

## Journal of the House of Representatives of the Territory of Kansas

### Section 6, Pages 151 - 180

This printed document reported upon the actions of the First Territorial House of Representatives when it first met at the town of Pawnee near Fort Riley on Monday, July 2, 1855. On July 6, 1855, the House of Representatives approved a resolution sent to them by the Council (Senate) that moved the meeting of the Legislature to Shawnee Manual Labor School beginning July 16, 1855. This first session of the House of Representatives concluded on August 30, 1855. Included in the volume were various messages from the Governor and Acting Governor. The appendix contained reports of various committees--judiciary, a special committee on exempting slaves from execution, bounds of counties and districts, elections, convention, and public printing. The appendix also included the "opinion of the Supreme Court in regard to the legality of the present session" by Samuel Lecompte and Rush Elmore, a memorial from the legislature of Kansas to the President of the United States requesting the removal of Andrew Reeder, and the Rules and Orders under which the House of Representatives conducted business. The last 31 pages are an index to the volume.

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By the same committee :

MR. SPEAKER :

The committee on judiciary and criminal jurisprudence, to whom was referred Ceuncil bill entitled "An act concerning bonds and notes," have had the same under consideration, and beg leave to report the same, with the following amendments :

At the end of the second section, after the word "section," insert the figure 3.

After the word "assignor," in the third section, and before the word "second," insert "sec. 4."

Strike out the words "sec. 6," after the word "it," in section 4, and insert "sec. 5,"

Strike out the words "sec. 7" after the termination of "sec. 5," and insert "sec. 6."

And recommend its passage as amended.

WM. G. MATHIAS, *Chairman.*

JOS. C. ANDERSON.

O. H. BROWNE.

S. A. WILLIAMS.

F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Hieskell, from the committee on engrossed bills, reported as truly engrossed the House bill No. 78, entitled

An act for the location of territorial roads in the Territory of Kansas.

By the committee on corporations :

MR. SPEAKER :

The committee on corporations, to whom was referred House bill No. 83, entitled "An act to incorporate the Fort Scott Town Company," report the same back without amendment, and recommend its passage.

THOS. W. WATERSON, } Committee.  
W. A. HIESKELL, }

The report was agreed to, and the bill read a third time, and passed.

By the same committee :

MR. SPEAKER :

The committee on corporations, to whom was referred House bill No. 88, entitled "An act to incorporate the Wyandott Lyceum," report the same back without amendment, and recommend its passage.

THOS. W. WATERSON, } Committee.  
W. A. HIESKELL, }

## Journal of the House of Representatives of the Territory of Kansas

153

The report was agreed to, and the bill read a third time, and passed.

By the committee on judiciary and criminal jurisprudence:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled "An act concerning costs," have had the same under consideration, and beg leave to report the same, with the following amendments:

In section 3, art. 1, strike out the words "justice's court," and insert "justice of the peace."

In section 14, after the word "probate," insert the word "court."

In sec. 16, before the word "inferior," insert the word "an."

In art., sec. 4, in the third line thereof, strike out the word "circuit," and insert the word "district."

From section 11 to the end, strike out the numbers of all the sections, and insert respectively 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23.

And recommend its passage as amended.

WM. G. MATHIAS, *Chairman*.

JOS. C. ANDERSON.

O. H. BROWNE.

S. A. WILLIAMS.

F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended read a third time and passed.

By the committee on agriculture:

MR. SPEAKER:

The committee on agriculture, to whom was referred Council bill No. 44, entitled "An act regulating weights and measures," beg leave to report the same back to the House, and recommend its passage.

JOHN M. BANKS, *Chairman*.

W. A. HIESKELL.

GEO. W. WARD.

The report was agreed to, and the bill read a third time and passed.

Mr. Williams, chairman of the committee on bounds of counties and districts, reported by bill of the following title:

An act to define the boundaries of the several counties of the Territory of Kansas.

And recommended its passage.

The report was adopted, and,

On motion by Mr. Anderson,

The bill was read a first time, and the rule suspended and the bill read a second time, and the bill and report of the committee ordered to be printed.

Mr. Waterson made the following motion:

That so much of the bill as refers to the Territory north of the Kansas river be referred to the delegation north of the said river, and that part south of the Kansas river to the delegation south of said river.

Mr. Mathias offered as a substitute:



## Journal of the House of Representatives of the Territory of Kansas

154

That the bill be referred to the committee of the whole, and made the special order of the day for Monday next.

The substitute was adopted.

The question then being upon the passage of the substitute,

It was passed by the following vote,

Mr. McMeekin having called for the ayes and noes :

AYES—Messrs. Anderson, Browne, Croysdale, Hieskell, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Ward, Whitlock, Williams, Younger, Mr. Speaker—15.

NOES—Messrs. Banks, Blair, Johnson, Tebbs, Wade, Waterson, and Weddle—7.

Absent—Mr. Houston.

Absent on leave—Messrs. Harris and Wilkinson—2.

Sick—Mr. Payne.

Message from the Council, by Mr. Halderman, Chief Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled House bill entitled

An act to declare the Big Blue river a public highway.

The committee on roads and highways made the following report :

MR. SPEAKER :

The committee on roads and highways, to whom was referred a bill entitled "An act to authorize James Findley to erect a bridge across the Wakarusa river," have had the same under consideration, and beg leave to report the following amendments, and recommend their adoption :

Strike out the proviso in the first section, and insert the following :

" Provided that the said bridge shall be completed within three years."

"At the close of the fifth section, insert the following :

" Provided, that this act shall not be so construed as to interfere with any laws or regulations of the Shawnee Indians, or with the rights of any person who may have erected, or commenced the erection, of any ferry.

R. L. LIRK.

O. H. BROWNE.

The report was agreed to, and,

On motion by Mr. Johnson,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

The select committee to whom was referred Council bill entitled.

An act to restrain intercourse with the Indians,

Made the following report :

MR. SPEAKER :

The committee to whom was referred Council bill No. 14, beg leave to return the same, with the following amendments to the substitute of the Council :

## Journal of the House of Representatives of the Territory of Kansas

155

Strike out in section 6, second line, the word "shall," and insert the word "may;" and add in third line of section 6, after the words "competent witness," "in the discretion of the court."

And recommend the passage of the substitute as amended.

