

FIFTEENTH DAY.

THURSDAY, July 30, 1857.

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

Prayer by the Rev. Mr. PENMAN.

The Journal of yesterday was read and approved.

Mr. SETZER presented the following report:

"Your Committee to whom was referred the subject of Corporations having no banking privileges, beg leave to submit the accompanying report:

ARTICLE —.

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 sued in all Courts in like manner as natural persons.

"SEC. 2. Corporations may be formed under general laws, but shall not be created by special acts, except for municipal purposes, and in cases where the objects of the corporation cannot be attained under general laws. All general laws and special acts passed in pursuance of this section, shall be subject to amendment or repeal by the Legislative Assembly after a certain time specified in such law, and such time shall not exceed the term of ten years, unless the corporation be formed for the construction of a railway or canal, when the Legislature may, at its discretion, grant additional time.

"SEC. 3. Dues from corporations shall be secured by such individual liability of the corporators or other means as may be prescribed by law.

"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. Any attempt on the part of the corporation, enjoying the right of way, in pursuance of the provisions of this section, to pervert its privileges from their legitimate construction, and for the purposes of private speculation, shall vitiate such right of way, and the lands shall revert to their original owner."

H. N. SETZER,

W. H. TAYLOR,

W. B. M'GRORTY,

XAVIER CANTELL,

} Committee.

On motion of Mr. SETZER, the report was laid over until tomorrow to be printed.

Mr. KINGHORN, the Assistant Secretary elect, appeared and was sworn in.

Mr. TENVOORDE offered the following resolution:

"Resolved, That three thousand copies of the speeches of Messrs. Gorman and Flandrau, together with the report of the Committee on Credentials, be printed in the German language for the use of the Convention."

Which resolution was withdrawn before the question was put.

Mr. BUTLER offered the following resolution:

"Resolved, That the Convention authorize the printing of 3,000 copies of the report of the Committee on Credentials in both the German and Swedish languages."

Mr. CHASE offered the following amendment to the resolution, adding the words "and that all the proceedings of the Convention up to the time of the passage of the resolution offered by Mr. FLANDRAU, be included."

Mr. KINGSBURY moved to lay both the resolution and amendment upon the table.

Which motion was decided in the affirmative, and the resolution and amendment were tabled.

Mr. BAASEN asked and obtained leave to introduce the following report:

"The Committee to whom was referred the subject of Militia, beg leave to submit to this Honorable Convention, the following report, to be entitled "Article , " and embodied in the Constitution.

ARTICLE.

OF THE MILITIA.

"SECTION 1. The Militia of this State shall consist of all free, able-bodied male persons, Negroes and Mulattoes excepted, resident in the said State, between the ages of twenty-one and forty-five years, except such persons as now or hereafter may be exempted by the laws of the United States or of this State; and they shall be armed, equipped, organized and disciplined in such manner and at such times as may be directed by law. Those who conscientiously scruple to bear arms shall not be compelled to do so, but shall pay an equivalent for personal service.

"SEC. 2. The Militia of this State shall be divided into convenient divisions, Brigades, Regiments, Battalions and Companies, with officers of corresponding titles and rank to command them,

conforming as nearly as practicable to the general regulations of the army of the United States.

"SEC. 3. Captains and Subalterns in the Militia; Field Officers of Regiments; Brigade Inspectors; Brigadier Generals and Major Generals, shall be elected or appointed in such manner as shall hereafter be provided by law.

"SEC. 4. The Governor shall appoint the Adjutant General and other members of his Staff; Major Generals, Brigadier Generals, and Commanders of Regiments, and separate Battalions shall respectively appoint their own Staff. All Staff officers may continue in office during good behavior, and shall be subject to be removed by the superior officer from whom they respectively receive their appointment.

"SEC. 5. All military officers shall be commissioned by the Governor.

"SEC. 6. The Militia, as divided into Divisions, Brigades, Regiments, Battalions and separate Companies, pursuant to the laws now in force, shall remain so organized until the same shall be altered or regulated by the Legislature.

FRANCIS BAASEN, Chairman.

Mr. BAASEN moved to lay the report upon the table to be table.

Mr. FLANDRAU moved to amend by inserting after the word "printed" the words "in the Journal."

Mr. MURRAY moved to amend the amendment by adding that 100 copies thereof be printed for the use of the Convention.

Which motion did not prevail.

The question recurring on Mr. BAASEN's motion as amended by Mr. FLANDRAU, it was decided in the affirmative and the report was tabled.

Mr. BROWN offered the following resolution:

Resolved, That each member and officer of the Convention furnish to the Secretary, a list of papers printed in the Territory for which he wishes to subscribe, and that the Secretary subscribe for such papers to be paid for out of the monies appropriated to defray the expenses of the Convention: *Provided*, That no member shall be allowed more than ten daily papers, or weekly papers equivalent to that number of dailies."

Which resolution was adopted.

On motion of Mr. CHASE the Convention adjourned.

H. H. SIBLEY, President.

Attest:

J. J. NOAH, Secretary.