

bills of the Council be authorized and empowered to employ an enrolling clerk for their respective houses, at the rate of four dollars per day, payable in territorial warrants, the time of service of said clerks not to exceed fifteen days.

Appointment of enrolling clerk.

Second—That the territorial auditor is hereby authorized and instructed to issue to the persons so employed by the committee of the House and the committee of the Council, territorial warrants to the value of the amount of service so performed by said clerks, as shall be certified by said committees, and attested by the President of the Council, and the Speaker of the House of Representatives at the close of this session.

Territorial warrants.

APPROVED, December 28th, 1864.

MEMORIALS.

CHAPTER XII.

A MEMORIAL TO CONGRESS FOR A GEOLOGICAL SURVEY OF THE TERRITORY OF DAKOTA.

To the Honorable, the Senate and House of Representatives of the United States in Congress Assembled.

Your memorialists, the Legislative assembly of the Territory of Dakota, recognizing the liberal policy of the General Government respecting the new Territories, in developing their resources and promoting their settlement and prosperity, would most respectfully represent that a geological survey of their Territory would be of vast benefit to the same, and at the

Asking for a Geological survey of Dakota Territory.

same time materially add to the aggregate wealth of the Federal Government.

The Indian Expedition under General Sully during the last season made discoveries that fully establish the fact that coal of a superior quality abounds on the upper Missouri and its tributaries, within this territory while the existence of Gold and other metals in the same region has been known for years past to hunters and trappers of the far west—But, as a Geological survey only can demonstrate the extent of this, as yet hidden wealth, and as the future prosperity of this territory in a great measure depends upon the development of its mineral resources your memorialists do most respectfully but earnestly request that an appropriation for the purpose above named be made by Congress at an early day, and your memorialist as in duty bound will ever pray.

APPROVED, January 12, 1865.

CHAPTER XIII.

A MEMORIAL OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF DAKOTA, PRAYING FOR THE ESTABLISHMENT OF MILITARY POSTS ON THE BIG SIOUX AND DAKOTA RIVERS.

To the Hon. E. M. Stanton Secretary of War.

Establishment
of military posts
asked for.

Your memorialists, the Legislative Assembly of the territory of Dakota, would most respectfully represent, that the safety of the people of southern Dakota and northern Iowa from the attacks of hostile bands of Indians require the establishment of two small military posts—One on the Big Sioux River in the vicinity of Sioux Falls and one at a point on the Dakota River near a strait line between said Sioux Falls and Fort Randall.

Sioux Falls is about half way between Fort Randall, Dakota, and Fort Ridgley Minnesota, and your memorialist are of the opinion that such posts would give better protection to Southern Dakota, than the system heretofore adopted, besides being far less expensive; therefore your memorialist pray for the establishment of such military posts; and as in duty bound will ever pray.

Resolved, That a copy of this memorial be sent to the Secretary of War, Hon. J. B. S. Todd and Hon. A. W. Hubbard. To whom sent.

APPROVED, January 12th, 1864.

CHAPTER XIV.

A MEMORIAL TO CONGRESS ASKING FOR THE ESTABLISHMENT OF A MAIL ROUTE FROM BON HOMME, THENCE TO SPRING LAKES AND PONCA AGENCY IN TODD COUNTY.

To the Honorable Senate and House of Representatives of the United States in Congress assembled :

Your memorialists, the Legislative Assembly of the territory of Dakota, would respectfully represent to your honorable body that service upon the mail route from Dakota City, Nebraska territory, via Niobrara, Nebraska territory, to Ponca Agency, Dakota territory, has been entirely suspended, and that the people of Ponca Agency and southwestern Dakota are thereby deprived of all mail facilities, and although they have a post office at Ponca Agency, are obliged to send by private conveyance a distance of forty miles for their mail matter. Praying for the establishment of a mail route from Bon Homme to Ponca Agency.

Your memorialists would respectfully represent that a great inducement for the immigration and settlement of a new coun-

try is the early establishment of mail routes and postal facilities, which, by affording the pioneers direct communication with the east, removes one of the great privations experienced by early settlers, and thus induces others to join them in making the western country their home.