F. J. MARSHALL, *Chairman*.  
S. A. WILLIAMS.  
JOS. C. ANDERSON.

The report was agreed to, and;

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time, and,

On motion by Mr. Speaker Stringfellow (Mr. Anderson in the Chair,)

Was recommitted, and referred to the committee on judiciary.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled bills of the following titles:

An act to establish a road from Westpoint, in Missouri, to Cofachiqui, in Kansas Territory.

An act concerning corporations.

An act to grant to F. J. Marshall and Albert G. Woodward exclusive privilege to establish a ferry across Big Blue river, at the the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road across the same river.

An act to declare the road now leading from the California road near Wakefield, to Lecompton, along the ridge between Snyder and William Todd-hunter's, and marked out by a double furrow, a public highway.

An act to establish a territorial road from Leavenworth City to Osawkee, via Alexandria.

An act establishing territorial roads.

An act to declare a certain road from Shawnee Methodist Church South to the town of Tecumseh, a territorial road.

An act to incorporate Leavenworth Lodge, No. 150, of Ancient Free and Accepted Masons.

An act to declare the Santa Fe road a territorial road.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to the Great Nemaha river.

An act to provide for laying off and establishing a territorial road from the point where the Atchison, Kickapoo, and Leavenworth roads converge, by way of Osawkee and Tecumseh, to intersect the Santa Fe road at or near One Hundred and Ten.

An act to establish a territorial road from opposite Boston, Missouri, to a point on the California road, at or near the Half-way Grove, in Kansas Territory.

An act to establish a road from near Westport, Missouri, to Fort Scott, in Kansas Territory.

On motion by Mr. Whitlock,

The House adjourned.

## Journal of the House of Representatives of the Territory of Kansas

156

### EVENING SESSION.

The House met, pursuant to adjournment.

On motion by Mr. Kirk,

The House bill No. 74, entitled

An act to authorize James Findley to establish a bridge across the Wakarusa river,

Was taken up, and the vote passing the bill was reconsidered.

Mr. Kirk offered the following amendment, by way of rider :

Amend by way of rider, by striking out the enacting clause, and inserting:  
"Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas, as follows."

On motion by Mr. Weddle,

The rule was suspended, and the amendment read a second and third time and agreed to, and the bill as amended passed.

The following bills were introduced, read a first time, and severally disposed of, as follows :

By Mr. Mathias :

An act to grant pre-emptions on school lands in certain cases.

On motion by Mr. Waterson,

The rule was suspended, the bill read a second time, and referred to the committee on education.

By Mr. Anderson :

An act to declare a certain road a territorial road.

On motion by Mr. McGee,

The rule was suspended, the bill read a second time, and,

On motion by Mr. Anderson,

Was referred to the committee on roads and highways.

By Mr. McMeekin :

An act to locate a territorial road.

On motion by Mr. McGee,

The rule was suspended, the bill read a second time, and referred to the committee on roads and highways.

By Mr. Wade :

An act allowing suits against officers, for services rendered under illegal orders,

Was ordered to a second reading.

By Mr. Ward :

An act to establish a territorial road from the Willow Springs to Douglas.

On motion by Mr. McGee,

The rule was suspended, the bill read a second time, and referred to the committee on roads and highways.



## Journal of the House of Representatives of the Territory of Kansas

157

Mr. Wade asked leave of absence until Monday next.  
Which was granted.

The second reading of bills being in order,  
The following bills were taken up, read a second time, and severally disposed of, as follows :

An act to establish a territorial road from a point above Franklin, on the California road, *via* the Lake and Kansas river, then to the town of Leecompton, Kansas Territory, was,  
On motion by Mr. Weddle,  
Referred to the committee on roads and highways.

An act for the entire prohibition of lotteries, was,  
On motion by Mr. Anderson,  
Referred to the committee on finance.

An act to establish a territorial road in the Territory of Kansas, was,  
On motion by Mr. McGee,  
Referred to the committee on roads and highways.

An act to establish a territorial road from Atchison, *via* Mount Pleasant and Hickory Point, to a point on the Kansas river opposite the town of Leecompton, in Kansas Territory, was,  
On motion by Mr. Kirk,  
Referred to the committee on roads and highways.

An act concerning free colored people, was,  
On motion by Mr. Weddle,  
Referred to the committee on judiciary.

An act to locate and establish a territorial road from the town of Atchison to the town of Osawkee, was,  
On motion by Mr. Kirk,  
Referred to the committee on roads and highways.

The House bill No. 78, entitled  
An act to provide for the location of territorial roads in the Territory of Kansas,  
Was taken up, read a third time, and,  
On motion by Mr. Anderson,  
Recommitted and referred to the committee on roads and highways.

The reading of bills from the Council being in order,  
The following bills were read and disposed of, as follows :  
Read a third time :

An act concerning inquests,  
Was passed.

Read a first time :

An act establishing a territorial road from the town of Iowa Point to En-tah, on the Arkansas river.  
On motion by Mr. Waterson,

## Journal of the House of Representatives of the Territory of Kansas

158

The rules were suspended, and the bill read a second time, and referred to the committee on roads and highways.

An act concerning attorneys at law.

On motion by Mr. Anderson,

The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

An act to define the duties of justices of the peace, in cases of breach of the peace.

On motion by Mr. Marshall,

The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act concerning descents and distributions.

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act to regulate marks and brands.

On motion by Mr. McGee,

The rule was suspended, and the bill read a second time, and referred to the committee on agriculture.

An act for the speedy recovery of debts due on bonds and notes.

On motion by Mr. Marshall,

The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act concerning perpetuating testimony.

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time, and referred to the committee on the judiciary.

An act to establish and regulate justices' courts.

On motion by Mr. McMeekin,

The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

An act concerning fraudulent conveyances.

On motion by Mr. Waterson,

The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

A bill concerning the action of replevin.

On motion by Mr. McMeekin,

The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

An act for opening and keeping in repair roads and highways.

On motion by Mr. McGee,

The rule was suspended, the bill read a second time, and referred to the committee on roads and highways.



An act to authorize Fox B. Booth to keep a ferry.

On motion by Mr. Marshall,

The rule was suspended, the bill read a second time, and referred to the committee on roads and highways.

An act concerning securities.

On motion by Mr. Waterson,

The rule was suspended, the bill read a second time, and referred to the committee on finance.

An act concerning set-off.

On motion by Mr. Kirk,

The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

An act designating the pay of certain officers,  
Was ordered to a second reading.

An act providing for the appointment of constables, and prescribing their duties,  
Was ordered to a second reading.

A bill to locate a territorial road from a point opposite Westpoint, Missouri, to Marysville, Kansas Territory,  
Was ordered to a second reading.

