

Mr. SPEAKER : The Senate has passed the following resolution :

Resolved, That the Senate do now adjourn to meet the House of Representatives in Joint Convention, at 3 o'clock, to receive the Governor's Message.

A. C. DUNN, Secretary of Senate.

December 11, 1857.

Mr. Otis, from the Committee appointed to wait on the Governor, made the following report:

The Committee to whom it was referred to act in conjunction with a similar Committee from the Senate, to wait upon the Acting Governor, and inform him that the two Houses are now permanently organized and ready to receive any communication he may have to offer, report that they have discharged their duty, and have received for answer, that his Excellency the Acting Governor, would send in his Message this afternoon, at three o'clock.

GEO. L. OTIS, Chairman.

December 11, 1857.

Mr. Starkey moved the Committee be discharged from further service. Carried.

Mr. Dow, from the Committee on Credentials, made report:

Your Committee on Credentials would respectfully report, that Hans Hanson, has presented to said Committee a proper certificate of election to entitle him to a seat in this House.

Hans Hanson then came forward and was sworn and subscribed to the oath of office.

Mr. Starkey offered the following resolution:

Resolved, That the Chief Clerk of the House be requested to wait on the Senate and inform them that the House is now in session, and ready to meet them in Joint Convention, for the reception of the Governor's Message, and for the transaction of any other business that may be properly brought before them.

Mr. Dow moved as a substitute to the resolution,

That the House do now adjourn until three o'clock, to meet the Senate in Joint Convention, to hear the Governor's Message.

Mr. Starkey accepted the substitute.

The question then recurring on the substitute,

Mr. Balcombe called for the ayes and noes, and the ayes and noes being ordered, there were yeas 40, and nays 30, as follows:

Those who voted in the affirmative were,

Messrs. Atkinson, Bradley, Bray, Butters, Chase, Crosby, Cruttenden, Cummings, Davern, Decow, Dow, Dunham, Eames, Foster, Fladeland, Graham, Hawkins, Kibler, Kinghorn, Le Blond, Locke, Masters, Mackintire, McGrorty, O'Neill, Otis, Pierce, Poehler, Rauch, Rutan, Scofield, Simpson, Starkey, Stevens, Tefft, Tuttle, Vertress, Willson, Young, and Mr. Speaker.

Those who voted in the negative were,
Messrs. Bacon, Balcombe, Bartlett, Bearce, Bevens, Burgess, Campbell, Chowen, Grover, Hanson, Hinkley, Heyd, S. R. Johnson, Smith Johnson, Keith, Leonard, Libbey, Lord, Parker, Peckham, Pettie, Powers, Randall, Seeley, Sheetz, Tattersall, T. A. Thompson, Townsend, Wakefield, and Way.

The House then adjourned to meet the Senate in Joint Convention.

IN JOINT CONVENTION.

The two Houses met in Joint Convention at 3 o'clock, and were called to order by the Speaker of the House.

Mr. Cowan, of the Senate, moved that the officers of the House act as the officers of the Convention, and the rules of the Senate be the rules of the Convention. Carried.

Mr. Bearce moved a call of the Convention. Carried.

The roll being called, the following members answered to their names:

Messrs. Adams, Bates, Bailly, Beman, Carlton, Cave, Chase, Cowan, Cook, Day, Dunwell, Folsom, Hall, Hodges, Hudson, Hull, Jones, Lindsley, McKune, Mixer, Moreland, Northrup, Norton, Phelps, Reiner, Redpath, Richardson, Rolette, Skinner, Smith, Somers, Streeter, Thomas, Van Etten, Watson, Mr. President, Atkinson, Bacon, Balcombe, Bartlett, Bearce, Bevens, Bradley, Bray, Burgess, Butters, Campbell, Carpenter, Chase, Chowen, Crosby, Cruttenden, Cummings, Davern, Decow, Dow, Dunham, Eames, Foster, Fladeland, Gibson, Graham, Grover, Hawkins, Hanson, Hinkley, Heyd, S. R. Johnson, Smith Johnson, Keith, Kibler, Kinghorn, Le Blond, Leonard, Libbey, Locke, Lord, Masters, Mackintire, M'Grorty, O'Neill, Otis, Parker, Peckham, Pettie, Pierce, Poehler, Power, Randall, Rauch, Rutan, Scofield, Seeley, Simpson, Sheetz, Starkey, Tattersall, Stevens, Tefft, T. A. Thompson, Townsend, Tuttle, Vertess, Wakefield, Way, Willson, Young, and Mr. Speaker.

Mr. Van Etten, of the Senate, moved that further proceedings under the call of the Convention, be dispensed with. Carried.

Mr. Dow offered the following resolution:

Resolved, That a Committee of three be appointed to wait on the Governor and inform him that the two Houses were now met in Joint Convention, and ready to receive any communication from him.