Your memorialists would further state, that the route herein asked for, embraces a fine portion of country, well timbered and watered, and not in distance exceeding forty miles, and that the early establishment of this route will facilitate the speedy settlement and advancement of the county.

We therefore pray your honorable body to establish the route herein named with semi-weekly service thereon, and we your memorialists will as in duty bound ever pray.

Be it resolved by the Council and House of Representatives of the Territory of Dakota:

That his excellency the governor be and is hereby requested to forward an authenticated copy of this memorial and resolution to our delegate in Congress who is hereby requested to lay the same before the Congress of the United States and urge immediate and favorable action thereon.

APPROVED, December 21st, 1864.

CHAPTER XV.

A MEMORIAL TO HIS EXCELLENCY THE PRESIDENT OF THE UNITED STATES, RELATING TO THE NORTHERN BRANCH OF THE PACIFIC RAILROAD.

Asking the President to designate the Missouri and Niobrara Railroad company to build the northern branch of the Pacific Railroad.

The Legislative Assembly of the Territory of Dakota would most respectfully represent, that in the law of Congress passed July 1st, 1862, popularly known as the "Pacific railroad law," provision is made in section 14 for a branch of said road from Sioux City, to unite with the central branch a main trunk at a

point not further west than the one hundredth degree of west longitude, the restriction, as to the point of junction rendered this branch entirely useless, for all practical purposes. In order to remedy that defect, the Legislature of Iowa for the year 1864 memorialized Congress, so to amend the section as to allow that branch to run "westwardly;" to unite with the main trunk at the nearest and most practicable route (session laws of Iowa for 1864, page 179) the legislature of Dakota Territory for 1864, upon the recommendation of the Governor passed a similar memorial, the Legislature of Wisconsin for the same year passed a like memorial to Congress, the object and purpose of all these memorials was to secure such an amendment of said 14th section, as to allow that branch to run westwardly up the valley of the Missouri river, also up the valley of the Niobrara, one of its tributaries, to unite with the main trunk of the Pacific Railroad at a point farther west than the one hundredth parallel of longitude; this would enable this branch to run by the nearest and most practicable route to unite with the main trunk. The valley of the Niobrara is selected, because it is exactly along that "nearest and most practicable route;" this stream rises in the "Wind river" mountains or rather the southern slope of the "Black Hills" a little northwest of Fort Larimie, running thence about three hundred miles nearly due east to the Missouri river on about the parallel of $42\frac{1}{2}$ degrees of north latitude; this route would allow all the roads running west and southwest from Lake Michigan and the head of Lake Superior through the States of Wisconsin and Minnesota and the north half of Iowa, to unite at some point on the western boundary of the latter State, at or near $42\frac{1}{2}$ degrees and thence to continue on that line to unite with the main trunk by the nearest and most practicable route east of the passes of the Rocky mountains. These are four principal lines of Railroads passing through those States, all now being rapidly constructed, that cannot make a good and feasible connection with the main trunk of the Pacific railroad by any other route, one of those roads (which are destined to become one of the most important among those connecting with the Lakes) runs from the head of Lake Superior, southwest, via St Paul in Minnesota to Sioux City in Iowa, (session laws of Congress for 1864) page 77, sections 1

Memorial to
His Excellency
the President.

relating to the
northern branch
of the Pacific
Railroad.

