

JOURNAL OF THE SENATE.  
February 17, 1868.  
STATE OF MINNESOTA, EXECUTIVE DEPARTMENT, }  
SAINT PAUL, February 15, 1868. }

*Hon. Thos. H. Armstrong, President of the Senate :*

SIR:—I herewith return to the Senate, in which it originated, S. F. No. 44, A bill entitled "an act to vacate the plat of Belle Plaine city," without my approval.

Ample provision is made by general statute, (see chapter 29, secs. 12 to 14,) for vacating town plats, by the district courts. This power is to be exercised by the courts in a manner that secures due notice to all parties whose interests are affected, while the action of the Legislature is without notice and *ex parte*, and liable to do injustice.

It is altogether wise to leave such matters to the courts. It is properly a judicial proceeding. This, I am informed is no exceptional case. It is one in which the object can readily and fully be obtained in the courts.

Very Respectfully,  
Your Obed't Serv't,  
WM. R. MARSHALL.

On motion of Mr. Baxter, the communication and bill were laid on the table.

The following communication was received from his Excellency, the Governor :

STATE OF MINNESOTA EXECUTIVE DEPARTMENT, }  
SAINT PAUL, February 15th, 1868. }

*Hon. Thomas H. Armstrong, President of the Senate :*

SIR:—In compliance with the request of the Senate, I return S. F. No. 56, "An act to amend section 226, title 17, chapter 66 of the general statutes, relating to trials by the courts."

I am very truly,  
Your Ob't Serv't,  
WM. R. MARSHALL.

On motion of Mr. Smith, the communication and bill were laid on the table.

Messages from the House were taken up.

H. F. No. 73, A bill for an act to compel the attendance of witnesses in certain cases.

Was read the first time and referred to committee on judiciary.

H. F. No. 32, A bill for an act to change the name of the town of Empire city to that of Empire, in Dakota county,

Was read the first time, and referred to committee on towns and counties.