

STATE OF NORTH DAKOTA.

SENATE JOURNAL

OF THE

SPECIAL TERM

OF THE

LEGISLATIVE ASSEMBLY

Held AT

THE CAPITOL, BISMARCK,

JUNE 1 TO JUNE 3, 1892.

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1892.

Journal of the Senate.

SECOND SESSION--SPECIAL TERM.

FIRST DAY.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
June 1, 1892.

At the hour of 12 o'clock meridian, on Wednesday, the first day of June, 1892, being the day and the hour designated by His Excellency, Andrew H. Burke, Governor of the State of North Dakota, in a proclamation issued in accordance with the provisions of the Constitution of the State of North Dakota, for the assembling of a special session of the Legislative Assembly of the State of North Dakota, the members of the Senate assembled in the Senate Chamber of the Capitol in Bismarck, and were called to order by Lieutenant Governor Roger Allin, President of the Senate.

After prayer by the Chaplain, Rev. S. E. Ryan, the roll was called by the Assistant Secretary, and the following named Senators were found to be present:

Messrs.—

Almen,
Bidlake,
Bisbee,
Bjorgo,
Brynjolfson,
Cashel,
Engle,
Enger,
Fuller,
Haggart,

Messrs.—

Ink,
Johnson of Traill,
Johnson of Ward,
Kinter,
Kuhn,
LaMoire,
Little,
McCormack, G. Fks
McCormick, Ramsey
McGillivray,

Messrs.—

Miller,
Nelson,
Palmer,
Patch,
Pinkham,
Svennungsen,
Svensrud,
Weiser,
Worst.

Absent, Messrs. Arnold and Lowry.

The Secretary of the Senate, C. C. Bowsfield, not being present,
Mr. Little moved

That Fred Falley be elected Secretary of the Senate.

There being no further nominations, the roll was called.

Those voting for Mr. Falley were:

Messrs—	Messrs—	Messrs—
Almen,	Ink,	Miller,
Bidlake,	Johnson of Traill,	Nelson,
Bisbee,	Johnson of Ward,	Palmer,
Bjorgo,	Kinter,	Patch,
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	LaMoure,	Svennungsen,
Engle,	Little,	Svensrud,
Enger,	McCormack, G. F'ks,	Weiser,
Fuller,	McCormick, Ramsey,	Worst.
Haggart,	McGillivray,	

Those absent and not voting were Messrs. Arnold and Lowry.

Fred Falley, being declared elected Secretary of the Senate,
was sworn in.

Mr. LaMoure nominated Charles H. Lee, for Assistant Sec-
retary.

There being no further nominations the roll was called.

Those voting for Mr. Lee were:

Messrs—	Messrs—	Messrs—
Almen,	Ink,	Miller,
Bidlake,	Johnson of Traill,	Nelson,
Bisbee,	Johnson of Ward,	Palmer,
Bjorgo,	Kinter,	Patch,
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	LaMoure,	Svennungsen,
Engle,	Little,	Svensrud,
Enger,	McCormack, G. F'ks,	Weiser,
Fuller,	McCormick, Ramsey,	Worst.
Haggart,	McGillivray,	

Absent. Arnold and Lowry.

Mr. Cashel nominated S. G. Smith for Doorkeeper.

There being no further nominations, the roll was called.

Those voting for Mr. Smith were:

Messrs.—	Messrs.—	Messrs.—
Almen,	Ink,	Miller,
Bidlake,	Johnson of Traill,	Nelson,
Bisbee,	Johnson of Ward,	Palmer,
Bjorgo,	Kinter,	Patch,
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	LaMoure,	Svennungsen,
Engle,	Little,	Svensrud,
Enger,	McCormack, G. F'ks,	Weiser.
Fuller,	McCormick, Ramsey,	Worst
Haggart,	McGillivray,	

Absent and not voting were Messrs. Arnold and Lowry.

Mr. Haggart nominated John A. Stoyell for Postmaster.

There being no other nominations the roll was called.

Those voting for Mr. Stoyell were:

Messrs—	Messrs—	Messrs—
Almen,	Ink,	Miller,
Bidlake,	Johnson of Traill,	Nelson,
Bisbee,	Johnson of Ward,	Palmer,
Bjorgo,	Kinter,	Patch,
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	LaMoure,	Svennungsen,
Engle,	Little,	Svensrud,
Enger,	McCormack, G. F'ks,	Weiser,
Fuller,	McCormick, Ramsey,	Worst.
Haggart,	McGillivray,	

Absent and not voting, Messrs. Arnold and Lowry.

Mr. McGillivray nominated W. D. DePuy for Assistant Enrolling Clerk.

There being no further nominations the roll was called.

Those voting for Mr. DePuy were:

Messrs—	Messrs—	Messrs—
Almen,	Ink,	Miller,
Bidlake,	Johnson of Trail,	Nelson,
Bisbee.	Johnson of Ward,	Palmer,
Bjorgo,	Kinter,	Patch,
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	LaMoure,	Svennungsen,
Engle,	Little,	Svensrud,
Enger,	McCormack, G. Fks,	Weiser,
Fuller,	McCormick, Ramsey,	Worst.
Haggart,	McGillivray,	

Absent and not voting, Messrs. Arnold and Lowry.

Mr. Little nominated George Whitford and George Wick for Pages.

There being no other nominations the roll was called.

Those voting for George Whitford and George Wick were:

Messrs—	Messrs—	Messrs—
Almen,	Ink,	Miller,
Bidlake,	Johnson of Traill,	Nelson,
Bisbee,	Johnson of Ward,	Palmer,
Bjorgo,	Kinter,	Patch,
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	LaMoure,	Svennungsen,
Engle,	Little,	Svensrud,
Enger,	McCormack, G F'ks,	Weiser,
Fuller,	McCormick, Ramsey,	Worst.
Haggart,	McGillivray,	

Absent, Arnold and Lowry.

Mr. Little moved

That a committee of three be appointed to wait upon the

Governor and inform him that the Senate is organized, and ready to receive any communication that the Governor may think fit to make,

Which motion prevailed.

The committee was appointed by the Chair, consisting of Messrs. Little, Patch and Palmer.

Mr. LaMoure moved

That a committee be appointed to notify the House that the Senate is organized,

Which motion prevailed.

Messrs. LaMoure, Cashel and Kinter were appointed as such committee.

Mr. Haggart introduced the following joint resolution:

JOINT RESOLUTION.

WHEREAS, This Assembly of the Legislature has been called by the Governor to provide a method for the canvassing of the vote to be polled at the general election next to be held in this State; to provide for the election of presidential electors at such election, and to consider the advisability of increasing the appropriation for the display from this State at the World's Columbian Exposition of 1893, each of which subjects being manifestly such as to require immediate action to be of avail to the people; and

WHEREAS, It is apparent that, while there is some contrariety of opinion as to the propriety of having a special session of this Legislature at this time, there appears to be a general and uniform sentiment throughout this State that the members thus assembled should expeditiously and economically dispatch the business made the subjects for discussion at this extraordinary session and should refrain from the consideration of any other matters; now, be it

Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring: That this Legislature shall discuss or consider no bill the subject of which is not recommended in the message addressed by the Governor to it, unless by unanimous consent.

Mr. Worst moved

That the resolution be adopted.

The roll being called there were ayes, 29; nays, none.

Those who voted in the affirmative were:

Messrs--	Messrs--	Messrs--
Almen,	Ink,	Miller,
Bidlake,	Johnson of Traill,	Nelson,
Bisbee,	Johnson of Ward,	Palmer,
Bjorgo,	Kinter,	Patch,
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	LaMoure,	Svennungsen,
Engle,	Little,	Svensrud,
Enger,	McCormack, G. F'ks,	Weiser,
Fuller,	McCormick, Ramsey,	Worst.
Haggart,	McGillivray,	

Absent and not voting were Messrs. Arnold and Lowry.

