

Mr. MURRAY moved to lay the same upon the table.

Which motion was lost.

Mr. FLANDRAU moved to commit the same to the Committee of Conference.

Which motion was lost.

Mr. ROLETTE moved that the Convention adjourn until Monday next.

Which motion was lost.

The resolution was then adopted.

Mr. FLANDRAU from the Committee to whom was referred the resolution authorizing the boundary line to be submitted to the people for their vote, reported the same back to the Convention without suggestion or amendment.

Mr. MEEKER moved to adjourn.

Which motion was lost.

The resolution was then, on motion of Mr. BROWN, laid upon the table.

On motion of Mr. FLANDRAU, the Convention adjourned.

H. H. SIBLEY, President.

Attest:

J. J. NOAH, Secretary.

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### THIRTY-FIFTH DAY.

SATURDAY, Aug. 22, 1857.

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

The Journal of yesterday was read and approved.

Mr. MEEKER moved that the report of the Committee upon Revision and Phraseology be accepted.

Which motion was carried.

Mr. BROWN submitted the following report from the Committee on "Apportionment," the reading of which was dispensed with.

"Sec. 1. For the purposes of the first election, the State shall constitute one District, for the election of members to the House of Representatives of the United States.

"Sec. 2. There shall be elected, at the said first election, three members of the House of Representatives of the United States, and if, after the enumeration of the population shall be made, it shall be ascertained that under that enumeration but two members

be admitted to seats, then the two persons who shall have received the highest number of votes shall be deemed to be elected.

SEC. 3. For the purposes of the first election for members of State Senate and House of Representatives, the State shall be divided into Senatorial and Representative Districts, as follows, to wit:

1st District, Washington County; 2d District, Ramsey County; 3d District, Dakota County; 4th District, so much of Hennepin County as is 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 District, Mower and Dodge Counties; 14th District, Freeborn and Faribault Counties; 15th District, Steele and Waseca Counties; 16 District, Blue Earth and Le Sueur 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 Becker Counties; 21st District, Morrison, Crow Wing and Mille Lacs Counties; 22d District, Cass, Pembina and Todd Counties; 23d District, Sherburne, Anoka and Manomin Counties; 24th District, Chisago, Pine and Isanti Counties; 25th District, so much of Hennepin County as lies east of the Mississippi; 26th District, Mahan, Carlton, St. Louis, Lake and Itasca Counties.

SEC. 4. 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 late session of the Legislature.

SEC. 5. 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	" .....	6	" .....
3d " .....	2	" .....	5	" .....
4th " .....	2	" .....	4	" .....
5th " .....	2	" .....	3	" .....
6th " .....	1	" .....	4	" .....
7th " .....	1	" .....	3	" .....
8th " .....	2	" .....	4	" .....
9th " .....	2	" .....	6	" .....
10th " .....	2	" .....	3	" .....
11th " .....	2	" .....	4	" .....
12th " .....	1	" .....	4	" .....
13th " .....	2	" .....	3	" .....
14th " .....	1	" .....	3	" .....
15th " .....	1	" .....	3	" .....
16th " .....	1	" .....	3	" .....
17th " .....	1	" .....	3	" .....

18th District.....	1	Senators.....	3	Representatives.
19th     "     .....	1	"     .....	3	"
20th     "     .....	1	"     .....	3	"
21st     "     .....	1	"     .....	1	"
22d     "     .....	1	"     .....	1	"
23d     "     .....	1	"     .....	1	"
24th     "     .....	1	"     .....	1	"
25th     "     .....	1	"     .....	2	"
26th     "     .....	1	"     .....	1	"
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" SEC. 6. 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. 7. It shall be the duty of the Governor of the Territory, as soon as practicable after the adjournment of the Constitutional Convention, to issue his Proclamation designating the day upon which an election shall be held for members of the House of Representatives of the United States, Governor, Lieutenant Governor, Supreme Judges, and other State and District officers provided for in this Constitution, members of the Senate and House of Representatives of the State, and all county and precinct officers authorized by law to be elected at the next general election, and also for the submission of this Constitution to the people for their adoption or rejection.

" SEC. 8. Upon the day so designated by the Governor, as aforesaid, elections may be held at the several precincts within this State for members of the United States House of Representatives, for members of the two Houses of the Legislature, and for the election of all State, District, County and Precinct officers within the State, and at such election 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 the officers to be elected at such election, and also for or against the adoption of the Constitution.