An act to establish a territorial road from the town of Kickapoo, in the Territory of Kansas, to intersect the military road leading from Fort Leavenworth to Fort Riley,  
Was ordered to a second reading.

An act to regulate the limitation of actions,  
Was ordered to a second reading.

An act regulating the granting injunctions,  
Was ordered to a second reading.

Mr. Weddle moved that three hundred copies of the House catalogue of members of this Legislature, with their residences, occupations, &c., be printed for the use of the House.

Which was not agreed to.

On motion by Mr. Williams,

The House adjourned, by the following vote,

Mr. Mathias having called for the ayes and noes:

AYES.—Messrs. Croysdale, Hieskell, Johnson, Kirk, Marshall, Mathias, Tebbs, Ward, Waterson, Whitlock, Williams, Younger—12.

NOES.—Messrs. Anderson, Banks, Blair, Browne, McGee, McMeekin, Scott, Weddle, Mr. Speaker—9.

Absent—Messrs. Houston and Wilkinson—2.

Absent on leave—Messrs. Harris and Wade—2.

Sick—Mr. Payne.

So the House adjourned.

## Journal of the House of Representatives of the Territory of Kansas

160

FRIDAY MORNING, AUGUST 3, 1855.

House met pursuant to adjournment.

Prayer by Rev. Mr. Peery.

The journal of yesterday was read and approved.

Reports from standing committees being in order,

The committee on roads and highways made the following report :

MR. SPEAKER :

The committee on roads and highways, to whom was referred House bill No. 49, and accompanying petition,

Beg leave to report the same back with the following amendment :

Strike out the whole of section seventh,

And recommend its passage as amended.

R. L. KIRK,  
H. B. C. HARRIS.

The report was agreed to.

On motion by Mr. Kirk,

The rule was suspended and the amendment read a second and third time and the bill passed as amended.

By the committee on finance.

MR. SPEAKER :

The committee on finance to whom was referred Council bill entitled

An act concerning securities,

Beg leave to report the same without amendment, and recommend its passage.

WM. A. HIESKELL,  
H. D. McMEEKIN,  
SAMUEL SCOTT.

The report was agreed to.

The bill was read a third time and passed.

By the select committee to whom was referred House bill No. 80, entitled  
An act to exempt certain property from execution.

MR. SPEAKER :

The select committee to whom was referred House bill No. 80, entitled

An act to exempt certain property from execution,

Report the following as a substitute for said bill,

161

And recommend its passage.

THOS. W. WATERSON,  
A. PAYNE,  
S. A. WILLIAMS.

The report was agreed to.

The substitute of the following title:

An act to exempt certain property from execution,  
Was read a first time, and  
On motion by Mr. McMeekin,  
The rule was suspended, and the bill read a second time.

Mr. Weddle offered the following amendment:

Amend by inserting between the words "dollars," and "exempt," the words  
"and single persons over the age of twenty-one years, half the amount."

On motion by Mr. Anderson,  
The bill was laid over for the present.

By the same committee.

MR. SPEAKER:

The select committee to whom was referred House bill No. 89, entitled  
An act to exempt certain property from execution,  
Report the same back without amendment,  
And recommend its passage.

THOS. W. WATERSON,  
A. PAYNE,  
S. A. WILLIAMS.

The report was agreed to.

On motion by Mr. Anderson,  
The bill and also the House bill and substitute of the same titles were re-  
committed and referred to a select committee consisting of Messrs. Water-  
son, Payne and Williams.

Mr. Anderson, from the committee on roads and highways reported the  
following bills, which report was agreed to, and the bills read a third time  
and passed:

An act to establish a territorial road from a point opposite St. Joseph, Mis-  
souri, to Fort Riley, in the Territory of Kansas.

An act to establish a ferry across the Missouri river.

An act to locate and establish a territorial road from the town of Atchison,  
to the town of Osawkee.

An act to declare a certain road a territorial road.

An act to establish a territorial road from a point above Franklin on the  
California road, via the Lake and Kansas river, then to the town of Lecomp-  
ton, Kansas Territory.

An act to establish a territorial road from Atchison, via Mount Pleasant  
and Hickory Point, to a point on the Kansas river, opposite the town of Le-  
compton, Kansas Territory.

An act to locate a territorial road.

An act to locate and establish a territorial road from the town of Atchison  
to the town of Marysville.

H. J.—11.



## Journal of the House of Representatives of the Territory of Kansas

162

By the standing committee on the seat of government:

MR. SPEAKER:

The standing committee on the seat of government, having had the subject under consideration for a sufficient length of time, and having carefully weighed the matter in their minds, and examined all the premises, ask leave to submit the following resolution as the best method (in their opinion,) which can be adopted for locating the permanent seat of government of Kansas Territory, with least trouble to ourselves, and with most benefit and fairness to the people.

WM. H. TEBBS, *Chairman.*

H. D. McMEEKIN.

R. L. KIRK.

D. L. CROYSDALE.

The report was agreed to.

The resolution is as follows:

*Be it Resolved,* By the House of Representatives of Kansas Territory, the Council concurring therein, that the two Houses of this Legislature in joint session, on Wednesday the 8th day of August, proceed to the selection of a proper place for the permanent seat of government for Kansas Territory, in the following manner, to wit:

That each place contending for the capital shall be put in nomination, and after each successive ballot, that place receiving the smallest number of votes, shall be stricken from the list, until all but two are dropped, when the question shall then be, Which of the two places so running shall be chosen as the permanent seat of government? and that place receiving a majority of the votes cast, shall be declared the permanent seat of government for Kansas Territory.

Mr. Speaker Stringfellow,

Mr. Waterson in the Chair,

Offered the following as a substitute:

*Resolved,* By the House of Representatives, the Council concurring therein, that the two Houses of this Legislative Assembly, go into joint session on the —— day of August, and proceed to select a suitable place for the permanent seat of government and so soon as any point shall be selected, then the session to be dissolved, and such laws be enacted as will locate by law the permanent seat of government at the point thus selected.

Mr. Tebbs accepted the substitute.

The rule was suspended, and the resolution read a second time and adopted.

Mr. Marshall moved to fill the blank with the "8th."

Mr. McGee moved as a substitute the "16th."

Mr. Mathias moved as a substitute, the "13th."

## Journal of the House of Representatives of the Territory of Kansas

163

The vote being upon filling the blank with "16th," and "13th" successively,  
It was lost.

