

EXECUTIVE OFFICE,
St. Paul, Aug. 10, 1858. }

William Hilcombe, President of the Senate :

SIR: I return to the Senate without my approval,
S. F. No. 140, an Act to incorporate the town of Sauk Rapids, in the county of Benton.

The seventh section provides for investing the Recorder with the powers of a Justice of the Peace, thereby creating a judicial tribunal not provided for in the constitution, which prescribes that the powers of the judiciary shall be confined to certain courts therein named, "and to such other courts inferior to the Supreme Court, as the Legislature may from time to time establish by a two-thirds vote." I have no evidence before me that the act referred to received a two-third vote of the two Houses, and I therefore return it to the body in which it had its origin.

Respectfully,

H. H. SIBLEY.

On motion of Mr. Hall the communication and bill was referred to a Committee of three.

Mr. Hall offered the following resolution:

Whereas, The House of Representatives did, on Tuesday, the 10th day of August, pass a resolution in which pharasiacally thanking God that they were not as other men, and arrogating to themselves the privilege of, by mere resolve, of judging of the motives of their peers in this Legislature, they did charge upon members "corrupt designs" in their attempt legally to elect a U. S. Senator, to succeed Hon. James Shiels, whose term expires on the 3d day of March, A. D. 1859, before which time there will be no future session of the Legislature of this State, and

Whereas, The author of such resolution, and many who voted therefor, and the same who advised and concurred in such "corrupt design," if corrupt they were, and the members of this Senate, when their character and motives are to be public, wish to be brought before a different and more honest tribunal; therefore be it

Resolved, That the Senate of this State acknowledge their responsibility to their constituents for their acts, to their God for their motives, and indignantly deny the facts upon which the resolution of the House is based, and denounce the same as false, unjust, uncourteous, and a presumptuous usurpation upon the part of that body.

Ordered to lie over one day under the rules.

The following communication was read:

STATE OF MINNESOTA,
Office of the Attorney-General, Aug. 11, 1858. }

TO THE PRESIDENT OF THE SENATE :

Sir:—In reply to the Resolution of your honorable body of the 10th inst. calling for my opinion as to "whether the members are entitled to *per diem* during the vacation of this Legislature, I would say,—the Constitution appears to be specific on this point. In article four, section seven, it is provided that "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 period for which the mem-