and 7 and laws providing for a road from St Paul and Lake Superior. Another road runs from Lake Michigan via La Crosse in Wisconsin and Winona in Minnesota, to unite with the northern branch of the Pacific Railroad at Yankton the Capital of Dakota. Another road from Milwaukie via Prairie Du Chien and Mc Gregor Iowa, to unite with the first named road in the interior of Iowa (ib page 77, section 1;) another road via Dubuque to Sioux City, the route via the Niobrara valley, will be the shortest, most direct and most feasible for all these roads to unite with the main trunk of the Pacific Railroad. Indeed as we are creditably informed, it is the only feasible, practicable and direct route, we are also informed that there is some talk of a route down the valley of the Missouri river to unite with the central or Iowa branch of the Pacific Railroad at or near the mouth of the Elk Horn, a tributary of the Platte river; such a route would run about south from Sioux City for nearly one hundred and fifty miles; this would necessitate all the above roads to run at least two hundred miles out of the most direct route by the way of the Niobrara valley, that is to say, when the roads are completed, it would necessitate the business on those four roads to travel at least two hundred miles further to reach the passes in the Rocky mountains, than would be necessary, should that Sioux City branch run up the Niobrara valley or by the way direct from Chicago. It needs no argument to prove that such a route would not be of any practicable value or importance, whatever to those roads, the only one that would in the slightest degree be benefitted by such a diversion of that branch would be the aforesaid road, via Dubuque, known as the Dubuque and Sioux City railroad, but we do most earnestly protest against a policy which would favor that, or any other of those roads at the expense of all the others, as that supposed south route most assuredly would; this route was evidently intended to be a link by the nearest and most practicable route between those lakes and navigable routes to the Mississippi and the main trunk of the Pacific railroad. Such a southern diversion would utterly destroy such a connection; this is easily demonstrated, from a point at or near the south gap, where the Pacific railroad must cross the Rocky mountains to Milwaukie and the head of Lake Superior by the way of the southern diversion

would be at least two hundred miles farther than it would be, if that branch passed down the valley of Niobrara, or than it would be to Chicago by the state valley route, hence every pound of freight and every passenger not absolutely compelled to go by these routes would pass directly to Chicago. There are many other advantages of this Niobrara route over any other, all too of a national character.

Relative to Pacific Railroad.

First, the road would necessarily cross the Missouri river at or near the mouth of the Niobrara, this would shorten the navigation on the upper Missouri river, nearly three hundred miles, thereby cutting off that much of the very worst and most difficult and dangerous portion of that river.

Second. It would develop a large, and the best portion of Dakota Territory which otherwise would be entirely cut off from all railroad communication.

Third, It would also be the nearest and most feasible route to the rich and fertile valleys of the Yellow Stone and upper Missouri rivers and their numerous tributaries.

Fourth. It would make available to the necessities of the whole Missouri valley those rich and inexhaustible coal mines, lying within easy and practicable navigation on the Missouri river above the mouth of the Niobrara.

Fifth. It would make available for the necessities of the settlements of Dakota, Nebraska, and western Iowa, the extensive and valuable pine forests lying on the Niobrara and White Rivers, and the eastern slope of the Black Hills. These cannot be reached in any other manner as the streams penetrating them are not raftable nor is the Missouri,

Sixth. It would develop the great agricultural and other resources of that whole region of country and cause its early settlement, which would not and could not be done for long years to come, should that branch be diverted from that route.

Seventh. On the contrary, by allowing that branch to be changed to the contemplated south direction, would utterly ruin three of the above named roads as national highways, leading

Relative to Pa- to and from the Lakes and reduce them to mere local roads.
cific railroad.

Eighth. In short, it would utterly defeat the very object and purpose of that branch, to wit: to make it a link, "by the nearest and most practicable route" in the great system of railroads between Lakes Michigan and Superior and the Central Pacific Railroad.

Ninth. On the contrary, by allowing it to run up the valley of the Niobrara all the above named and many other advantages would be gained without any additional expense to the Government.

Tenth. Should it run on that southern direction, it would pass directly through a region already amply supplied with the very means of constructing railroads by other provisions of the laws of Congress.

Therefore your memorialists would most respectfully ask that the company, designated to build said Northern Branch of the Pacific Railroad, may be a company that would build the same on the line designated by this memorial, and they would most respectfully suggest the name of the Missouri and Niobrara Railroad Company, a company chartered by this Territory.

And as in duty bound, your memorialists will ever pray.

APPROVED, January 12, 1865.

CHAPTER XVI.

A MEMORIAL TO THE QUARTERMASTER OF THE FIRST
MILITARY DISTRICT, DEPARTMENT OF THE NORTH
WEST.

WHEREAS, The Congress of the United States did at its last session appropriate, "For the survey of a military road from Sioux City, Iowa, to Fort Randall, Dakota territory, and from Niobrara, Nebraska territory, to Fort Randall, and to bridge the Dakota and Vermillion rivers, and other streams, the sum of fifteen thousand dollars;" and,

Suggesting
route for mili-
tary road from
Sioux City to
Fort Randall.

WHEREAS, By direction of the War Department, it has been made the duty of the Quartermaster of the first Military District, Department of the North West, to expend said appropriation.