The question being upon filling the blank with the "8th,"  
It was decided in the affirmative,

Message from the Council, by Mr. Grover, Assistant Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been introduced into the Council :

- An act giving meaning to the word State.
- An act supplemental to an act to incorporate the city of Leavenworth.
- An act to incorporate the city of Pawnee.
- An act to regulate practice in the courts of chancery,
- An act to incorporate the town of Cofachiqui.
- An act to incorporate the Engatah Association.
- An act concerning bills of exchange and negotiable promissory notes.
- An act to establish a ferry at the town of Doniphan.

Also, that the Council has passed House bills of the following titles :

- An act respecting lost money and goods.
- An act to establish a road from Osawkee to Grasshopper Falls.
- An act to locate a territorial road from St. Joseph, Missouri, to Marysville, Kansas Territory.
- An act to view and mark out a road from the eastern boundary line of the Territory of Kansas, near Westport, Jackson county, Mo., a part of the way and declare a part of the road as the present road which now runs to Fort Leavenworth, a territorial road.
- An act to incorporate the Lecompton Bridge Company.
- An act concerning arbitrations and awards.
- An act to incorporate the city of Kickapoo.

Also, the following Council bills :

- An act to incorporate a ferry in the Territory of Kansas, opposite the town of Iatan, in Missouri.
- An act giving meaning to the word State.
- An act to incorporate the city of Pawnee.
- An act to incorporate a ferry at Whitehead, in Kansas Territory.
- An act to regulate the practice in courts of chancery.
- An act regulating contracts and promises.
- An act concerning evidence.

Message from the Council, by Mr. Halderman, Chief Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled Council bills of the following titles.



## Journal of the House of Representatives of the Territory of Kansas

164

An act to incorporate the Mount Aurora Cemetery and Town Association.  
An act to incorporate the Tecumseh Lyceum and Library Association.  
An act concerning apprentices.  
An act to establish a public ferry at the town of Iowa Point, in Kansas Territory.  
An act in relation to county organizations, powers and privileges.  
An act regulating the erection of county buildings.  
By the committee on judiciary and criminal jurisprudence.

MR. SPEAKER :

The committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 87, entitled

An act authorizing officers to call to their assistance the power of the county,

Beg leave to report the same with the following amendments:

In section 1, after the words "twenty-one years," insert the words "and under fifty-five years."

Add in section 2, after the word "dollars," the last word in the section, the clause, "and shall also be imprisoned at the discretion of the court."

Also add

Section 3. All persons violating the provisions of this act may be prosecuted by the said officer, before any court having cognizance thereof."

And recommend its passage as amended.

WM. G. MATHIAS, *Chairman*.  
JOS. C. ANDERSON.  
F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. Mathias,

The rule was suspended, and the amendments read a second time, and agreed to, and the bill as amended read a third time and passed.

By the same committee :

MR. SPEAKER :

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act concerning forcible entry and detainer,

Have had the same under consideration, and beg leave to report the same with the following amendments :

In section 23, Strike out in the fourth and fifth lines "the State of Missouri," and insert "the Territory of Kansas."

In article 11, sec. 1, strike out the words "appeal or."

In sec. 36, in the first line, strike out after the word "other," "superior," and insert "inferior," and after the word "courts," insert the words "of record." And recommend its passage as amended.

WM. G. MATHIAS, *Chairman*.  
J. C. ANDERSON.  
S. A. WILLIAMS.  
F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. Hieskell,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.



## Journal of the House of Representatives of the Territory of Kansas

165

By the committee on judiciary and criminal jurisprudence :

MR. SPEAKER :

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act respecting public administrators,

Have had the same under consideration, and beg leave to report the same back with the following amendment.

In section 2, fourth line, after the word "probate," insert the word "court."

And as amended, recommend its passage.

WM. G. MATHIAS, *Chairman*.

JOS. C. ANDERSON.

S. A. WILLIAMS.

F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. Hieskell,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

The committee on roads and highways made the following report :

MR. SPEAKER :

The committee on roads and highways, to whom was referred House bill No. 45, beg leave to report the same back to the House with the following amendment :

Strike out the whole of third section.

R. L. LIRK.

H. B. C. HARRIS.

The report was adopted, and,

On motion,

The rule was suspended and the amendment read a second and third time and the bill passed as amended.

The committee on roads and highways made the following report :

MR. SPEAKER :

The committee on roads and highways, to whom was referred the House bill No. 78, entitled

An act to provide for the location of a territorial road in the Territory of Kansas, have had the same under consideration, and report the same back with the following amendments :

At the end of section 11 insert

Section 12. All acts or parts of acts inconsistent with the provisions of this act, be, and they are hereby declared to be inoperative.

And in section 10, after the words "sum of," insert the words "at the discretion of the court not exceeding."

And recommend its passage as amended.

WM. G. MATHIAS, *Chairman*.

R. L. KIRK.

H. B. C. HARRIS.

The report was agreed to,

## Journal of the House of Representatives of the Territory of Kansas

166

On motion by Mr. Weddle,  
The rule was suspended, and the amendment read a second time.

Mr. Speaker Stringfellow, Mr. Waterson in the Chair,  
Offered the following amendment:  
Insert the words "or which may have been located," between the words  
"establish" and "written."  
On motion by Mr. Kirk,  
The rule was suspended, and the amendment read a second time, and  
On motion by Mr. Anderson,  
The bill and amendments  
Were recommitted to the committee on roads and highways.

The joint committee on enrolled bills made the following report:

MR. SPEAKER:

From the joint committee on enrolled bills, I beg leave to report that at  
11 o'clock, (Friday) the following Council bills were placed in the hands of  
his Excellency A. H. Reeder, signed by the Speaker, and President of the  
Council,

An act to incorporate the Mt. Aurora Cemetery and Town Association.  
An act to incorporate the Tecumseh Lyceum and Library Association.  
An act concerning apprentices.  
An act to establish a public ferry at the town of Iowa Point in Kansas Ter-  
ritory.  
An act in relation to county organizations, powers and privileges.  
An act in relation to the erection of county buildings.  
All of which is respectfully submitted.

JOS. C. ANDERSON,

*Chairman of House Com.*

On motion by Mr. Weddle,  
The House adjourned.

### — EVENING SESSION.

The House met pursuant to adjournment.

On motion by Mr. Croysdale;

The roll of the House was called.

ABSENT—Messrs. Anderson, Banks, Browne, Houston, Whitlock, Johnson,  
Marshall, McGee, Payne and Younger—10.  
ABSENT ON LEAVE—Messrs. Wade and Wilkinson—2.  
SICK—Mr. Harris.