So the resolution was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
June 1, 1892. }

MR. PRESIDENT:

I have the honor to inform the Senate that the House of Representatives of the State of North Dakota for the Second Legislative Session has assembled in special session pursuant to the proclamation of the Governor.

The organization of the regular session is retained with the following exceptions:

Sergeant-at-Arms—E. R. Kennedy.

Assistant Sergeant-at-Arms—J. H. Marshal.

Respectfully,

J. G. HAMILTON,
Chief Clerk.

Mr. LaMoure moved

That the State Treasurer be respectfully requested to furnish this body a statement of all the money now in the general fund of the State, and approximate the amount yet to be received from 1891, and prior tax levies as well from all other sources up to the close of 1892. At the same time furnish a statement of the probable expenditures to the close of 1892, enumerating (itemized) all appropriations passed by the last Legislative Assembly, giving the amount paid on each such appropriation, with the balance due and that may be called upon prior to January 1, 1893, as well specify the appropriations pending and not payable prior to January 1, 1893.

Which motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
June 1 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith a concurrent resolution providing for the appointment of a joint committee of the House and Senate to wait upon the Governor which the House has passed and your concurrence therein is requested.

Respectfully

J. G. HAMILTON,
Chief Clerk.

CONCURRENT RESOLUTION.

Resolved by the House of Representatives, the Senate Concurring:
That a joint committee of two from the Senate and three from the House be appointed to wait upon the Governor and inform him that the Legislative Assembly is organized and ready to receive any message he may have to present.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
June 1, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith a concurrent resolution providing that the special session adjourn *sine die* not later than Saturday, June 4, 1892, at 5 o'clock, p. m.:

Resolved by the House of Representatives, the Senate Concurring: That this special session do adjourn *sine die* not later than Saturday, June 4, 1892, at 5 o'clock p. m.

Which the House has passed, and your concurrence therein is respectfully requested.

Respectfully,
J. G. HAMILTON,
Chief Clerk.

Mr. Ink introduced the following resolution:

A JOINT RESOLUTION

In relation to the speedy passage by the Congress of the United States of the so-called Dolph Land bill for relief of certain settlers in the Red River valley, State of North Dakota.

WHEREAS, The St. Paul, Minneapolis & Manitoba Railway company, a corporation organized under the laws of Minnesota, acquired title to certain lands in the valley of the Red River of the North in the then territory of Minnesota, now State of North Dakota, by the timely construction of certain lines of railway, in accordance with the provisions of certain acts of congress, approved March 3, 1857 (11 U. S. Statutes at Large, 195) and March 3, 1865 (13 U. S. Statutes at Large, 526), which title was confirmed by decision of the Supreme Court of the United States, filed December 22, 1890; and,

WHEREAS, Subsequent to the acquisition of such title and prior to its confirmation, a large and meritorious class of citizens, now residents of this State, settled upon, improved and paid for said lands the government price charged for lands under the pre-emption and homestead laws of the United States, in good faith, supposing said lands to be unappropriated public domains, subject to acquisition under said laws, and received patents therefor from the government, and,

WHEREAS, The bill now pending before congress (Senate Bill No. 3134) will, if passed and carried into effect, allow said St. Paul, Minneapolis & Manitoba Railway company to relinquish all its claim and title to said lands, and to select in lieu thereof other lands, vacant and unappropriated, and situated in states or territories along the lines of said railway, and will render such settlers secure in the enjoyment of their homes and their property, and prevent the institution of legal proceedings for their ejection from lands upon which they have erected homestead improvements costing many hundreds of thousands of dollars; now, therefore,

Resolved, By the Senate, the House concurring, That our Senators and Representatives in Congress be earnestly requested to use their utmost endeavors to effect the speedy passage and approval of said bill.

Resolved, That the Governor be and is requested to forward copies of these resolutions to our Senators and Representatives in Congress.

Mr. LaMoure moved the adoption of the resolution.

The roll being called there were ayes, 28; nays, 0.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Almen,	Johnson of Traill,	Miller,
Bidlake,	Johnson of Ward,	Nelson,
Bjorgo,	Kinter,	Palmer,
Brynjolfson,	Kuhn,	Patch,
Cashel,	LaMoure,	Pinkham,
Engle,	Little,	Svennungsen,
Enger,	McCormack, G. Fks,	Svensrud,
Fuller,	McCormick, Ramsey,	Weiser,
Haggart,	McGillivray,	Worst.
Ink,		

Absent and not voting were:

Messrs.—	Messrs.—	Messrs.—
Arnold,	Bisbee,	Lowry.

So the resolution was adopted.

A committee from the House announced that the House was ready to receive the Senate in joint session to listen to the Governor's message.

Mr. Worst moved

That the Senate do now proceed to the House,

Which motion prevailed.

On the reassembling of the Senate, the following communication, received from Hon. L. E. Booker, State Treasurer, was read:

STATE OF NORTH DAKOTA, }
 TREASURER'S OFFICE. }

BISMARCK, June 1, 1892.

To the Senate of the State of North Dakota:

In reply to your inquiry as to the condition of the general fund of the State at this time, and asking for an estimate of the condition of same on the first day of January, 1893, I have the honor to submit for your consideration, the following:

In round numbers the present amount in the general fund is one hundred forty-four thousand dollars (\$144,000). In making an estimate of the receipts and expenditures from now until January 1, it seems that the only basis we can make our calculations from, is from the records of the past.

The collections in the general fund for the corresponding period for the year 1891, from May 1 to January 1, were in round numbers, one hundred forty-seven thousand dollars (\$147,000). The expenditures of the State for the past six months have been one hundred sixty-two thousand dollars (\$162,000) or twenty-seven thousand (\$27,000) a month, and taking this as an average our expenses until January 1, 1893, will be one hundred eighty-nine thousand dollars (\$189,000); add to this twenty-three thousand dollars (\$23,000) of the unexpended World's Fair appropriation, ten thousand (\$10,000) school for deaf mutes, ten thousand (\$10,000) for the soldiers' home and the probable cost of this special session ten thousand (\$10,000), we find our total expenditures to be two hundred forty-two thousand dollars (\$242,000).

Our balance at the present time, together with our probable receipts from now until January 1, will be two hundred ninety-one thousand dollars (\$291,000), thus leaving an estimated surplus of forty-nine thousand dollars (\$49,000) in the general fund on January 1, 1893.

Very Respectfully,

L. E. BOOKER,
 State Treasurer.

INTRODUCTION OF BILLS.

Mr. Cashel Introduced—

Senate Bill No. 1,

A bill for an act to provide for a Board of State Canvassers.

Mr. Little introduced—

Senate Bill No. 2,

A bill for an act for the final determination of contests concerning the election of electors of President and Vice-President of the United States.

Mr. Cashel moved

That the House concurrent resolution providing that this special session adjourn *sine die* not later than Saturday, June 4, 1892, at 5 o'clock p. m., be adopted.

Mr. Ink moved

To amend by substituting the words "Friday, June 3d," for the words "Saturday, June 4th," in the resolution,

Which amendment prevailed.

The question recurring on the resolution as amended,

The motion to adopt prevailed.

Mr. Cashell moved

That the rules be suspended, and that all Senate bills be read the first and second times and be referred to committees,

Which motion prevailed, and

Senate Bill No. 1,

A bill for an act to provide for a Board of State Canvassers

Was read the first and second times and referred to the Committee on Elections.

Senate Bill No. 2,

A bill for an act for the final determination of contests concerning the electors of President and Vice-President of the United States,

Was read the first and second times and referred to the Committee on Judiciary.

Mr. Haggart moved

That the Senate take a recess until 7 o'clock p. m.

Which motion prevailed.

EVENING SESSION.

The Senate reassembled at 7 o'clock, p. m.

The Lieutenant-Governor presiding.

Roll being called all members present except Messrs. Arnold, Lowry and Bisbee.

Mr. McCormick, of Ramsey, asked unanimous consent of the Senate to present a concurrent resolution.

Which consent was granted and Mr. McCormick presented the following resolution:

CONCURRENT RESOLUTION.