Mr. Balcombe called for the yeas and nays.

And the yeas and nays being called for and ordered, there were yeas 59, nays 47.

Those who voted in the affirmative were,

Messrs. Adams, Bailly, Carlton, Cave, Cowan, Day, Dunwell, Hall, Hull, Jones, Mixer, Moreland, Northrup, Richardson, Rolette, Skinner, Streeter, Van Etten, Mr. President, Atkinson, Bradley, Bray, Butters, Carpenter, Chase, Crosby, Cruttenden, Cummings, Davern, Decow, Dow, Dunham, Eames, Foster, Fladeland, Graham, Hopkins, Kibler, Kinghorn, Le Blond, Locke, Masters, Mackintire, M'Grorty, O'Neill, Otis, Pierce, Poehler, Rauch, Rutan, Scofield, Simpson, Starkey, Stevens, Tuttle, Vertess, Willson, Young, and Mr. Speaker.

Those who voted in the negative were,

Messrs. Bates, Beman, Chase, Cook, Folsom, Hodges, Hudson, Lindsley, M'Kune, Norton, Phelps, Reiner, Redpath, Smith, Somers, Thomas, Watson, Balcombe, Bartlett, Bearce, Bevans, Burgess, Campbell, Chowen, Grover, Hanson, Hinkley, Heyd, S. R. Johnson, Smith Johnson, Keith, Leonard, Libbey, Lord, Parker, Peckham, Pettie, Powers, Randall, Seeley, Sheetz, Tattersall, Tefft, T. A. Thompson, Townsend, Wakefield, and Way.

The Chair appointed Messrs. Dow, Bradley, and Van Etten said Committee.

Mr. Van Etten, from the Committee appointed to wait on the Governor, reported that the Committee had fulfilled their duty, and introduced Mr. E. H. McCook, private Secretary to his Excellency, who delivered the following message:

EXECUTIVE OFFICE, MINNESOTA. }
SAINT PAUL, Dec. 11, 1857. }

Gentlemen of the Senate and House of Representatives :

I congratulate you upon your organization as the Legislative Department of a State Government.

The Territorial existence of Minnesota has been brief, healthful and fortunate ; and having patiently waited until the full measure of her population is more than attained, and asked and fulfilled every formality of law and precedent, she is ready,—without dissension, strife or doubt,—to take her place among the co-equal sovereignties of the Federal Union.

You will join with me in the hope and effort, that Minnesota may achieve a position of usefulness and importance in National affairs : and be powerful in promoting the harmony and prosperity of these United States.

The Constitution adopted by the people of our Territory, with such distinguished unanimity, is so distinct in its grants and limitations of power that there need be no difficulty in following its true intent and meaning. Securing the fullest liberty of conscience, of speech, and of the Press, its Republican character is indisputable. The work of actual residents, uninfluenced by outside interference, the people of Minnesota can repose upon it as their own creation; and if found inadequate to the complete development of their State, or defective in any of its provisions, they have reserved to themselves the ways and means of its revision or abrogation. Upon the Legislature now assembled devolves the high privilege and important duty of shaping the first Laws of our infant State, in accordance with the charter the people have decreed.

The Legislature will naturally feel that one of the earliest obligations devolving upon it will be to provide that our new sovereignty and equality in the sisterhood of States be illustrated and recognized in the National Councils. The people having designated their immediate delegates, will of course expect their State independence to be represented in the Federal Congress. This obligation, it is hoped, will be discharged at an early day of your session, harmoniously, and satisfactorily to yourselves, and to the honor and best advantage of our young Commonwealth.

The liberal grants of land made by Congress for educational purposes, will require your early attention. Care will be taken that, in the sale of these lands, the purposes of the grants be best secured, and that the funds arising from the sales be protected against loss or diminution, so

that, at no distant period, a free school house, and the means of education, may be within the reach of every child, and, if possible, without the burden of general taxation. In framing a system of education, the State should assume no man's rights or responsibilities. In the organization of School Districts, householders should have the largest discretion in their particular management consistent with the spirit of a well balanced State system. Popular interest will be more salutary than excessive legislation.

A Superintendent of Public Instruction will be sufficient to take charge of this branch of the public business. A single officer will be more efficient, and less expensive, than a Board of Education, with divided responsibilities, and in all probability divided counsels.

With sufficient means at command, with prudent and wholesome laws, and with capable officers to entrust with this benevolent labor, Minnesota may soon build up a school system that will extend the blessings of education throughout all her limits.

The State University, will not be neglected in the supervisory power of the Legislature. Richly endowed by government, with suitable and skilful Professors, it should assume a high position among the literary institutions of the country. Located in the heart of the State, it will invite a home education for the children of Minnesota, while her climate, renowned for its health and salubrity; and the beauties nature has prodigally lavished upon her, will attract students from all the broad valley of the Mississippi, and give additional character and influence to our State.

