effect during the pe-

riod for which the members of the existing House of Representatives may have been elected.

SEC. 8. The members of each House shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during the session of their respective Houses, and in going to or returning from the same. For any speech or debate in either House they shall not be questioned in any other place.

SEC. 9. No Senator or Representative shall, during the time for which he is elected, hold any office under the authority of the United States, or the State of Minnesota, except that of Postmaster; and no Senator or Representative shall hold any office under the State, which had been created, or the emoluments of which had been increased during the session of the Legislature of which he was a member, until one year after the expiration of his term of office in the Legislature.

SEC. 10. All bills for raising a revenue shall originate in the House of Representatives, but the Senate may propose and concur with amendments as on other bills.

SEC. 11. Every bill which shall have passed the Senate and House of Representatives, in conformity to the rules of each House and the joint rules of the two Houses, shall before it becomes a law, be presented to the Governor of the State. If he approve he shall sign and deposit it in the office of the Secretary of State for preservation, and notify the House where it originated of the fact. But if not, he shall return it, with his objections, to the House in which it shall have originated, when such objections shall be entered at large on the Journal of the same, and the House shall proceed to reconsider the bill. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, its shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if it be approved by two-thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the Journal of each House respectively. If any bill shall not be returned by the Governor within three days, (Sundays excepted.)



after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature, by adjournment within that time, prevent its return, in which case it shall not be a law. The Governor may approve, sign and file in the office of the Secretary of State, within three days after the adjournment of the Legislature, any act passed during the three last days of the session, and the same shall become a law.

SEC. 12. No money shall be appropriated except by bill. Every order, resolution or vote requiring the concurrence of the two Houses, (except such as relate to the business or adjournment of the same,) shall be presented to the Governor for his signature, and before the same shall take effect, shall be approved by him, or being returned by him with his objections, shall be re-passed by two-thirds of the members of the two Houses, according to the rules and limitations prescribed in case of a bill.

SEC. 13. The style of all laws of this State shall be: "Be it enacted by the Legislature of the State of Minnesota." No law shall be passed unless voted for by a majority of all the members elected to each branch of the Legislature, and the vote entered upon the Journal of each House.

SEC. 14. The House of Representatives shall have the sole power of impeachment, through a concurrence of a majority of all the members elected to seats therein. All impeachments shall be tried by the Senate; and when sitting for that purpose, the Senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the members present.

SEC. 15. The Legislature shall have full power to exclude from the privilege of electing or being elected, any person convicted of bribery, perjury, or any other infamous crime.

SEC. 16. Two or more members of either House shall have liberty to dissent and protest against any act or resolution which they may think injurious to the public or to any individual, and have the reason of their dissent entered on the Journal.

SEC. 17. The Governor shall issue writs of election to fill such vacancies as may occur in either House of the Legislature. The

Legislature shall prescribe by law the manner in which evidence in cases of contested seats in either House shall be taken.

SEC. 18. Each House may punish by imprisonment, during its session, any person not a member who shall be guilty of any disorderly or contemptuous behavior in their presence, but no such imprisonment shall at any time exceed twenty-four hours.

SEC. 19. Each House shall be open to the public during the sessions thereof, except in such cases as in their opinion may require secrecy.

SEC. 20. Every bill shall be read on three different days in each separate House, unless in case of urgency two-thirds of the House where such bill is depending, shall deem it expedient to dispense with this rule, and no bill shall be passed by either House until it shall have been previously read twice at length.

SEC. 21. Every bill having passed both Houses, shall be carefully enrolled, and shall be signed by the presiding officer of each House. Any presiding officer refusing to sign a bill which shall have previously passed both Houses, shall thereafter be incapable of holding a seat in either branch of the Legislature, or hold any other office of honor or profit in the State, and in case of such refusal, each House shall, by rule, provide the manner in which such bill shall be properly certified for presentation to the Governor.

SEC. 22. No bill shall be passed by either House of the Legislature upon the day prescribed for the adjournment of the two Houses. But this section shall not be so construed as to preclude the enrollment of a bill, or the signature and passage from one House to the other, or the reports thereon from committees, or its transmission to the Executive for his signature.

SEC. 23. The Legislature shall provide by law for the enumeration of the inhabitants of this State in the year one thousand eight hundred and sixty-five, and every tenth year thereafter. At their first session after each enumeration so made, and also at their first session after each enumeration made by the authority of the United States, the Legislature shall have the power to prescribe the bounds of Congressional, Senatorial and Representative districts, and to apportion anew the Senators and

Representatives among the several districts, according to the provisions of section second of this article.

SEC. 24. The Senators shall also be chosen by single districts of convenient contiguous territory, at the same time that the members of the House of Representatives are required to be chosen, and in the same manner, and no Representative district shall be divided in the formation of a Senate district. The Senate districts shall be numbered in regular series, and the Senators chosen by the districts designated by odd numbers shall go out of office at the expiration of the first year, and the Senators chosen by the districts designated by even numbers shall go out of office at the expiration of the second year; and thereafter the Senators shall be chosen for the term of two years, except there shall be an entire new election of all the Senators at the election next succeeding each new apportionment provided for in this article.

SEC. 25. Senators and Representatives shall be qualified voters of the State, and shall have resided one year in the State, and six months immediately preceding the election in the district from which they are elected.

SEC. 26. Members of the Senate of the United States from this State shall be elected by the two Houses of the Legislature in joint convention, at such times and in such manner as may be provided by law.

SEC. 27. No law shall embrace more than one subject, which shall be expressed in its title.

SEC. 28. Divorces shall not be granted by the Legislature.

SEC. 29. All members and officers of both branches of the Legislature shall, before entering upon the duties of their respective trusts, take and subscribe an oath or affirmation to support the Constitution of the United States, the Constitution of the State of Minnesota, and faithfully and impartially to discharge the duties devolving upon him as such member or officer.

SEC. 30. In all elections to be made by the Legislature, the members thereof shall vote *viva voce*, and their votes shall be entered on the Journal.

SEC. 31. The Legislature shall never authorize any lottery, or the sale of lottery tickets.

#### ARTICLE V.—EXECUTIVE DEPARTMENT.

SECTION 1. The Executive Department shall consist of a Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, and Attorney General, who shall be chosen by the electors of the State.

SEC. 2. The returns of every election, for the officers named in the foregoing section, shall be made to the Secretary of State and by him transmitted to the Speaker of the House of Representatives, who shall cause the same to be opened and canvassed before both Houses of the Legislature, and the result declared within three days after each House shall be organized.

SEC. 3. The term of office for the Governor and Lieutenant Governor shall be two years and until their successors are chosen and qualified. Each shall have attained the age of twenty-five (25) years, and shall have been a *bona fide* resident of the State for one year next preceding his election. Both shall be citizens of the United States.

SEC. 4. The Governor shall communicate by message to each session of the Legislature such information touching the state and condition of the country as he may deem expedient. He shall be Commander-in-Chief of the Military and Naval forces, and may call out such forces to execute the laws, suppress insurrection and repel invasion. He may require the opinion, in writing, of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons, after conviction, for offenses against the State, except in cases of impeachment. He shall have power, by and with the advice and consent of the Senate, to appoint a State Librarian and notaries public; and such other officers as may be provided by law. He shall have power to appoint commissioners to take the acknowledgment of deeds, or other instruments in writing, to be used in the State. He shall have a negative upon all laws passed by the Legislature, under such rules and limita-

tions as are in this constitution prescribed. He may on extraordinary occasions convene both Houses of the Legislature. He shall take care that the laws be faithfully executed, fill any vacancy that may occur in the office of Secretary of State, Treasurer, Auditor, Attorney General, and such other State and District offices as may be hereafter created by law, until the next annual election, and until their successors are chosen and qualified.

SEC. 5. The official term of the Secretary of State, Treasurer and Attorney General shall be two years. The official term of the Auditor shall be three years, and each shall continue in office until his successor shall have been elected and qualified. The Governor's salary for the first term under this constitution shall be two thousand five hundred dollars per annum. The salary of the Secretary of State for the first term shall be fifteen hundred dollars per annum. The Auditor, Treasurer, and Attorney General shall, each, for the first term receive a salary of one thousand dollars per annum. And the further duties and salaries of said Executive officers shall each thereafter be prescribed by law.

SEC. 6. The Lieutenant Governor shall be *ex-officio* President of the Senate; and in case a vacancy should occur, from any cause whatever, in the office of Governor, he shall be Governor during such vacancy. The compensation of Lieutenant Governor shall be double the compensation of a State Senator. Before the close of each session of the Senate, they shall elect a President *pro tempore*, who shall be Lieutenant Governor in case a vacancy should occur in that office.

SEC. 7. The term of each of the Executive officers named in this article shall commence upon taking the oath of office, after the State shall be admitted by Congress into the Union, and continue until the first Monday in January, eighteen hundred and sixty, except the Auditor, who shall continue in office until the first Monday in January, eighteen hundred and sixty-one, and until their successors shall have been duly elected and qualified.

SEC. 8. Each officer created by this article, shall before enter-

ing upon his duties, take an oath or affirmation to support the Constitution of the United States, and of this State, and faithfully discharge the duties of his office to the best of his judgment and ability.

SEC. 9. Laws shall be passed at the first session of the Legislature after the State is admitted into the Union, to carry out the provisions of this article.

# ARTICLE VI.—JUDICIARY.

SECTION 1. The Judicial power of the State shall be vested in a Supreme Court, District Courts, Courts of Probate, Justices of the Peace, and such other Courts, inferior to the Supreme Court, as the Legislature may from time to time establish by a two-thirds vote.

SEC. 2. The Supreme Court shall consist of one Chief Justice and two Associate Justices, but the number of the Associate Justices may be increased to a number not exceeding four, by the Legislature, by a two-thirds vote, when it shall be deemed necessary. It shall have original jurisdiction in such remedial cases as may be prescribed by law, and appellate jurisdiction in all cases both in law and equity, but there shall be no trial by jury in said Court. It shall hold one or more terms in each year, as the Legislature may direct, at the seat of government, and the Legislature may provide by a two-thirds vote, that one term in each year shall be held in each or any Judicial District. It shall be the duty of such Court to appoint a Reporter of its decisions. There shall be chosen by the qualified electors of the State, one Clerk of the Supreme Court, who shall hold his office for the term of three years, and until his successor is duly elected and qualified, and the Judges of the Supreme Court, or a majority of them, shall have the power to fill any vacancy in the office of Clerk of the Supreme Court until an election can be regularly had.

SEC. 3. The Judges of the Supreme Court shall be elected by the electors of the State at large, and their term of office shall be seven years, and until their successors are elected and qualified.

SEC. 4. The State shall be divided by the Legislature into

six judicial districts, which shall be composed of contiguous territory, be bounded by county lines, and contain a population as nearly equal as may be practicable. In each judicial district one judge shall be elected by the electors thereof, who shall constitute said court, and whose term of office shall be seven years. Every district judge shall at the time of his election, be a resident of the district for which he shall be elected, and shall reside therein during his continuance in office.

SEC. 5. The district court shall have original jurisdiction in all civil cases, both in law and equity, where the amount in controversy exceeds one hundred dollars, and in all criminal cases where the punishment shall exceed three months' imprisonment, or a fine of more than one hundred dollars, and shall have such appellate jurisdiction as may be prescribed by law. The Legislature may provide by law that the judge of one district may discharge the duties of the judge of any other district not his own, when convenience or the public interest may require it.

SEC. 6. The Judges of the Supreme and District Courts shall be men learned in the law, and shall receive such compensation at stated times, as may be prescribed by the Legislature, which compensation shall not be diminished during their continuance in office, but they shall receive no other fee or reward for their services.

SEC. 7. There shall be established in each organized county in the State a Probate Court, which shall be a Court of Record, and be held at such times and places as may be prescribed by law. It shall be held by one judge, who shall be elected by the voters of the county for the term of two years. He shall be a resident of such county at the time of his election, and reside therein during his continuance in office, and his compensation shall be provided by law. He may appoint his own clerk where none has been elected, but the Legislature may authorize the election by the electors of any county, of one Clerk or Register of Probate for such county, whose powers, duties, term of office and compensation shall be prescribed by law. A Probate Court shall have jurisdiction over the estates of deceased persons, and

persons under guardianship, but no other jurisdiction, except as prescribed by this Constitution.

SEC. 8. The Legislature shall provide for the election of a sufficient number of Justices of the Peace in each county, whose term of office shall be two years, and whose duties and compensation shall be prescribed by law: *Provided*, That no Justice of the Peace shall have jurisdiction of any civil cause where the amount in controversy shall exceed one hundred dollars, nor in a criminal cause where the punishment shall exceed three months' imprisonment, or a fine of over one hundred dollars, nor in any cause involving the title to real estate.

SEC. 9. All judges other than those provided for in this Constitution shall be elected by the electors of the judicial district, county or city, for which they shall be created, not for a longer term than seven years.

SEC. 10. In case the office of any judge shall become vacant before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the Governor until a successor is elected and qualified. And such successor shall be elected at the first annual election that occurs more than thirty days after the vacancy shall have happened.