## Journal of the House of Representatives of the Territory of Kansas

167

A quorum present.

The committee on roads and highways made the following report:

MR. SPEAKER:

The committee on roads and highways, to whom was referred House bill No. 86, beg leave to report the same back to the House without amendment, and recommend its rejection.

R. L. KIRK.

The report was received.

By the committee on public printing:

MR. SPEAKER:

Your committee on public printing beg leave herewith to present the following statement of the public printer, and ask that it may be received as a report of the committee on printing.

H. D. McMEEKIN, *Chairman.*

*Report of the Public Printer.*

To the Hon. Chairman of the committee on public printing of the House of Representatives of the Territory of Kansas:

In compliance with the resolution passed on the third instant, requiring me to report the number of ems and tokens contained in the amount of printing done by me for said House up to this date. I report as follows:

Number of ems.	-	-	-	-	239,100.
Number of tokens,	-	-	-	-	29.

All of which is most respectfully submitted.

JOHN T. BRADY, *Public Printer.*

The report was agreed to.

By the committee on judiciary and criminal jurisprudence:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 48, entitled "An act to provide for the location of territorial roads in the Territory of Kansas," with the amendments thereto, have had the same under consideration, and beg leave to report the bill with the following amendments:

Strike out section 12, entire, in the amendment; and amend the tenth section as proposed in the amendment, and insert as proposed by the amendment offered by Mr. Stringfellow, and recommend its passage as amended.

WM. G. MATHIAS, *Chairman.*

The report was agreed to, and the amendment agreed to, and the bill as amended was read a third time and passed.

Message from the Council by Mr. Rees, a member:



MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives that they have returned to the House the bill entitled

An act to prevent the firing of woods, marshes, and prairies.

And to inform the House that in Council, on the second reading of the bill, it was referred to the committee on the judiciary. On the 21st of July, the committee reported back the bill, with an amendment striking out the fifth section, which was adopted. Mr. Rees moved to amend by inserting after section 5, "Provided, nothing in this act shall be so construed as to apply to any person in good faith firing around his own farm, for the purpose of protecting the same, so that such firing be done with proper care."

Mr. Coffey moved to lay the amendment on the table, which motion was carried, and so the bill as amended went down to the House with the fifth section stricken out.

Also,

That the Council has passed the Council bill entitled

An act supplemental to an act entitled an act to incorporate the city of Leavenworth.

Also,

That the Council refuses to concur in the House amendment to the Council bill entitled

An act concerning coroners.

On motion by Mr. Waterson,

The Council bill entitled

An act concerning coroners,

Was taken up, and the amendment made by the House insisted upon.

On motion by Mr. Speaker Stringfellow, (Mr. Anderson in the Chair,)

The Council bill returned by the Council to the House, with an amendment which had been lost, entitled

An act to prevent the firing of woods, marshes, and prairies,

Was taken up, recommitted, and referred to a select committee consisting of Messrs. Waterson, Kirk, and Banks.

On motion by Mr. Mathias,

The Council bill entitled

An act supplemental to an act entitled an act to incorporate the city of Leavenworth,

Was taken up, read a first time, and,

On motion by Mr. Mathias,

The rule was suspended, and the bill read a second and third time, and passed.

Mr. Ward introduced a bill entitled

An act to establish a territorial road from a point on the old California road, on the west side of Little Wakarusa, to Matthew Rule's on Big Wakarusa.

Which was read a first time, and ordered to a second reading.

Mr. Scott introduced a bill entitled

An act to prevent non-residents from grazing stock in Kansas Territory. Which was read a first time, and,

On motion by Mr. McGee,

## Journal of the House of Representatives of the Territory of Kansas

169

The rule was suspended, and the bill read a second time, and,  
On motion by Mr. Kirk,  
Referred to the committee on agriculture.

The House bill No. 103, entitled  
An act allowing suits against officers, for services rendered under illegal orders,  
Was taken up, read a second time, and the rule suspended and the bill read a third time and passed.

The reading of Council bills being in order,  
The following bills were read a second time, and severally disposed of, as follows:

An act designating the pay of certain officers, was,  
On motion by Mr. Mathias,  
Referred to the committee on judiciary and criminal jurisprudence.

An act providing for the appointment of constables, and prescribing their duties, was,  
On motion by Mr. Hieskell,  
Referred to the committee on judiciary and criminal jurisprudence.

A bill entitled an act to locate a territorial road from a point opposite Westpoint, Missouri, to Marysville, Kansas Territory, was,  
On motion by Mr. McGee,  
Referred to the committee on roads and highways.

An act to establish a territorial road from the town of Kickapoo, in the Territory of Kansas, to intersect the military road leading from Fort Leavenworth to Fort Riley, was,  
On motion by Mr. Marshall,  
Referred to the committee on roads and highways.

An act to regulate the limitations of actions, was,  
On motion by Mr. Marshall,  
Referred to the committee on judiciary and criminal jurisprudence.

The following bills were read a first time, and severally disposed of, as follows:

An act concerning evidence,  
Was ordered to a second reading.

An act regulating contracts,  
Was ordered to a second reading.

An act giving meaning to the word State,  
Was ordered to a second reading.

An act to incorporate the city of Pawnee,  
Was ordered to a second reading.

An act regulating the practice in courts of chancery,  
Was ordered to a second reading.

## Journal of the House of Representatives of the Territory of Kansas

170

An act to incorporate a ferry at Whitehead, in Kansas Territory,  
Was ordered to a second reading.

An act to incorporate a ferry in the Territory of Kansas, opposite the town  
of Iatan, Missouri;  
Was ordered to a second reading.

On motion,  
Leave of absence was granted to Mr. Tebbs until Monday next.

Mr. McGee moved that leave of absence be granted to Mr. Banks until  
Monday next.  
Which was not granted.

Mr. McGee asked leave of absence until Monday next.  
Which was not granted.

An act regulating the interest of money,  
Was taken up, and the amendments read a second time and agreed to, and  
the bill as amended read a third time and passed.

Mr. Anderson, chairman of the committee on enrolled bills, reported as  
truly enrolled House bills of the following titles:

An act to view and mark out a road from One Hundred and Ten, to inter-  
sect the military road from Fort Leavenworth to Fort Riley.  
An act declaring certain roads public highways.

On motion by Mr. Mathias,  
The House adjourned until Monday next.