" SEC. 9. In voting for or against the adoption of the Constitution, the words 'For Constitution, yes ;' or 'For Constitution, 'no,' may be written or printed on the ticket of each voter, but no voter shall vote for or against the Constitution on a separate ballot from that cast by him for officers to be elected at said election.

" SEC. 10. 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 not less than ten miles from the place of voting, in any established precinct where there may be five or more voters, although precincts may not have been regularly established at such point or points, and the polls shall be opened, elections held, and returns made in the same manner as from established precincts.

"SEC. 11. It shall be the duty of the Judges and Clerks of election, in addition to the returns required by law from 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 each person for any office, and the votes polled for and against the adoption of the Constitution.

SEC. 12. The returns of said election for all State officers and members of the House of Representatives of the United States, shall be made, canvassed and certificates issued in the manner now prescribed by law for returning and canvassing votes given for Delegate to Congress, and the returns for all District officers, Judicial, Legislative or otherwise, shall be made to the Register of Deeds of the senior county in each District, in the manner prescribed by law, except as herein otherwise provided.

"SEC. 13. As there has been a body of men, a majority of whom were elected members of the Constitutional Convention, who have acted separately and apart from the Constitutional Convention, and who have formed a Constitution to be submitted for the adoption of the people of the State of Minnesota, it shall be lawful for the voters, as provided in this Article, to vote for or against either Constitution so submitted, and the voting shall be as follows, viz: Each voter favorable to the adoption of this Constitution shall vote 'Democratic Constitution, yes,' and 'Republican Constitution, no,' and each voter opposed to this, and in favor of the adoption of the other Constitution, shall vote 'Republican Constitution, yes,' and 'Democratic Constitution, no,' and every voter opposed to the adoption of either Constitution shall vote 'Democratic Constitution, no,' and 'Republican Constitution, no,' and if upon the canvass of the votes so polled it shall appear that there was a greater number of votes polled for either or both of said Constitutions than was polled against such Constitutions, then the Constitution having received the highest number of votes over and above the votes polled against the same, shall be deemed to be adopted as the Constitution of the State of Minnesota, and all the provisions and obligations thereof shall thereafter be valid to all intents and purposes as the Constitution of the State, in the same manner and to the same extent in all respects as if but one Constitution had been framed and submitted to the people for ratification; and thereafter the Constitution receiving the lowest number of votes polled against it shall be of no force, and no provision or part thereof shall have validity or be recognized as binding in any manner whatever.

"SEC. 14. If upon canvassing the votes for and against the adoption of the Constitutions it shall appear that there has been polled a greater number of votes against than for either, then no certificate of election shall be issued for any State or District officer provided for in either of said Constitutions, 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.

"SEC. 15. At the first election, the Judicial Districts of the State shall be composed as follows, subject to be modified by the Legislature.

"The Counties of Ramsey, Hennepin, Manomin and Anoka shall comprise the first Judicial District.

"The Counties of Carver, Sibley, Renville, Nicollet, Le Sueur, Scott, Dakota, Blue Earth, Steele, Faribault, Freeborn, and so much of Brown County as originally established as lies east of the line designated as the line of the State, shall comprise the second Judicial District.

"The Counties of Goodhue, Wabashaw, Dodge, Olmsted, Winona, Mower, Rice, Fillmore and Houston, shall comprise the third Judicial District.

"The Counties of Washington, Chisago, Lake, St. Louis, Itasca, Crow Wing, Pine, Isanti, Mille Lac and Buchanan, shall comprise the fourth Judicial District.

"All the State not included in the other Districts shall comprise the fifth Judicial District."

On motion of Mr. MURRAY, the vote by which the report of the Committee on Revision and Phraseology was accepted, was reconsidered.

On motion of Mr. BARRETT, the Convention took a recess of half an hour.

After the recess had expired, the Convention was called to order by the PRESIDENT.

The report of the Committee on Conference was then received, and on motion of Mr. FLANDRAU was laid on the table without reading.

On motion of Mr. ROLETTE, the Convention adjourned.

H. H. SIBLEY, President.

Attest:

J. J. NOAH, Secretary.

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### THIRTY-SIXTH DAY.

MONDAY, Aug. 24, 1857.

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

Prayer by Rev. Mr. PENMAN.

The Journal of Saturday was read and approved.

On motion of Mr. SETZER, the Convention adjourned until half-past two P. M.