SEC. 11. The Justices of the Supreme Court and the District Courts shall hold no office under the United States, nor any other office under this State. And all votes for either of them for any elective office under this constitution, except a judicial office, given by the Legislature or the people, during their continuance in office, shall be void.

SEC. 12. The Legislature may at any time change the number of judicial districts or their boundaries, when it shall be deemed expedient, but no such change shall vacate the office of any judge.

SEC. 13. There shall be elected in each county where a District Court shall be held, one clerk of said court, whose qualifications, duties and compensation shall be prescribed by law, and whose term of office shall be four years.

SEC. 14. Legal pleadings and proceedings in the courts of this State shall be under the direction of the Legislature. The



style of all process shall be "The State of Minnesota," and all indictments shall conclude, "against the peace and dignity of the State of Minnesota."

SEC. 15. The Legislature may provide for the election of one person in each organized county in this State, to be called a Court Commissioner, with judicial power and jurisdiction not exceeding the power and jurisdiction of a judge of the district court at chambers; or the Legislature may, instead of such election, confer such power and jurisdiction upon judges of probate in the State.

#### ARTICLE VII.—ELECTIVE FRANCHISE.

SECTION 1. Every male person of the age of twenty-one years or upwards belonging to either of the following classes, who shall have resided in the United States one year, and in this State for four months next preceding any election, shall be entitled to vote at such election, in the election district of which he shall at the time have been for ten days a resident, for all officers that now are, or hereafter may be, elective by the people.

*First.* White citizens of the United States.

*Second* White persons of foreign birth, who shall have declared their intention to become citizens, conformably to the laws of the United States upon the subject of naturalization.

*Third.* Persons of mixed, white and Indian blood, who have adopted the customs and habits of civilization.

*Fourth.* Persons of Indian blood residing in this State, who have adopted the language, customs and habits of civilization, after an examination before any District Court of the State, in such manner as may be provided by law, and shall have been pronounced by said court capable of enjoying the rights of citizenship within the State.

SEC. 2. No person not belonging to one of the classes specified in the preceding section; no person who has been convicted of treason or any felony, unless restored to civil rights; and no person under guardianship or who may be *non compos mentis* or insane, shall be entitled or permitted to vote at any election in this State.

**SEC. 3.** For the purpose of voting, no person shall be deemed to have lost a residence by reason of his absence while employed in the service of the United States; nor while engaged upon the waters of this State or of the United States; nor while a student of any seminary of learning; nor while kept at any almshouse or asylum; nor while confined in any public prison.

**SEC. 4.** No soldier, seaman or marine in the army or navy of the United States, shall be deemed a resident of this State in consequence of being stationed within the same.

**SEC. 5.** During the day on which any election shall be held, no person shall be arrested by virtue of any civil process.

**SEC. 6.** All elections shall be by ballot, except for such town officers as may be directed by law to be otherwise chosen.

**SEC. 7.** Every person who, by the provisions of this article, shall be entitled to vote at any election, shall be eligible to any office which now is, or hereafter shall be, elective by the people in the district wherein he shall have resided thirty days previous to such election, except as otherwise provided in this Constitution, or the Constitution and Laws of the United States.

## ARTICLE VIII.

### SCHOOL FUNDS, EDUCATION AND SCIENCE.

**SECTION 1.** The stability of a Republican form of government depending mainly upon the intelligence of the people, it shall be the duty of the Legislature to establish a general and uniform system of public schools.

**SEC. 2.** The proceeds of such lands as are or hereafter may be granted by the United States for the use of schools in each township in this State, shall remain a perpetual school fund to the State, and not more than one third (1-3) of said lands may be sold in two (2) years, one-third (1-3) in five (5) years, and one-third (1-3) in ten (10) years; but the lands of the greatest valuation shall be sold first, provided that no portion of said lands shall be sold otherwise than at public sale. The principal of all funds arising from sales, or other disposition of lands, or other property, granted or entrusted to this State in each township for educational purposes, shall forever be preserved inviolate

and undiminished; and the income arising from the lease or sale of said school lands shall be distributed to the different townships throughout the State, in proportion to the number of scholars in each township between the ages of five and twenty-one years, and shall be faithfully applied to the specific objects of the original grants or appropriations.

SEC. 3. The Legislature shall make such provisions, by taxation or otherwise, as, with the income arising from the school fund, will secure a thorough and efficient system of public schools in each township in the State.

SEC. 4. The location of the University of Minnesota, as established by existing laws, is hereby confirmed, and said institution is hereby declared to be the University of the State of Minnesota. All the rights, immunities, franchises and endowments heretofore granted or conferred, are hereby perpetuated unto the said University, and all lands which may be granted hereafter by Congress, or other donations for said University purposes, shall vest in the institution referred to in this section.

## ARTICLE IX.

### FINANCES OF THE STATE, AND BANKS AND BANKING.

SECTION 1. All taxes to be raised in this State shall be as nearly equal as may be, and all property on which taxes are to be levied shall have a cash valuation, and be equalized and uniform throughout the State.

SEC. 2. The Legislature shall provide for an annual tax sufficient to defray the estimated expenses of the State for each year, and whenever it shall happen that such ordinary expenses of the State for any year shall exceed the income of the State for such year, the Legislature shall provide for levying a tax for the ensuing year sufficient, with other sources of income, to pay the deficiency of the preceding year, together with the estimated expenses of such ensuing year.

SEC. 3. Laws shall be passed taxing all moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise, and also all real and personal property, according to its true value in money; but public burying grounds, public school

houses, public hospitals, academies, colleges, universities, and all seminaries of learning, all churches, church property used for religious purposes and houses of worship, institutions of purely public charity, public property used exclusively for any public purpose, and personal property to an amount not exceeding in value two hundred dollars for each individual, shall, by general laws, be exempt from taxation.

SEC. 4. Laws shall be passed for taxing the notes and bills discounted or purchased, moneys loaned, and all other property, effects or dues of every description, of all banks and all bankers; so that all property employed in banking shall always be subject to a taxation equal to that imposed on the property of individuals.

SEC. 5. For the purpose of defraying extraordinary expenditures, the State may contract public debts, but such debts shall never, in the aggregate, exceed two hundred and fifty thousand dollars; every such debt shall be authorized by law, for some single object, to be distinctly specified therein; and no such law shall take effect until it shall have been passed by the vote of two-thirds of the members of each branch of the Legislature, to be recorded by yeas and nays on the Journals of each House respectively; and every such law shall levy a tax annually sufficient to pay the annual interest of such debt, and also a tax sufficient to pay the principal of such debt within ten years from the final passage of such law, and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation and taxes shall not be repealed, postponed, or diminished until the principal and interest of such debt shall have been wholly paid. The State shall never contract any debts for works of internal improvement, or be a party in carrying on such works, except in cases where grants of land, or other property, shall have been made to the State, especially dedicated by the grant to specific purposes, and in such cases the State shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion.

SEC. 6. All debts authorized by the preceding section shall be contracted by loan on State bonds of amounts not less than

five hundred dollars each, on interest, payable within ten years after the final passage of the law authorizing such debt; and such bonds shall not be sold by the State under par. A correct registry of all such bonds shall be kept by the Treasurer, in numerical order, so as always to exhibit the number and amount unpaid, and to whom severally made payable.

SEC. 7. The State shall never contract any public debt, unless in time of war, to repel invasion or suppress insurrection, except in the cases and in the manner provided in the fifth and sixth sections of this Article.

SEC. 8. The money arising from any loan made or debt or liability contracted, shall be applied to the object specified in the act authorizing such debt or liability, or to the re-payment of such debt or liability, and to no other purpose whatever.

SEC. 9. No money shall ever be paid out of the Treasury of this State, except in pursuance of an appropriation by law.

SEC. 10. The credit of the State shall never be given or loaned in aid of any individual association or corporation: [Nor shall there be any further issue of bonds denominated "Minnesota State Railroad Bonds," under what purports to be an amendment to section ten (10) of article nine (9) of the Constitution, adopted April fifteenth, eighteen hundred and fifty-eight, which is hereby expunged from the Constitution, saving, excepting and reserving to the State, nevertheless, all rights, remedies and forfeitures accruing under said amendment.]

SEC. 11. There shall be published by the Treasurer, in at least one newspaper printed at the seat of government, during the first week of January in each year, and in the next volume of the acts of the Legislature, detailed statements of all moneys drawn from the Treasury during the preceding year, for what purposes and to whom paid, and by what law authorized; and also of all moneys received, and by what authority, and from whom.

SEC. 12. Suitable laws shall be passed by the Legislature for the safe keeping, transfer, and disbursements of the State and School funds, and all officers and other persons charged with the same shall be required to give ample security for all moneys and funds of any kind, to keep an accurate entry of each sum received,

and of each payment and transfer, and if any of said officers or other persons shall convert to his own use in any form, or shall loan with or without interest, contrary to law, or shall deposit in banks, or exchange for other funds, any portion of the funds of the State, every such act shall be adjudged to be an embezzlement of so much of the State funds as shall be thus taken, and shall be declared a felony; and any failure to pay over or produce the State or School funds intrusted to such persons, on demand, shall be held and taken to be *prima facie* evidence of such embezzlement.

SEC. 13. The Legislature may, by a two-thirds vote, pass a General Banking Law, with the following restrictions and requirements, viz:

*First*—The Legislature shall have no power to pass any law sanctioning in any manner, directly or indirectly, the suspension of specie payments by any person, association or corporation issuing bank notes of any description.

*Second*—The Legislature shall provide by law for the registry of all bills or notes issued or put in circulation as money, and shall require ample security in United States stock or State stocks for the redemption of the same in specie, and in case of a depreciation of said stocks, or any part thereof, to the amount of ten per cent. or more on the dollar, the bank or banks owning said stocks shall be required to make up said deficiency by additional stocks.

*Third*—The stockholders in any corporation and joint association for banking purposes issuing bank notes, shall be individually liable in an amount equal to double the amount of stock owned by them for all the debts of such corporation or association, and such individual liability shall continue for one year after any transfer or sale of stock by any stockholder or stockholders.

*Fourth*—In case of the insolvency of any bank or banking association, the bill-holders thereof shall be entitled to preference in payment over all other creditors of such bank or association.

*Fifth*—Any general banking law which may be passed in accordance with this Article, shall provide for recording the names of

all stockholders in such corporations, the amount of stock held by each, the time of transfer, and to whom transferred.

## ARTICLE X.

### OF CORPORATIONS HAVING NO BANKING PRIVILEGES.

SECTION 1. The term "Corporations," as used in this Article, shall be construed to include all associations and joint stock companies having any of the powers and privileges not possessed by individuals or partnerships, except such as embrace banking privileges, and all corporations shall have the right to sue, and shall be liable to be used in all courts in like manner as natural persons.

SEC. 2. No corporations shall be formed under special acts, except for municipal purposes.

SEC. 3. Each stockholder in any corporation shall be liable to the amount of the stock held or owned by him.

SEC. 4. Lands may be taken for public way, for the purpose of granting to any corporation the franchise of way for public use. In all cases, however, a fair and equitable compensation shall be paid for such land, and the damages arising from the taking of the same; but all corporations being common carriers, enjoying the right of way in pursuance of the provisions of this section, shall be bound to carry the mineral, agricultural and other productions or manufactures on equal and reasonable terms.

## ARTICLE XI.—COUNTIES AND TOWNSHIPS.

SECTION 1. The Legislature may from time to time, establish and organize new counties, but no new county shall contain less than four hundred miles; nor shall any county be reduced below that amount; and all laws changing county lines in counties already organized, or for removing county seats, shall, before taking effect, be submitted to the electors of the county or counties to be affected thereby, at the next general election after the passage thereof, and be adopted by a majority of such electors. Counties now established may be enlarged, but not reduced below four hundred (400) square miles.

SEC. 2. The Legislature may organize any city into a

separate county when it has attained a population of twenty thousand inhabitants, without reference to geographical extent, when a majority of the electors of the county in which such city may be situated, voting thereon, shall be in favor of a separate organization.

SEC. 3. Laws may be passed providing for the organization, for municipal and other town purposes, of any Congressional or fractional townships in the several counties in the State, provided that when a township is divided by county lines, or does not contain one hundred inhabitants, it may be attached to one or more adjoining townships or parts of townships, for the purposes aforesaid.

SEC. 4. Provisions shall be made by law for the election of such county or township officers as may be necessary.

SEC. 5. Any county and township organization shall have such powers of local taxation as may be prescribed by law.

SEC. 6. No money shall be drawn from any county or township treasury except by authority of law.

## ARTICLE XII.—OF THE MILITIA.

SECTION 1. It shall be the duty of the Legislature to pass such laws for the organization, discipline and service of the militia of the State as may be deemed necessary.

## ARTICLE XIII.

### IMPEACHMENT AND REMOVAL FROM OFFICE.

SECTION 1. The Governor, Secretary of State, Treasurer, Auditor, Attorney General, and the Judges of the Supreme and District Courts, may be impeached for corrupt conduct in office, or for crimes and misdemeanors; but judgment in such case shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit in this State. The party convicted thereof shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

SEC. 2. The Legislature of this State may provide for the



removal of inferior officers from office for malfeasance or nonfeasance in the performance of their duties.

