

CHAPTER LXXXIII.

An Act to provide for the election of United States Senators for the State of Minnesota.

- SECTION 1. Election of United States Senators, when to be made by Legislature.
2. Manner of proceeding in Joint Convention,
 3. Manner of taking the vote. Certificates of Election, by whom made.
 4. Notice of election to be given by Governor. Provision in case of non-acceptance of office.
 5. This Act to take effect on passage.

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

SECTION 1. That on Saturday, the nineteenth day of December, A. D. 1857, at twelve o'clock, M., and thereafter on the first Tuesday of January next, before the expiration of the time for which any Senator or Senators were elected to represent this State in Congress, if the Legislature be then in session and if not then within ten days after a quorum of both Houses shall be assembled at the next meeting of the Legislature, the Senate and House of Representatives of the State of Minnesota shall meet in joint convention in the Hall of the House of Representatives to elect a Senator or Senators to represent the State of Minnesota in the Senate of the United States, and when so assembled may adjourn from day to day, but shall not adjourn *sine die* until after such Senator or Senators are elected.

Sec. 2. On the assembling of the Joint Convention, as provided for in the preceding Section, the Speaker of the House of Representatives shall call the Convention to order, and preside over the Convention. The Clerk of the House shall then call the roll of the Joint Convention, and upon a majority of members being present, the Convention shall then proceed to the election of one or more Senators to the United States Senate, as the case may be, and the person or persons receiving a majority of all the votes cast, shall thereupon be declared to have been duly elected as Senator or Senators, to represent the State of Minnesota in the Senate of the United States.

Sec. 3. At all elections in this State for United States Senator or Senators, the vote shall be taken *viva voce*, and the Clerk shall enter each vote upon his Journal, and upon the final declaration of the vote by the Speaker, a certified copy of such election shall then be signed by the President of the Senate and the Speaker of the House, and attested by the Secretary of the Senate and Chief Clerk of the House, and within three days thereafter, said certificate of election

duly signed and attested as herein provided, shall be presented by the Speaker of the House of Representatives, to the Governor for his signature; and upon the signature of the Governor being attached to said certificate of election, the same shall be delivered to the person or persons entitled to receive it under and by virtue of this Act.

Notice of election
to be given by
governor

SEC. 4. Upon the election of any person to the office of United States Senator, it shall be the duty of the Governor to notify, in writing, such person of his election; whereupon such person so elected shall notify the Governor in writing, his acceptance or rejection of such office. And in the event of his refusal to accept said office, then said office shall be declared vacant, and the Governor shall issue a writ for a new election; and if, at the time of such vacancy being declared, the Legislature should be in session, they shall at once proceed to an election of United States Senator, and in case of a vacancy occurring in the office of Senator of the Senate of the United States for this State during a vacation of the Legislature, the Governor of the State shall appoint some person or persons to fill such vacancy, until the next meeting of the Legislature.

SEC. 5. This Act shall take effect from and after its passage.

J. S. WATROUS,
Speaker of the House of Representatives.

R. G. MURPHY,
President *pro tem.* of the Senate.

APPROVED—December eighteenth, one thousand eight hundred and fifty-seven. S. MEDARY.

SECRETARY'S OFFICE, Minnesota, }
December 18, 1857. }

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

CHAS. L. CHASE, Secretary.

CHAPTER LXXXIV.

An Act to encourage the organization of Fire Companies.

SECTION 1. Members of Fire Companies to be exempt from military or jury duty, and work upon the highways.

1. Five years service in a Fire Company, to exempt forever thereafter from military or jury duty, and work on roads.
3. Certificate of such service to be received as *prima facie* right to exemption hereinbefore mentioned.

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

SECTION 1. That any person who is now, or shall hereafter