Be it Resolved by the Senate of the Legislative Assembly of the State of North Dakota, the House concurring, That the unexpended balance of the appropriation of 1890 for the maintenance and support of the deaf and dumb school at Devils Lake be transferred to the credit of the building fund.

McCormick, of Ramsey, moved to adopt the resolution.

Roll call demanded.

The roll being called there were ayes, 25; nays, 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Johnson of Trail,	Nelson,
Bidlake,	Johnson of Ward,	Palmer,
Bjorgo,	Kuhn,	Patch,
Brynjolfson,	LaMoure,	Pinkham,
Cashel,	Little,	Svennungsen,
Engle,	McCormack, G. Fks,	Svensrud,
Enger,	McCormick, Ramsey,	Weiser,
Haggart,	McGillivray,	Worst.
Ink,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Arnold,	Fuller,	Lowry.
Bisbee,		

Mr. Kinter voting in the negative.

So the concurrent resolution was adopted.

PETITIONS AND COMMUNICATIONS.

Mr. Haggart presented the following communication:

PAGE, N. D., May 28, 1892.

At a meeting of the Page Farmers' Alliance the following resolution was passed by a unanimous vote:

Resolved, That we are unalterably opposed to any further appropriation to the World's Columbian Fair.

G. H. HILL, President,
R. R. BROWNLEE, Secretary.

The President referred the communication to the Committee on Appropriation.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

The Committee on Appropriations introduced—
Senate Bill No. 3,

A bill for an act to make an appropriation for the erection of a State building for the State of North Dakota at the World's Columbian Exposition of 1893,

Which was read the first time.

Mr. Haggart moved

To suspend the rules and read the bill a second time, and refer it to its appropriate committee,

Which motion prevailed.

Referred to Committee on Appropriations.

Mr. Worst moved

That the Senate return to the eighth order of business,

Which motion prevailed, and

Mr. Worst moved

That the vote by which the amendment to the concurrent resolution received from the House was passed, be reconsidered.

Mr. Ink moved

That the vote to reconsider be laid upon the table,

Which motion was lost.

On the motion to reconsider a roll call was demanded.

The roll being called there were ayes, 14; nays, 14.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Cashel,	Little,	Patch,
Engle,	McCormick, Ramsey,	Pinkham,
Haggart,	McGillivray,	Svensrud,
Johnson of Traill,	Miller,	Worst.
Kuhn,	Palmer,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Almen,	Fuller,	McCormack, G. F'ks,
Bidlake,	Ink,	Nelson,
Bjorgo,	Johnson of Ward,	Svennungsen,
Brynjolfson,	Kinter,	Weiser.
Enger,	LaMoure,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Arnold,	Bisbee,	Lowry.

The vote being a tie,

Mr. President voting aye.

So the motion to reconsider prevailed.

Mr. Little moved

That the Senate do now concur in the House concurrent resolution.

Roll call demanded.

The roll being called there were ayes, 18; nays, 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bidlake,	Kuhn,	Patch,
Brynjolfsen,	Little,	Pinkham,
Cashel,	McCormick, Ramsey,	Svennungsen,
Engle,	McGillivray,	Svensrud,
Haggart,	Miller,	Weiser,
Johnson of Traill,	Palmer,	Worst.

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Almen,	Fuller,	LaMoure,
Bjorgo,	Ink,	McCormack, G. Fks,
Enger,	Kinter,	Nelson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Arnold,	Johnson of Ward,	Lowry,
Bisbee,		

So the Senate concurred in the resolution.

Mr. McGillivray moved

That Fred Hendershott and Elliot Barnes be added to the enrolling and engrossing force,
Which motion was lost.

Mr. Little moved

That the Senate do now adjourn until 2 o'clock to-morrow, June 2, 1892,

Which motion prevailed and the Senate adjourned.

FRED FALLEY,
Secretary.

SECOND DAY.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
June 2, 1892.

The Senate met pursuant to adjournment.

The Lieutenant Governor presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Arnold and Lowry.

The Journal of the preceding day was read.

Mr. LaMoure was called to the chair during the reading of the Journal.

President pro tem. Worst was called to the chair by Mr. LaMoure.

Mr. Cashel moved

That the Journal be approved,

Which motion prevailed.

PETITIONS, COMMUNICATIONS, ETC.

Mr. Pinkham introduced the following petitions:

To Senator N. B. Pinkham, Fargo, N. D.:

WHEREAS, It has pleased the Governor of our State to call an extra session of the Legislature, ostensibly for the purpose of remedying what is claimed by some and denied by others, to be defects in our electoral provisions, as also to increase our State appropriation for the World's Fair at Chicago; and,

WHEREAS, We can see no good and sufficient reasons for either one of the above motives, it being apparently only an attempt to saddle upon the taxpayers of the State an increased burden without adequate returns to them;

Now, therefore, do we, the undersigned taxpayers of Cass county, most earnestly and emphatically protest against the holding of this extra session as well as against the contemplated increase of the said appropriation, and we hereby petition that you, sir, use every honest effort in your power to oppose and defeat any increased appropriation for the World's Fair from North Dakota. Signed by

CLAUS A. JOHNSON,
And 13 others.

To the Members of the Legislature of North Dakota in Extra Session Assembled:

We the undersigned voters and citizens of North Dakota respectfully petition your honorable body to make no additional appropriation of the public money for our State's exhibit in the World's Fair, at Chicago, in 1893.

Signed by

C. A. SMEDSTAD,
And 26 others.

The communications were referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES.

The Committee on Appropriations made the following report:

MR. PRESIDENT:

Your Committee on Appropriations to whom was referred Senate Bill No. 3.

A bill for an act to make an appropriation for the erection of a State building for the State of North Dakota at the World's Columbian Exposition of 1893,

Have had the same under consideration and recommend that the same do pass.

JOHN E. HAGGART,
Chairman.

Mr. Little moved

That the report of the committee be adopted,

Which motion prevailed.

The Committee on Elections made the following report:

MR. PRESIDENT:

Your Committee on Elections to whom was referred

Senate Bill No. 1,

A bill for an act to provide for a Board of State Canvassers,

Have had the same under consideration and recommend that the same do pass.

R. N. INK,
Chairman.

Mr. Cashel moved

That the report of the committee be accepted,

Which motion prevailed.

The Committee on Judiciary made the following report:

MR. PRESIDENT:

Your Committee on Judiciary to whom was referred

Senate Bill No 2,

A bill for an act for the final determination of contests concerning the election of electors of President and Vice-President of the United States,

Have had the same under consideration and recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Haggart moved

That the report of the committee be adopted,
Which motion prevailed.

Lieutenant Governor Allin in the Chair.

Mr. Bidlake offered the following resolution:

WHEREAS, The Committee on Ceremonies of the World's Columbian Exposition through the National Commissioner Hon. H. P. Rucker have tendered the members of the Senate an invitation to witness the dedication ceremonies of the World's Fair buildings in Jackson Park, City of Chicago, October 11, 12 and 13, 1892; therefore be it

Resolved, That we accept the same and extend our sincere thanks to the said committee, and especially to Commissioner Rucker for his thoughtfulness and kindness in securing them.

Mr. Little moved

The adoption of the resolution,
Which motion prevailed.

THIRD READING OF BILLS.

Senate Bill No. 1,

A bill for an act to provide for a Board of State Canvassers,
Was read the third time and placed upon its final passage.

Mr. Cashel moved

To amend the bill by adding the words "Supreme Court and" after the words "Judges of the" in the fifth line of Section 3; and in line six of the same section after the words, "District Court," add the words "and members of the Legislative Assembly,"

Which amendment prevailed.

Mr. Pinkham moved

An amendment to Section 8, line four, after the word, officers, to add the words, "Judges of the Supreme and District Court and members of the Legislative Assembly."

Which amendment was adopted.

The question recurring on the final passage of the bill.

The roll being called there were ayes 27, nays 0.