SEC. 3. No officer shall exercise the duties of his office after he shall have been impeached and before his acquittal.

SEC. 4. On the trial of an impeachment against the Governor, the Lieutenant Governor shall not act as a member of the court.

SEC. 5. No person shall be tried on impeachment before he shall have been served with a copy thereof, at least twenty days previous to the day set for trial.

#### ARTICLE XIV.—AMENDMENTS TO THE CONSTITUTION.

SECTION 1. Whenever a majority of both Houses of the Legislature shall deem it necessary to alter or amend this Constitution, they may propose such alterations or amendments, which proposed amendments shall be published with the laws which have been passed at the same session, and said amendments shall be submitted to the people for their approval or rejection; and if it shall appear in a manner to be provided by law, that a majority of voters present and voting shall have ratified such alterations or amendments, the same shall be valid to all intents and purposes, as a part of this Constitution. If two or more alterations or amendments shall be submitted at the same time, it shall be so regulated that the voters shall vote for or against each separately.

SEC. 2. Whenever two-thirds of the members elected to each branch of the Legislature shall think it necessary to call a convention to revise this Constitution, they shall recommend to the electors to vote, at the next election for members of the Legislature, for or against a Convention; and if a majority of all the electors voting at said election shall have voted for a convention, the Legislature shall, at their next session, provide by law for calling the same. The convention shall consist of as many members as the House of Representatives, who shall be chosen in the same manner, and shall meet within three months after their election for the purpose aforesaid.

#### ARTICLE XV.—MISCELLANEOUS SUBJECTS.

SECTION 1. The seat of Government of the State shall be at

the City of St. Paul, but the Legislature at their first, or any future session, may provide by law for a change of the seat of Government by a vote of the people, or may locate the same upon the land granted by Congress for a seat of Government to the State, and in the event of the seat of Government being removed from the City of St. Paul to any other place in the State, the Capitol building and grounds shall be dedicated to an institution for the promotion of science, literature and the arts, to be organized by the Legislature of the State, and of which institution the Minnesota Historical Society shall always be a department.

SEC. 2. Persons residing on Indian lands within the State shall enjoy all the rights and privileges of citizens, as though they lived in any other portion of the State, and shall be subject to taxation.

SEC. 3. The Legislature shall provide for a uniform oath or affirmation to be administered at elections, and no person shall be compelled to take any other or different form of oath to entitle him to vote.

SEC. 4. There shall be a seal of the State, which shall be kept by the Secretary of State, and be used by him officially, and shall be called by him the Great Seal of the State of Minnesota, and shall be attached to all official acts of the Governor, (his signature to acts and resolves of the Legislature excepted,) requiring authentication. The Legislature shall provide for an appropriate device and motto for said seal.

SEC. 5. The Territorial prison as located under existing laws shall, after the adoption of this Constitution, be and remain one of the State prisons of the State of Minnesota.

## SCHEDULE.

SECTION 1. That no inconvenience may arise by reason of a change from a Territorial to a permanent State Government, it is declared that all rights, actions, prosecutions, judgments, claims and contracts, as well of individuals as of bodies corporate, shall continue as if no change had taken place; and all process which may be issued under the authority of the Terri-

tory of Minnesota previous to its admission into the Union of the United States, shall be as valid as if issued in the name of the State.

SEC. 2. All laws now in force in the Territory of Minnesota not repugnant to this Constitution, shall remain in force until they expire by their own limitation, or be altered or repealed by the Legislature.

SEC. 3. All fines, penalties or forfeitures accruing to the Territory of Minnesota, shall inure to the State.

SEC. 4. All recognizances heretofore taken, or which may be taken before the change from a Territorial to a permanent State Government, shall remain valid, and shall pass to and may be prosecuted in the name of the State, and all bonds executed to the Governor of the Territory, or to any other officer or Court in his or their official capacity, shall pass to the Governor or State authority, and their successors in office, for the uses therein respectively expressed; and may be sued for and recovered accordingly; and all the estate of property, real, personal or mixed, and all judgments, bonds, specialties, choses in action, and claims and debts of whatsoever description, of the Territory of Minnesota, shall enure to and vest in the State of Minnesota, and may be sued for and recovered in the same manner and to the same extent by the State of Minnesota as the same could have been by the Territory of Minnesota. All criminal prosecutions and penal actions which may have arisen or which may arise before the change from a Territorial to a State government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State. All offenses committed against the laws of the Territory of Minnesota before the change from a Territorial to a State Government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Minnesota, with like effect as though such change had not taken place, and all penalties incurred shall remain the same as if this Constitution had not been adopted. All actions at law and suits in equity which may be pending in any of the courts of the Territory of Minnesota at the time of the change from a

**Territorial to a State Government, may be continued and transferred to any court of the State which shall have jurisdiction of the subject matter thereof.**

**SEC. 5.** All Territorial officers, civil and military, now holding their offices under the authority of the United States or of the Territory of Minnesota, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the State.

**SEC. 6.** The first session of the Legislature of the State of Minnesota shall commence on the first Wednesday of December next, and shall be held at the Capitol in the City of St. Paul.

**SEC. 7.** The laws regulating the election and qualification of all district, county and precinct officers, shall continue and be in force until the Legislature shall otherwise provide by law.

**SEC. 8.** The President of the Convention shall, immediately after the adjournment thereof, cause this Constitution to be deposited in the office of the Governor of the Territory, and if after the submission of the same to a vote of the people, as hereinafter provided, it shall appear that it has been adopted by a vote of the people of the State, then the Governor shall forward a certified copy of the same, together with an abstract of the votes polled for and against the said Constitution, to the President of the United States, to be by him laid before the Congress of the United States.

**SEC. 9.** For the purposes of the first election, the State shall constitute one district, and shall elect three members to the House of Representatives of the United States.

**SEC. 10.** For the purposes of the first election for members of State Senate and the House of Representatives, the State shall be divided into Senatorial and Representative districts as follows, viz: 1st District, Washington county; 2d District, Ramsey county; 3d District, Dakota county; 4th District, so much of Hennepin county as lies west of the Mississippi; 5th District, Rice county; 6th District, Goodhue county; 7th District, Scott county; 8th District, Olmsted county; 9th District, Fillmore county; 10th District, Houston county; 11th District, Winona county; 12th District, Wabashaw county; 13th Dis-

trict, Mower and Dodge counties; 14th District, Freeborn and Faribault counties; 15th District, Steele and Waseca counties; 16th District, Blue Earth and LeSueur counties; 17th District, Nicollet and Brown counties; 18th District, Sibley, Renville and McLeod counties; 19th District, Carver and Wright counties; 20th District, Benton, Stearns and Meeker counties; 21st District, Morrison, Crow Wing and Mille Lac counties; 22d District, Cass, Pembina and Todd counties; 23d District, so much of Hennepin county as lies east of the Mississippi; 24th District, Sherburne, Anoka and Manomin counties; 25th District, Chisago, Pine and Isanti counties; 26th District, Buchanan, Carlton, St. Louis, Lake and Itaska counties.

SEC. 11. The counties of Brown, Stearns, Todd, Cass, Pembina and Renville, as applied in the preceding section, shall not be deemed to include any territory west of the State line, but shall be deemed to include all counties and parts of counties east of said line as were created out of the territory of either, at the last session of the Legislature.

SEC. 12. The Senators and Representatives at the first election shall be apportioned among the several Senatorial and Representative Districts as follows, to wit:

1st District .....		2 Senators.....	3 Representatives.
2d	" .....	3	" .....
3d	" .....	2	" .....
4th	" .....	2	" .....
5th	" .....	2	" .....
6th	" .....	1	" .....
7th	" .....	1	" .....
8th	" .....	2	" .....
9th	" .....	2	" .....
10th	" .....	2	" .....
11th	" .....	2	" .....
12th	" .....	1	" .....
13th	" .....	2	" .....
14th	" .....	1	" .....
15th	" .....	1	" .....
16th	" .....	1	" .....

17th District,.....	1	Senator,.....	3	Representatives.
18th    "       .....	1	"       .....	3	"
19th    "       .....	1	"       .....	3	"
20th    "       .....	1	"       .....	3	"
21st    "       .....	1	"       .....	1	"
22d     "       .....	1	"       .....	1	"
23d     "       .....	1	"       .....	2	"
24th    "       .....	1	"       .....	1	"
25th    "       .....	1	"       .....	1	"
26th    "       .....	1	"       .....	1	"
	—		—	
	37		80	

**SEC. 13.** The returns from the 22d District shall be made to, and canvassed by the judges of election at the precinct of Otter Tail City.

**SEC. 14.** Until the Legislature shall otherwise provide, the State shall be divided into Judicial Districts as follows, viz:

The counties of Washington, Chisago, Manomin, Anoka, Isanti, Pine, Buchanan, Carlton, St. Louis, and Lake, shall constitute the First Judicial District.

The county of Ramsey shall constitute the Second Judicial District.

The counties of Houston, Winona, Fillmore, Olmsted, and Wabasha, shall constitute the Third Judicial District.

The counties of Hennepin, Carver, Wright, Meeker, Sherburne, Benton, Stearns, Morrison, Crow Wing, Mille Lac, Itaska, Pembina, Todd, and Cass, shall constitute the Fourth Judicial District.

The counties of Dakota, Goodhue, Scott, Rice, Steele, Waseca, Dodge, Mower and Freeborn, shall constitute the Fifth Judicial District.

The counties of Le Sueur, Sibley, Nicollet Blue Earth Faribault, McLeod, Renville, Brown and other counties in the State, not included within the other Districts, shall constitute the Sixth Judicial District.

**SEC. 15.** Each of the foregoing enumerated Judicial Districts may, at the first election, elect one Prosecuting Attorney for the District.

**SEC. 16.** Upon the second Tuesday, the 13th day of October, 1857, an election shall be held for members of the House of Representatives of the United States, Governor, Lieutenant Governor, Supreme and District Judges, Members of the Legislature, and all other officers designated in this Constitution, and also for the submission of this Constitution to the people for their adoption or rejection.

**SEC. 17.** Upon the day so designated as aforesaid, every free white male inhabitant over the age of twenty-one years, who shall have resided within the limits of the State for ten days previous to the day of said election, may vote for all officers to be elected under this Constitution at such election, and also for or against the adoption of this Constitution.

**SEC. 18.** In voting for or against the adoption of this Constitution, the words "for Constitution," or "against Constitution," may be written or printed on the ticket of each voter, but no voter shall vote for or against this Constitution on a separate ballot from that cast by him for officers to be elected at said election under this Constitution; and if, upon the canvass of the votes so polled it shall appear that there was a greater number of votes polled for than against said Constitution, then this Constitution shall be deemed to be adopted as the Constitution of the State of Minnesota; and all the provisions and obligations of this Constitution, and of the Schedule hereunto attached, shall thereafter be valid to all intents and purposes as the Constitution of said State.

**SEC. 19.** At said election the polls shall be opened, the election held, returns made and certificates issued in all respects as provided by law for opening, closing and conducting elections and making returns of the same, except as hereinbefore specified, and excepting also that polls may be opened and elections held at any point or points, in any of the counties where precincts may be established as provided by law, ten days previous to the day of election, not less than ten miles from the place of voting in any established precinct.

**SEC. 20.** It shall be the duty of the Judges and Clerks of election, in addition to the returns required by law for each precinct, to forward to the Secretary of the Territory by mail immediately after the close of the election, a certified copy of the poll book containing the name of each person who has voted in the precinct and the number of votes polled for and against the adoption of this Constitution.

**SEC. 21.** The returns of said election for and against this Constitution, and for all State officers and members of the House of Representatives of the United States, shall be made and certificates issued in the manner now prescribed by law for returning votes given for Delegates to Congress, and the returns of all District officers, Judicial, Legislative or otherwise, shall be made to the Regtster of Deeds of the senior county in each District, in the manner prescribed by law, except as otherwise provided. The returns for all officers elected at large shall be canvassed by the Governor of the Territory, assisted by Joseph R. Brown and Thomas J. Galbraith, at the time designated by law for canvassing the vote for Delegate to Congress.

**SEC. 22.** If upon canvassing the votes for and against the adoption of this Constitution, it shall appear that there has been polled a greater number of votes against than for it, then no certificate of election shall be issued for any State or District officer provided for in this Constitution, and no State organization shall have validity within the limits of the Territory until otherwise provided for, and until a Constitution for a State government shall have been adopted by the people.

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### AMENDMENT TO SECTION TEN, ARTICLE NINE OF THE CONSTITUTION.

[ADOPTED APRIL 15, 1858.]

