

STATE OF NORTH DAKOTA.

JOURNAL OF THE HOUSE

OF THE

SEVENTH SESSION

OF THE

Legislative Assembly

BEGUN AND HELD

AT THE CAPITOL

AT BISMARCK,

January 8 to March 8, 1901, Inclusive.

BISMARCK, N. D.:
TRIBUNE, STATE PRINTERS AND BINDERS,
1901

MEMBERS AND OFFICERS

OF THE

House of Representatives of North Dakota

FOR THE

SEVENTH LEGISLATIVE ASSEMBLY, 1901.

MEMBERS.

Dist.	NAME	Post Office	Occupation	Where Born	Came to State	Married or Single	Age
26	Allshouse, Thos. W.	Steele	Farmer	Iowa	1887	Sin.	40
14	Anderson, Lars P.	Ft. Ransom	Farmer	Norway	1883	Mar.	46
18	Axvig, Ole T.	Milton	Farmer	Norway	1879	"	50
6	Bacon, Jerre D.	Grand Forks	Hotel	Iowa	1882	"	35
5	Bennett, Robert L.	Inkster	Farmer	New York	1881	"	40
24	*Bjornson, John A. T.	Kulm	Pharmacist	Wisconsin	1886	"	40
7	Brisbin, Charles H.	Thompson	Farmer	New York	1882	"	36
16	Cassell, Morton B.	Clifford	Farmer	Indiana	1882	"	39
10	Chasey, Peter P.	Fargo	Farmer	Ohio	1878	"	60
22	Chaffee, F. N.	Carrington	Merchant	Vermont	1883	"	39
1	Chevalier, Israel J.	Bathgate	Farmer	Canada	1882	"	48
21	Davis, Geo. W. H.	Erenston	Farmer	Ontario	1884	"	48
3	*Dickson, Albert	Conway	Merchant	Ontario	1881	"	36
14	Dwire, Timothy J.	Enginvale	Stockman	New York	1883	"	42
8	*Galbraith, John P.	Grand Forks	Lawyer	Wisconsin	1893	Sin.	35
20	Gronvold, Finger T.	Rugby	Farmer	Norway	1886	Mar.	32
26	Gulack, Gilbert O.	Ashley	Farmer	Wisconsin	1879	"	41
4	*Gullickson, Gilbert R.	Grafton	Hardware	Iowa	1881	"	56
17	Hall, Clarkson A.	Lakota	Farmer	New York	1888	"	62
27	Hare, Joseph	Bismarck	Hardware	Ohio	1876	"	59
28	Hammond, Benj. F.	Willow City	Farmer	Illinois	1883	"	39
13	Heath, Thomas	Gardner	Farmer	England	1879	"	48
11	Hill, John A.	Wheatland	Farmer	Canada	1880	"	43
7	Hjelmstad, L. P.	Holmes	Farmer	Norway	1882	"	53
13	Johnson, Henry C.	Milnor	Farmer	Denmark	1880	Sin.	36
23	Keeler, Frank H.	Buchanan	Farmer	Illinois	1883	Mar.	38
9	Leech, Wm. Finley	Fargo	Farmer	Pennsylvania	1880	Sin.	42
19	Lemke, Frederick	Cando	Farmer	Germany	1881	Mar.	55
8	Lerom, John I.	Buxton	Farmer	Norway	1878	"	47
11	Mallough, Benj. H.	Chaffee	Farmer	Ontario	1881	"	40
31	McClure, Wm. A.	Taylor	Merchant	Indiana	1884	"	42
18	McLean, Henry	Hannah	Farmer	Scotland	1882	"	53
20	Michels, James	Graham's Is.	Farmer	New York	1870	"	60
4	Miller, John	Minto	Farmer	Ontario	1879	"	44
12	Morgan, V. W. S.	Barrie	Farmer	Ontario	1879	"	34
8	Nelson, Thomas E.	Hatton	Merchant	Norway	1882	"	47
21	Nicholson, Harry A.	Crary	Grain Buyer	Indiana	1882	"	42
22	Niven, Donald	New Rockford	Butcher	Scotland	1882	Sin.	43
30	Packard, Albert M.	Mandan	Newspaper	Iowa	1888	Mar.	41
29	Palmer, Edward C.	Williston	Surveyor	New York	1887	"	39
4	*Parr, Jacob H.	Acton	Farmer	Canada	1877	"	41
13	Phifer, George B.	Hemple	Farmer	New York	1883	"	50
15	Ramsett Knute S.	Fingal	Merchant	Wisconsin	1882	"	46
27	Reade, Henry L.	Bismarck	Bookkeeper	Canada	1883	"	38
2	Restemayer, Ernest H.	Cavalier	Farmer	Ontario	1882	"	44
25	Rose, George	Ellendale	Farmer	Illinois	1882	"	39
8	Sargeant, Asa	Caledonia	Farmer	Vermont	1870	"	56
10	Severson, Elling	Kindred	Farmer	Wisconsin	1880	"	47
12	Stafne, Erick	Galchutt	Farmer	Norway	1875	"	52
25	Strutz, August	Oakes	Farmer	Germany	1883	"	40