Those voting in the affirmative were:

Messrs—

Almen,
Bidlake,
Bisbee,
Bjorgo,
Brynjolfson,
Cashel,
Engle,
Enger,
Fuller,

Messrs—

Haggart,
Luk,
Johnson, of Traill,
Johnson, of Ward,
Kinter,
Kuhn,
Little,
McCormack, G. F'ks,
McCormick, Ramsey,

Messrs—

Miller,
Nelson,
Palmer,
Patch,
Pinkham,
Svennungsen,
Svensrud,
Weiser,
Worst.

Absent and not voting were:

Messrs—

Arnold,
LaMoure,

Messrs—

Lowry,

Messrs—

McGillivray.

So the bill passed and the title was agreed to.

Mr. Worst moved

That the vote by which Senate Bill No. 1 passed be reconsidered.

Mr. Haggart moved

To lay the motion on the table,
Which motion prevailed.

Senate Bill No. 2.

A bill for an act for the final determination of contests concerning the election of electors of President and Vice-President of the United States,

Was read the third time and placed upon its final passage.

The roll being called there were ayes, 27; nays, none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Ink,	Miller,
Bidlake,	Johnson of Traill,	Nelson,
Bisbee,	Johnson of Ward,	Palmer,
Bjorgo,	Kinter,	Patch,
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	Little,	Svennungsen,
Engle,	McCormack, G. F'ks,	Svensrud,
Enger,	McCormick, Ramsey,	Weiser,
Haggart,	McGillivray,	Worst.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Arnold,	LaMoure,	Lowry,
Fuller,		

So the bill passed and the title was agreed to.

Mr. Little moved

That the vote by which Senate Bill No 2 was passed be reconsidered.

Mr. Cashel moved

That the motion be laid upon the table,
Which motion prevailed.

Senate Bill No. 3.

A bill for an act to make an appropriation for the erection of a state building for the State of North Dakota at the World's Columbian Exposition of 1893,

Was read the third time and placed upon its final passage.

The roll being called there were ayes, 18; nays, 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bidlake,	Johnson of Ward,	Miller,
Cashel,	Kuhn,	Palmer,
Engle,	Little,	Patch,
Fuller,	McCormack, G. F'ks.	Svennungsen,
Haggart,	McCormick, Ramsey,	Svensrud,
Johnson of Traill,	McGillivray,	Worst.

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Almen,	Euger,	Nelson,
Bisbee,	Ink,	Pinkham,
Bjorgo,	Kinter,	Weiser.
Brynjolfson,		

Absent and not voting;

Messrs.—	Messrs.—	Messrs.—
Arnold,	LaMoure,	Lowry.

So the bill passed and the title was agreed to.

Mr. Haggart moved

That the vote by which Senate Bill No. 3 was passed be re-considered.

Mr. Little moved

To lay the motion upon the table,
Which motion prevailed.

The President reported the appointment of Elliot Barnes and Fred Hendershott to the enrolling department.

Mr. Worst asked unanimous consent to return to the fifth order of business,

Which consent was granted.

Mr. Worst presented the following communications:

CASSELTON, N. D., June 1, 1892.

To the Senate of North Dakota:

HONORABLE GENTLEMEN: In behalf of the Christian people of North Dakota, and for the sake of the preservation of the Christian Sabbath, I would ask you in making an appropriation for the World's Fair that you do so conditional upon the closing of the gates on Sunday.

Very respectfully,

MRS. D. W. SHINN,
Corresponding Secretary, North Dakota, W. C. T. U.
President, Casselton W. C. T. U.

WOOD, N. D., May 26, 1892.

To the Senate of North Dakota:

In behalf of the Christian people of North Dakota, I pray your honorable body that in making the appropriation for the World's Fair, that you make said appropriation on condition that the gates of the fair ground be closed on Sundays.

MRS. LETTIE WEAVER,
President of Leonard, North Dakota, W. C. T. U.

Mr. Pinkham moved

That the Senate take a recess of fifteen minutes,

Which motion prevailed.

The Senate reassembled,
The Lieutenant Governor presiding.

Mr. Kinter moved

That the Senate return to the fifth order of business

Which motion prevailed.

Mr. Kinter presented the following resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate of the State of North Dakota, the House concurring:

That it is the sense of this body that the World's Fair be closed on Sunday and that no intoxicating liquors be sold on the grounds on any day of the week.

Mr. Kinter moved
The adoption of the resolution.

Roll call demanded.

Mr. LaMoure moved
That the question be divided.

The vote being a tie the President voted no, so the motion was lost.

Mr. McCormack of Grand Forks moved
A call of the house,
Which motion prevailed.

The roll being called all members were found to be present.

Mr. Pinkham moved
That further proceedings under call of the Senate be dispensed with,
Which motion prevailed.

Mr. LaMoure raised a point of order that the subject matter of the resolution was covered by legislation.

The President decided the point of order not well taken.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, }
June 2, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith Senate concurrent resolution, restricting legislation to the subjects named in the proclamation of the Governor, and to inform the Senate that the House refuses to concur therein.

Respectfully,

J. G. HAMILTON,
Chief Clerk.

JOINT RESOLUTION.

WHEREAS, This assembly of the Legislature has been called by the Governor to provide a method for the canvassing of the vote to be polled at the general election next to be held in this State; to provide for the election of presidential electors at such election and to consider the advisability of increasing the appropriation for the display from this State at the World's Columbian Exposition of 1893, each of which subjects being manifestly such as require immediate action to be of avail to the people; and

WHEREAS, It is apparent that, while there is some contrariety of opinion as to the propriety of having a special session of this Legislature at this time,

there appears to be a general and uniform sentiment throughout this State that the members thus assembled should expeditiously and economically dispatch the business made the subjects for discussion at this extraordinary session and should refrain from the consideration of any other matters; now be it

Resolved, By the Senate of the State of North Dakota, the House of Representatives concurring, that this Legislature shall discuss or consider no bill the subject of which is not recommended in the message addressed by the governor to it unless by unanimous consent.

HOUSE OF REPRESENTATIVES, }
June 2, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith Senate Concurrent Resolution in relation to the speedy passage by the Congress of the United States of the so-called Dolph Land Bill, which has passed the House unchanged.

Respectfully,
J. G. HAMILTON,
Chief Clerk.

Mr. Kinter moved

That the vote by which the Senate refused to divide the question be reconsidered.

A division of the house was ordered, and there were ayes, 19; nays, 10;

So the motion prevailed.

Mr. Johnson of Ward moved

That the two propositions in the resolution be divided,
Which motion prevailed.

The question recurring upon the question that it is the sense of this body that the World's Fair be closed on Sunday.

The roll being called there were ayes 11, nays 18.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Johnson of Traill,	Pinkham,
Cashel,	Kinter,	Svennungsen,
Enger,	Kuhn,	Weiser.
Ink,	McCormick, Ramsey,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Haggart,	Miller,
Bisbee,	Johnson of Ward,	Nelson,
Bjorgo,	LaMoure,	Palmer,
Brynjolfson,	Little,	Patch,
Engle,	McCormack, G. F'ks.	Svensrud,
Fuller,	McGillivray,	Worst.

Absent and not voting: Messrs. Arnold and Lowry.

So the motion was lost.

The question recurring upon the second proposition in the resolution that it is the sense of this body that no liquor be sold upon the ground on any day of the week.

The roll being called there were ayes 24, nays 5.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Ink,	Nelson,
Bisbee,	Johnson of Traill,	Palmer,
Bjorgo,	Johnson of Ward,	Patch,
Brynjolfson,	Kinter,	Pinkham,
Cashel,	Kuhn,	Svennungsen,
Enger,	LaMoure,	Svensrud,
Fuller,	McCormack, G. F'ks,	Weiser,
Haggart,	McCormick, Ramsey,	Worst.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Little,	Miller.
Engle,	McGillivray,	

Absent and not voting, Messrs. Arnold and Lowry.

So the resolution was adopted.