As the prosperity of Minnesota is, and must ever be, dependent chiefly upon its agricultural resources, it is suggested that, among other fostering influences, an Agricultural Professorship—with every convenience for practical application—constitute one of the departments of the State University. Agriculture is no longer the pursuit of mere hereditary experience, of a generation ago. The progress of the age demands that science shall anticipate the results of observation. Farmers are proverbial for their State attachments. Let their devotion to Minnesota be encouraged by demonstrating the ability and will of their home government, to contribute directly to their advancement and success.

Closely connected with the agricultural interests, is the development of the mineral resources of the State. It is therefore recommended that a Geological survey be ordered, and provided for, at an early day; which will doubtless lead to important scientific results, and open new fields of enterprize and prosperity.

The 5th Section of the Act of Congress entitled, "An Act to authorize the people of Minnesota Territory to form a Constitution and State Government," grants to the State

1st. Sections of land numbered sixteen and thirty-six in every township of public lands; and where either of said sections, or any part thereof has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, for the use of Schools;

2d. Seventy-two Sections for the use and support of the State University;

3d. Ten entire Sections, for the purpose of completing the Public Buildings, or for the erection of others at the seat of government;

4th. All salt springs within the State, not exceeding twelve in number,

with six Sections of land adjoining, or as contiguous as may be to each, for the use of the State.

5th. Five per centum of the net proceeds of sales of all public lands lying within the State, which shall be sold by Congress after the admission of the State into the Union, after deducting all the expenses incident to the same, for the purpose of making public roads and internal improvements.

All these grants require the action of the Legislature, for their proper selection and disposition, and the promptest action consistent with due deliberation, is advisable. These grants have been accepted, ratified and confirmed by Article 2, Section 3, of the Constitution of Minnesota; and now all that is required is, the necessary Legislative enactments to secure the benefits intended.

The law of Congress appropriating swamp lands to the States wherein they lie, now applies to Minnesota; and measures should be taken to give the State the full benefit of said law. It is a matter of great importance that this should receive your early attention.

At the special session of the Territorial Legislature, assembled in May last, the extensive grants of land made by Congress for the construction of Railroads within the Territory of Minnesota, were appropriated to the several Roads named in an Act passed May 22d, 1857. Your attention is invited to this subject, with the object of seeking such further legislation as may be necessary to reap the full advantages of the grants. The importance of the lands being in market as soon as possible, and the Roads completed as high-ways of travel and traffic, cannot be over-estimated. In addition to the facilities of intercourse between different parts of the State, and with the rest of the Union—the influence their construction will probably exert in determining the course of the first great chain of Railways projected from the wealthy Atlantic Coast, to the empires springing into life on the Pacific, is of peculiar interest to Minnesota, and suggests your attentive consideration.

Prompt measures should be taken to establish and fix that portion of the western boundary line of the State, from the outlet of the Big Stone Lake, directly south to the northern boundary line of Iowa. Settlements are rapidly increasing in that direction and county lines should be defined, and no room left for doubt as to jurisdiction.

A thorough reorganization of the militia system, is essential to the dignity and authority of the State. The existing regulations are wholly inadequate, and a frontier State particularly, needs a military organization of undoubted efficiency. While the preservation of peace should be the first object of government, and the employment of force the last possible resort; yet all experience teaches that complete and active preparation for the latter, is the best security for the maintenance of the former.

Under the present territorial laws, the Sheriff of the county is made the collecting agent. As there is no necessary connection between the duties of the Sheriff and the collection of the revenues, I would recommend that a Treasurer and Auditor be provided by law for each county; and that it be made the duty of the Treasurer to collect the taxes, and that disbursements be made only on the draft of the Auditor. I would recommend, also, that the office of "Register of Deeds" be changed to that of "Recorder," and that the duties be confined exclusively to recording deeds, mortgages, and similar instruments of writing, not pertaining to the

Court Records. Also that the election returns be made to the County Auditor, if such office should be created. The officer to whom is entrusted the recorded evidence of the titles of each landholder in the county, should be relieved from political duties, and confined strictly to the responsible and delicate trust reposed in him.

I would respectfully suggest that a law be passed regulating the appointment of Notaries Public, and that a copy of said law accompany each commission. The propriety of this, will be apparent to all persons living in a newly and sparsely settled neighborhood.

The Constitution provides that "legal pleadings, and proceedings in the Courts shall be under the direction of the Legislature." It also declares, "that every person is entitled to a certain remedy in a law, for all injuries or wrongs he may receive in his person, property, or character; that he ought to obtain justice freely, and without purchase; completely and without denial; promptly and without delay; conformably to the laws." I therefore recommend, that three Commissioners be appointed, to secure the objects named in the Constitution, by revising and simplifying the practice, so as to render your Courts accessible to the poorest citizen, who may have wrongs to redress, or rights to maintain.