* Fusionists; all others republican.

MEMBERS AND OFFICERS--Continued.

Dist.	NAME	Post Office	Occupation	Where Born	Came to State	Married or Single	Age
3	Swarthout, Ed R.....	Park River....	Livery	Illinois.....	1891	"	34
12	Thomas, Amzi W.....	Seymour	Attorney	Indiana	1883	"	58
12	Thordarson, John.....	Hensel	Grain Buyer ..	Iceland	1878	"	54
11	Tubbs, Charles A.....	Hunter.....	Merchant	Wisconsin ..	1887	"	42
5	Tufte, Thorsten E.....	Northwood ...	Farmer	Norway	1879	"	43
30	Wade, Wm. T.....	Wade	Stockman	Mass	1872	"	50
1	Watts, W. J.....	Hyde Park.....	Farmer	London	1879	"	51
23	Watson, J. Moody.....	Kensal	Merchant	Pennsylvania	1880	"	50
8	Willison, G. A.....	Blanchard	Farmer	Ontario	1878	"	47
16	Winslow, Carmi.....	Golden Lake..	Farmer	Ohio	1880	"	33
15	Young, George M.....	Valley City....	Lawyer.....	Ontario	1894	"	30

OFFICERS.

Speaker--R. M. POLLOCK.

Chief Clerk--JOSEPH SCANLAN.

Assistant Chief Clerk--W. D. AUSTIN.

Assistant to Assistant Chief Clerk--B. W. SHAW.

Sergeant-at-Arms--THOMAS HARRISON.

Journal Clerk--WM. SURENUS.

Chief Enrolling and Engrossing Clerk--W. E. CLARK.

Bill Clerk--E. E. ELLIS.

Stenographer--MISS BESSIE WAGGONER.

Messenger--BURTON L. WELD.

Postmaster--C. LISK.

Doorkeeper--JAMES FLANAGAN.

Watchman--A. B. STEDMAN.

Clerk of Judiciary Committee--A. M. BALDWIN.

Chaplain--REV. R. T. GUERNSEY.

Pages--ARTHUR MASON, CHESTER ERSTROM, LEO HORNER, KIRK NOYES.

Journal of the House

SEVENTH SESSION.

FIRST DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 8, 1901.

At the hour of 12 o'clock meridian, the 8th day of January, A. D. 1901, being the day and hour designated by law for the convening of the legislative assembly of the state of North Dakota, the members-elect of the house of representatives of the seventh session of the legislative assembly assembled in the house chamber in the capitol at Bismarck, and were called to order by H. E. Lavayea, assistant chief clerk of the house of representatives of the sixth legislative assembly of the state of North Dakota.

The session opened with prayer by the Rev. Guernsey, of Bismarck.

The roll being called the following members responded to their names:

First District—W. J. Watts, I. J. Chevalier.

Second District—E. H. Restemayer, J. Thordarson.

Third District—E. R. Swarthout, A. Dickson.

Fourth District—G. R. Gullikson, John Miller, J. H. Parr.

Fifth District—R. L. Bennett, T. E. Tufte.

Sixth District—J. D. Bacon, J. P. Galbraith.