Mr. LaMoure moved

That the Senators attending this session devote to the World's Fair the amount of their mileage and per diem.

Mr. Kinter moved

That those who voted favorably to the appropriation, and those who were not present, be included in that resolution, and the rest exempt.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
June 2, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith

House Bill No. 1,

A bill for an act providing for the election of Presidential electors, state, district and county officers, and the manner of calling and giving notice of the same,

Also,

House Bill No. 2,

A bill for an act to amend Sections 1 and 2 of Chapter 123 of the Laws of 1890,

Also,

House Bill No. 5,

A bill for an act fixing the compensation and mileage of electors of President and Vice-President of the United States,

Also,

House Bill No. 6,

A bill for an act making an appropriation for the pay and mileage of electors of President and Vice-President of the United States,

Which the House has passed and your concurrence therein is respectfully requested.

J. G. HAMILTON,
Chief Clerk.

Mr. Cashel moved that the resolution and amendment be made a special order for Monday next at 3 p. m.

Mr. Worst moved
That the resolution be laid upon the table.

The President ruled that a majority of votes would take it from the table.

The motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was read from the House:

HOUSE OF REPRESENTATIVES, }
June 2, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith Senate concurrent resolution providing for the transfer of the unexpended balance of the appropriation of 1890 for the maintenance and support of the Deaf and Dumb School at Devils Lake be transferred to the credit of the building fund and to inform the Senate that the House has concurred in.

Respectfully,
J. G. HAMILTON,
Chief Clerk.

READING OF HOUSE BILLS.

House Bill No. 1

A bill for an act providing for the election of presidential electors, state, district and county officers and the manner of calling and giving notice of the same,

Was read the first and second time, and referred to Committee on Elections.

House Bill No. 2

Was taken up for consideration,

Mr. Little objected to further action on the bill as it conflicted with a concurring resolution adopted June 1,

The President referred the question back to the Senate,

Mr. Kinter moved

That the bill be taken up and passed to first and second reading and reference,

Mr. Little moved

A call of the Senate

Which motion prevailed.

The roll being called all senators were present except Senator Ink,

Senator Ink returned to the hall.

Mr. Cashel moved

That further proceedings under the call be dispensed with,
Which motion prevailed.

Mr. Kinter moved

That House Bill No. 2 should be passed to first and second readings,

Which motion prevailed.

House Bill No. 2,

A bill for an act to amend Sections 1 and 2 of Chapter 123 of the Laws of 1890,

Was read first and second times and referred to Committee on Railroads.

House Bill No. 5,

A bill for an act fixing the compensation and mileage of electors of President and Vice-President of the United States.

Was read the first and second times and was referred to the Committee on Appropriations.

House Bill No. 6,

A bill for an act making an appropriation for the pay and mileage of electors of President and Vice-President of the United States,

Was read the first and second time and referred to the Committee on Appropriations.

Mr. McCormack of Grand Forks moved

That the Senate take a recess to meet at 10 o'clock a. m., June 3, 1891,

Which motion prevailed

MORNING SESSION.

Senate met at 10 o'clock p. m., pursuant to adjournment.

Roll called.

All members present except Mr. Lowry.

Mr. Cashel moved

That the Senate take a recess of half an hour,

Which motion prevailed.

Senate reassembled.

The Lieutenant Governor presiding.

Roll called.

All members present except Mr. Lowry.

The Senate returned to the eighth order of business.

Mr. Haggart presented the following resolution:

WHEREAS, The voters of the State of North Dakota and of the Nation are about to participate in a presidential election, and

WHEREAS, Of the many able and honorable leaders, any one of whom would fill with dignity and fidelity the presidential chair, there is one who is the first choice of a vast majority of the masses of the Republican voters as

well as a large percentage of those who have heretofore been allied with other parties; and

WHEREAS, We view with admiration the course pursued by him in the various positions of trust to which he has been called, and especially the skillful and patriotic manner in which he has conducted the affairs of State, as Secretary, and believe he best represents the principles of true Americanism; now, therefore, be it

Resolved, That we, the Republican Senators of the State of North Dakota, express the belief that the Republican National Convention, about to assemble in Minneapolis, will best promote the welfare of the country by the nomination of that illustrious statesman and gallant and magnanimous knight of reciprocity and protection, Honorable James G. Blaine.

Mr. Haggart moved to adopt the resolution.

Mr. Kinter raised the point of order that the resolution was out of order.

The President ruled that the point of order was not well taken.

The roll being called there were ayes, 22; nays, 8.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Johnson of Traill,	Miller,
Arnold,	Johnson of Ward,	Nelson,
Bisbee,	Kuhn,	Palmer,
Cashel,	LaMoure,	Pinkham,
Enger,	Little,	Svennungsen,
Fuller,	McCormick, Ramsey,	Svensrud,
Haggart,	McGillivray,	Worst.
Ink,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Engle,	Patch,
Bjorgo,	Kinter,	Weiser.
Brynjolfson,	McCormack, G. F'ks,	

Mr. Lowry being absent and not voting.

So the motion prevailed.

Mr. Ink asked unanimous consent to return to the sixth order of business,

Which consent was given.

REPORT OF STANDING COMMITTEE.

The Committee on Elections made the following report:

MR. PRESIDENT:

Your Committee on Elections to whom was referred

House Bill No. 1,

A bill for an act providing for the election of Presidential electors, state, district and county officers, and the manner of calling and giving notice of the same,

Have had the same under consideration and recommend that the same do pass.

R. N. INK,
Chairman.

Mr. Worst moved
That the report be adopted,
Which motion prevailed.

Mr. Cashel moved
That the Senate take a recess for twenty minutes,
Which motion prevailed.

Senate reassembled,
The Lieutenant Governor presiding.

Mr. Little moved to adjourn until 2 o'clock,
Which motion was lost.

Mr. Johnson of Traill offered to submit a report of the Committee on House Bill No. 2.

Mr. Little rose to a point of order, as the matter could not be reported at the same session in which it was referred.

The President ruled that the point was not well taken and the following report was received.

The Committee on Railroads made the following report:

MR. PRESIDENT:

Your Committee on Railroads to whom was referred

House bill No. 2,

A bill for an act to amend Sections 1 and 2 of Chapter 123 of the Laws of 1890,

Have had the same under consideration and recommend that the same be amended as follows:

Amend Section two (2), line twelve (12), printed bill, by striking out after the word "extending" the words "six feet," and inserting in lieu thereof the words "four feet and six inches, or such height as shall be determined by the Board of Railroad Commissioners."

R. J. JOHNSON,
Chairman.

Mr. Kinter moved
That the report be accepted,
Which motion prevailed.

The Committee on Appropriations made the following report

MR. PRESIDENT:

Your Committee on Appropriations, to whom was referred

House Bill No. 5,

A bill for an act fixing the compensation and mileage of electors of President and Vice-President of the United States,

Also,

House Bill No. 6,

A bill for an act making an appropriation for the pay and mileage of electors of President and Vice-President of the United States,

Have had the same under consideration and recommend that
the same do pass.

JOHN E. HAGGART,
Chairman.

Mr. Little moved
That the report be adopted,
Which motion prevailed.

Mr. Cashel moved
That the Senate adjourn until 2 p. m.,
Which motion prevailed, and
The Senate was adjourned.

FRED FALLEY,
Secretary.

THIRD DAY.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
June 3, 1892.

The Senate met pursuant to adjournment,
The Lieutenant Governor presiding.

Prayer by the Chaplain.

Roll called.

All members present except Mr. Lowry.

The Journal of the preceding day was read and approved.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, }
June 3, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith
House Bill No. 4,

A bill for an act in regard to election vacancies and to provide
for filling vacancies in elective offices,

Which the House has passed, and your favorable consideration
thereof is respectfully requested.

