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THE
REVISED STATUTES,
OF THE
TERRITORY OF MINNESOTA,

PASSED AT THE SECOND SESSION OF THE
LEGISLATIVE ASSEMBLY,

COMMENCING JANUARY 1, 1851.

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Legislative assembly, when to meet.

No officer of the legislative assembly liable to arrest on civil process.

Each house may punish for contempt.

SEC. 1. The regular annual session of the legislative assembly shall commence on the first Wednesday in January in each year.

SEC. 2. No officer of the council or house of representatives, while in actual attendance upon the duties of his office, shall be liable to arrest upon civil process.

SEC. 3. Each house may punish, as a contempt, by imprisonment or breach of its privileges, or the privileges of its members, but only for one or more of the following offences, to wit:

1. The offence of arresting a member or officer of the house, or procuring such member or officer to be arrested in violation of his privileges from arrest.

2. That of disorderly conduct in the immediate view of the house, and directly tending to interrupt its proceedings.

3. That of refusing to attend to be examined as a witness either before the house or a committee, or before any person authorized by the house, or a committee, to take testimony in legislative proceedings.

4. That of giving or offering a bribe to a member, or of attempting, by menace or other corrupt means or device, directly or indirectly, to control or influence a member in giving his vote, or to prevent his giving the same; but the term of imprisonment which such house may impose for any contempt specified in this section shall not extend beyond the same session of the legislature.

Persons guilty of contempt also guilty of misdemeanor.

SEC. 4. Every person who shall be guilty of any contempt specified in the preceding section, shall also be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment not exceeding one year, or by fine not exceeding one thousand dollars, or both such fine and imprisonment at the discretion of the court.

Who may administer oath of office to members of.

SEC. 5. The speaker of the house of representatives and the president of the council, the governor, attorney general, or any of the judges of the supreme court, are hereby authorized to administer the oath of office to the members and officers of the legislature.

Who may administer oaths.

SEC. 6. Any member of the council or house of representatives, while acting as a committee of the house of which he is a member, shall have authority to administer oaths to such persons as shall be examined before the committee of which he is a member.

Contested seats, how determined.

SEC. 7. In case the right of any person to a seat in either house of the legislative assembly shall be contested, the right of such person to a

seat as aforesaid shall be determined by the house in which he claims such seat as a member; and such house shall, in all cases, be the judge of the qualification of its members.

SEC. 8. The officers of the council shall consist of a president (who shall be a member of said body), a secretary and assistant secretary, a sergeant-at-arms (who shall also perform the duties of doorkeeper), a messenger, and a fireman.

Officers of the council.

SEC. 9. The officers of the house of representatives shall consist of a speaker (who shall be a member of the said body), a chief clerk, an assistant clerk, a sergeant-at-arms (who shall also perform the office of doorkeeper), a messenger, and a fireman.

Officers of the house of representatives.

SEC. 10. The said officers shall be elected *viva voce* by the members of each house respectively, at such time after the meeting of said house as the members thereof shall see proper; but neither house shall transact any business other than the election or appointment of officers until said officers are elected or appointed *pro tem.* on motion.

Officers, how chosen.

SEC. 11. It shall be the duty of the secretary of the council and chief clerk of the house of representatives to keep correct journals of the proceedings of their respective houses, to have the custody of all records, accounts and other papers committed to them; and at the close of each session of the legislative assembly, shall deposit for safe keeping in the office of the secretary of the territory, all books, bills, documents, resolutions and papers in the possession of the legislature, correctly labeled, folded and classified, and generally to perform such duties as shall be assigned them by their respective houses: *Provided*, the journals of the two houses need not be deposited as above provided until the expiration of thirty days after the adjournment of the legislative assembly.

Secretary of council and chief clerk of the house, their duties.

SEC. 12. It shall also be the duty of the secretary of the council and the chief clerk of the house, at the close of each session, to prepare for the press and superintend the publication of the journals of the proceedings of their respective houses, and to affix an index thereto; and to transcribe into a book kept for that purpose, the documents accompanying the message of the governor, or by him sent to either house, other than those entered on the journal, or the documents reported to either branch of the legislative assembly by any public officer of the territory, in pursuance of law, for which service they shall be allowed such compensation as the legislative assembly shall from time to time determine.

Journals to be prepared for printing.

SEC. 13. It shall be the duty of the said secretary and chief clerk, at the opening of every session of the legislative assembly, to make a correct roll of the members of their houses, respectively, to whom certificates of election have been issued by the proper officers, which certificates shall be filed by said secretary and chief clerk.

Roll of members to be made.

SEC. 14. In all cases, the said secretary and chief clerk serving at the close of a session, shall remain in office until the organization of the next regular annual session of the legislature, and at twelve o'clock meridian on the day appointed by law for the meeting of the legislative assembly, the said secretary and chief clerk, or in the absence of either, then some member or other person appointed by the members present, shall call the members of their respective houses so enrolled to order, when the houses respectively may proceed to the election of a presiding officer.

Secretary and clerk to remain in office until the next session.

SEC. 15. The compensation prescribed by law for the officers of the council shall be certified by the president thereof, and attested by the secretary; and the compensation that may be due to the officers of the house of representatives, shall be certified by the speaker thereof, and attested by the chief clerk, which said certificate, when made out as aforesaid, shall be sufficient evidence to the secretary of the territory of each person's claim.

Compensation of officers to be certified by presiding officer of each house.

TERRITORIAL AUDITOR.

Duties of librarian.

SEC. 16. The librarian, in addition to other duties assigned him by law, shall also have the custody of the furniture and property appertaining to the chambers of the legislative assembly, and to the respective committee rooms thereof; and shall be liable on his official bond for any loss or injury to such furniture or property arising from negligence or misconduct; and he shall also prepare for the accommodation of members the respective chambers of the legislative assembly previous to each annual session thereof.

Either house may remove an officer.

SEC. 17. It shall be competent at any time during a session of the legislative assembly, for either house, by a vote of two-thirds of the members present, to remove from office any of the officers provided for in this act; but in case of the removal of any officer by either house, his place shall be supplied by an election, viva voce; and in all elections under the provisions of this act for officers of either house of the legislative assembly, it shall require a majority of all the votes cast to determine a choice.

Compensation of officers of each house.

SEC. 18. There shall be allowed to the presiding officers of each house three dollars per diem extra, and to each of the officers provided for by this act, for the council and house of representatives, three dollars per diem during the session of the legislative assembly.

Either house may request the opinion of supreme court.

SEC. 19. Either house may, by resolution, request the opinion of the supreme court, or any one or more of the judges thereof upon a given subject, and it shall be the duty of such court or judges when so requested, respectively, to give such opinion in writing.

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