*Be it enacted by the Legislature of the State of Minnesota :*

**SECTION 10.** The credit of this State shall never be given or loaned in aid of any individual, association or corporation; ex-



cept that for the purpose of expediting the construction of the lines of railroads, in aid of which the Congress of the United States has granted lands to the Territory of Minnesota, the Governor shall cause to be issued and delivered to each of the companies in which said grants are vested by the Legislative Assembly of Minnesota, the special bonds of the State, bearing an interest of seven per cent. per annum, payable semi-annually in the city of New York, as a loan of public credit, to an amount not exceeding twelve hundred and fifty thousand dollars, or an aggregate amount to all of said companies not exceeding five millions of dollars, in manner following, to wit:

Whenever either of the said companies shall produce to the Governor satisfactory evidence, verified by the affidavits of the Chief Engineer, Treasurer and two Directors of said Company, that any ten miles of the road of said company has been actually constructed and completed, ready for placing the superstructure thereon, the Governor shall cause to be issued and delivered to such company, bonds to the amount of one hundred thousand dollars; and whenever thereafter, and as often as either of said companies shall produce to the Governor, like evidence of a further construction of ten miles of its road, as aforesaid, then the Governor shall cause to be issued to such company further like bonds to the amount of one hundred thousand dollars for each and every ten miles of road thus constructed; and whenever such company shall furnish like evidence that any ten miles of its road is actually completed and cars running thereon, the Governor shall cause to be issued to such company like bonds to the amount of one hundred thousand dollars; and whenever thereafter, and as often as either of said companies shall produce to the Governor like evidence that any further ten miles of said road is in operation as aforesaid, the Governor shall cause to be issued to such company further like bonds to the amount of one hundred thousand dollars until the full amount of the bonds hereby authorized shall be issued: *Provided*, That two-fifths, and no more, of all bonds issued to the Southern Minnesota Railroad Company, shall be expended in the construction and equipment of the line of road from LaCrescent to

the point of junction with the Transit Road, as provided by law. And further provided, that the Minneapolis and Cedar Valley Railroad Company shall commence the construction of their road at Faribault and Minneapolis, and shall grade an equal number of miles from each of said places.

The said bonds thus issued shall be denominated "Minnesota State Railroad Bonds," and the faith and credit of this State are hereby pledged for the payment of the interest and the redemption of the principal thereof. They shall be signed by the Governor, countersigned and registered by the Treasurer, sealed with the seal of the State, of denominations not exceeding one thousand dollars, payable to the order of the company to whom issued, transferable by the endorsement of the President of the said Company, and redeemable at any time after ten and before the expiration of twenty-five years from the date thereof. Within thirty days after the Governor shall proclaim that the people have voted for a loan of State credit to railroads, any of said companies proposing to avail themselves of the loan herein provided for, and to accept the conditions of the same, shall notify the Governor thereof, and shall, within sixty days, commence the construction of their roads, and shall, within two years thereafter, construct ready for the superstructure, at least fifty (50) miles of their road. Each company shall make provision for the punctual payment and redemption of all bonds issued and delivered as aforesaid, to said company, and for the punctual payment of the interest which shall accrue thereon, in such manner as to exonerate the Treasury of this State from any advances of money for that purpose; and as security therefor, the Governor shall demand and receive from each of said companies, before any of said bonds are issued, an instrument pledging the net profits of its road for the payment of said interest, and a conveyance to the State of the first two hundred and forty sections of land, free from prior incumbrances, which such company is or may be authorized to sell in trust for the better security of the Treasury of the State from loss on said bonds, which said deed of trust shall authorize the Governor and Secretary of State to make conveyances of title to all or any

of such lands, to purchasers agreeing with the respective railroad companies therefor.

*Provided*, That before releasing the interest of the State to such lands, such sale shall be approved by the Governor, but the proceeds of all such sales shall be applied to the payment of interest accruing upon the bonds in case of default of the payment of the same, and as a sinking fund to meet any future default in the payment of interest and the principal thereof when due; and as further security, an amount of first mortgage bonds on the roads, lands and franchises of the respective companies, corresponding to the State bonds issued, shall be transferred to the Treasurer of the State at the time of the issue of State bonds, and in case either of said companies shall make default in payment of either the interest or principal of the bonds issued to said companies by the Governor, no more State bonds shall thereafter be issued to said company, and the Governor shall proceed in such manner as may be prescribed by law, to sell the bonds of the defaulting company or companies, or the lands held in trust as above, or may require a foreclosure of the mortgage executed to secure the same: *Provided*, That if any company so in default, before the day of sale, shall pay all interest and principal then due, and all expenses incurred by the State, no sale shall take place, and the right of said company shall not be impaired to a further loan of State credit: *Provided*, If any of said companies shall at any time offer to pay the principal, together with the interest that may then be due upon any of the Minnesota State Railroad Bonds, which may have been issued under the provisions of this section, then the Treasurer of State shall receive the same; and the liabilities of said company or companies, in respect to said bonds shall cease upon such payment into the State Treasury, of principal, together with the interest as aforesaid: *Provided further*, That in consideration of the loan of State credit herein provided, that the company or companies which may accept the bonds of the State in the manner herein specified, shall, as a condition thereof, each complete not less than fifty miles of its road on or before the expiration of the year 1861, and not less than one hundred miles before the

year 1864, and complete four-fifths of the entire length of its road before the year 1866, and any failure on the part of any such company to complete the number of miles of its road or roads, in the manner and within the several times herein prescribed, shall forfeit to the State all the right, title and interest of any kind whatsoever in and to any lands, together with the franchises connected with the same not pertaining or applicable to the portion of the road by them constructed, and a fee simple to which has not accrued to either of said companies, by reason of such construction, which was granted to the company or companies thus failing to comply with the provisions hereof, by act of the Legislature of the Territory of Minnesota, vesting said land in said companies respectively.

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AMENDMENT TO SECTION SEVEN OF ARTICLE FIVE  
OF THE CONSTITUTION.

[ADOPTED APRIL 15, 1858.]

SEC. 7. The term of each of the executive officers named in this article, shall commence on taking the oath of office on or after the first day of May, 1858, and continue until the first Monday of January, 1860, except the Auditor, who shall continue in office till the first Monday of January, 1861, and till their successors shall have been duly elected and qualified; and the same above mentioned time for qualification and entry upon the duties of their respective offices shall extend and apply to all other officers elected under the State constitution, who have not already taken the oath of office and commenced the performance of their official duties.



# PERMANENT RULES

## OF THE

# SENATE.

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I. The President shall take the chair at the hour at which the Senate shall have adjourned; shall immediately call the members to order; and on the appearance of a quorum, shall cause the Journal of the preceding day to be read and corrected.

II. He shall preserve order and decorum; may speak to points of order in preference to other members not heard; and shall decide questions of order subject to an appeal to the Senate by any member.

III. He shall rise to put a question, but may state it sitting.

IV. Questions shall be distinctly put in this form, to wit: "As many as are of the opinion that, (as the question may be,) say *Aye*;" and after the affirmative voice is expressed, "As many as are of the contrary opinion, say *No*." If the President doubt, or a division be called for, the Senate shall decide. Those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

V. The President shall call some member to the chair when the Senate votes to go into Committee of the Whole, and may then debate the question before the Committee. He shall also have the right to name a member to perform the duties of the

Chair; but such substitution shall not extend beyond an adjournment. In the absence of the President, except as above, the Senate shall appoint a President *pro tem*.

VI. He shall appoint all committees, unless otherwise directed by the Senate. He shall sign all acts, memorials, addresses and resolutions; and all writs, warrants and subpoenas issued by the Senate shall be signed by him, and attested by the Secretary.

VII. When the Senate are equally divided, the Secretary shall take the decision of the President.

VIII. In case of any disturbance or disorderly conduct in the lobby, the President or Chairman of the Committee of the Whole shall have power to order the same to be cleared.

IX. Reporters wishing to take down the debates may be admitted by the President, who shall assign them such places on the floor, or elsewhere, to effect their object, as shall not interfere with the convenience of the Senate.

X. After the Journal has been read and corrected, the order of business shall be as follows, viz:

*First.* Letters, petitions, remonstrances, and accompanying documents may be presented and referred.

*Second.* Resolutions may be offered and considered; notices of leave to introduce bills, memorials, or joint resolutions, may be given; and bills, memorials and joint resolutions may be introduced on leave granted.

*Third.* Reports of Committees may be made and considered.

1st. From Standing Committees.

2d. From Select Committees.

*Fourth.* Messages and other Executive communications.

*Fifth.* Messages from the House of Representatives, and amendments proposed by the House of Representatives to bills from the Senate.

*Sixth.* Senate bills on their second reading.

*Seventh.* Bills, memorials, and joint resolutions from the House of Representatives on their second reading.

*Eighth.* Bills, memorials and joint resolutions on their third reading.

*Ninth.* Bills, memorials, and joint resolutions reported by Committee of the Whole.

*Tenth.* Bills, memorials and joint resolutions in which a Committee of the Whole has made progress and has had leave to sit again.

*Eleventh.* Bills, memorials and joint resolutions not yet considered in Committee of the Whole.

XI. Bills and joint resolutions of a public nature shall always have the preference of private bills.

XII. All bills shall be referred by the President of the Senate without motion, to the proper Standing Committee, on their first reading, unless otherwise ordered.

XIII. When any member is about to speak in debate, or deliver any matter to the Senate, he shall rise to his feet, and respectfully address himself to "Mr. President," and shall confine himself to the question under debate, and avoid personality.

XIV. Whenever any member is called to order he shall sit down until it is determined whether he is in order or not; and if a member is called to order for words spoken in debate, the exceptionable words shall be taken down in writing immediately.

XV. When two or more members happen to rise at once, the President shall name the member who is to speak.

XVI. No member shall speak more than twice on the same question on the same day, nor more than once on a motion for commitment, without leave of the Senate.

XVII. Whilst the President is putting any question or addressing the Senate, none shall walk out or across the room; nor in such case, or when a member is speaking, shall entertain private discourse; nor whilst a member is speaking shall pass between him and the Chair. Every member shall remain uncovered during the session of the Senate. No member or other person shall visit or remain by the Secretary's desk while the ayes and noes are calling or ballots counting.

XVIII. Upon a division and count of the Senate on any question, no member without the bar shall be counted.

XIX. Every member who shall be in the Senate when the question is put, shall give his vote, unless the Senate, for special



reasons, shall excuse him. All motions to excuse a member from voting shall be made before the Senate divides, or before he gives his vote upon a call of the ayes and noes. Any member wishing to be excused from voting, may make a brief statement of the reasons for making such request, and the question shall then be taken without further debate.

**XX.** When a motion is made and seconded, it shall be stated by the President; or, being in writing, it shall be handed to the Secretary and read aloud before debating.

**XXI.** Every motion or amendment shall be reduced to writing, if the President or any member desire it. In such case it must be signed by the member or committee offering the same.

**XXII.** After a motion is stated by the President, or read by the Secretary, it shall be deemed to be in possession of the Senate; but may be withdrawn at any time before a decision or amendment.

**XXIII.** When a question is under debate no motion shall be received, unless to adjourn, to lie on the table, for the previous question, to commit, to postpone to a day certain, to amend, or to postpone indefinitely; and these several motions shall have precedence in the order in which they stand arranged. A motion to postpone to a certain day, to commit, or to postpone indefinitely being decided, shall not be again allowed on the same day, nor at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be equivalent to a rejection of a bill.

**XXIV.** A motion to adjourn shall always be in order; that, and the motion to lie on the table, shall be decided without debate; but a motion to adjourn, when refused, shall not be renewed until further business shall have been had.

**XXV.** The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the Senate to a direct vote upon amendments reported by a committee, if any, then upon pending amendments, and then upon the main ques

tion. On a motion for the previous question, and prior to the ordering of the same, a call of the Senate shall be in order, but, after a majority shall have ordered such motion, no call shall be in order prior to the decision of the main question.

XXVI. On a previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided while being debated, or otherwise without debate.

XXVII. When a motion or question has been once put and carried in the affirmative or negative, it shall be in order for any member who voted with the prevailing party, to move for a reconsideration thereof, within one week, and such motion shall take precedence of all other questions, except a motion to adjourn. A motion for reconsideration being put and lost, shall not be renewed.

XXVIII. Any member may call for a division of the question, when the same will admit of it. A motion to strike out and insert, shall be deemed to be indivisible. A motion to strike out being lost, shall not preclude an amendment, nor a motion to strike out and insert.

XXIX. In presenting a petition, memorial, remonstrance, or other communication addressed to the Senate, the member shall only state the general purport of it.

XXX. Every petition, memorial, remonstrance, resolution, bill, and report of committee, shall be endorsed with its appropriate title; and immediately under the endorsement the name of the member presenting the same shall be written.

XXXI. Any member may make a call of the Senate, and require absent members to be sent for, but a call of the Senate cannot be made after the voting has commenced; and the call of the Senate being ordered, and the absentees noted, the doors shall be closed, and no member permitted to leave the room until the report of the Sergeant-at-Arms be received and acted upon, or further proceedings in the call be suspended.

XXXII. The following Standing Committees, each to consist of three members, excepting the Committee on Railroads and Railroad Grants, which shall consist of nine members, and the

Committee on State Prison, Education and Judiciary, which shall consist of five members, shall be appointed at the commencement of the session :

A Committee on Finance.