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MONDAY, MORNING, AUGUST 6, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Kirk presented the petition of Cyrafton Thomasson, Geo. A. Ringo,  
William Pennee, B. G. Wells, and others, praying that a ferry charter may  
be granted to William P. Lamb, at the town of Atchison, in Kansas Ter-  
ritory.

On motion by Mr. Weddle,  
The petition was referred to the committee on roads and highways.



## Journal of the House of Representatives of the Territory of Kansas

171

Mr. Harris, chairman of the committee on roads and highways, to whom was referred House bill No. 96, entitled

An act to establish a territorial road in the Territory of Kansas,

Reported the same back with the following amendment:

In section 1, strike out "Napoleon B. Blanton," and insert "Samuel C. Wear."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Kirk,

The rule was suspended, and the amendment read a second time and agreed to, and the bill read a third time as amended and passed.

Mr. Harris, chairman of the same committee, to whom was referred also the Council bill entitled

An act to establish a territorial road from the town of Kickapoo, in the Territory of Kansas, to intersect the military road leading from Fort Leavenworth to Fort Riley,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and the bill read a third time and passed.

The committee on judiciary and criminal jurisprudence reported, through their chairman, Mr. Mathias, bills of the following titles, which were severally disposed of as follows:

An act concerning debtors and their securities, with the following amendments:

In the title, strike out the words "a bill entitled."

In section 1, after the word "such," at the end of the 11th line; add the words "bond, bill, note or."

In section 6, strike out all after the word "rendered," in the ninth line:

And strike out section 7 entirely:

On motion by Mr. Weddle,

The rules were suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning set-off, with the following amendments:

Strike out the enacting clause, and insert, "Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas."

In section 10, after the word "from," insert "and after."

And as amended recommended its passage.

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning descents and distributions, with the following amendments:

In the enacting clause, strike out "Kansas Territory," and insert the words "the Territory of Kansas."

And as amended recommended its passage.

The report was adopted.

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning the action of replevin, with the following amendments :  
In the enacting clause strike out the words "Kansas Territory," and insert  
"the Territory of Kansas."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed  
to, and the bill as amended read a third time and passed.

An act concerning fraudulent conveyances, with the following amendment :  
In the enacting clause strike out "Kansas Territory," and insert "the Ter-  
ritory of Kansas."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Payne,

The rule was suspended, and the amendment read a second time and agreed  
to, and the bill as amended read a third time and passed.

An act to define the duties of justices of the peace, in cases of breach of  
the peace, with the following amendments :

Strike out in the enacting clause the words "Kansas Territory," and insert  
"the Territory of Kansas."

Strike out, entire, sections first and second, and insert as follows :

Sec. 1. Justices of the peace may have jurisdiction of all cases of simple  
assault and battery and affrays ; provided, however, that nothing herein con-  
tained shall be construed to extend to cases of assault and battery and affrays,  
which by any of the laws of this Territory are punishable by imprisonment,  
or where the damages alleged to have been sustained exceeds the sum of one  
hundred dollars ; and provided, further, that nothing herein contained shall  
prevent a prosecution of such assault and battery or affray, by indictment in  
the courts of this Territory having criminal jurisdiction.

Sec. 2. Said justices of the peace shall, and they are hereby authorized  
and empowered, to cause to be arrested any person or persons charged with  
any offense against the peace or quiet of the county or neighborhood in which  
he may reside, for any assault and battery or affray, riot, rout, or unlawful  
assembly, and the person or persons thus arrested, if the said justice, on a  
full examination of the matter before him, shall find that the offense is such  
as would subject the person or persons thus charged to imprisonment or fine  
exceeding one hundred dollars, he shall require such person or persons to  
give bail for their appearance at the next term of the court for the county in  
which the offense was committed, having criminal jurisdiction.

Strike out all after the words "sec. 11," and insert :

In all trials before justices of the peace under this act, said justice of the  
peace shall try the same according to the laws of the Territory, and the right  
and justice of the matter, and said justice shall be judge of the law and the  
fact, and if he finds the party guilty, he shall assess the fine or damage, or  
fine, according to the nature and extent of the offense.

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Waterson,

The rules were suspended, the amendment read a second time and agreed  
to, and the bill as amended read a third time and passed.



## Journal of the House of Representatives of the Territory of Kansas

173

An act concerning the action of detinue, with the following amendment:  
Strike out in the enacting clause the words "Kansas Territory," and insert the words "the Territory of Kansas."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning attorneys at law, with the following amendments:  
Strike out in the enacting clause the words "Kansas Territory," and insert "the Territory of Kansas."

In section 7, strike out after the word "record," in the third line, the word "court."

In section 18, strike out after the word "any," in the third line, and insert the word "district."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time, and passed.

An act for the speedy recovery of debts due on bonds and notes, with the following amendment:

Strike out in the enacting clause the words "Kansas Territory," and insert "the Territory of Kansas."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

On leave, Mr. Mathias offered the following resolution, which was adopted:

*Resolved*, That the Honorable Secretary of this Territory be and he is hereby authorized to purchase wafers for the use of this House.

On motion by Mr. Mathias,

The House resolved itself into committee of the whole, for the purpose of considering the bill to define the boundaries of the several counties of the Territory of Kansas.

Mr. Anderson in the Chair.

After some time spent in committee,

On motion by Mr. Weddle,

The committee rose, and through their chairman, Mr. Anderson, made the following report, which was adopted:

MR. SPEAKER:

The committee of the whole House, to whom was referred a bill entitled "An act to define the boundaries of the several counties in the Territory of



## Journal of the House of Representatives of the Territory of Kansas

-174

"Kansas," have had the same under consideration, have made some progress therein, and beg leave to sit again.

On motion by Mr. Waterson,  
The House adjourned.

### EVENING SESSION.

House met, pursuant to adjournment.

Mr. Anderson, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills in the possession of the Governor, beg leave to report that bills of the following titles have been returned, after having been in the hands of the Governor over three days; and are herewith delivered to the House of Representatives in which they originated, as laws, to be transmitted for file to the Secretary of the Territory:

An act to declare the Big Blue river a navigable stream and a public highway.

An act to provide for the collection of demands growing out of contracts for sale of improvements on public lands in the Territory of Kansas.

An act to establish a ferry at the town of Leavenworth, in the Territory of Kansas.

An act to establish a ferry at Thompson's Landing, in Kansas Territory

On motion by Mr. Anderson,

The House resolved itself into a committee of the whole, for the further consideration of the bill defining the boundaries of the several counties of the Territory of Kansas.

