

The house have passed the following bills to-wit:

A bill to organise the counties of Platt and Buchanan, and to define the boundaries of the same,

A bill for the relief of George W. Hudspeth,

Which are herewith submitted for the concurrence of the Senate.

There have also been introduced into the House a memorial to Congress relative to pre-emptions.

Mr. Hunter submitted the following:

Resolved, That the Auditor of Public Accounts be required to lay before this house, a full and tabular statement, showing the number of acres of Seminary land, sold at the several land districts, in each year since the commencement of the sales of the said lands, and also the number of acres of said lands remaining unsold in each district,

Which was adopted.

Mr. Campbell asked and obtained leave to introduce,

A bill to amend an act concerning securities, approved March 16th, 1835,

Which was read a first time, and

Ordered to a second reading.

Mr. Alford asked and obtained leave to introduce,

A bill to authorise certain persons therein named, to erect a toll bridge across the Merimac river,

Which was read a first time, and

Ordered to a second reading.

Mr. Monroe asked and obtained leave to introduce,

A bill providing for the election of county treasurers,

Which was read a first time, and

Ordered to a second reading.

Mr. Sterigere pursuant to notice, introduced,

A bill to establish a State road from Conn's landing on the Merimac river, to Troy in Lincoln county,

Which was read a first time, and

Ordered to a second reading.

The Senate having recurred to a previous order,

Mr. Turner from the joint committee on the Mormon investigation,

Submitted the following report, preamble and resolutions:

The joint committee to whom was referred so much of the Governor's Message as relates to the recent difficulties between the people called Mormons and a part of the people of this State, with instructions to inquire into the causes of said disturbances, and the conduct of the military operations in suppressing them, have taken the same under consideration, and would respectfully submit the following report and resolutions:

They have thought it unwise and injudicious, under all the existing circumstances of the case, to predicate a report upon the papers, documents, &c. purporting to be copies of the evidence, taken before an examining court held in Richmond in Ray county, for the purpose of inquiring into the charges alledged against the people called "Mormons," growing out of the late difficulties between that people and other citizens of this State.

They consider the evidence adduced in the examination then held in a great degree, exparte, and not of a character that should be desired for the basis of a fair and candid investigation. Moreover, the papers, documents, &c. have not been certified in such manner, as to satisfy the committee of their authenticity.

It has been reported to them that the examining court have sent on for further trial many of that class of citizens called Mormons, charged with various crimes and offences. Under the charge of treason six; for murder, and as accessories thereto, before and after the fact, eight; and for other felonies, twenty

seven. Special terms are expected to be held in the several counties in which the above mentioned crimes are represented to have been committed. Grand juries will then have those charges against said people before them, and must act upon the same documentary evidence, which your committee would necessarily be compelled to examine—by which circumstance two co-ordinate branches of this government may be brought in collision, a contingency that should be studiously avoided and cautiously guarded against.

Another insuperable objection that has presented itself to the minds of the committee, and which would induce them to suspend any investigation, under present and existing circumstances, would be the consequences likely to result from the publication of their report. Those persons who have been sent on for further trial, have guaranteed to them the sacred and constitutional right of "a speedy trial by an impartial jury of the vicinage," and if the guilt of the accused should be confirmed by the report of this committee, it would so prejudice public sentiment against them, as would deprive them of that right, which should not be taken away by any consideration involved in this inquiry.