The change from a Territorial to a State Government, will render many existing laws obsolete; require radical changes in others; and make many new enactments necessary. It is therefore recommended, that a complete revision and codification be made. This can be done by a Joint Committee of the two Houses, or by Commissioners appointed for that purpose. The necessity and propriety of the work is apparent. The manner of doing it, you will in your wisdom decide.

No subject will appeal more strongly to your patriotism than that of preserving the purity of the ballot-box. The right of suffrage is too sacred an element in our system of government to be abused or misused. Unawed and uninfluenced, the ballot should express the sentiment of him who deposits it; and any effort to defraud the voter of this free and unbiased expression of his opinion,—whether in casting his vote, or in making a return of it by the proper officer—should be visited by the severest legal penalties. The enemies of free government, find their strongest argument against man's capacity for self-government, in the corruptions of the elective franchise. With a view to assist your endeavors to preserve the purity of this right, I recommend that, instead of election precincts, as now existing, the townships as established by government surveys, be organized for their local governments, and made election districts, when sufficiently populous to admit of such organization. In thus simplifying the system—based upon permanent and known boundaries, with a local and political existence, regulated under legal responsibilities for other than election purposes,—the opportunities, as well as the temptation to commit frauds will be greatly diminished.

The condition of the Penitentiary calls for your immediate action. No money having been appropriated for such repairs as were absolutely necessary for the security of prisoners, the officers of the institution have been subjected to some necessary and unavoidable expenditures during the past season, which should be provided for. The repairs are still inadequate, and the building demands further improvements, till such time as the State may feel justified in completely remodeling it.

Many counties of the Territory having no jails, it was the custom to send persons under indictment to the Territorial Prison, for safe-keeping till remanded for trial. This has placed two distinct classes of prisoners—those already convicted, and those under indictment—in the same position. The expenses of this latter class were to be defrayed by the counties whence they were sent. Courts had not been held in many of the counties for more than a year, because of an act of Congress which deprived the Judges of the power to hold their Courts in more than one place in each judicial district.

From representations and complaints of failure to pay, on the part of some of the counties, while continuing to send persons charged with offences,—a law was passed at the late Special Session of the Territorial Legislature, making it the duty of the Warden, to receive and confine in the Penitentiary, persons under indictment sent from any county in the Territory: provided, the Warden was prepaid by the committing officer, the sum of three dollars per week, for five weeks board, besides furnishing the necessary clothing. It was likewise provided in said law, that the Warden should not be compelled to maintain, or be held responsible for the safe keeping of any person, after the expiration of the time for which he should have been paid at the rate aforesaid. There being no money in the Territorial Treasury, for such purposes, it was urged that such a law was necessary to protect the Warden against the injustice and responsibility of supporting and taking care of county prisoners without compensation. Although some law of the kind seemed thus temporarily demanded, no argument is needed to show that an entire change should be made in the organization and government of the Penitentiary. The plan which has been generally adopted in other States, of hiring convict labor by contract to the highest bidder, will doubtless be followed here. The Warden should have a fixed salary, and no officer of the Institution should have an interest in the contracts, or in the labor of the convicts; nor be the owner of any part of the tools or machinery used in the institution, as is the case under the present laws.

I would recommend that during the present session of the Legislature the proper Committees should visit this institution and give its affairs such investigation as will enable them to report upon its present condition, and make such recommendations in addition to those already indicated as may be necessary for its future government.

The condition of our frontier, and our relations with the Indian tribes, is a matter of such deep interest to the immediate growth and prosperity of our State that I deem it proper to lay before you a brief statement of some of the events which have transpired since the adjournment of the last Territorial Legislature. A history of the Spirit Lake massacres, committed by a marauding band of Sioux Indians, led by Ink-a-pa-du-tah, was communicated to that body at its Extra Session. Empowered by their act, I procured the necessary means, and took such steps as I then deemed would result in the recapture of the white women, and in successfully carrying out the wishes of the Legislature and the people. These measures resulted in the recovery of two of the unfortunate captives—the other two having been murdered by the Indians. In this connection I take pleasure in stating, that to the efforts of Major Flaudrau, then Sioux Agent, I am greatly indebted for the successful result of the enterprise.

Since then, all grounds for fear of further Indian depredations have been removed, and I feel confident that under the present administration of Indian Affairs no apprehension need be entertained of their recurrence.