Seventh District—Chas. Brisbin, L. P. Hjelmstad.

Eighth District—Asa Sargeant, J. I. Lerum, G. A. Willison, T. E. Nelson.

Ninth District—R. M. Pollock, W. F. Leech.

Tenth District—P. P. Chacey, Thomas Heath, E. Severson.

Eleventh District—B. Mallough, C. A. Tubbs, John Hill.

Twelfth District—E. Stafne, A. W. Thomas, V. Morgan.

Thirteenth District—H. C. Johnson, G. B. Phifer.

Fourteenth District—T. J. Dwire, L. P. Anderson.

Fifteenth District—Geo. M. Young, K. S. Ramsett.

Sixteenth District—M. B. Cassell, C. Winslow.

Seventeenth District—C. A. Hall.

Eighteenth District—H. McLean, Ole Axvig.

Nineteenth District—Fred Lemke.

Twentieth District—F. T. Gronvold, James Michels.

Twenty-first District—G. W. H. Davis, H. A. Nicholson.

Twenty-second District—D. Niven, F. Chaffee.

Twenty-third District—F. H. Keeler, J. M. Watson.

Twenty-fourth District—J. A. T. Bjornson.

Twenty-fifth District—Geo. Rose, A. Strutz.

Twenty-sixth District—T. W. Allshouse, G. O. Gulack.

Twenty-seventh District—Jos. Hare, Henry Reade.

Twenty-eighth District—B. F. Hammond.

Twenty-ninth District—E. C. Palmer.

Thirtieth District—A. M. Packard, Wm. Wade.

Thirty-first District—W. A. McClure.

The oath of office was then administered to the members-elect by the Hon. W. H. Winchester, judge of the Sixth judicial district.

The house proceeded to its organization.

Mr. Cassell, of Steele, nominated Mr. Pollock, of Cass, for speaker.

Mr. Hare seconded the nomination of Mr. Pollock.

The roll being called there were 62 votes cast, of which Mr. Pollock received 61 votes and Mr. Bacon 1 vote.

Those who voted for Mr. Pollock were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill, Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargeant, Severson, Stafne, Strutz, Swarhout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young.

Mr. Pollock voted for Mr. Bacon.

Mr. Pollock having received a majority of all the votes cast was declared duly elected speaker of the house.

Mr. Lavayea appointed Messrs. Leech, Bacon and Tufte as a committee to escort Mr. Pollock to the chair.

The oath of office was then administered to the speaker by the Hon. W. H. Winchester, judge of the Sixth judicial district.

The speaker announced the order of business to be the election of a chief clerk.

Mr. Bacon nominated J. D. Scanlan, of Grand Forks, for chief clerk.

The roll being called there were 62 votes cast, of which Mr. Scanlan received 62 votes and was declared the duly elected chief clerk of the house.

Those who voted for Mr. Scanlan were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramssett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

The oath of office was administered by Mr. Speaker to Mr. Scanlan.

Mr. Chacey nominated W. D. Austin, of Cass county, for assistant chief clerk.

The roll being called there were 62 votes cast, of which Mr. Austin received 62 and was declared the duly elected assistant chief clerk.

Those who voted for Mr. Austin were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramssett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Tubbs nominated for chief enrolling and engrossing clerk, W. E. Clark of Cass county.

The roll being called there were 62 votes cast, of which Mr. Clark received 62 and was declared the duly elected chief enrolling and engrossing clerk.

Those who voted for Mr. Clark were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson,

Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramssett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Young nominated E. E. Ellis, of Barnes county, for bill clerk.

The roll being called there were 62 votes cast, of which Mr. Ellis received 62 votes, and was declared the duly elected bill clerk.

Those who voted for Mr. Ellis were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramssett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Hare nominated Miss Bessie Waggoner, of Burleigh county, for stenographer.

The roll being called there were 61 votes cast, of which Miss Bessie Waggoner received 61 votes, and was declared the duly elected stenographer.

Those who voted for Miss Waggoner were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramssett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Stafne being excused.

Mr. Willison nominated Thomas Harrison, of Traill county, for sergeant-at-arms.