- “ Judiciary.
- “ Elections.
- “ Claims.
- “ Education.
- “ Public Lands.
- “ Internal Improvements.
- “ Federal Relations.
- “ Agriculture and Manufactures.
- “ Military Affairs.
- “ Corporations.
- “ Banks.
- “ Railroads.
- “ State Charitable Institutions.
- “ Towns and Counties.
- “ Indian Affairs.
- “ Public Buildings and Grounds.
- “ State Prison.
- “ State Library.
- “ Printing.
- “ Engrossment.
- “ Emigration.
- “ Enrollment.
- “ Change of Names.

**XXXIII.** The rules observed in the Senate shall govern, so far as practicable, the proceedings of the Committee of the Whole; except that a member may speak oftener than twice on the same subject, and that a call for the yeas and nays, or for the previous question, cannot be made.

**XXXIV.** Amendments made in Committee of the Whole shall be entered on a separate piece of paper, and so reported to the Senate by the Chairman standing in his place; which amendment shall not be read by the President unless required by one or more of the members. The report having been first acted

upon the bill shall then be subject to debate and amendment before the question to engross it is taken.

XXXV. All bills and resolutions shall be introduced by motion for leave, or upon the reports of committees. Members introducing a bill shall always give one day's notice of a motion to bring it in, and when brought in, it shall be endorsed with the name of a member or committee.

XXXVI. Every bill, memorial, or joint resolution requiring the approval of the Governor, shall receive three several readings previous to its passage; the first and third readings shall be at length, and no bill shall be read twice on the same day.

XXXVII. No bill or joint resolution shall be committed or amended until it has been once read at length. If objections are made to a bill on its first reading, the question shall be: "Shall the bill be rejected?" If no objection be made, or the question to reject be lost, the bill shall go to its second reading.

XXXVIII. All bills, memorials, and joint resolutions requiring the approval of the Governor, shall, on a second reading, be considered in Committee of the Whole before they shall be acted upon by the Senate.

XXXIX. No bill, memorial, or joint resolution shall be printed for the use of the Senate unless expressly ordered by a vote of the Senate.

XL. The final question after the consideration in Committee of the Whole of a bill or other paper originating in the Senate, and requiring three readings previous to its being passed, shall be: "Shall it be engrossed and read a third time?" and upon every such bill or paper originating in the House of Representatives: "Shall it be read a third time?"

XLI. No amendment shall be received on third reading except to fill blanks, without the unanimous consent of the Senate. In filling blanks, the largest sum, longest time, and greatest distance shall be first taken.

XLII. A bill or resolution may be committed at any time previous to its passage; and if any amendment be reported on such commitment, by any other than a Committee of the Whole, it shall be again read a second time, considered in Committee

of the Whole, and the question for third reading and passage again put.

**XLIII.** Every bill, joint resolution or memorial originating in the Senate shall be carefully engrossed before transmitted to the House of Representatives for concurrence.

**XLIV.** Immediately after the passage of any bill or other paper, to which the concurrence of the House of Representatives is to be asked, it shall be the duty of the Secretary to transmit the same to the House unless some member of the Senate shall make a motion to reconsider the vote by which the Senate passed the said bill or other paper, in which case the Secretary shall not transmit said bill or other paper until the motion to reconsider has been put; and on the concurrence in any bill or other paper of the House of Representatives by the Senate, or on the concurrence or disagreement in any vote of the House, it shall also be the duty of the Secretary to notify the House thereof.

**XLV.** Memorials to Congress, to the President of the United States, or the head of either of the Departments, shall be considered in Committee of the Whole before being adopted.

**XLVI.** It shall be competent for any member, when a question is being taken, to call for the ayes and noes, which shall be inserted on the Journal. A call for the ayes and noes cannot be interrupted in any manner whatever.

**XLVII.** Committees shall not absent themselves from the Senate, by reason of their appointment, without special leave for that purpose be first obtained.

**XLVIII.** It shall be in order for the Committee on Enrollment to report at any time.

**XLIX.** The Secretary shall keep a correct Journal of the proceedings of the Senate, and shall perform such other duties as shall be assigned to him as such Secretary. He shall permit no Journal, records, accounts, or papers to be taken from the table or out of his custody, other than in the regular mode of business; if any papers in his charge shall be missing, he shall report the fact to the President, that inquiry may be made. He shall superintend the recording of the Journal of proceedings, the

engrossing, enrolling, transcribing, and copying of the bills and resolutions, and generally perform the duties of Secretary, under the direction of the President. It shall be the duty of the Secretary to keep the books, to be called Minute Books, in which he shall enter, under the appropriate marginal numbers, all Senate and House Bills, and correct notes, with the dates thereof, of the state, condition and progress of each bill pending, until its final passage.

L. No certificate authorizing the receipt of any money appropriated by the Legislature shall be issued by the Secretary by virtue of any motion or resolution, unless such motion or resolution shall be sanctioned by a majority of all the members elected to the Senate.

LI. The proceedings of the Senate on executive business shall be kept in a separate book of record to be provided by the Secretary of the Senate, and published with the proceedings of the Senate, unless the public good requires secrecy, which shall be determined by a vote of the Senate.

LII. The rules of parliamentary practice comprised in Jefferson's Manual, shall govern the Senate in all cases in which they are applicable, and in which they are not inconsistent with these rules and orders of the Senate, and the joint rules and orders of the Senate and House of Representatives.

LIII. The President is authorized to administer all oaths required in the discharge of his duties.

LIV. The standing hour for the daily meeting of the Senate shall be 10 o'clock in the morning, unless the Senate direct otherwise.

LV. The Governor and other State officers, Judges of the Supreme Court, Members of Congress, of State Legislatures, and of the House of Representatives, and ex-members of the Territorial and State Legislatures, may be admitted to seats within the bar of the Senate.

LVI. No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given of the motion therefor, nor shall any rule be rescinded, changed or suspended except by a vote of two-thirds of the members present.

LVII. Upon any member giving notice of his intention to debate any resolution, the same shall lie over one day, without debate or other action.

LVIII. When in executive session, the Senate shall, in all cases, sit with closed doors, and the Senate Chamber shall be cleared of all persons except the officers and members of the Senate.

# PERMANENT RULES

## OF THE

### HOUSE OF REPRESENTATIVES.

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**I.** The Speaker shall take the Chair at the time to which the House stands adjourned, and the House shall then be called to order, and the roll of the members called, and the names of the absentees shall be entered on the journal of the House.

**II.** Upon the appearance of a quorum the journal of the preceding day shall be read by the Clerk, and any mistake therein may be corrected by the House.

**III.** The Speaker shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the House.

**IV.** The Speaker shall vote on all questions taken by yeas and nays (except on appeals from his own decisions,) and in all elections or divisions called for by any member.

**V.** When the House adjourns, the members shall keep their seats until the Speaker announces the adjournment.

**VI.** Every member, previous to his speaking, shall rise from his seat and respectfully address himself to the Speaker.

**VII.** When two or more members rise at once, the Speaker shall designate the member who is first to speak; but in all cases the member who shall first address the Chair shall speak first.

**VIII.** No member shall speak more than twice on the same



subject, without leave of the House, nor more than once until every member choosing to speak on the question pending shall have spoken.

IX. No motion shall be debated or put, unless the same be seconded. It shall be stated by the Speaker before debate; and any such motion shall be reduced to writing, if the Speaker or any member desire it.

X. After a motion shall be stated by the Speaker, it shall be deemed to be in possession of the House, but may be withdrawn at any time before amendment or decision; but all motions, resolutions or amendments, shall be entered on the journal, whether they are rejected or adopted.

XI. When a question is under debate, no motion shall be received, but to adjourn, to lay on the table, for the previous question, to postpone indefinitely, to postpone to a certain day, to commit or to amend; which several motions shall have precedence in the order in which they stand arranged; and a call of the House may be had upon the demand of five members.

XII. A motion to adjourn shall always be in order, that and the motion to lay on the table, shall be decided without debate.

XIII. The previous question shall be in this form, "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the House to a direct vote upon the amendments reported by a committee, if any; upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

XIV. When the previous question is decided in the negative, it shall leave the main question under debate for the residue of the sitting, unless sooner disposed of by taking the question, or in some other manner.

XV. All incidental questions of order arising after a motion is made from the previous question during the pending of such motion, or after the House shall have determined that the main

question shall be now put, shall be decided, whether on appeal or otherwise, without debate.

**XVI.** Petitions, memorials, and other papers, addressed to the House, shall be presented by the Speaker, or by a member in his place, and a brief statement of the contents thereof shall be made verbally, and endorsed thereon, together with the name of the member introducing the same.

**XVII.** Every member who shall be present before the vote is declared from the Chair, and no other, shall vote for or against the same, unless the House shall excuse him, or unless he is immediately interested in the question, in which case he shall not vote.

**XVIII.** When the Speaker is putting the question, no member shall walk out or across the House; nor when a member is speaking shall any person entertain any private discourse, or pass between him and the Chair.

**XIX.** If the question in debate contains several points, any member may have the same divided.

**XX.** A member called to order shall immediately sit down, unless permitted to explain, and the House, if appealed to, shall decide the case. If there be no appeal, the decision of the Chair shall be submitted to. On an appeal, no member shall speak more than once without leave of the House, except when a member is called to order for offensive language, in which case there shall be no debate.

**XXI.** Every bill shall be introduced by a motion for leave, or by an order of the House on a report of a committee; and one day's notice at least shall be given of a motion for leave to bring in a bill, unless two-thirds of the members present shall vote in favor of its being brought in without such previous notice. Every notice of a motion for leave to bring in a bill shall be in writing, and shall contain the title of the bill.

**XXII.** Every bill and resolution shall have prefixed thereto the name of the person introducing it, and when reported from a committee, the name of said committee shall be endorsed thereon.

**XXIII.** All bills, memorials or joint resolutions shall be read

at length upon their introduction, and those not coming from, shall be referred to the appropriate standing committees; and if reported back to the House with a favorable recommendation, they shall be referred to the Committee of the Whole, and every bill so reported for an amendment to, or the enactment of a general law, shall be printed unless the House otherwise direct.

**XXIV.** All bills, memorials or joint resolutions on their second reading shall be read by their title, and the question taken upon their engrossment for a third reading.

**XXV.** All bills, memorials or joint resolutions on their third reading shall be read at length, and no amendments shall be in order except by unanimous consent of the House.

**XXVI.** Every bill shall be read on three different days, unless in case of urgency, two-thirds of the House shall deem it expedient to dispense with this rule; and no bill shall be passed unless it shall have been read twice at length.

**XXVII.** No bill, memorial or joint resolution shall be declared passed, unless voted for by a majority of all the members elected to the House; no motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment; no bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

**XXVIII.** In forming a committee of the whole House, the Speaker shall appoint a Chairman to preside.

**XXIX.** Bills committed to a committee of the whole House, shall, in Committee of the Whole thereon, be first read through, unless the committee shall otherwise order, and then read and debated by sections, leaving the title to be last considered. All amendments shall be noted in writing, and reported to the House by the Chairman.

**XXX.** All questions, whether in Committee or in the House, shall be put in the order they are moved, except in the case of privileged questions, and in filling up blanks the largest sum and the longest time shall be first put.

**XXXI.** A similar mode of proceeding shall be observed with

bills which have originated in and passed the Senate, as with bills originating in the House.

**XXXII.** No motion for reconsideration shall be in order unless on the same day, or the day following that on which the decision proposed to be considered took place, nor unless one of the majority shall move such reconsideration.

**XXXIII.** When notice of the intention to move the reconsideration of any bill, memorial or joint resolution shall be given by a member, the Clerk of the House shall retain the said bill, memorial or joint resolution until after the time during which the said motion can be made, unless the same can previously be disposed of.

**XXXIV.** Any member who votes on that side of the question which prevailed, may be at liberty to move a reconsideration; and a motion for reconsideration shall be decided by a majority of votes.

**XXXV.** The rules of the House shall be observed in Committee of the Whole House, so far as may be applicable, except that the yeas and nays shall not be called, the previous question enforced, nor the time of speaking limited.

**XXXVI.** A motion that the committee rise shall always be in order, and shall be decided without debate.

**XXXVII.** Standing Committees consisting of five members each, except the Committee on Railroads, which shall consist of eleven members, shall be appointed on the following subjects :

1. Ways and Means.
2. Judiciary.
3. Railroads.
4. Public Lands.
5. Federal Relations.
6. Education.
7. Towns and Counties.
8. Military Affairs.
9. Incorporations.
10. Indian Affairs.
11. Agriculture and Manufactures.
12. State Prison.

13. Claims.
14. Insurance Companies.

**XXXVIII.** Standing Committees, consisting of three members each, shall be appointed upon the following subjects :

1. Charitable Institutions.
2. Roads, Bridges, and Navigable Streams.
3. Banks.
4. Printing.
5. Elections.
6. Commerce.
7. Emigration.
8. Public Buildings.
9. Rules and Joint Rules.
10. State Library.
11. Mines and Minerals.
12. Engrossment.
13. Enrollment.
14. Change of Names.