The state of affairs existing upon the frontiers, at that time, was represented to the Indian Department at Washington; and orders were promptly forwarded, that the Lower Sioux annuities should be withheld until the offending Indians were delivered up for punishment. On the arrival of Major Cullen, the present Superintendent of Indian Affairs, active and vigorous efforts were made to destroy Luk-a-pa-du-tah and his band, who were wandering in the vicinity of the James River. Superintendent Cullen, withheld from the Sioux their annuities, and by his perseverance and energy, a war party of the Lower Sioux was formed and sent out. They met with a portion of the band, and destroyed four of the men; and it has since been learned from reliable sources, that the rest of Ink-a-pa-du-tah's party have fled beyond the Missouri, with the design of leaving forever a country where they had committed such unprovoked outrages.

The Government, on the recommendation of the Superintendent, has supplied the Indians with an additional amount of provisions, in order to keep them on their Reserves during the winter: and if our own citizens will refrain from the traffic with them in liquor, which is so demoralizing and degrading to both races, peace and tranquility may hereafter exist.

The excited state of public feeling during the early part of the summer; the alarm and fears of the settlers on our frontiers; the restless and threatening attitude of the Indians; have all happily subsided, and peace and confidence now pervade every portion of the State of Minnesota. It gives me much satisfaction to state that these favorable results are due to the prompt, determined and judicious action of the authorities at Washington, the great prudence of the commanding officers at the Forts, and the untiring efforts of the efficient Superintendent and his Agents.

As the Territory has incurred an expense of between four and five thousand dollars in rescuing these captive women, I would recommend that a memorial be sent to Congress embodying the facts, and urging the propriety of reimbursing the amount so expended. In no aspect of the case is this expense chargeable upon the Territory. The sufferers were citizens of another State; and we, being in no way responsible for the conduct of the Indians, were only moved by considerations of humanity to take the immediate and initial steps in the matter, and to incur the necessary outlay. Such being the case, I have no doubt that the Government will cheerfully respond to our demand; and not only repay the amount expended by the Territory, but also make some provision by which the survivors of this unfortunate affair will receive ample compensation for their losses.

The result of the Expedition sent out during the month of August to protect the settlers in the vicinity of Sunrise, will be made the subject of a special communication so soon as all the expenditures are reported to this Department in such a manner as will enable me to present them to the Legislature in a definite form.

Liberal salaries and strict accountability promote the public welfare and official honesty. Severe penalties for official misconduct come with

a better grace from a government disposed to pay fair and honest wages than from one of a contracted and parsimonious character. Inadequate compensation tends, to throw government offices into the hands of the wealthy, irrespective of fitness or merit: while extravagant remuneration, on the other hand, leads to corruption in the effort to obtain public place. In a government like ours, where official positions are open to all, salaries should be so regulated that appropriate talent dependent upon its employment for support, may not be excluded; and should be graduated according to the labors and responsibilities of the officer. No part of the remuneration for official service should be deemed cancelled by the honors of position. Salaries are intended as compensation for labors imposed by law upon the officer. The honors he reaps depend upon the manner in which his duties are performed.

The successful prevention of extravagant expenditure, and excessive taxation, is greatly dependent upon rigid exactness in collecting, safe-keeping, and disbursing the public revenues. The organization of the Financial department of Government, is both difficult and important. Once established, it is not easy of change or modification. Economy, simplicity and efficiency, are the leading ideas which should preside over its development. By the excellent provisions of our constitution, the sub-treasury system is effectually secured; and the unrighteous connections between the taxes of the people, raised for the support of the government, and the speculations of bankers is forever prohibited, and declared embezzlement of the State Finances. Keeping this great feature of the Constitution and a sound Government, ever in mind, it will be your duty to provide such checks and safeguards, as will secure safety and efficiency in the Financial Department.

It is a high compliment to the framers of our Constitution, that they carefully protected the people from a heavy and onerous State debt. Unless in time of war or invasion, two hundred and fifty thousand dollars is the maximum of debt authorized; and care is taken also, to provide, that a tax,—not only to pay the interest, but to diminish principal,—shall be levied, commencing with the contracting of the debt. This will place the credit of the State on the firmest basis; and no difficulty need be apprehended in selling, without delay, and at par, bonds to that amount, bearing an interest of eight or ten per cent. The prompt sale of these Bonds will secure the means to put the State machinery in successful operation, and add much to the relief of the people.

The monetary difficulties which oppress the country at the time of our transition from a Territorial to a State Government, while probably embarrassing your deliberations to some extent, will doubtless prove fortunate in imparting greater caution and wisdom to your legislation. You may draw therefrom many useful lessons, and direct your conclusions in regard to the State finances from cotemporary experience. The existence of these difficulties proves how unreliable are our hopes of continued success and expected wealth, when to all outward appearance they are within our reach. In the midst of the greatest prosperity and plenty, the shock comes, and industry is paralyzed. Surely there is some radical error here, and it is the duty of statesmen entrusted with the public interests, to trace it to its origin, and guard against the occurrence of its evils, if within human wisdom and legislative power. But in the hour of panic, when every financial empiric vaunts his specific as a certain reme-

dy, it becomes the more necessary to resist his solemn appeals and selfish designs.