Respectfully,

J. G. HAMILTON,
Chief Clerk.

HOUSE OF REPRESENTATIVES, }
June 3, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith a House concurrent res-
olution providing that the traveling expenses of clerks of the
Legislative Assembly called by the Governor of the State to at-
tend this special session be paid by the State,

Which the House has passed and your concurrence therein is
respectfully requested,

Respectfully,

J. G. HAMILTON,
Chief Clerk.

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring: That the traveling expenses of clerks and other functionaries called in by the Governor of the State to attend at this session shall be paid by the State.

PETITIONS AND COMMUNICATIONS.

STEELE, N. D., June 1, 1892.

To the Honorable, the Senate of North Dakota:

GENTLEMAN: Should you make an extra appropriation for our State exhibit at the Columbian Exposition, we respectfully ask that it be conditioned upon the Sunday closing of the gates to the same.

Very respectfully,

MARY L. BAILY,

In behalf of Steele, Kidder County, Woman's Christian Temperance Union.

CASSELTON, June 1, 1892.

To the North Dakota Senate:

HONORABLE GENTLEMAN: In the behalf of the Christian people of North Dakota, I ask you in making an appropriation for the World's Fair, that you do so conditional upon the closing of the gates on Sunday.

Very respectfully,

MABEL WHEELER.

President Casselton Y. W. C. T. U.

WAHPETON, N. D., May 31, 1892.

Hon. R. N. Ink, Bismarck, N. D.:

DEAR SIR: I address you in behalf of the Woman's Christian Temperance Union of Wahpeton and North Dakota, and respectfully urge you to use your vote and influence to secure a conditional increase of appropriation for North Dakota's exhibit at the Columbian Exposition.

The condition we pray you to impose is that our State exhibit be closed on the Sabbath.

Very respectfully yours,

IDA M. MORRILL,

President Wahpeton W. C. T. U., State Supt. Literature Department N. D. W. C. T. U.

Mr. Pinkham offered the following:

FARGO, N. D., May 28, 1892.

To the Senate of North Dakota:

GENTLEMEN: In view of the fact that this is a Christian nation, and that our example should be a Christian example; remembering that most of the World's Fairs have remained closed on Sundays, and that we have in our Columbian World's Fair a grand opportunity to exert a world-wide influence for the sanctity and perpetuity of the Christian Sabbath, and since our Legislature is called together to deliberate on making an appropriation for North Dakota's exhibit in the Columbian Exposition; therefore,

Resolved, That we, the Fargo Conference of Congregational Churches, respectfully petition the Legislature to make the proposed appropriation of money conditional on the closing of the gates of the Exposition, both of the buildings and the grounds, through every Sabbath of the World's Fair.

Resolved, That the Secretary of this conference is requested to furnish a copy of these resolutions to the Speaker of the House and the President of the Senate.

A true copy: Attest:

E H. STICKNEY,

Registrar of Fargo Conference.

Petitions were referred to the Committee on Appropriations.

MOTIONS AND RESOLUTIONS.

Mr. Kinter offered the following resolution:

WHEREAS, It is a physical difficulty for many members of the Senate to climb the four flights of stairs to gain admission to the Senate Chamber, and

WHEREAS, It is burdensome to carry the heavy freights, books, furniture, etc., up the stairways, necessary to the speedy expedition of business, and

WHEREAS, The expense will not exceed from \$300 to \$500, therefore, be it

Resolved, That the commission in charge of the capitol building is hereby requested to construct a steam power elevator of sufficient capacity to safely and economically do the work necessary.

Mr. Kinter moved

That the resolution be adopted.

The roll being called there were ayes, 19; nays, 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bidlake,	Little,	Patch,
Bjorgo,	McCormack, G. Fks,	Pinkham,
Brynjolfson,	McCormick, Ramsey,	Svennungsen,
Fuller,	McGillivray,	Svensrud,
Haggart,	Nelson,	Weiser.
Johnson of Ward,	Palmer,	Worst.
Kinter,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Almen,	Engle,	Kuhn,
Arnold,	Enger,	LaMoire,
Bisbee,	Ink,	Miller.
Cashel,	Johnson of Trail,	

Mr. Lowry being absent and not voting.

So the resolution was adopted.

Mr. Cashel offered the following resolution:

Resolved by the Senate, the House of Representatives Concurring: That, owing to the fact that our people are largely engaged in agricultural pursuits, they should be properly represented at the World's Columbian Exposition.

Therefore, should there be any vacancies in the Board of Managers from this State, we would respectfully recommend to the Governor that, in filling such vacancies, he appoint one or more members who are practical and representative farmers.

Mr. Little moved

That the resolution be adopted.

The roll being called there were ayes, 30; nays, 0.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Haggart,	McGillivray.
Arnold,	Ink,	Miller,
Bidlake,	Johnson of Trail,	Nelson,
Bisbee,	Johnson of Ward,	Palmer.
Bjorgo,	Kinter,	Patch,

Messrs—	Messrs—	Messrs—
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	LaMoure,	Svennungsen,
Engle,	Little,	Svensrud,
Enger,	McCormack, G F'ks,	Weiser,
Fuller,	McCormick, Ramsey,	Worst.

Mr. Lowry being absent and not voting.

So the resolution was adopted.

Mr. Little moved

That the Senate concur in the House resolution regarding the payment of Clerk fees.

The roll being called there were ayes 30, nays 0.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Haggart,	McGillivray,
Arnold,	Ink,	Miller,
Bidlake,	Johnson of Traill,	Nelson,
Bisbee.	Johnson of Ward,	Palmer,
Bjorgo,	Kinter,	Patch,
Brynjolfson,	Kuhn,	Pinkham,
Cashel,	LaMoure,	Svennungsen,
Engle,	Little,	Svensrud,
Enger,	McCormack, G. F'ks,	Weiser,
Fuller,	McCormick, Ramsey,	Worst.

Mr. Lowry being absent and not voting.

So the Senate concurs in the House concurrent resolution.

House Bill No. 4

Was presented for first reading.

Mr. Little moved

That the House Bill No. 4 be laid over.

The roll being called there were ayes 25, nays 4.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Johnson, of Traill,	Miller,
Arnold,	Johnson, of Ward,	Nelson,
Bjorgo,	Kinter,	Palmer,
Brynjolfson,	Kuhn,	Patch,
Cashel,	LaMoure,	Pinkham.
Enger,	Little,	Svennungsen,
Fuller,	McCormick, Ramsey,	Svensrud,
Haggart,	McGillivray.	Weiser,
Ink,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Engle,	Worst.
Bisbee,		

Absent and not voting were Messrs. Lowry and McCormick of Grand Forks.

So the motion prevailed.

Mr. Ink moved

That House Bill No. 2 be taken up and given its third reading and placed on its final passage.

Which motion prevailed.

House Bill No. 2,

A bill for an act to amend Sections 1 and 2 of Chapter 123 of the Laws of 1890,

Was read the third time.

Mr. McGillivray moved

To amend by striking out "Sub-Division A," and inserting in lieu thereof the following:

Provided, That the Board of Railroad Commissioners shall have no authority to order the erection of such platform, except on a petition in writing setting out the necessity for such platform, that the railroad company on whose line the platform is to be erected has been requested to erect the same and has refused so to do. That when such petition is presented to the board it shall fix a time and place for the hearing of such petition, and cause a copy thereof to be served upon the railroad company at least thirty days before the date of the hearing. The railroad company shall file an answer to said petition in writing, and cause the same to be served upon the petitioner at least ten days before the hearing. Upon the issue raised by the petition and answer a hearing shall be had before the Commissioners. If either party be dissatisfied with the decree of said Commissioners, an appeal may be taken to the district court of the county or judicial subdivision in which such platform is to be erected.

The proceedings in such an appeal shall conform so far as the same are applicable to the proceedings on appeal from the courts of justices of the peace.

Mr. Cashel moved

That the further consideration of the proposed amendment be indefinitely postponed.