The roll being called there were 62 votes cast, of which Mr. Harrison received 62 votes, and was declared the duly elected sergeant-at-arms.

Those who voted for Mr. Harrison were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke,

Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Wade nominated Jas. Flanagan, of Morton county, for doorkeeper.

The roll being called there were 62 votes cast, of which Mr. Flanagan received 62 votes and was declared the duly elected door keeper.

Those who voted for Mr. Flanagan were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Keeler nominated B. L. Weld, of Stutsman county, for messenger.

The roll being called there were 62 votes cast, of which Mr. Weld received 62 votes and was declared the duly elected messenger.

Those who voted for Mr. Weld were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Thomas nominated C. Lisk, of Richland county, for post-master.

The roll being called there were 62 votes cast, of which Mr. Lisk received 62 votes, and was declared the duly elected post-master.

Those who voted for Mr. Lisk were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ram-

sett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Reade nominated Rev. Guernsey, of Burleigh county, for chaplain.

The roll being called there were 62 votes cast, of which Mr. Guernsey received 62 votes, and was declared the duly elected chaplain.

Those who voted for Mr. Guernsey were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargeant, Severson, Stafne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Hare nominated Kirk Noyes, Arthur Mason, Leo Horner and Chester Erstrom for pages.

The roll being called there were 62 votes cast, of which Kirk Noyes, Arthur Mason, Leo Horner and Chester Erstrom received 62 votes and were declared the duly elected pages.

Those voting for Kirk Noyes, Arthur Mason, Leo Horner and Chester Erstrum were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Hare nominated John Clark and C. D. Rogers, of Burleigh county, for janitors.

The roll being called there were 62 votes cast, of which Mr. Clark and Mr. Rogers received 62 votes and were declared the duly elected janitors.

Those voting for Mr. Clark and Mr. Rogers were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ram-

sett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Michels nominated Hans O. Blagen, of Benson county, for watchman.

The roll being called there were 62 votes cast, of which Mr. Blagen received 62 votes, and was declared the duly elected watchman.

Those voting for Mr. Blagen were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Cassell nominated A. M. Baldwin, of Steele county, for clerk of the judiciary committee.

The roll being called there were 62 votes cast, of which Mr. Baldwin received 62 votes, and was declared the duly elected clerk of the judiciary committee.

Those voting for Mr. Baldwin were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Mr. Restemayer nominated William Surerns, of Pembina county, for journal clerk.

The roll being called there were 62 votes cast, of which Mr. Surerns received 62 votes and was declared the duly elected journal clerk.

Those who voted for Mr. Surerns were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hare, Hammond, Heath, Hill Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargent, Severson, Staffne, Strutz,

Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

The oath of office was administered by the speaker to Messrs. W. D. Austin, W. E. Clark, E. E. Ellis, Jas. Flanagan, C. Lisk, Rev. Guernsey, C. D. Rogers, John Clark, Arthur Mason, Leo Horner, Chester Erstrom, Kirk Noyes.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
January 8, 1901.

Mr. Speaker:

I have the honor to inform the house that the senate has organized by the election of the following officers, and is ready to receive any communications from the house:

President pro tem, Judson LaMoure.
Secretary of the Senate, Geo. L. Townes.
First Assistant Secretary of the Senate, T. J. Moe.
Second Assistant Secretary of the Senate, P. B. Ragnlie.
Chief Enrolling and Engrossing Clerk, L. D. McGahan.
Bill Clerk, Ole Holton.
Stenographer, R. M. Tuttle.
Sergeant-at-Arms, W. H. Brown.
Doorkeeper, A. M. Greenfield.
Messenger, Wm. Warren.
Postmaster, Ed. Parrett.
Watchman, B. Schmidt.
Journal Clerk, Mrs. J. M. Brown.
Assistant Journal Clerk, Miss Coleman.
Clerk of the Judiciary Committee, Geo. Gibson.
Chaplain, Rev. A. A. Joss.
Proofreader, M. E. Shirley.
Bill Room Clerk, Alex Loudon.

Very Respectfully,
GEO. L. TOWNES,
Secretary.

Mr. Gronvold moved

That a committee of three be appointed to inform the governor that the house is organized and ready to receive any message or communication that he may desire to transmit.