**XXXIX.** The Committee on Engrossment shall examine all bills after they are engrossed, and report the same to the House correctly engrossed, before their third reading; said committee may report at any time.

**XL.** The Committee on Enrollment shall examine all House bills, memorials and joint resolutions, which have passed the two Houses, and when reported correctly enrolled, they shall be presented to the presiding officers of the House and Senate, for their signatures, and when so signed, to the Governor for his approval; said committee may report at any time.

**XLI.** Select Committees, to whom references shall be made, shall in all cases report a state of facts, and their opinion thereon, to the House.

**XLII.** In all cases where a bill, order, resolution, or motion, shall be entered on the Journals of the House, the name of the member moving the same shall be entered on the Journals.

**XLIII.** No person shall be admitted within the bar of the House but the Executive, members of the Senate, the heads of Departments of the State government, Judges of the Supreme and

District Courts, members of Congress, those who have been members of Congress, of the Constitutional Conventions of the State, of the State Legislature, or of the Legislative Council, and other persons as the Speaker shall, on application, assign places as reporters.

XLIV. The Speaker shall cause the Clerk of the House to make a list of all bills, resolutions, reports of committees, and other proceedings of the House, which are committed to a committee of the whole House, and which are not made the order of the day for any particular day, and to number the same; which list shall be called "The general orders of the day," and they shall be taken up in the order in which they are numbered, unless otherwise ordered by a majority of the House, and the Clerk shall also keep a book showing the situation and progress of bills.

XLV. On the meeting of the House, after reading the journal of the preceding day, the order of business of the day shall be as follows :

#### ORDER OF BUSINESS.

1. Presentation of petitions or other communications.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Notices of Introduction of Bills.
5. Motions and Resolutions.
6. Introduction of Bills.
7. Consideration of Messages from the Senate.
8. First Reading of Senate Bills.
9. Second Reading of Senate Bills.
10. Second Reading of House Bills.
11. Third Reading of Senate Bills.
12. Third Reading of House Bills.
13. General Orders.

XLVI. A committee of conference may report at any time.

XLVII. When the House have arrived at the general orders of the day, they shall go into committee of the whole upon such

orders, or a particular order designated by a vote of the House, and no business shall be in order until the whole are considered or passed or the committee rise; and unless a particular bill is ordered up, the committee of the whole shall consider, act upon, or pass the general orders according to the order of their reference.

XLVIII. The Speaker may leave the Chair and appoint a member to preside, but not for a longer time than a day, except by leave of the House.

XLIX. The rules of parliamentary practice embraced in Jefferson's Manual, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House, and the joint rules and orders of the Senate and House of Representatives.

L. No rules of the House shall be suspended, altered or amended, without the concurrence of two-thirds of the members present.

LI. The hour of the daily meeting of the House shall be ten o'clock in the morning, until the House direct otherwise.

LII. The ayes and noes shall not be ordered unless demanded by three members, except upon the final passage of bills and joint resolutions, in which case the ayes and noes shall be had without any demand.

LIII. Upon any member giving notice of his intention to debate any resolution, the same shall lie over one day without debate or other action.

# JOINT RULES.

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**RULE I.** The Speaker of the House shall preside at all conventions of the two branches of the Legislature, and shall call the members to order; the Chief Clerk of the House shall be the Secretary; and the Sergeant-at-Arms of the House shall be the Sergeant-at-Arms of the Convention.

**RULE II.** The President of the Convention shall preserve order and decorum; may speak to points of order in preference to other members not heard; and shall decide questions of order, subject to an appeal to the convention by any member. He shall rise to put a question, but may state it sitting.

**RULE III.** Questions shall be distinctly but in this form, to wit: "As many as are of the opinion that [as the question may be,] say Aye;" and after an affirmative voice is expressed, "As many as are of the contrary opinion say, No." If the President doubts, or a division be called, the convention shall decide—those in the affirmative of the question shall first rise, and afterwards those in the negative.

**RULE IV.** The President shall have the right of voting in all cases, except on an appeal from his decision; and on all questions he shall vote last.

**RULE V.** When any member is about to speak or deliver any matter to the Convention, he shall rise and respectfully address himself to "Mr. President," and shall confine himself to the question under debate, and avoid personality.



**RULE VI.** Whenever any member is called to order he shall be seated until the point of order is determined; and if called to order for words spoken in debate, the exceptionable words shall be reduced to writing immediately.

**RULE VII.** When two or more members rise at the same time, the President shall name the member who is in order.

**RULE VIII.** No member shall speak more than twice on the same question, without leave of the Convention.

**RULE IX.** Any five members may move a call of the Convention, and require absent members to be sent for; but a call cannot be made after voting has commenced; and a call being ordered and the absentees noted, the doors shall be closed, and no member be permitted to leave the hall until the report of the Sergeant-at-Arms be received and acted upon, or further proceedings under the call be suspended by a vote of a majority of all the members of the Convention.

**RULE X.** It shall be in the power of either House to amend any amendment made by the other to any bill or resolution.

**RULE XI.** After a bill, memorial or resolution shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the House in which it originated. The Senate and House committees on enrolled bills, acting jointly, shall then carefully compare the enrollment with the engrossed copies as passed by the two Houses, and after correcting all errors that may be discovered in the enrollment, report the same as correctly enrolled to their respective Houses. They shall then obtain the signatures and certificates of the proper officers to the enrolled copies, present the same to the Governor for his approval, and report the date of such presentation to their respective Houses.

**RULE XII.** Whenever there shall be an election of any officer in Joint Convention, the result shall be certified by the President of the Senate and Speaker of the House, and by them announced to their respective Houses, and shall be entered on the Journals of each and communicated to the Governor by the Secretary of the Senate.

**RULE XIII.** In every case of difference between the two Houses upon any subject of legislation if either shall request a conference,

and appoint a committee for that purpose, the other shall also appoint a committee, and such committees shall meet at a time and place to be agreed upon by their Chairman, and state to each other the views of their respective Houses and confer freely thereon, and they shall be authorized to report to their respective Houses such modifications as they shall think advisable.

**RULE XIV.** It shall be in order for either House to recede from any subject or matters of difference existing between the two Houses, at any time previous to a conference, whether the papers upon which the difference has arisen are before it or not; and a majority shall govern except in cases otherwise provided in the Constitution, and the question having been put and lost, shall not be again put upon the same day; and a reconsideration thereof shall in all respects be regulated by the Rules of the respective Houses.

**RULE XV.** The same bill shall not appropriate public money or property to more than one local or private purpose; and bills appropriating money for the payment of the officers of the government shall be confined to that purpose exclusively; and no certificate authorizing the payment of any money appropriated by the Legislature shall be issued by the Secretary of the Senate or the Clerk of the House, by virtue of any motion or resolution, unless such motion or resolution shall have been carried by a majority of all the members of the House in which it was introduced; and no clause appropriating money for a local or private purpose shall be contained in a bill appropriating money for the State Government or public institutions, and all resolutions authorizing the issue of certificates by the Secretary of the Senate or the Clerk of the House for the payment of money, shall be upon a call of the yeas and noes.

**RULE XVI.** There shall be appointed at the commencement of the session a Joint Standing Committee on Printing, consisting of three members, one on the part of the Senate and two on the part of the House, to have a general supervision and care of all printing done by order of a Convention of both Houses.

**RULE XVII.** The Rules of the House shall be the Rules of

the Joint Convention of both Houses in all cases where the foregoing rules are not applicable.

**RULE XVIII.** The subject matter of each bill shall be clearly expressed in its title, and when the bill is amendatory of an existing act, it shall not be sufficient to refer to the chapter, section or page, but the subject matter thereof shall be clearly stated.

**RULE XIX.** There shall be appointed two Joint Standing Committees, to consist each of three members on the part of the House and two on the part of the Senate, upon Taxes and Tax Laws, and upon Agricultural College Lands and College.

## STANDING COMMITTEES OF THE SENATE.

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*Finance.*—Messrs. Pillsbury, Daniels and Franklin.

*Judiciary.*—Messrs. Gordon, Perkins and Baxter.

*Elections.*—Messrs. Bristol, Pettit and Becker.

*Claims.*—Messrs. Folsom, Pettit and Griggs.

*Education.*—Messrs. Freeman, Gilman, Miller, Smith and Franklin.

*Public Lands.*—Messrs. A. Armstrong, Pillsbury and Griggs.

*Internal Improvements.*—Messrs. J. L. Armstrong, Miller and Buell.

*Federal Relations.*—Messrs. Bristol, A. Armstrong and Becker.

*Agriculture and Manufactures.*—Messrs. Daniels, Harris and Butters.

*Military Affairs.*—Messrs. Gilman, Baxter and Griggs.

*Corporations.*—Messrs. Gordon, A. Armstrong and Baxter.

*Banks.*—Messrs. Daniels, Miller and Becker.

*Railroads and Railroad Land Grants.*—Messrs. Wakefield, Folsom, Pettit, Harris, Brown, Gilman, Becker, Griggs and Franklin.

*State Charitable Institutions.*—Messrs. Perkins, Folsom and Butters.

*Indian Affairs.*—Messrs. Harris, Pillsbury and Buell.

*Public Buildings.*—Messrs. Harris, J. L. Armstrong and Buell.

*State Prison.*—Messrs. Pettit, J. L. Armstrong, Wakefield, Baxter and Smith.

*State Library.*—Messrs. Miller, Perkins and Smith.

*Printing.*—Messrs. Brown, Harris and Butters.

*Engrossment.*—Messrs. Folsom, Freeman and Butters.

*Immigration.*—Messrs. Gilman, Miller and Becker.

*Enrollment.*—Messrs. J. L. Armstrong, Brown and Buell.

*Change of Names.*—Messrs. Daniels, Wakefield and Smith.

*Retrenchment and Reform.*—Messrs. Freeman, Gordon, and Franklin.

*Towns and Counties.*—Messrs. Bristol, Brown and Butters.

## STANDING COMMITTEES OF THE HOUSE.

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*Ways and Means.*—Messrs. Furber, Pitcher, Walker, Stewart and Miner.

*Judiciary.*—Messrs. Kinyon, Pitcher, Miner and La Dow.

*Railroads.*—Messrs. Davison, Braden, Reed, Harrington, Pettijohn, Thompson, Eaton, Pingrey, Ball and La Dow.

*Public Lands.*—Messrs. Sawyer, Clarke, Salisbury, Miner and Jones.

*Federal Relations.*—Messrs. Smith, Comstock, Schaller, Lowell and Doyle.

*Education.*—Messrs. Reed, Shaw, Pettijohn, Comstock and Henry.

*Towns and Counties.*—Messrs. Pettijohn, Proper, Harrington, Colton and Chewning.

*Military Affairs.*—Messrs. Seeley, Braden, Pingrey, Buck and Ball.

*Incorporations.*—Messrs. Walker, Kinyon, Clarke, Seeley and Lewis.

*Indian Affairs.*—Messrs. Rudolph, Lowell, Thompson, Ames and Hill.

*Agriculture and Manufactures.*—Messrs. Clarke, Schaller, Stewart, Bryant and Chewning.

*State Prison.*—Messrs. Lowell, Colton, Ames, Ross and Hill.

*Claims.*—Messrs. Meighen, Salisbury, Smith and Dresback.

*Insurance.*—Messrs. Hechtman, Sawyer, Proper, Finseth and Foster.

*Charitable Institutions.*—Messrs. Braden, Shaw and Jones.

*Roads, Bridges and Navigable Streams.*—Messrs. Schaller, Furber and Doyle.

*Banks.*—Messrs. Pitcher, Rudolph and Hill.

*Printing.*—Messrs. Eaton, Davison and Lienau.

*Elections.*—Messrs. Colton, Seeley and Foster.

*Commerce.*—Messrs. Stewart, Hechtman and Jones.

*Immigration.*—Messrs. Buck, Meighen, Finseth, Hechtman and Lienau.

*Public Buildings.*—Messrs. Erb, Finseth and Chewning.

*State Library.*—Messrs. Pingrey, Furber and Henry.

*Rules and Joint Rules.*—Messrs. Shaw, Eaton and La Dow.

*Mines and Minerals.*—Messrs. Ross, Bryant and Dresback.

*Engrossment.*—Messrs. Thompson, Rudolph and Lewis.

*Enrollment.*—Messrs. Comstock, Smith and Ball.

*Names.*—Messrs. Salisbury, Erb and Doyle.

# JOINT STANDING COMMITTEES.

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## TAXES AND TAX LAWS.

*Senate.*—Messrs. A. Armstrong and Smith.

*House.*—Messrs. Bryant, Sawyer and Lewis.

## AGRICULTURAL COLLEGE LANDS AND COLLEGE.

*Senate.*—Messrs. Perkins and Bristol.

*House.*—Messrs. Harrington, Ross and Dresback.

## PRINTING.

*Senate.*—Mr. C. J. Brown.

*House.*—Messrs. Proper and Henry.