The roll being called there were ayes, 23; nays, 6.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Enger,	Nelson,
Arnold,	Ink,	Palmer,
Bidlake,	Johnson of Traill,	Patch,
Bisbee,	Johnson of Ward,	Pinkham,
Bjorgo,	Kinter,	Svennungsen,
Brynjolfson,	Kuhn,	Svensrud,
Cashel,	McCormack, G. F'ks,	Weiser.
Engle,	McCormick, Ramsey,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Fuller,	LaMoire,	Miller,
Haggart,	McGillivray,	Worst.

Absent and not voting were Messrs. Lowry and Little.

So the motion to indefinitely postpone prevailed.

Mr. Little offered the following amendment:

Provided, That either party may appeal from any order of the Commissioners under the same conditions and regulations as is provided by Chapter — of the Laws of —.

Mr. Little moved

To adopt the amendment.

Mr. Ink moved

That further consideration of Mr. Little's resolution be dispensed with,

Which motion prevailed.

Mr. Ink moved the previous question,

Which motion prevailed, and

The main question was ordered put.

The question recurring upon the final passage of the bill as amended.

The roll being called there were ayes, 28; nays, 2.

Those who voted in the affirmative were:

Messrs—

Almen,
Arnold,
Bidlake,
Bisbee,
Bjorgo,
Brynjolfson,
Cashel,
Engle,
Enger,
Fuller,

Messrs—

Ink,
Johnson of Trail,
Johnson of Ward,
Kinter,
Kuhn,
Little,
McCormack, G. Fks,
McCormick, Ramsey,
McGillivray,

Messrs—

Miller,
Nelson,
Palmer,
Patch,
Pinkham,
Svennungsen,
Svensrud,
Weiser,
Worst.

Messrs. Haggart and LaMoure voting in the negative.

Mr. Lowry being absent and not voting.

So the bill passed and the title was agreed to.

Mr. Ink moved

That the vote by which House Bill No. 2 was passed be laid upon the table.

Mr. Little moved

That the motion of Mr. Ink be laid upon the table,

Which motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
June 3, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith

Senate Bill No. 1,

A bill for an act to provide for a Board of State Canvassers;

Also,

Senate Bill No. 2,

A bill for an act providing a court for the final determination of contests of the election of electors of President and Vice-President of the United States,

Both of which the House has passed unchanged.

Respectfully

J. G. HAMILTON,
Chief Clerk.

MESSAGE FROM THE HOUSE.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
June 3, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith

House concurrent resolution referring to the Compilation Committee,

Which the House has passed and your concurrence therein is respectfully requested.

Respectfully,

J. G. HAMILTON,
Chief Clerk.

CONCURRENT RESOLUTION.

Be it Resolved by the Legislative Assembly of the State of North Dakota, the Senate Concurring: That a vote of thanks be and is hereby tendered to Messrs. Hamilton, Rourke and Pollock for their kind assistance in preparing bills upon the intricate and important measures passed upon by this special session.

Mr. Little moved

That the Senate do concur in the House concurrent resolution,
Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 1,

A bill for an act providing for the election of Presidential electors, state, district and county officers, and the manner of calling and giving notice of the same,

Was read the third time and placed upon its final passage.

The roll being called there were ayes, 23; nays, none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Fuller,	Nelson,
Arnold,	Ink,	Palmer,
Bidlake,	Johnson of Trail,	Patch,
Bisbee,	Johnson of Ward,	Pinkham,
Bjorgo,	Kinter,	Svennungsen,
Brynjolfson,	Kuhn,	Svensrud,
Cashel,	McCormack, G. F'ks,	Worst.
Enger,	Miller,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Engle,	Little,	McGillivray,
Haggart,	Lowry,	Weiser.
LaMoire,	McCormick, Ramsey,	

So the bill passed and the title was agreed to.

House Bill No. 5,

A bill for an act fixing the compensation and mileage of electors of President and Vice-President of the United States,

Was read the third time, and placed upon its final passage.

The roll being called there were ayes 24, nays 1.

Those who voted in the affirmative were:

Messrs--	Messrs--	Messrs--
Almen,	Fuller,	Miller,
Arnold,	Haggart,	Nelson,
Bidlake,	Ink,	Palmer,
Bjorgo,	Johnson of Traill,	Patch,
Brynjolfson,	Johnson of Ward,	Pinkham,
Cashel,	Kinter,	Svennungsen,
Engle,	Kuhn,	Svensrud,
Enger,	McCormack, G. Fks,	Worst.

Absent and not voting were:

Messrs--	Messrs--	Messrs--
LaMoire,	Lowry.	McGillivray,
Little,	McCormick, Ramsey,	Weiser,

Mr. Bisbee voting in the negative.

So the bill passed and the title was agreed to.

House Bill No. 6,

A bill for an act making an appropriation for the pay and mileage of electors of President and Vice-President of the United States,

Was read the third time and placed upon its final passage.

The roll being called there were ayes, 26; nays, 1.

Those who voted in the affirmative were:

Messrs--	Messrs--	Messrs--
Almen,	Ink,	Nelson.
Arnold,	Johnson of Traill,	Palmer,
Bidlake,	Johnson of Ward,	Patch,
Bjorgo,	Kinter,	Pinkham,
Brynjolfsen,	Kuhn,	Svennungsen,
Cashel,	McCormack, G. Fks,	Svensrud,
Engle,	McCormick, Ramsey,	Weiser,
Enger,	McGillivray,	Worst.
Fuller,	Miller,	

Absent and not voting:

Messrs--	Messrs--	Messrs--
Haggart,	Little,	Lowry.
LaMoire,		

Mr. Bisbee voting in the negative.

So the bill passed and the title was agreed to.

Mr. McCormack of Grand Forks asked the unanimous consent of the House to return to the eighth order of business,

Which consent was granted.

Mr. McCormack of Grand Forks introduced the following resolution:

Resolved, That the thanks of the Senate are tendered the members of the teacher's institute of Burleigh county for the compliment of their presence in the Senate this afternoon.

Mr. McCormack of Grand Forks moved
That the resolution be adopted by a rising vote,
Which motion prevailed.

Mr. Kinter introduced the following resolution:

The Democratic members of the Senate offer the following protest against the action of the Republican members in the Legislature of yesterday's session, whereby the Hon. James G. Blaine was endorsed for President of the United States.

We charge that it is legislation in the interest of one political party, notwithstanding it is in character with the legislation of the Republican party from the days of reconstruction on down through the years of its power until the passage of the McKinley bill.

We also charge them with an attempt to force upon the country a Republican President, who would be diametrically opposed to the interests of the farmers of North Dakota.

Mr. Kinter moved
That the resolution be adopted.

Mr. Little moved
That the resolution be laid upon the table.

The roll being called there were ayes, 20; nays, 8.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Almen,	Ink,	Miller,
Arnold,	Johnson of Traill,	Nelson,
Bisbee,	Johnson of Ward,	Pinkham,
Cashel,	Kuhn,	Svennungsen,
Enger,	Little,	Svensrud,
Fuller,	McCormick, Ramsey,	Worst.
Haggart,	McGillivray,	

Those who voted in the negative were;

Messrs—	Messrs—	Messrs—
Bidlake,	Engle,	Patch,
Bjorgo,	Kinter,	Weiser.
Brynjolfson,	McCormack, G. Fks.	

Absent and not voting;

Messrs—	Messrs—	Messrs—
LaMoure,	Lowry.	Palmer.

So the motion to lay upon the table prevailed.

A sealed communication having been received from the Governor,

Mr. Little moved

That the Senate do now go into executive session to consider the same,

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

The following communication was read:

EXECUTIVE OFFICE, }
 June 3, 1892. }

To the Senate:

GENTLEMEN: I have the honor to inform you that, reposing confidence in the integrity and ability of the following named gentlemen, I do hereby nominate, and with the advice and consent of the Senate, do appoint each of them to the position and office hereinafter named:

George I. Foster, Fargo, member Board Commissioners for the Soldiers' Home, at Lisbon, vice S. G. Roberts, resigned.

John D. Black, Valley City, member Board Commissioners for the Soldiers' Home, at Lisbon, vice Nathan Linton, resigned.