Which motion prevailed and

The speaker appointed as such committee Messrs. Gronvold, Cassell and Bacon.

Mr. Gulack offered the following resolution and moved its adoption:

Resolved, That the speaker is hereby authorized to appoint a special committee of five on mileage and per diem.

Which motion prevailed and

The speaker appointed as such special committee Messrs. Gulack, Packard, Dwire, Michels and Restemayer.

Mr. Reade offered the following resolution and moved its adoption:

Resolved, That the chair appoint a committee of three to select and rent needed committee rooms and to recommend for appointment necessary janitors to care for the same.

Which motion prevailed and

The resolution was adopted.

The speaker appointed as such special committee Messrs. Reade, Allshouse and McClure.

Mr. Bacon offered the following resolution and moved its adoption:

Resolved, That the speaker be authorized to appoint a temporary committee of three upon revision and correction of the journal.

Which motion prevailed and

The resolution was adopted.

The speaker appointed as such committee Messrs. Bacon, Wilhison and Hall.

Mr. Morgan moved

That there be printed and furnished to each member of the house five extra copies of the journal and bills of the respective houses for the use of the press, and that all correspondents of the press be supplied with files of bills and journals,

Which motion prevailed.

Mr. Young moved

That the house do now proceed to the selection by lot of permanent seats for the session, giving preference to Mr. Chasey by reason of deafness and that he be first permitted to select his seat near the speaker's desk,

Which motion prevailed, and

The members proceeded to select their seats accordingly.

Mr. Winslow moved

The house proceed under the rules used at the previous session until new rules are adopted,

Which motion prevailed.

Mr. Gulack moved

That the house do now adjourn until 2 o'clock p. m. tomorrow.

Mr. Cassell moved as a substitute motion that the house take a recess until 1 o'clock tomorrow.

Which substitute motion prevailed, and

The speaker announced a recess until tomorrow at 1 o'clock.

J. D. SCANLAN,
Chief Clerk.

AFTER RECESS

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 9, 1901.

The house re-assembled at 1 o'clock.

Mr. Michels stated that Hans O. Blagen, who was elected watchman of the house, would be unable to accept same on account of sickness, and moved that the office of watchman be declared vacant.

Mr. Chacey moved

That Mr. Michels be granted the privilege of naming a candidate for this position,

Which motion prevailed, and

Mr. Michels nominated Mr. O. P. Stedman for watchman.

The roll being called there were 60 votes cast, of which Mr. Stedman received 60 votes and was declared duly elected watchman.

Those voting for Mr. Stedman were:

Messrs. Allshouse, Anderson, Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gullikson, Hall, Hare, Heath, Hill, Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Niven, Nicholson, Packard, Palmer, Parr, Phifer, Ramsett, Reade, Restemayer, Rose, Sargeant, Severson, Stafne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker.

Absent and not voting, Messrs. Gulack and Hammond.

The oath of office was administered by the speaker to the following:

Miss Bessie Waggoner, stenographer.

A. M. Baldwin, clerk of the judiciary committee.

Berton L. Weld, bill clerk.

A. B. Stedman, watchman.

Mr. Sargeant moved

That the speaker appoint a committee of three to wait on the senate and inform that honorable body that the house is now in session and ready to meet them in joint session,

Which motion prevailed, and

The speaker appointed as such committee Messrs. Sargeant, Winslow and Young.

Mr. Watson offered the following resolution:

RESOLUTION.

Whereas, it is deemed necessary by this house that assistant enrolling and engrossing clerks are actually necessary and should be appointed and elected.

Resolved, That the speaker immediately appoint enrolling and engrossing clerks to the number of thirty-one, from which number there shall be assigned temporarily three for duty in the bill room; one as doorkeeper of the gallery of this house; two as assistants to the assistant chief clerk; one as assistant to the official stenographer; four to duties in the cloak rooms; one to be clerk of the committee on mileage and per diem.

Mr. Hare moved

That the resolution be adopted.