The history of the world bears evidence that every attempt, either to debase or inflate the medium of commerce, or the measure of value in the exchange of commodities, by governmental expedients, has only ended in disappointments, oppression and bankruptcy. What is false both in theory and sound morality, can be but pernicious in practice.

In a new country, with little export trade, and comparatively isolated from the rest of the world, a restrictive paper currency may for a time prove convenient as a circulating medium; but so soon as commercial transactions become of any magnitude, they are affected by the standard of value with which they come in contact, and a common medium is required to regulate the intercourse.

That medium, by the common consent of all civilized nations, is gold and silver. Every act, therefore, that tends to substitute a baser and less valuable circulating medium, disturbs the true standard, and robs labor and trade of a portion of its reward. When gold and silver are announced at a premium, it might be of some public interest to know what had been substituted as the standard of value.

The calamities brought upon the Colonies by paper money during their struggle for Independence, led the framers of the Constitution to insert in that instrument a clause making gold and silver the only legal tender for debt; with an additional prohibition against any State emitting "bills of credit." How far these wise provisions have been observed in practice, cannot much longer escape discussion and investigation.

Every effort made to avoid their strict observance and common-sense interpretation, either by the General or State Governments, has led to bankruptcy and ruin. After deserting one error, from its signal failure, we resorted to another; and again, after a fair and full trial, we find the country struggling with prostrate hopes, suspensions, bankruptcies, and a comparatively worthless currency.

The Constitution of Minnesota, though not entirely prohibiting banks of issue, has thrown around any charters that may be authorized, many restrictions, and requires that any banking bill, before it becomes a law, must secure a vote of two-thirds of the members of the Legislature. It is hoped that these provisions may prevent the passage of a Bank law unless it is first subjected to the severest scrutiny. No one will deny the necessity of places of deposit, of dealing in exchange, of loaning money, &c. But such establishments should be under strict legal supervision; whether transacting business under charters granted by the Legislature or otherwise. The depositor, as well as the bill holder, should have Legislative protection. The practice of loaning deposits, is at all times a precarious business; but when those deposits are hired at what should be a full interest for the ordinary use of money, and loaned at an extravagant percentage, at risks generally proportioned to the amount paid by the borrower, suspensions and assignments inevitably follow a sudden crisis. The high character of the individual and a life of blameless integrity, are insufficient to divert from a common ruin, such wide departures from the rules of prudence and the lessons of experience. The banker becomes the common endorser for all who leave money in his hands. What then must be the consequences, when such business is left to the unrestricted license

of the unprincipled and designing, whose leading purpose must be to defraud the unsuspecting of their hard earnings !

In enacting laws for the regulation of these subjects, which are generally supposed to be so intricate, a law prescribing the rates of interest cannot properly be overlooked. In a new and rapidly improving country, where property doubles in value almost between the rising and setting of the sun, the sum paid by the borrower is not of very serious importance, and may be left to the discretion of the parties. But three and five per cent a month paid for the use of money in the ordinary business of trade, or in real estate transactions, when property is at its maximum value, or has a downward tendency, leads to the ruin of the debtor, and appeals for such interference as the law is able to give. A true and reasonable standard of interest is just as important to the lender as to the borrower. By grasping too much, the lender not unfrequently gets nothing. The overreaching of the one, and the recklessness of the other, dissipate the whole, and both become bankrupt.

Money, as designated by the Constitution of the United States, and as conceded by all nations, is not an article of merchandise, like farm products, to be bought by those who choose to give the most for it—bought and rebought until consumed. Were gold and silver like the wares and products of commerce, capable of as endless increase as the market demands, they would be just as worthless for the purposes they are now used, as are ordinary articles of manufacture.

It is difficult to account for the extent of the present monetary crisis in the United States, except upon the principle of a struggle between coin and paper, the former seeking a circulation, and the latter struggling to keep it out of the ordinary avenues of trade. Aside from the Sub-Treasury established by Congress, and a few of the State Legislatures, which had virtue enough to withstand the importunities of bankers, there has been an almost unlimited license given to the issue of paper money ; and had these yielded to the false lights which so long and so zealously struggled for the mastery, no one can calculate the extent of the misery and ruin which might now afflict the land.

The gold fields of California and Australia opened their precious stores to the world, people awakened to renewed hopes that their day of deliverance from Bank paper was near at hand. But the Bankers were not to be foiled in their purpose ; for as gold increased they demanded new charters, and thus succeeded in effectually preventing the millions yearly dug from the mines, from ever reaching the pockets of the people. They well knew that two descriptions of currency, the one good and the other doubtful, could never circulate together. With this double accumulation of Gold and Bank paper, Wall Street, the great point of its concentration, became an arena for the reckless gambling ; and Railroad securities, because the most plentiful, became the leading stakes of the players. Millions of capital were thus absorbed in the perpetual round. The real value of these securities was entirely hidden from those desiring to make permanent investments, by the gamblers who thus earned their profits. But when the curtain was withdrawn, and the reality exposed to public gaze ; consternation and dismay, seized the minds of the people, and the panic became general.