J. C. Gipson, Valley City, member Board of Directors for the Normal School, at Valley City, vice George Kanouse, resigned.

M. A. Tofthagen, Lakota, member Board of Directors for North Dakota Agricultural College, at Fargo, vice Rollin C. Cooper, resigned.

Very respectfully,

ANDREW H. BURKE,
 Governor.

The nominations were unanimously confirmed.

Mr. Little moved

That a recess of one hour be taken,
 Which motion prevailed.

The Senate reassembled,

The Lieutenant-Governor presiding.

Mr. McCormack, of Grand Forks, moved a recess for half an hour

Which motion prevailed.

Senate re-assembled,

The Lieutenant-Governor presiding.

The President announced his signature to

House Bill No. 5,

A bill for an act fixing the compensation and mileage of electors of President and Vice-President of the United States,

Also,

House Bill No. 1,

A bill for an act providing for the election of Presidential electors, state, district and county officers, and the manner of calling and giving notice of the same,

Also,

House Bill No. 2,

A bill for an act to amend Sections 1 and 2 of Chapter 123 of the Laws of 1890,

Also,

House Bill No. 6,

A bill for an act making an appropriation for the pay and mileage of electors of President and Vice-President of the United States.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
June 3, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith
Senate Bill No. 3,

A bill for an act to make an appropriation for the erection of a
State building for the State of North Dakota at the World's
Columbian Exposition of 1893.

Which the House has passed unchanged.

Respectfully,

J. G. HAMILTON,
Chief Clerk.

Mr. Haggart moved

That the Chair appoint a committee of three to wait upon His
Excellency, the Governor, and notify him that the Senate is now
about to adjourn,

And the motion prevailed.

The President appointed Messrs. Haggart, McGillivray and
Nelson.

Mr. Little moved

That a committee of three be appointed to visit the House and
notify them that the Senate will be ready to adjourn at 5:55
o'clock p. m.,

Which motion prevailed.

Mr. President appointed Messrs. Little, Brynjolfson and Kuhn.

Mr. Worst moved

That the Senate return to the eighth order of business,

And consent was granted.

Mr. Worst moved

That a committee of three be appointed to examine the Journal,
Which motion prevailed.

The President appointed Messrs. Worst, Little, Bisbee.

Mr. Haggart, chairman of the committee to wait upon the Gov-
ernor, reported,

The Governor wishes to thank the Senate for the expeditious
manner in which they have performed their duties.

Mr. Haggart asked consent to return to the sixth order of busi-
ness,

Which consent prevailed.

Mr. Haggart presented the following report:

The Committee on Engrossed and Enrolled Bills made the fol-
lowing report:

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills have exam-
ined

Senate Bill No. 3.

A bill for an act to make an appropriation for the erection of a

State building for the State of North Dakota at the World's Columbian Exposition of 1893,

Also,

Senate Bill No 2,

A bill for an act for the final determination of contests concerning the election of electors of President and Vice-President of the United States,

Also,

Senate Bill No. 1,

A bill for an act to provide for a Board of State Canvassers,
And find the same correctly enrolled.

R. N. INK,
Chairman.

Mr. Cashel moved

That the report of the committee be accepted,
Which motion prevailed.

The President announced his signature to
Senate Bill No. 2,

A bill for an act for the final determination of contests concerning the election of electors of President and Vice-President of the United States,

Also,

Senate Bill No. 3,

A bill for an act to make an appropriation for the erection of a state building for the State of North Dakota at the World's Columbian Exposition of 1893,

Also,

Senate Bill No. 1,

A bill for an act to provide for a Board of State Canvassers.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
June 3, 1892. }

MR. PRESIDENT:

I have the honor to transmit herewith a Senate concurrent resolution pertaining to the filling of vacancies on the Board of Managers of the World's Columbian Exposition, which the House has passed unchanged.

Respectfully,

J. G. HAMILTON,
Chief Clerk.

Mr. Little moved

That the Senate do now take a recess until 8 o'clock p. m., with the understanding that no business will be done excepting entertaining the Governor's message and the approving of the Journal.

Which motion prevailed,

And the Senate took a recess.

EVENING SESSION.

Senate reassembled.

The Lieutenant Governor presiding.

Mr. Palmer moved

That the Senate adjourn for fifteen minutes.

Which motion prevailed.

Senate reassembled.

The Lieutenant Governor presiding.

COMMUNICATION FROM STATE AUDITOR.

The following communication was received from the State Auditor:

AUDITOR'S OFFICE, }
June 3, 1892. }

To the Honorable Speaker and Members of the House of Representatives:

GENTLEMEN: I have the honor to herewith return to you the concurrent resolution relating to traveling expenses of the clerks and other functionaries. Am I to understand that it was the intention of your honorable body to allow the clerks and other functionaries called in by the order of the Governor the same mileage as is allowed to the honorable members of the Legislative Assembly? I have the honor to remain,

Yours very respectfully,

J. P. BRAY,
State Auditor.

COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the Governor:

EXECUTIVE OFFICE }
June 3, 1892. }

To the Senate:

GENTLEMEN: I have the honor to inform you that I have this day approved

Senate Bill No. 1,

"An act to provide for a Board of State Canvassers."

Also,

Senate Bill No. 2,

"An act for the final determination of contests concerning the election of electors of President and Vice-President of the United States."

Also Senate Bill No. 3,

"An act to make an appropriation for the erection of a State building for the State of North Dakota at the World's Columbian Exposition of 1893."

Very respectfully,

ANDREW H. BURKE,
Governor.

Mr. Worst moved

That the Clerk and other functionaries receive the same mileage as members.

Mr. Worst asked consent to return to the eighth order of business,

Which was granted.

Mr. Worst offered the following resolution:

Resolved, That it is the sense of this Senate that the Penitentiary Board are justified in leasing the convict labor of the State in compliance with the statutes.

Mr. Worst moved

That the resolution be adopted.

Mr. Stowers, a member of the Penitentiary Board was invited to make some remarks on the subject,

And the resolution was adopted.

Mr. Worst offered the following report:

Your special committee appointed to correct the Senate Journal of to-day have examined the same and report that they have performed their duties and that the Journal is correct.

WORST,
LITTLE,
BISBEE.

Mr. Johnson moved

That the report of the committee be accepted,

Which motion prevailed.

MESSAGE FROM THE HOUSE.

A committee from the House reported:

MR. PRESIDENT:

We are directed to inform your honorable body that the House is now in readiness to adjourn.

Mr. Haggart moved

That the Senate do now adjourn sine die,

Which motion prevailed and the Senate adjourned.

FRED FALLEY,
Secretary.

SENATE BILLS.

Number.	Introduced by	Relating to	Introduced.	Committed.	Reported.	Third Reading.	Amendments.	Passed.	Received From House Unchanged.	Subsequent Action.	Executive Approval.
1	Mr. Cashel.....	Providing for a Board of State Canvassers.....	8	8	13	14	14	14	30	36	37
2	Mr. Little.....	Determining contests concerning election of Electors of President and Vice-President of the United States.....	8	8	13	15	..	15	30	36	37
3	Committee on Appropriations.....	Making appropriation for erection of State building at World's Fair.....	9	10	13	15	..	15	35	36	37

HOUSE BILLS.

Number.	Relating to	Received.	First Reading.	Committed.	Reported.	Third Reading.	Amended.	Passed.	Subsequent Action.
1	Relating to election of Presidential Electors, State, district and county officers.....	19	20	20	22	31	..	31	34
2	Amending Sections 1 and 2, Chapter 123, Laws of 1891.....	19	20	21	23	29	33	30	34
4	Relating to election vacancies, and to provide for filling vacancies in elective offices.....	25	28
5	Fixing compensation and mileage of Electors of President and Vice-President of the United States.....	19	21	21	23	31	..	32	34
6	Making appropriation for pay and mileage of Electors of President and Vice-President of the United States.....	19	21	21	23	32	..	32	34

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