The roll was called and there were ayes 58, nays 1, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Phifer,
Anderson,	Hjelmstad,	Ramsett,
Axvig,	Johnson,	Reade,
Bacon,	Keeler,	Restemayer,
Bennett,	Leech,	Rose,
Bjornson,	Lemke,	Sargeant,
Brisbin,	Lerom,	Severson,
Cassell,	Mallough,	Stafne,
Chacey,	McClure,	Strutz,
Chaffee,	McLean,	Swarthout,
Chevalier,	Michels,	Thomas,
Davis,	Miller,	Thordarson,
Dickson,	Morgan,	Tubbs,
Dwire,	Nelson,	Tufte,
Galbraith,	Niven,	Wade,
Gronvold,	Nicholson,	Watts,
Gullikson,	Packard,	Watson,
Hall,	Palmer,	Willison,
Hare,	Parr,	Winslow.
Heath,		

Mr. Young voting in the negative.

Absent and not voting, Messrs. Gulack and Hammond.

Mr. Speaker not voting.

So the motion prevailed, and

The resolution was adopted.

The speaker appointed the following list of clerks:

- First District—C. W. Lutz.
- Second District—H. A. Bergman.
- Third District—Lyman Brandt.
- Fourth District—Lee N. Mitchell.
- Fifth District—D. K. Ramsey.
- Sixth District—W. F. Gaulke.
- Seventh District—Ole Hanson.
- Eighth District—S. H. Little.
- Ninth District—F. A. McDonald.

Tenth District—Helmer M. Habberstad.
 Eleventh District—W. L. Gill.
 Twelfth District—G. A. Sletmore.
 Thirteenth District—Walter Dickson.
 Fourteenth District—Harry Ylvisaker.
 Fifteenth District—John E. Veon.
 Sixteenth District—G. A. Monteith.
 Seventeenth District—Dora J. Allen.
 Eighteenth District—Halvor Torgerson.
 Nineteenth District—J. M. Goris.
 Twentieth District—Genevia Egeland and William M. Anderson.
 Twenty-first District—J. C. Adamson.
 Twenty-third District—Karl Smith.
 Twenty-fourth District—J. J. Clary.
 Twenty-fifth District—Geo. Haas.
 Twenty-sixth District—Fred Carpenter.
 Twenty-seventh—District—W. J. Freede.
 Twenty-eighth District—Geo. Strong.
 Twenty-ninth District—B. W. Shaw.
 Thirtieth District—Georgia Packard.
 Thirty-First District—Katie Gallagher.

Mr. Packard moved

That a vote be taken in confirmation of the appointments made by the speaker of the house and that the vote be taken on the clerks collectively by roll call.

Mr. Young moved

As a substitute motion that the speaker appoint a committee of five to whom this matter should be referred with instructions to report tomorrow on those clerks necessary.

Which motion was lost.

The question being upon the original motion.

The roll was called and there were ayes 56, nays 3, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.
Allshouse,	Hjelmstad,	Phifer,
Axvig,	Johnson,	Ramsett,
Bacon,	Keeler,	Reade,
Bennett,	Leech,	Restemayer,
Bjornson,	Lemke,	Rose,
Brisbin,	Lerom,	Sargeant,
Cassell,	Mallough,	Severson,
Chacey,	McClure,	Stafne,
Chaffee,	McLean,	Strutz,
Chevalier,	Michels,	Swarthout,
Davis,	Miller,	Thomas,
Dwire,	Morgan,	Thordarson,
Galbraith,	Nelson,	Tubbs,
Gronvold,	Niven,	Tufte,

Messrs.—
Gullickson,
Hall,
Hare,
Heath,
Hill,

Messrs.—
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—
Wade,
Watson,
Willison,
Winslow.

Those who voted in the negative were:

Messrs.
Anderson,

Messrs.
Dickson,

Messrs.
Young.

Absent and not voting Messrs. Gulack and Hammond.

Mr. Speaker not voting.

So the clerks as named by the speaker were declared duly elected.

Mr. Hare moved

That the house do now adjourn until 2 o'clock.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

SECOND DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 9, 1901.

The House assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present excepting Messrs. Gulack and Hammond, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on correction and revision of the journal beg leave to report as follows:

In line 17, page 1, "Tuft" should be spelled "Tuftte."

In line 16, page 2, "Neven" should be spelled "Niven."