In advance of the announcement of the Eastern bankruptcies, the people of the West were startled by the warnings of the Press, that the coun-

try would be ruined by the number of emigrants coming to the frontier States and Territories, and the rage for Western lands, and town sites. How the country was to be seriously injured by the opening of new farms, the erection of comfortable houses, mills and workshops, and the springing into life of new and flourishing towns and cities, was to the Western people incomprehensible. In Minnesota, where Government land could only be obtained by the actual settler, to the amount of one hundred and sixty acres each—her soil not being subject to the monopolies of the speculator—this Eastern cry of ruin from such a cause, induced the belief, that it was an effort to prevent the poor man from seeking a home upon the rich and healthful prairies abounding within our limits. Subsequent events proved that it was only to divert suspicion from disasters they had measurably brought upon themselves.

That our present financial embarrassments will be of brief duration, there is every reason to believe. Although, like the revulsions of 1817, and 1837, it is mainly attributable to an over issue of Bank paper, there is a wide difference in many particulars, and in the general condition of the country.

In addition to the general plenty, there are three hundred millions of gold and silver in the country seeking a circulation. With the annual yield of our own mines, the amount brought into the country by immigrants, and the influx by foreign commerce, we may safely estimate that during the next twelve months, a hundred millions might be added to the present amount of metallic currency if necessary to fill the channels of circulation. With such prospects before us there is no cause for despondency. The present crisis will sift the sound from the unsound, and separate the real from the worthless. The increased emigration to the West, of those who desire to augment their happiness and their wealth, will re-establish the hopes and stimulate the progress of our new State. Wise legislation, based upon sound principles, will do its part in establishing the character and multiplying the resources of Minnesota; while contentment, industry and confidence will pervade Society in all its branches.

Notwithstanding the excitement which has recently disturbed the Nation, in relation to the powers of the General Government over the Territories, let us hope that the question may soon find a satisfactory solution. The future peace and harmony of States and Territories can be best secured by each acting within its own proper sphere. A people accustomed to regulate and control their own social and political relations, will not long remain in disorder, when left to devise their own means of safety.

On the application of a new State for admission into the Union, Congress has power—and it becomes its duty—to inquire whether it is Republican in its organization according to the meaning of that term as applied to the principles and practices of our Government from the beginning; but it has neither the power nor right to prescribe the mode by which the People shall arrive at that organization. Any other conclusion would preclude the idea of equality: because the equality of States does not mean being equal in size, or strength, or similar in domestic policy, but equal in the rights reserved to the States and the People in their sovereign capacity.

Gentlemen of the Legislature: While I am not insensible to the deli-

cate and responsible duties imposed upon me by the Constitution under which you have organized, I shall cheerfully co-operate with you to facilitate the business of Legislation and promote the public good, during the brief connection which may exist between us.

S. MEDARY.

Mr. Van Etten moved that the Convention now proceed to the election of State Printer.

Carried.

Mr. Streeter nominated Earle S. Goodrich.

Mr. Bearce nominated Mr. Sinclair.

Mr. Sheetz nominated Messrs. Foster and Moore.

The roll being called, the members voted as follows :

Messrs. Adams, Bailly, Carlton, Cave, Cowan, Day, Dunwell, Hall, Hull, Jones, Mixer, Moreland, Northrup, Richardson, Rolette, Skinner, Streeter, Van Etten, Mr. President, Atkinson, Bradley, Bray, Butters, Carpenter, Chase, Crosby, Cruttenden, Cummings, Davern, Decow, Dow, Eames, Foster, Fladeland, Graham, Hawkins, Kibler, Kinghorn, Le Blond, Locke, Masters, Mackintire, McGrorty, O'Neill, Otis, Pierce, Poehler, Powers, Rauch, Rutan, Scofield, Starkey, Stevens, Tefft, T. A. Thompson, Tuttle, Vertress, Willson, Young, and Mr. Speaker, voted for Earle S. Goodrich.

Messrs. Bates, Chase, Cook, Folsom, Hodges, Hudson, Lindsley, McKune, Phelps, Reiner, Redpath, Somers, Thomas, Watson, Bartlett, Bevans, Campbell, Chowan, Dunham, Hanson, Hinkley, Heyd, Smith, Johnson, Keith, Leonard, Libbey, Peckham, Pettie, Randall, Seeley, Sheetz, Simpson, Tattersall, Townsend, Wakefield, and Way, voted for Foster and Moore.

Messrs. Beeman, Norton, Smith, Balcombe, Bearce, Burgess, Grover, S. R. Johnson, Lord, and Parker, voted for Mr. Sinclair.

