

APPROVED—August the second, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }
 August 2, 1858.

I hereby certify the foregoing to be a true copy of the original on file in this office.

FRANCIS BAASEN, Secretary of State.

CHAPTER LXXXV.

An Act to provide for the Organization of the Legislature.

- SECTION 1. Secretary of State to prepare the Legislative halls for meeting of Legislature.
2. Certificate of Election from Register of Deeds to be *prima facie* evidence thereof for purposes of organizing the Legislature.
 3. Manner of organizing the Senate.
 4. Officers to be elected.
 5. Term of office for officers of Senate.
 6. Organization of the House of Representatives.
 7. Officers of the House to be elected.
 8. Oath of office to be taken by all officers.
 9. Term of office for officers of House.
 10. Appointment of messengers for both Houses.
 11. In elections for officers, a majority of votes cast necessary for a choice.
 12. Proceedings to obtain a quorum of members.
 13. Repeal of acts inconsistent.
 14. Act takes effect on passage.

Be it enacted by the Legislature of the state of Minnesota :

SECTION 1. That immediately previous to any regular, adjourned, or called session of the Legislature, it shall be the duty of the Secretary of State to cause the halls in which the Senate and House of Representatives are expected to hold their sessions, to be suitably prepared for that purpose.

SEC. 2. That the certificate of election, from the Register of Deeds of the proper county, shall be held and considered as *prima facie* evidence of the right to membership of the person certified therein to be elected, for all purposes of organization of either branch of the Legislature.

SEC. 3. That at the hour of twelve o'clock, M, on the day appointed for the convening of any regular session of the Legislature, the President of the Senate, or in the case of his

Secretary of state
to prepare legisla-
tive halls

Evidence of mem-
bership for organ-
ization

absence or inability, then the oldest member present shall take the chair and call the members elect to order, and shall appoint from the members a Clerk *pro tem*; the President or Chairman shall then call over the Senatorial Districts in their order, and as the same are called, the persons claiming to be members shall present their certificates and take an oath or affirmation to support the Constitution of the United States and of the State of Minnesota, and also an oath of office, which may be administered by the President of the Senate, or by any person authorized to administer oaths.

Manner of organizing the Senate

SEC. 4. That after the members elect shall have taken the oath of office or affirmation aforesaid, if there shall be a quorum present, the Senate shall proceed to the election of a Secretary and an Assistant Secretary, an Enrolling Clerk, an Engrossing Clerk, a Sergeant-at-Arms, and a Fireman, and the election shall be in the order as above stated in this Section, and shall be a *viva voce* vote.

Officers of Senate to be elected

SEC. 5. That the Secretaries, Clerks, Sergeant-at-Arms, and Fireman, shall hold their office for and during the session at which they are elected, but may be discharged by a resolution of the Senate.

Terms of office

SEC. 6. At the same time that is provided for the Senate being called to order, it shall be the duty of the Chief Clerk of the House of the next preceding session of the Legislature, and in his absence, then the oldest member present, in the Hall of the House of Representatives, to call the persons elected to that body to order, and appoint from those elected, a Clerk *pro tem*, the several counties or districts of the State shall then be called in alphabetical order, and as the counties or districts of members elect are called, they shall present their certificates and take an oath or affirmation to support the Constitution of the United States, the Constitution of the State of Minnesota, and also an oath of office.

Organization of the House of Representatives

SEC. 7. So soon as all the members elect present shall have taken the oath or affirmation aforesaid, if there shall be a quorum, they shall proceed to the election of a Speaker, Chief Clerk and an Assistant Clerk, an Enrolling Clerk, an Engrossing Clerk, a Sergeant-at-Arms, and a Fireman, and no additional officer shall be elected or appointed in either branch of the Legislature, (except messenger boys,) during the first two weeks of the session, and none after that time, unless upon application of either the Chief Clerk or Sergeant-at-Arms, in which they shall state the additional number they deem necessary, and if either branch of the Legislature shall pass a resolution that such additional helps are necessary, then such branch passing such resolution, may proceed to the election of such additional Clerk or Clerks, Sergeant or Sergeants-at-Arms.

Officers of the House to be elected

SEC. 8. That all officers elected or appointed in either branch of the Legislature, shall take an oath or affirmation to support the Constitution of the United States and the Con-

Oath of office to be taken by all officers

stitution of the State of Minnesota, and that they will faithfully and diligently discharge the duties required of them in their respective offices.

Term of office SEC. 9. That the Clerks and Sergeant-at-Arms, and Fireman of the House of Representatives shall hold their offices for the same time, and be removed in like manner as is provided for the same offices in the Senate.

Appointment of messengers SEC. 10. The President of the Senate shall appoint two messenger boys, and the Speaker of the House two, who shall serve during the session of the Legislature, unless sooner discharged for cause, and shall each receive one dollar and fifty cents per day.

Majority vote necessary for election of officers SEC. 11. That in all elections for officers of either branch of the Legislature, a majority of all the votes given shall be necessary to a choice.

Proceedings to obtain a quorum SEC. 12. That whenever at the commencement, or during the regular, adjourned or called session of the Legislature, upon a call of either House, it shall be found that no quorum of members is present, or if any member or members shall be found absent upon any such call, the members present shall be authorized to direct the Sergeant-at-Arms, or if there be no Sergeant-at-Arms of such House, then any other person duly authorized by the presiding officer of either House, to compel the attendance of any or all absentees; *Provided*, That if the House refuse to excuse such absentee, he shall not be entitled to any per diem during such absence.

SEC. 13. All acts and parts of acts inconsistent with the provisions of this Act, are hereby repealed.

SEC. 14. This Act shall take effect and be in force from and after the adjournment of the present Legislature.

GEORGE BRADLEY,

Speaker of the House of Representatives.

WILLIAM HOLCOMBE,

President of the Senate.

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