Same correction should be made in line 40, page 2; lines 18 and 35, page

3; lines 4, 18, 33, page 4; lines 2, 17, 31, 46, page 5; lines 15, 31, 46, page 6; lines 15, 30, and 45 on page 7.

In line 18, page 2, "J. A. Bjornson" should be "J. A. T. Bjornson."

In line 42, page 2, "Wake" should be "Wade."

In line 42, page 3, after the word "enrolling," add the words "and engraving."

In line 24, page 4, "62" should be "61." The same correction should be made in line 25.

In line 26, page 4, the words "Mr. Stafne being excused from voting" should be added.

In line 21, page 5, "Keller" should be spelled "Keeler."

In line 35, page 5, the name "Mr. Thomas" should be substituted for "Mr. Stafne."

In line 16, page 6, "Staffne" should be spelled "Stafne."

In line 29, page 6, "Hjemstad" should be spelled "Hjelmstad."

In line 30, page 8, the name of "Mr. Gronvold" should take the place of "Mr. Leech."

In line 19, page 7, the name "Mr. Winslow" should be substituted for "Mr. Cassell."

In line 34, on page 7, the name "Mr. Restemayer" should be substituted for Mr. Chevalier.

In line 35, on page 7, "Surens" should be spelled "Surerus."

Also in line 37, on page 7, "Surens" should be spelled "Surerus."

In line 6, on page 5, the name "Mr. Wade" should be substituted for "Mr. Packard."

All of which is respectfully submitted.

J. D. BACON,
G. A. WILLSON,
C. A. HALL.

Committee.

Mr. Hare moved

That the report of the committee on revision and correction of the journal be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Cassell moved

That the speaker appoint a committee of six to escort the members of the senate to seats for the joint session.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Cassell, Thordarson, Allshouse, Tufte, Hare and Gronvold.

The sergeant-at-arms announced the members of the senate.

JOINT SESSION.

The senate and the house met in joint session.

The president of the senate presiding.

The roll of senators called.

All senators present except Senators Cox and Taylor.

The roll of the house members were called.

All members present except Messrs. Gulack and Hammond.

Mr. Little moved

That a committee of two from the senate and three from the house be appointed to inform the outgoing and incoming governors that the house and senate are now in joint session, and to escort them to the house.

Which motion prevailed, and

The president of the senate appointed as such committee for the senate Senators Little and Lavayea, and for the house Messrs Willison, Restemayer and Michels.

The sergeant-at-arms announced the arrival of the committee escorting the governors.

The governors were received, and ex-Governor Devine was introduced to the members of the joint session by the president of the senate.

Governor Devine then delivered his message as follows:

To the Legislative Assembly:

Gentlemen: In accordance with constitutional requirements I herewith submit my second biennial message, as executive of the state, with such recommendations as experience and judgment have suggested as beneficial to the best interests and future advancement of the commonwealth.

In administering the affairs of the people in a government such as ours those chosen for that purpose are but the instruments to ascertain, and then carry out, the will of the people. This should be done with diligence and fidelity. The faithful servant merits and receives the approval of a sovereign people, and enjoys the satisfaction of a mind which comes from the knowledge of a duty well performed in the discharge of weighty responsibilities. That the members of this legislature are impressed with the grave responsibilities resting upon them and with the importance of the varied interests of this commonwealth, which are for a time committed to their care, I believe to be true; that you are determined to discharge your duties faithfully and fearlessly for the best interests of the whole state and the welfare of all the people I doubt not in the least. You will doubtless be called upon to solve many difficulties and perplexing problems of grave interest to the state and I feel sure you will give to each important subject, as it is brought before you, that mature deliberation and wise consideration which should characterize all legislation affecting the welfare of a great state. As a nation we confidently assert that our people are among the most enlightened and progressive on the face of the earth; and you have the honor to represent the people of a state having the smallest per cent of illiteracy of any state in the union, and who are the peer of any people in the land, in patriotism, intelligence, integrity and love of equality; in truth and justice in the affairs of mankind.

FINANCE.

The condition of the state treasury is one easily comprehended. The actual and necessary disbursements are in excess of receipts, or, in other words, the growth of the state along all lines is such, that what it needs and must have to carry on its normal demands, is greater than the income derived.