LIST OF SENATORS,

OF THE TENTH LEGISLATURE OF THE STATE OF MINNESOTA, WITH THEIR PLACE OF RESIDENCE, OCCUPATION, AGE, ETC.

NAMES.	County.	Post Office.	Occupation.	Nativity.	Settled in Minnesota	Condition.	Boarding place	Politics.
Armstrong, A.	Freeborn	Albert Lea	Lawyer	33 Ohio	1857	Married	International	Repub'n
Armstrong, J. L.	Wabasha	Lake City	Merchant	37 Conn.	1857	"	"	"
Baxter, L. L.	Scott	Shakopee	Lawyer	36 Vermont	1857	"	"	Democ't
Bristol, Warren	Goodhue	Red Wing	Lawyer	49 New York	1850	"	International	Repub'n
Becker, George L.	Ramsey	St. Paul	Lawyer	38 "	1849	"	Residence	Democ't
Brown, O. T.	Nicollet	St. Peter	R'l Est'e Agt	46 Maine	1860	"	Merchants'	Repub'n
Buell, D. L.*	Houston	Caledonia	Lawyer	36 Conn.	1856	"	"	Democ't
Butters, Reuben	Le Sueur	Kasota	Farmer	51 Maine	1851	"	International	"
Daniels, J. V.	Olmsted	Rochester	Lawyer	58 New York	1856	"	"	Repub'n
Folsom, W. H. C.	Chisago	Taylor's Falls	Lumberman	50 N. Bruns'k	1845	"	"	"
Freeman, E. P.	Blue Earth	Mankato	Lawyer	30 Conn.	1861	"	"	"
Franklin, Benjamin	Winona	Winona	Lawyer	45 New York	1858	"	"	Democ't
Gilman, C. A.	Stearns	St. Cloud	Lumberman	34 N. H.	1855	"	"	Repub'n

## MEMBERS OF SENATE.

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Gordon, H. L.	Wright	St. Cloud	Lawyer	31 New York	1859 Married	Merchants'	Repub'n
Griggs, C. W.	Carver	Chaska	Merchant	35 Conn.	1856	"	Democ't
Harris, W. E.	Mower	Hamilton	Farmer	35 New York	1861	International	Repub'n
Miller, Luke	Fillmore	Rushford	Physician	52 N. H.	1851	Merchants'	"
Perkins, O. F.	Rice	Faribault	Lawyer	38 Vermont	1854	"	"
Pettit, C. H.	Hennepin	Minneapolis	Lumberman	34 Ohio	1855	International	"
Pillsbury, J. S.	Hennepin	St. Anthony	Merchant	40 N. H.	1855	"	"
Smith, Seagrave	Dakota	Hastings	Lawyer	35 Conn.	1855	"	Democ't
Wakefield, J. B.	Faribault	Blue Earth City	Lawyer	40 Conn.	1854	Merchants'	Repub'n

## OFFICERS.

T. H. Armstrong, <i>President</i> ,	Olmsted	High Forest	Lawyer	37 Ohio	1855 Single	International	Repub'n
A. B. Webber, <i>Secretary</i> ,	Steele	Owatonna	Lawyer	42 Ohio	1856 Married	"	"
F. E. Snow, <i>Asst Secretary</i> ,	Ramsey	St. Paul	Clerk	83 Mass.	1857	"	"
Sam. H. Nichols, <i>Enr. Clerk</i>	Olmsted	Bear Grove	Farmer	89 Mass.	1855	"	"
A. M. Olin, <i>Engros. Clerk</i> ,	Rice	Northfield	Farmer	24 Wisconsin	1855 Single	"	"
G. R. Wedgewood, <i>S. at Arms</i>	Wright	Monticello	Farmer	28 Maine	1856	"	"
J. P. Plummer, <i>Fireman</i> ,	Hennepin	Minneapolis	Farmer	60 N. H.	1858 Married	"	"
Rev. L. J. White, <i>Chaplain</i> ,	Ramsey	St. Paul	Clergyman	86 Vermont	1856	Residence	"
Fred. E. Nichols, } <i>Messenger's</i>	Ramsey	St. Paul	Student	11 Illinois	1856 Single	"	"
Geo. E. Bryant, }	Wabashaw	Elgin	Student	11 Vermont	1856	"	"

\* Seat contested by George F. Potter.

# LIST OF REPRESENTATIVES,

OF THE TENTH LEGISLATURE OF THE STATE OF MINNESOTA, WITH THEIR PLACE OF RESIDENCE,  
OCCUPATION, AGE, ETC.

NAMES.	County.	Post Office.	Occupation.	Age.	Nativity.	Settled in Minnesota.	Condition.	Boarding place.	Politics.
Ames, Jesse	Rice	Northfield	Miller	59	Maine	1861	Married	International	Repub'n
Ball, John	Winona	Winona	Surveyor	82	New York	1858	"	"	Democ't
Braden, W. W.	Fillmore	Lenora	Farmer	30	Ohio	1855	"	Merchants'	Repub'n
Bryant, George	Wabasha	Elgin	Farmer	43	Vermont	1855	"	International	"
Buck, Adam	Sibley	Henderson	Hotel Keep'r	87	Germany	1854	"	Merchants'	"
Chewing, R. J.	Dakota	Farmington	Farmer	84	Virginia	855	"	"	Democ't
Clark, C. H.	Hennepin	Minneapolis	Farmer	32	New York	1855	"	International	Repub'n
Colton, A. B.	Martin	Winneb'o City	Farmer	36	Vermont	1855	"	Merchants'	"
Comstock, E. G.	Goodhue	Ayr	Farmer	84	Conn.	1855	"	"	"
Davidson, C. D.	Hennepin	Minneapolis	Merchant	39	N. H.	1856	"	International	"
Doyle, Dennis	Le Sueur	Kilkenny	Farmer	48	Ireland	882	"	Merchants'	Democ't
Dresbach, G. B.	Winona	Dresbach	Farmer	40	Ohio	1851	"	"	"
Eaton, S. W.	Olmsted	Rochester	Publisher	52	New York	1861	"	International	Repub'n
Erb, Christian	Rice	Cannon City	Farmer	40	France	1855	"	Merchants'	"
Finseth, K. K.	Goodhue	Kenyon	Farmer	42	Norway	855	"	"	"
Foster, R.	Dakota	Pine Bend	Farmer	44	Norway	855	"	International	Democ't
Furber, J. W.	Washington	Cottage Grove	Farmer	44	Mass.	1854	"	"	Repub'n
Harrington, Lewis	McLeod	Hutchinson	Civil Engin'r	53	N. H.	1840	"	International	"
Hechtman, John	Hennepin	Osseo	Merchant	38	Germany	1857	"	Merchants'	"
Henry, William	Scott	Belle Plaine	Merchant	39	Ireland	1857	"	International	Democ't
Hill, H. W.	Winona	St. Charles	Merchant	31	Vermont	1861	"	Merchants'	"
Jones, De Witt O.	Ramsey	St. Paul	Real Estate	34	Virginia	1867	"	Home, St. Paul	"
Kinyon, William R.	Steele	Owatonna	Lawyer	34	New York	1858	"	International	Repub'n
La Dow, George A.	Waseca	Wilton	Lawyer	39	"	1862	"	"	Democ't

# MEMBERS OF HOUSE.

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Carver	Watertown	Merchant	42 Conn.	1847 Married	Merchants'	Democ't
Lewis, Isaac	St. Paul	Editor	32 Germany	1857	Home, St. Paul	"
Lienau, C. H.	Marine	Hotel Keep'r	60 Maine	1853	International	Repub'n
Lowell, Thomas	Sauk Centre	Lawyer	34 Vermont	1860	"	Repub'n
Miner, N. H.	Forestville	Farmer	50 Penn.	1855 Single	Absent	Democ't
Meighen, William P.	St. Paul	Lawyer	40 Ohio	1849 Married	International	Repub'n
Murray, William P.	Glenwood	Physician	47 "	1865	Merchants'	"
Pettijohn, J. G. D.	Red Wood	Farmer	36 New York	1854	"	"
Goodhue	Mankato	Lawyer	37 "	1857	International	"
Pitcher, O. O.	Mantorville	Farmer	43 "	1856	Merchants'	"
Proper, E. K.	Sterling	Farmer	36 N. H.	1857	Concert Hall	"
Reed, J. A.	Princeton	Farmer	55 Penn.	1851	Merchants'	"
Ross, Samuel	New Ulm	Banker	40 Prussia	1857	"	"
Rudolph, John	Kingston	Farmer	43 New York	1856	International	"
Salisbury, J. B.	Elgin	Farmer	61 N. H.	1856	"	"
Sawyer, Caleb	Brownsville	Miller	34 Germany	1856	"	"
Schaller, J. P.	Lake City	Farmer	31 Ohio	1865	"	"
Seeley, F. W.	Wassiga	Farmer	41 N. H.	1856	Merchants'	"
Shaw, D. A.	Albert Lea	Farmer	34 Ohio	1857	International	"
Smith, J. E.	Stewartsville	Mil. & Fm'r	51 New York	1856	"	"
Stewart, Charles	Houston	Farmer	38 Vermont	1858	Merchants'	"
Thompson, J.	Rushford	Manufactu'r	42 N. H.	1854	"	"
Walker, Hiram						

## OFFICERS.

Fillmore	Spring Valley	Farmer	44 Vermont	1864 Widower	Merchants'	Repub'n
J. Q. Farmer, Speaker,	St. Paul	Lawyer	37 Mass.	1857 Married	Home, St. Paul	"
S. P. Jennison, Clerk,	Mankato	Hotel Keep'r	25 Ohio	1854	Merchants'	"
Mark D. Flower, Asst. Clerk,	Chaska	Photographer	50 Germany	1863 Single	"	"
B. Kihulolz, Enrol. Clerk,	Cherry Grove	Farmer	34 Scotland	1855 Married	Mrs. Miller's	"
Peter McCracken, Eng. Clerk,	Glencoe	Merchant	31 Maine	1855 Single	Home, St. Paul	"
A. H. Reed, Serg't at Arms,	St. Paul	Carpenter	52 Norway	1854 Widower	International	"
John Benson, Fireman,	Shakopee	Minister	33 New York	1857 Married	Home, St. Paul	"
Rev. C. D. Bowdish, Chaptn.,	St. Paul	School Boy	14 Ohio	1858 Single	"	"
William Cain, Messengers,						
Joseph Wilson,						

## CONGRESSIONAL APPORTIONMENT.

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[Chapter LXIV, General Laws 1862.]

**SECTION 1.** This State is hereby divided into two Congressional Districts, each of which shall be entitled to elect one representative to the Congress of the United States.

**SEC. 2.** The counties of Houston, Winona, Fillmore, Olmsted, Mower, Dodge, Freeborn, Steele, Waseca, Rice, Scott, LeSueur, Faribault, Blue Earth, Nicollet, Sibley, Martin, Watonwan, Brown, Renville, Jackson, Cottonwood, Noble, Murray, Pipestone, Redwood and Rock shall constitute the First Congressional District, and shall be entitled to elect one Representative.

**SEC. 3.** All the residue of the State shall compose the Second District, and shall be entitled to elect one Representative in Congress.

## LEGISLATIVE APPORTIONMENT.

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### *[Title I, Chap. III, General Statutes.]*

**SECTION 1.** That for the next Legislature and thereafter until a new apportionment shall have been made, the Senate of this State shall be composed of twenty-two members, and the House of Representatives shall be composed of forty-seven members.

**SEC. 2.** That the representation in the Senate and House of Representatives be apportioned throughout the State in twenty-two Senatorial and Representative districts, as follows, to wit:

The first district shall be composed of the county of Ramsey, and shall be entitled to elect one Senator and three Representatives.

The second district shall be composed of the counties of Washington, Chisago, Pine and Kanabec, and shall be entitled to elect one Senator and two Representatives.

The third district shall be composed of the counties of Stearns, Todd, Cass, Wadena, Otter Tail, Andy Johnson, Clay, Douglas, Becker, Polk, Pembina, Morrison, Crow Wing, Aiken, Itasca, Buchanan, Carleton, St. Louis and Lake, and shall be entitled to elect one Senator and two Representatives, of which number of Representatives the county of Stearns shall be entitled to elect one, and the balance of the territory the other.

The fourth district shall be composed of that portion of Hennepin county which lies east of the Mississippi river, and the counties of Manomin, Anoka, Sherburne, Benton, Isanti and

Mille Lac, and shall be entitled to elect one Senator and one Representative.

The fifth district shall be composed of that portion of Hennepin county which lies west of the Mississippi river, and shall be entitled to elect one Senator and three Representatives.

The sixth district shall be composed of the counties of Wright, Meeker, McLeod, Kandiyohi and Monongalia, and shall be entitled to elect one Senator and two Representatives.

The seventh district shall be composed of the county of Dakota, and shall be entitled to elect one Senator and two Representatives.

The eighth district shall be composed of the county of Rice, and shall be entitled to elect one Senator and two Representatives.

The ninth district shall be composed of the county of Goodhue, and shall be entitled to elect one Senator and three Representatives.