Mr. Anderson in the Chair.

After some time spent in committee,

On motion by Mr. Waterson,

The committee rose, and through their chairman, Mr. Anderson, made the following report, which was agreed to:

MR. SPEAKER:

The committee of the whole House, to whom was referred House bill entitled "An act to define the boundaries of the several counties of the Territory of Kansas," have had the same under consideration, and have desired me to report the recommendation of the following concurrent resolution for the adoption of the House:

*Resolved*, By the House of Representatives, the Council concurring therein, that the boundaries of the counties of Doniphan, Atchison, and Leaven-



## Journal of the House of Representatives of the Territory of Kansas

—175

worth be submitted to all the Representatives and members of the Council north of the Kansas river, and that they be required to make a report to the House on Tuesday, the 7th instant.

Mr. Waterson moved that the rules be suspended, and the resolution read a second time.

Which was lost by the following vote,  
The ayes and noes having been demanded by Mr. Mathias :

AYES.—Messrs. Anderson, Blair, Harris, Hieskell, Johnson, McGee, Payne, Scott, Wade, Waterson, Weddle, Younger—12.

NOES.—Messrs. Kirk, Mathias, McMeekin, Tebbs, Ward, Whitlock, Williams, Mr. Speaker—8.

Absent—Messrs. Banks, Browne, Croysdale, Marshall, and Houston—5.  
Absent on leave—Mr. Wilkinson.

The rule requiring a two-thirds vote, the rule was not suspended.

Mr. Anderson offered the following resolution, which was adopted :

*Resolved*, By the House of Representatives of the Territory of Kansas, that the boundaries of the counties of Doniphan, Atchison, and Leavenworth, be submitted to a committee to consist of all the members north of the Kansas river, and that they be instructed to make a report to the House on tomorrow morning.

On motion by Mr. Anderson.

The select committee to whom was referred House bill entitled "An act to exempt slaves from sale under execution," were required to report by tomorrow morning.

Mr. Payne moved that the House adjourn.  
Which was lost.

Message from the Council, by Mr. Grover, Assistant Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives that the Council has passed the following concurrent resolution, and ask the concurrence of the House thereto :

*Resolved*, By the Council, the House of Representatives concurring therein, that the Public Printer be and he is hereby authorized and directed to print five hundred copies of the journals of each House.

Reports from standing committees being in order,  
Mr. Waterson, from the committee to whom was referred Council bill entitled

An act to prevent the firing of woods, marshes, and prairies,  
Reported a substitute of the same title, and recommended its passage.

The substitute was read a first time, and,

On motion by Mr. Kirk,

The rules were suspended, and the substitute read a second time, and,

On motion by Mr. Anderson,

The substitute was recommitted, and referred to the same committee.

## Journal of the House of Representatives of the Territory of Kansas

176

Mr. Anderson, chairman of the committee on elections, made the following report:

MR. SPEAKER:

The committee on elections, to whom were referred House bills Nos. 52 and 73, have had the same under consideration.

They have examined the two bills and have blended them into one, and have also embraced in the substitute which they herewith offer, a complete election law.

The committee recommend the rejection of the said bills, and the adoption and passage of the substitute.

The report was agreed to.

The substitute of the following title :

An act to regulate elections,

Was read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time and ordered to be engrossed, and fifty copies to be printed.

On motion by Mr. Wade,

The House adjourned.

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TUESDAY MORNING, AUGUST 7, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Kirk from the committee on roads and highways to whom was referred Council bill entitled

An act to locate a territorial road from the Missouri State line to Fort Atkinson,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill was read a third time and passed.

Mr. McGee from the select committee to whom was referred House bill entitled

An act to exempt slaves from sale under execution,

Asked leave for further time to report.

Leave was granted.



## Journal of the House of Representatives of the Territory of Kansas

177

On motion by Mr. Browne,  
Permission was granted to Mr. Anderson to present a minority report upon  
the same bill at any time.

The following message was received from the Council, by Mr. Grover, As-  
sistant Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representative  
that the Council has passed House bills of the following titles :

- An act for securing liens to mechanics and others.
- An act to prevent trespass on the possessions of settlers on the public lands.
- An act for the incorporation of towns and to prevent the circulation of  
town and city script.
- An act to license and tax peddlers.
- An act concerning marriage contracts.
- An act to establish a territorial road from a point opposite St. Joseph, Mis-  
souri to Indianola, in the Territory of Kansas.
- An act to authorize Thomas N. Stinson to establish a ferry across the Kan-  
sas river, at the town of Tecumseh.
- An act to establish a territorial road from Leavenworth to Indianola, by  
the way of Money Creek and Grasshopper Falls, in the Territory of Kansas.
- An act concerning strays.
- An act regulating marriages.
- An act granting to Lewis Trombly exclusive right to a bridge across the  
Vermillion branch of the Big Blue river at the crossing of the Independence  
and California road.
- An act to establish a territorial road from Atchison to Pawnee by the way  
of Grasshopper Falls in the Territory of Kansas.

Also, Council bills of the following titles :

- An act regulating conveyances.
- An act establishing a ferry at the town of Doniphan, in Kansas Territory.
- An act concerning witnesses.
- An act concerning the statutes and legislative proceedings.
- An act to establish the office of County Treasurer.
- An act to regulate proceedings in criminal cases.

Message from the Council, by Mr. Halderman, Chief Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives  
that the Council has concurred in the House concurrent resolution to go into  
joint session on the 8th day of August to select a suitable place for the per-  
manent seat of government for the Territory of Kansas.

Message from the Council by Mr. Halderman, Chief Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives  
H. J.—12.



## Journal of the House of Representatives of the Territory of Kansas

178

that a bill entitled an act to establish a ferry at Lewis' Point, is now in the possession of the Council committee on corporations, and will be reported upon at an early day.

The select committee consisting of Messrs. Waterson, Kirk and Banks, to whom was referred Council entitled

An act to prevent the firing of woods, marshes, and prairies,

Reported the same back with the following amendment:

Amend sec. 4, by inserting after the word "slave," and in the second line, the words "with the consent or by the command of his master."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Waterson,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias from the committee on roads and highways to whom was referred the petition of Wm. P. Lamb and others asking this Legislature to grant them the exclusive privilege to establish a ferry at the town of Atchison, in Kansas Territory,

Reported the same back and recommended its rejection.

The report was received.

Mr. Harris moved that the petition and report lie over for the present. Which was lost.

