

THIRTY-THIRD DAY.

THURSDAY, Aug. 20, 1857.

The Convention met pursuant to adjournment, and was called to order by the PRESIDENT.

Prayer by Rev. Mr. PENMAN.

The Journal of yesterday was read and approved.

On motion of Mr. CHASE, a call of the Convention was ordered.

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

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

On motion of Mr. GORMAN, the vote by which the Convention resolved to adjourn this day at 1 o'clock, P. M. was reconsidered.

On motion of Mr. A. E. AMES, the resolution to adjourn was laid on the table.

On motion of Mr. A. E. AMES, the Convention adjourned.

AFTERNOON SESSION.

2½ O'CLOCK, P. M.

The Convention met pursuant to adjournment, and was called to order by the President.

On motion of Mr. BARRETT, a call of the Convention was ordered, and the Sergeant-at-Arms directed to report the absent members in their seats.

On motion of Mr. FLANDRAU, the Committee on Conference were excused from attendance this day.

On motion of Mr. A. E. AMES, further proceedings under the call were dispensed with.

Mr. FLANDRAU presented the following Report from the Committee on Miscellaneous Subjects:

"The Committee on Miscellaneous Affairs beg leave to report the following Article for the consideration of the Convention:

ARTICLE —.

"SECTION —. All Territorial, district, county and precinct officers, civil and military, holding their offices under the United States or the Territory of Minnesota, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the State.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. —. All laws 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not repugnant to this Constitution shall remain in force until they expire by their own limitation or be altered or repealed by the Legislature.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. —: All rights, actions, prosecutions, judgments, claims and contracts, as well of individuals as of bodies corporate, shall continue as if no change from a Territorial Government had taken place; and all processes issued under the authority of the Territory of Minnesota previous to its becoming a State shall be as valid as if issued in the name of the State.

"All fines, penalties or forfeitures accruing to the Territory shall enure to the use of the State.

"All recognizances taken before the change from a Territorial to a State government shall remain valid, and pass to, and may be prosecuted in the name of the State. And all bonds executed to the Territory or any officer or court thereof shall pass to the Governor or appropriate State authorities, and their successors in office, for the uses therein respectively expressed, and may be sued for and recovered accordingly; and all the estate or property,—real, personal or mixed,—and all judgments, bonds, specialties, choses in action, and claims or debts of whatever 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 said State, as the same could have been by the said Territory. 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 said change, and which shall not have been prosecuted, may thereafter be prosecuted in the name of the State 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 then be pending in any of the Courts of the Territory may be continued and transferred to any Court of the State which shall have jurisdiction of the subject-matter thereof.

"SEC. —. The separate property,—real, personal and mixed,—of married women, which shall belong to them before and at the time of marriage, and which they shall in any manner acquire during coverture, shall, with the rents, issues and profits arising therefrom, forever remain their separate property, subject only to their own control and disposal, and they shall have the power to dispose of the same by gift, grant, bequest or devise; and such property of married women shall never be subject to the debts or liabilities of the husband of any such married woman.

"SEC. —. The seat of Government of the State shall be at the City of St. Paul, and the first session of the Legislative Assembly shall be held at the Capitol buildings in said city, but the Legislature at said first, or any future session, may provide by law for a change of the seat of Government by a vote of the people, 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 Legisla

ture of the State, and of which institution the Minnesota Historical Society shall always be a department.

"SEC. -. Persons residing on Military Reservations or Indian lands, within the State, who shall otherwise possess the requisite qualifications, shall not for that reason be deprived of the right of suffrage or other rights of a citizen.

"SEC. -. 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. -. 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 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.

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| CHAS. E. FLANDRAU, | } Committee." |
| L. EMMETT,         |               |
| PATRICK NASH,      |               |
| E. C. STACEY,      |               |
| J. H. SWAN,        |               |
| CHAS. E. LEONARD.  |               |

Mr. CURTIS moved to suspend the rule requiring reports to lay over one day to be printed.

Which motion did not prevail.

On motion of Mr. MEEKER, the Convention adjourned.

H. H. SIBLEY, President.

Attest:

J. J. NOAH, Secretary.

### THIRTY-FOURTH DAY.

FRIDAY, August 21, 1857.

The Convention met pursuant to adjournment and was called to order by the PRESIDENT.

Prayer by Rev. Mr. PENMAN.

The Journal of yesterday was read and approved.

On motion of Mr. A. E. AMES, the rule requiring reports to lay over one day after having been printed was repealed.

On motion of Mr. STACEY, the Convention resolved itself into Committee of the Whole.