The tenth district shall be composed of the county of Wabashaw, and shall be entitled to elect one Senator and two Representatives.

The eleventh district shall be composed of the county of Winona, and shall be entitled to elect one Senator and three Representatives.

The twelfth district shall be composed of the county of Olmsted, and shall be entitled to elect one Senator and three Representatives.

The thirteenth district shall be composed of the county of Houston, and shall be entitled to elect one Senator and two Representatives.

The fourteenth district shall be composed of the county of Fillmore, and shall be entitled to elect one Senator and four Representatives.

The fifteenth district shall be composed of the counties of Mower and Dodge, and shall be entitled to elect one Senator and two Representatives.

The sixteenth district shall be composed of the counties of Steele, Waseca and Freeborn, and shall be entitled to elect one Senator and three Representatives, of which number of Representatives, each county shall elect one each year.

The seventeenth district shall be composed of the counties of Blue Earth and Watonwan, and shall be entitled to elect one Senator and two Representatives.

The eighteenth district shall be composed of the county of Scott, and shall be entitled to elect one Senator and one Representative.

The nineteenth district shall be composed of the counties of Nicollet, Brown, Sibley, Redwood, Renville, Pierce and Davis, and shall be entitled to elect one Senator and two Representatives.

The twentieth district shall be composed of the counties of Faribault, Martin, Jackson, Cottonwood, Murray, Nobles, Pipestone and Rock, and shall be entitled to elect one Senator and one Representative.

The twenty-first district shall be composed of the county of Carver, and shall be entitled to elect one Senator and one Representative.

The twenty-second district shall be composed of the county of Le Sueur, and shall be entitled to elect one Senator and one Representative.



# POPULATION.

## ACCORDING TO UNITED STATES CENSUS.

### 1860.

Counties.	Total population	Males.	Females	Families	Free Colored.	Mixed In- dian blood	Deaf and Dumb.	Blind.	Insane.
Alken,	2	2		1					
Anoka,	2106	1141	965	424			1		
Becker,	883	225	161	75		309			
Benton,	627	341	286	131		1			
Blue Earth,	4803	2563	2240	1137	1		2	1	
Breckcnridge,	79	47	32	15		7			
Brown,	2339	1331	1008	505		81			
Buchanan,	26	17	9	16					
Carlton,	51	86	15	22					
Carver,	5106	2795	2311	1185			1		
Cass,	150	83	67	34	13	75			
Chisago,	1743	975	768	523	12	2			
Cottonwood,	12	6	6						
Crow Wing,	269	161	108	49		80		1	
Dakota,	9093	4888	4205	1844	39	2	2	1	1
Dodge,	3797	2074	1723	957				1	
Douglas,	195	122	73	59					
Faribault,	1335	746	589	322					
Fillmore,	13542	7294	6248	2558			1		
Freeborn,	3367	1811	1556	744			1		
Goodhue,	8977	4815	4162	1870	6			1	1
Hennepin,	12849	6888	5961	2682	13	1	4	2	
Houston,	6645	3505	3149	1302					2
Isanti,	284	174	110	74					
Itasca,	51	29	22	7	1	43			
Jackson,	181	107	74	52					
Kandiyohi,	76	46	30						
Kanabec,	30	21	7	6					
Lake,	248	130	118	73					
La Sueur,	5318	2890	2428	1165	20	20	1		
Manomin,	136	85	51	19	1				
Martin,	151	80	71	45					
McLeod,	1286	707	579	314					
Meeker,	923	518	410	218					
Mille Lac,	73	42	31	24	2	1			
Monongalia,	350	203	147	106					
Morrison,	618	358	268	121	1	30			
Mower,	3217	1662	1555	649	1				
Murray,	29	14	15						
Nicollet,	3773	2128	1645	815	1	60	1		1
Nobles,	85	21	14	11					
Olmsted,	9524	5047	4477	1832			1		
Otter Tail,	240	153	87	66		62			
Pembina,	1612	895	717	379		1274			
Pierce,	11	6	5	1		1			

## United States Census for 1860.—Continued.

Counties.	Total population	Males.	Females	Families	Free Colored.	Mixed In- dian blood	Deaf and Dumb.	Blind.	Insane.
Pine,	92	57	35	32	16	1			
Pipestone,	23	18	5	10					
Polk,	240	140	100	54		94			
Ramsey,	12150	6260	5820	2360	70			1	1
Renville,	245	143	102	48		5			
Rice,	7543	4046	3497	1695	11		1	1	
St. Louis,	406	243	163	165		144			
Scott,	4595	2454	2141	1036		1			
Sherburne,	723	406	317	142			1		
Sibley,	3609	1984	1625	960					2
Stearns,	4505	2443	2062	1050	3		1		
Steele,	2863	1539	1324	632			1	1	
Todd,	430	293	187	99					
Toombs,	40	29	11	14					
Wabashaw,	7228	3983	3245	1511	14		2	1	
Waseca,	2601	1371	1230	525	1	2			
Washington,	6123	3431	2642	1269	7	73			
Winona,	9209	4931	4277	1868	19		2		2
Wright,	3729	2086	1643	901	7		8		
<b>totals,</b>	<b>172123</b>	<b>93184</b>	<b>78939</b>	<b>36368</b>	<b>259</b>	<b>2369</b>	<b>26</b>	<b>11</b>	<b>10</b>

POPULATION, ACCORDING TO STATE CENSUS,  
1865.

Counties.	Total population	Males.	Females	Families	Colored.	Deaf.	Dumb.	Blind.	Insane.
Anoka,	2260	1201	1059	457	6				
Benton,	505	278	227	104					
Blue Earth,	9201	4964	4237	1711	23	10	9		3
Brown,	2211	1144	1067	476				1	
Carlton,	28	16	12	5					
Carver,	8704	4558	4146	1706		10	4	5	6
Cass,	87	23	14	13	1				
Chisago,	2175	1155	1010	416			1	1	2
Crow Wing,	178	89	89	50					
Dakota,	12476	6562	5914	2326	28	2	1		5
Dodge,	6222	3259	2963	1194		2	2	3	4
Faribault,	4735	2517	2218	926			1		1
Fillmore,	17524	9267	8257	3234	1	7	7	3	2
Freeborn,	5688	2966	2692	1111	3	3	4	4	2
Goodhue,	14830	7779	7051	2839	18	2	2	3	7
Goodhue,	17076	8837	8239	3155	94	7	4		1
Hennepin,	978	5109	4679	1775	2				2
Houston,	453	239	214	93					
Isanti,	234	123	111	47					
Jackson	31	18	13	6					
Kanabec,	154	76	78	36					
Lake,	7834	4061	3773	1462	24	3	1		
Le Sueur,	2457	1331	1126	499		1	1		1
McLeod,	117	67	50	20					
Manomin,	1430	764	666	288					
Martin,	1229	653	576	242					1
Meeker,	331	177	154	69					
Mille Lac,	796	430	306	148	1			1	1
Morrison,	5150	2719	2431	1026	4	2			1
Mower,	5019	2606	2413	937	3	3	3	1	1
Nicollet,	15176	8006	7170	2709	1	3	4	2	3
Olmsted,	64	43	21	19					
Pine,	15107	7627	7410	2725	111	5	5	5	7
Ramsey,	95	63	32	18					
Redwood,	10977	5859	5118	2113	19	18	17		2
Rice,	294	168	126	61	10				
St. Louis,	8521	4483	4138	1552	9	2	4	4	8
Scott,	819	438	381	158			1		
Sherburne,	4786	2518	2268	931	1				2
Sibley,	7367	3881	3486	1421		3		1	1
Stearns,	4932	2598	2334	984	3	1	1	1	2
Steele,	117	69	48	26					
Todd,	11363	5916	5434	2019	1			1	2
Wabasha,	4174	2139	2035	782	1	2	2		6
Waseca,	6780	3590	3190	1274		2	2		1
Washington,	249	130	119	46					
Watsonwan,	15277	7987	7290	2772	39	3	2	3	4
Winona,	5028	5707	2321	964	8	3	3		
Wright,									
Totals,	250099	131323	118776	46939	411	96	83	39	78

# ELECTION RETURNS.

Presidential Vote of 1864, and Gubernatorial Vote of 1865 and 1867.

Counties.	For President, 1864.		For Governor, 1865.		For Governor, 1867.	
	Lincoln.	M'Clellan.	Marshall.	Rice.	Marshall.	Flandrau.
Anoka,	285	167	200	114	809	243
Benton,	52	51	29	60	82	91
Blue Earth,	962	575	802	597	1498	1079
Brown,	826	58	255	61	882	260
Carver,	484	610	355	516	668	1031
Cass,	5	4				
Chisago,	371	88	232	47	418	100
Crow Wing,					8	21
Dakota,	1176	1178	864	1089	1241	1530
Dodge,	760	825	437	166	845	488
Douglas,					336	54
Faribault,	642	160	501	138	919	301
Fillmore,	1642	1081	1134	709	1801	1212
Freeborn,	653	221	559	149	889	234
Goodhue,	1866	688	769	419	1949	854
Hennepin,	1711	1221	1120	836	2662	2024
Houston,	796	635	691	679	1099	920
Isanti,	59	24	71	10	158	31
Jackson,			37		164	6
Kanabec,			9	3		
Kandiyohi,					60	10
Lake,					17	
Le Sueur,	495	812	422	729	619	1051
Lincoln,					32	
Manomin,			1	21	1	33
Martin,	190	17	153	23	385	74
McLeod,	202	142	214	207	411	261
Meeker,	115	84	105	92	403	220
Mille Lac,	51	20	43	22	82	49
Morrison,	35	50	89	63	43	132
Mower,	637	214	411	120	733	321
Monongalia,					174	44
Nicollet,	505	420	475	880	630	500
Olmsted,	1848	829	795	292	1910	1217
Pine,	17	4	11	2	28	
Pope,					175	19
Ramsey,	1258	1421	1001	1660	1324	2064
Redwood,			65	4	74	11
Renville,			24	1	94	20
Rice,	1275	667	568	528	1424	1283
Saint Louis,	39	5	30	5	28	13
Scott,	896	1045	252	734	404	1359
Sherburne,	108	78	85	72	157	131
Sibley,	263	559	228	392	303	679
Stearns,	427	917	383	812	794	1336
Steele,	636	209	521	118	996	570
Todd,	22	81			108	17
Wabashaw,	1392	634	688	432	4045	8915
Waseca,	418	284	351	244	687	575
Watsonwan,	88	5	82	11	120	35
Washington,	782	503	500	888	674	602
Winona,	1590	1082	1169	735	1792	1910
Wright,	528	356	435	227	778	622
Totals,	25,055	17,376	17,818	13,842	84,874	29,502

# CONGRESSIONAL VOTE.

## FIRST CONGRESSIONAL DISTRICT.

Counties,	For Member of Congress, 1866.		For Member of Congress, 1864.	
	Windom.	Jones.	Windom.	Lamberton.
Blue Earth,	1159	647	950	582
Brown,	451	97	381	52
Dodge,	636	171	761	321
Faribault,	1026	201	637	161
Fillmore,	1452	720	1637	1033
Freeborn,*			649	223
Houston,	1107	710	797	640
Jackson,	118			
Le Sueur,	500	787	498	807
Martin,	337	7	185	18
Mower,	532	142	633	213
Nicollet,	477	342	485	433
Olmsted,	1548	540	1639	815
Red Wood,	56	2		
Renville,	43	2		
Rice,	1080	595	1263	644
Scott,	320	849	375	1039
Sibley,	238	521	304	556
Steele,	779	463	629	209
Waseca,	427	330	412	275
Watsonwan,	93	12	38	6
Winona,	1497	878	1542	1060
Totals,	18,961	8,021	18,965	9,092

\* The vote of this county, which is officially reported as giving Windom 839, and Jones 124, was, by some inadvertency, not sent to the Secretary of State.

## SECOND CONGRESSIONAL DISTRICT.

Counties.	For Member of Congress, 1866.		For Member of Congress, 1864.	
	Donnelly.	Colvill.	Donnelly.	Gilman.
Anoka,	294	187	281	170
Benton,	48	96	51	54
Carver,	489	633	475	609
Cass,			3	4
Chisago,	342	67	364	93
Dakota,	1188	1024	1165	1161
Douglas,	108	69		
Goodhue,	1837	475	1861	680
Hennepin,	2068	1095	1708	1216
Isanti,	112	15	54	28
Kandiyohi,	34	6		
Lincoln,	44			
McLeod,	437	164	203	142
Manomin,	5	25		
Meeker,	299	142	115	83
Mille Lac,	57	42	50	21
Monongalia,	91	102		
Morrisou,	82	81	87	46
Pine,	15	8	17	1
Pope,	86	18		
Ramsey,	1048	1343	1244	1409
St. Louis,	35	7	40	5
Sherburne,	128	98	107	77
Stearns,	580	943	402	919
Todd,			23	27
Wabashaw,	1419	403	1380	614
Washington,	651	372	775	591
Wright,	595	254	519	856
Totals,	12,022	7 754	10,874	8,211



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UNIVERSITY OF MINNESOTA



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