Now therefore, your memorialists, the Legislative Assembly of the territory of Dakota, beg leave most respectfully to represent, that in their opinion the object sought will be best promoted and secured, by constructing a permanent and durable bridge across the said Vermillion river at such point as will secure, with the least outlay of expenditure, a substantial bridge with a good road bed, leading to and from the same at all seasons of the year, and from the said bridge across the Vermillion river aforesaid.

Your memorialists are clearly of the opinion from a personal acquaintance and examination of the country, that the survey should be established considerably north of the general route as now traveled, between the Vermillion and Dakota rivers, so as to make the high ground, available at the shortest practicable distance, thus intersecting the Dakota river, at or near the point on said river, known as Greenway's ferry.

Your memorialists, would further represent that a durable and substantial bridge can be constructed at the point indica-

ted, with no greater outlay of expenditure, than at any other point on said river, and that while the distance is not increased the said bridge would be of much greater use, as but a short grade, on either side of the said river, at said point indicated is necessary to secure a road to and from said bridge on high land making the road and bridge available at all seasons of the year, which it would not be at any other point nearer the mouth of the said Dakota river.

Your memorialists, would also represent that by bridging, "Sgnatch," Emanuel and Choteau and Ponca creeks, at the most practicable points, that the best interests of the government and country will be promoted, and therefore respectfully ask herewith to present these suggestions for your consideration fully believing that in adopting them you will best consult the public interests, and your memorialist as in duty bound will ever pray.

APPROVED, December 24th, 1865.

CHAPTER XVII.

A MEMORIAL TO CONGRESS ASKING FOR THE CONSTRUCTION OF A GOVERNMENT WAGON ROAD FROM YANKTON, DAKOTA TERRITORY, TO VIRGINIA CITY MONTANA TERRITORY.

Asking for the establishment of a government wagon road from Yankton to Virginia City.

The Legislative Assembly of Dakota, in fourth annual session convened, does most respectfully represent to the Senate and House of Representatives of the United States, in thirty-eighth Congress Assembled, as follows: From Omaha, in Nebraska, northward along the Missouri river for a distance of near a thousand miles, to Fort Union, there is no public highway leaving the river and leading westward to the peopled and

mineral regions of Montana and Idaho. Virginia City contains the largest population of any city in the northern range of the Rocky Mountains and is situated in the heart of the mining regions of Montana territory; five hundred miles of road can be made to connect the navigation of the Missouri with the nearest settlements and mining regions of the Rocky Mountains. Upwards of fifty thousand people have gone into the upper ranges of the Rocky Mountains within the last two years and are now engaged in the pursuits of mining and agriculture. By a comparison of the proceeds of the various mining companies, quartz mill establishments and dust brokers in that region, it is proved, that over seventeen million dollars in gold have been dug from the mountains north of the latitude of Yankton, since July, 1863. The expense to the government in constructing a road from Yankton to Virginia City via Niobrara route would be small; *Whereas*, the benefit arising from the construction of said road would be of paramount importance, not only to the inhabitants of the territories of Dakota and Montana, but to all of the North Western States.

Asking for the establishment of government wagon road.

Your memorialists believe that the best practicable route for the north branch of the Pacific railroad is by the Niobrara route and that the construction of a wagon road over said route would tend to develop the agricultural resources of the rich and fertile valley of the Neobrara river and of the whole country along said route to the very heart of the mountains. This road would not only lay open the mineral wealth of the Black Hills and the Big Horn ranges, but would link together the united energies and resources of the three territories of Idaho, Montana and Dakota, by a short thoroughfare of but a few hundred miles; annually bearing forth to the east its northwest harvest of grain and gold.

The explorations of Warren, Harney and Reynolds, attest the practicability of the route with an abundance of wood, water and grass.

And to aid in the construction of said wagon road, your memorialists would respectfully ask of your honorable body an appropriation of twenty thousand dollars, and that the expendi-

Construction of
wagon road. ture of this sum may be placed in charge of the war department
to be used for the above named purposes under the direction of
said department.

Trusting to the wisdom and justice of Congress, your memorialists will ever pray.

APPROVED, January 9th, 1865.