Whole number of votes	107
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Necessary to a choice	53
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E. S. Goodrich received	60 votes.
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Foster and Moore	36 "
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D. Sinclair	11 "
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Mr. Goodrich having received a majority of all the votes cast, was declared elected State Printer.

Mr. Van Etten moved that the Convention proceed to the election of State Binder. Carried.

Mr. Starkey nominated Stephen Hewson,

Mr. Sheetz nominated Mr. Horsington.

Those who voted for Mr. Hewson were,

Messrs. Adams, Bailly, Carlton, Cave, Cowan, Day, Dunwell, Hall, Hull, Jones, Mixer, Moreland, Northrup, Richardson, Rolette, Skinner, Streeter, Van Etten and Mr. President. Messrs. Atkinson, Bradley, Bray, Butters, Carpenter, Chase, Crosby, Cruttenden, Cummings, Davern, Decow, Dow, Eames, Foster, Fladeland, Graham, Hawkins, Kibler, Kinghorn, Le Blond, Locke, Masters, Mackintire, McGrorty, O'Neill, Otis, Pierce, Poehler, Rauch, Rutan, Scofield, Seeley, Starkey, Stevens, T. A. Thompson, Tuttle, Vertress, Willson Young, and Mr. Speaker.

Those who voted for Mr. Hoisington were,

Messrs. Bates, Chase Cook, Folsom, Hodges, Hudson, Lindsley,

M'Kune, Norton, Phelps, Reiner, Redpath, Smith, Somers, Thomas and Watson. Messrs. Bacon, Balcombe, Bartlett, Bearce, Bevans, Burgess, Campbell, Chowen, Dunham, Grover, Hanson, Hinkley, Heyd, S. R. Johnson, Smith Johnson, Keith, Leonard, Libbey, Lord, Parker, Peckham, Pettie, Powers, Randall, Simpson, Sheetz, Tattersall, Tefft, Townsend, Wakefield and Way.

Mr. Stephen Hewson received 59 votes.

Mr. J. A. M. Hoisington received 47 votes.

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

Mr. Van Etten moved that the Convention do now adjourn. Carried.

After the Senators retired, the Speaker called the House to order, and the Clerk having called the roll, the following members were found absent:

Messrs. Bacon, Frost, Gaskill, Gibson, Rehfeld, Murphy, and Walker.

Mr. Scofield asked leave of absence for three days. Granted.

Mr. Eames offered the following resolution:

Resolved, That one thousand copies of the Governor's Message, be printed for the use of the members of the House.

Mr. Balcombe moved that the House adjourn.

The yeas and nays being called for and ordered, there were yeas, 25, and nays 45.

Those who voted in the affirmative were,

Messrs. Balcombe, Bartlett, Bevans, Burgess, Campbell, Chowen, Davern, Dunham, Grover, Hanson, Hinkley, Heyd, S. R. Johnson, Smith Johnson, Leonard, Libbey, Peckham, Pettie, Randall, Seeley, Simpson, Sheetz, Tattersall, Townsend, and Wakefield.

Those who voted in the negative were,

Messrs. Atkinson, Bacon, Bradley, Bray, Butters, Carpenter, Chase, Crosby, Cruttenden, Cummings, Decow, Dow, Eames, Foster, Fladeland, Graham, Hawkins, Keith, Kibler, Kinghorn, Le Blond, Locke, Lord, Masters, Mackintire, McGrorty, O'Neill, Otis, Parker, Pierce, Poehler, Powers, Rauch, Rutan, Scofield, Starkey, Stevens, Tefft, T. A. Thompson, Tuttle, Vertress, Way, Willson, Young, and Mr. Speaker.

So the House refused to adjourn.

The question recurring on Mr. Eames' resolution,

Mr. Dow moved the previous question.

Mr. Balcombe moved a call of the House, when the following members answered to their names:

Messrs. Atkinson, Bacon, Balcombe, Bartlett, Bearce, Bevans, Bradley, Bray, Burgess, Butters, Campbell, Carpenter, Chase, Chowen, Crosby, Cruttenden, Cummings, Davern, Decow, Dow, Dunham, Eames, Foster, Fladeland, Graham, Grover, Hawkins, Hanson, Hinkley, Heyd, S. R. Johnson, Smith Johnson, Keith, Kibler, Kinghorn, Le Blond, Leonard, Libbey, Locke, Lord, Masters, Mackintire, M'Grorty, O'Neill, Otis, Parker, Peckham, Pettie, Pierce, Poehler, Powers, Randall, Rauch, Rutan, Scofield, Seeley, Simpson, Sheetz, Starkey, Tattersall, Stevens, Townsend, Tuttle, Vertress, Wakefield, Way, Willson, Young, and Mr. Speaker.

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