If the committee were to find it necessary in the prosecution of their object, to have access to the papers, documents, &c. connected with this difficulty, the probable interference of the several courts being in session, might seriously interrupt their views. It might reasonably be expected that all the evidence of every description, would be in the possession of the courts to be used on the final trial, and by that means the investigation would be protracted to a much greater length, than would be necessary under different circumstances. They would therefore recommend, in order to avoid all the difficulties that have been presented, that a committee, after the adjournment of the General Assembly, go into the vicinity of the scene of difficulties, and make their investigation, and report at such time and in such manner as the Legislature may direct. If this course should be adopted, the committee believe that the session would be much shortened and heavy expenses saved to the State, which otherwise would necessarily be incurred, in sending for witnesses and bringing them from so great a distance. By a resolution of both houses, a special Message of the Governor in relation to the subject of inquiry, with the accompanying documents, was referred to this committee, with instructions to select such documents as in their opinion ought to be published with the message, and report to their respective houses. The committee after a full consideration of the subject, with a due regard to its importance, are of opinion that it is inexpedient at this time to publish any of the documents, under the authority of the General Assembly, and submit to the two houses the leading reasons for that opinion.

The documents may be divided into several classes.

- 1st. The affidavits and correspondence preceding each series of authorized military operations.
- 2nd. The orders issued upon such evidence.
- 3rd. The military operations and correspondence consequent thereon; and
- 4th. The evidence taken before a court of enquiry, held for the investigation of criminal charges against individuals.

It was found by the joint committee at an early period after their organization that in order to a full and satisfactory investigation of the subjects referred to them; a mass of additional testimony oral and written, would be required. This becomes apparent to the committee from the contents of the documents referred to them. Those documents, although they are serviceable in giving direction to the course of enquiry, are none of them except the official orders, and correspondence, such as ought to be received as conclusive evidence of the facts stated, nor are their contents such as would without the aid of further evidence, enable the committee to form a satisfactory opinion in relation to the material points of the enquiry. The copy of the examination taken before the criminal court of

enquiry is manifestly, not such evidence as ought to be received by the committee.

1st. Because it is not authenticated, and

2nd. It is confined chiefly to the object of that enquiry, namely:—The investigation of criminal charges against individuals under arrest; for these reasons but above all for the reason, that it would be a direct interference with the administration of justice; this document ought not to be published with the sanction of the Legislature.

The committee concludes, that it would not be proper to publish the official orders and correspondence between the officers in command, and the executive, without the evidence on which they were founded, and that evidence is not sufficiently full and satisfactory, to authorize its publication. To publish the whole together, might tend to give a direction to the public mind prejudicial to an impartial administration of justice in pending cases, while it will not afford the means of forming any satisfactory conclusion, as to the causes of the late disturbances, or the conduct of the military operations in supporting them.

The committee therefore recommend to each house to adopt the following resolutions:

Resolved, That it is inexpedient at this time to prosecute further the enquiry into the causes of the late disturbances, and the conduct of the military operations in suppressing them.

Resolved, That it is inexpedient to publish at this time any of the documents accompanying the Governor's message in relation to the late disturbances.

Resolved, That it is expedient to appoint a joint committee, composed of Senators and Representatives, to investigate the causes of the said disturbance, and the conduct of the military operations in suppressing them, to meet at such time, and to be invested with such powers as may be prescribed by law.

On motion of Mr. Ashby,

The report together with the resolutions

Was laid on the table.

Mr. Campbell asked and obtained leave to introduce,

A bill supplementary to an act respecting actions of ejectment,

Which was read a first time, and

Ordered to a second reading.

Mr. Sterigere submitted the following:

Resolved, by the Senate, the House of Representatives concurring herein, that the two Houses of the General Assembly, will meet in the hall of the House of Representatives, on to-morrow at ten o'clock in the forenoon for the purpose of electing a Warden of the Penitentiary;

On motion of Mr. Jones of Cooper,

The resolution was laid on the table.

On motion of Mr. Hunter,

The Senate resolved itself into a committee of the whole House,

Mr. Rawlins in the chair,

After some time spent therein the committee rose and the chairman reported that the committee had had under consideration,

A bill supplementary to an act to incorporate the Osage Mining and Smelting company;

An act to incorporate the Washington Fire company;

An act to establish a State road in Franklin county;

A bill supplementary to an act to restrain gaming;

Each of which the committee had instructed him to report to the Senate without amendments, also

A proposition to amend the constitution of the State of Missouri;