The petition was then rejected by the following vote,  
The ayes and noes having been called for:

AYES.—Messrs. Banks, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Whitlock, Williams, Younger and Mr. Speaker—19.

NO.—Mr. Harris—1.

ABSENT.—Messrs. Anderson, Croysdale, Houston, McGee and Weddle—5.

Absent on leave—Mr. Wilkinson.

Message from the Council by Mr. Halderman, chief clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled House bills of the following titles:

An act to declare the road now leading from the California road near Wakefield to Lecompton, along the ridge between Snyder and Wm. Toddhunter's, and marked out by a double furrow, a public highway.

An act to declare the Santa Fe road a territorial road.

An act entitled an act to locate a territorial road from a point opposite Westpoint, in Missouri, to Cofachiqui, by way of Ballard and Taylor's Ford and the Catholic mission.

An act to establish a territorial road from opposite Beston, Missouri, to a



point on the California road at or near the Half-way Grove in Kansas Territory.

An act to grant to F. J. Marshall and Abner G. Woodward exclusive privileges to establish a ferry across the Big Blue river at the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road across the same river.

An act to provide for laying out and establishing a territorial road from the point where the Atchison, Kickapoo and Leavenworth roads converge, by way of Osawkee and Tecumseh, to intersect the Santa Fe road at or near One Hundred and Ten.

An act to establish a territorial road from Leavenworth to Osawkee, *via* Alexandria.

An act establishing territorial roads.

An act to declare a certain road from the Shawnee Methodist Church South, to the town of Tecumseh, a territorial road.

An act to incorporate Leavenworth Lodge No. 150, Ancient Free and Accepted Masons.

An act to establish a territorial road from the territorial line near Westport, Missouri, to Fort Scott, in the Territory of Kansas.

An act to view and mark out a road from One Hundred and Ten, to intersect the military road from Fort Leavenworth to Fort Riley.

An act concerning corporations.

An act to declare certain roads public highways.

An act to establish a territorial road from a point opposite St. Joseph, Mo., to the great Nemaha river.

Mr. Harris, chairman of the committee on roads and highways, to whom was referred House bill No. 75, entitled

An act to view and mark out a territorial road from Doniphan city to Kelley's Ferry, on the Missouri river,

Reported the same back with the following amendment:

Between the words "Doniphan city," and "thence," insert the words "thence to Palermare."

And recommend its passage as amended.

The report was agreed to, and

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Harris, chairman of the same committee, to whom was referred also the Council bill entitled

An act to authorize Fox B. Booth to keep a ferry,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to and

The bill read a third time and passed.

Mr. Hieskell from the committee on agriculture to whom was referred House bill No. 108, entitled

An act to prevent non-residents from grazing stock in the Territory.

Reported the same back without amendment,

And as amended, recommended its passage.

The report was agreed to, and

The bill read a third time.



## Journal of the House of Representatives of the Territory of Kansas

180

Mr. Harris offered the following amendment by way of rider :

Amend by reducing the amount to half of the original price, and inserting the following: "That all stock brought into the Territory under the provisions of this bill shall have a herder."

The amendment was read a first time, and,

On motion by Mr. Waterson,

The bill was referred to the committee on judiciary and criminal jurisprudence.

On leave, Mr. Anderson, from the select committee to whom was referred the House bill entitled

An act to exempt slaves from sale under execution,

Made a minority report against the passage of the bill.

The report was agreed to, and fifty copies ordered to be printed.

The select committee, consisting of Messrs. Waterson, Williams, and Payne, to whom was referred House bill No. 80, entitled

An act declaring certain property exempt from execution,

Also, House bill No. 89, and substitute of the same title,

Reported a substitute to said bills, and recommended its passage.

The report was agreed to, and the substitute of the following title:

An act to exempt homesteads, and certain other property from execution,

Was read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Waterson,

The bill was considered engrossed, and fifty copies ordered to be printed.

Mr. Waterson introduced a bill entitled

An act to establish a territorial road from Whitehead, to intersect the St. Joseph and Fort Riley road.

Which was read a first time, and,

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time and referred to the committee on roads and highways.

The House bill No. 107, entitled

An act to establish a territorial road from a point on the old California road, on the west side of the Little Wakarusa, to Matthew Rule's, on Big Wakarusa,

Was taken up and read a second time, and,

On motion by Mr. Anderson,

Referred to the committee on roads and highways.

The second reading of Council bills being in order,

The following bills were read a second time, and severally disposed of, as follows :

An act to incorporate a ferry in the Territory of Kansas, opposite the town of Iatan, in Missouri, was,

On motion by Mr. Hieskell,

Referred to the committee on roads and highways.

An act to incorporate a ferry at Whitehead, in Kansas Territory, was,

On motion by Mr. Waterson,

Referred to the committee on roads and highways.

## Journal of the House of Representatives of the Territory of Kansas

.181

An act to regulate the practice in courts of chancery, was,  
On motion by Mr. Hieskell,  
Referred to the committee on judiciary and criminal jurisprudence.

An act to incorporate the city of Pawnee, was,  
On motion by Mr. Weddle,  
Referred to the committee on corporations.

An act giving meaning to the word State, was,  
On motion by Mr. Waterson,  
Referred to the committee on judiciary and criminal jurisprudence.

An act regulating contracts and promises, was,  
On motion by Mr. McMeekin,  
Referred to the committee on corporations.

An act concerning evidence, was,  
On motion by Mr. Waterson,  
Referred to the committee on judiciary and criminal jurisprudence.

The Council concurrent resolution, requiring the Public Printer to publish five hundred copies of the journals of each House, was taken up and read a first time, and,  
On motion by Mr. Kirk,  
The rule was suspended, and the resolution read a second time, and,  
On motion by Mr. Waterson,  
It was laid over.

The following Council bills were read a first time, and severally disposed of as follows :

An act regulating conveyances.  
On motion by Mr. Anderson,  
The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act establishing a ferry at the town of Doniphan, in Kansas Territory.  
On motion by Mr. Waterson,  
The rule was suspended, and the bill read a second time, and,  
On motion by Mr. Marshall,  
Referred to the committee on roads and highways.

An act concerning witnesses.  
On motion by Mr. Anderson,  
The rule was suspended, and the bill read a second time, and,  
On motion by Mr. Marshall,  
Referred to the committee on judiciary and criminal jurisprudence.

An act concerning the statutes and legislative proceedings.  
On motion by Mr. Anderson,  
The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act to establish the office of county treasurer.  
On motion by Mr. Wade,