One of the most important problems you will have before you during this session, and one requiring the exercise of the most careful study, will

be the ways and means employed to meet the needs of the state and at the same time keep solvent the state treasury. I would suggest, however, that the outstanding indebtedness and prospective receipts should indicate the limitations within which appropriations can be made.

RECEIPTS FOR 1899-1900.

Received from taxes, fees, commissions, etc.	\$ 1,128,380.15	
Funding warrants (unpaid)	80,000.00	
		\$ 1,208,380.15

DISBURSEMENTS.

Current vouchers 1899-1900	\$ 1,059,385.54	
Overdrafts on general fund and old accounts on hand Jan. 1, 1899	110,745.00	
*Cash on hand in general fund	38,249.61	
		\$ 1,208,380.15

*Of the \$38,249.61 on hand in general fund \$30,000 is represented in banks in receivers hands.

LIABILITIES.

Funding warrants unpaid	\$ 80,000.00	
Unpaid bills on hand Jan. 1, 1901. Close estimate	152,000.00	
		\$ 232,000.00

RESOURCES.

Available cash on hand	\$ 8,249.61	
Deficiency, Jan. 1, 1901	223,750.39	
		\$ 232,000.00
Deficiency, Jan. 1, 1901	\$ 223,750.39	
Deficiency, Jan. 1, 1899	110,745.00	
		\$ 113,005.39

Net increase in deficiency

BIENNIAL REPORTS.

It is gratifying to note the marked improvement in the biennial reports of the several state officers and boards of trustees, of the various institutions, as compared with those of past years. Condensation and not expansion is now the rule. The result will not only be successful financially but it will cause the reports to be sought after and read. Many of them are replete with valuable information touching the varied interests of the state.

So many have performed their work well that it would be invidious to make comparison. These reports will be placed upon your desks and I trust you will take the time to familiarize yourselves with them.

UNIFORM ACCOUNTS.

For a proper understanding of the financial management of our public institutions, it is absolutely necessary that a systematic and uniform method of keeping accounts should be established, particularly so with institutions of a like character, such as our insane asylum, state prisons, in the one class, and all educational institutions in the other. The irregularity at present existing in this direction leads to confusion, and a charge which is rightly understood by the institution making it does not, in many instances, appear so plainly to those whose duty it is to pass upon it. The bank examiner and the auditing board of the state should be empowered by statute to enforce such action and cause every state institution to conduct its monetary transactions on a uniform basis.

TAXATION.

There is an almost universal expression of dissatisfaction with our present mode of assessing property for taxation. That it is unequal, and consequently unjust, no one familiar with it would for a moment deny.

It is probably one of the most difficult matters to provide for in all the field of legislation. Our theory of taxation is that property should pay the tax, and the only safe rule to follow is to assess all property at its actual cash value without regard to its character or the use to which it is applied. To a certain extent, however, the revenue derived from property ought to be taken as a basis upon which to compute its value. If every piece of property in the state were assessed at its actual cash value there would be absolute equality in the payment of taxes. The inequality arises not from the fact that the property of the state is assessed too low but because it is assessed unequally. Where one piece of property is assessed at ten per cent of what it is really worth, and another piece is assessed at its full value and other property is not assessed at all, great injustice is done to some of the taxpayers; and yet that is the actual condition of things in the state today. Thousands of dollars worth of property escapes taxation entirely as a result of ignorance, inefficiency or wilful dishonesty on the part of the assessors.

After a careful and patient examination of the law I am unable to see where it fails to provide for an honest, impartial assessment. The fault seems to be, rather, in the administration of the law than in the law itself. If the proper officer complied strictly with every provision of the law relating to assessment and taxation there would be little cause for complaint. More severe penalties might be attached for the violation of the law, but that remedy would hardly accomplish the desired results for when an assessor makes his returns, with property assessed at from ten to twenty-five per cent of its real value, and swears that he has, to the best of his judgment, given the true value, he knows and everybody else knows that he makes a statement far from the truth; but how can you prove that he has not used his best judgment in deciding values?

What then is the remedy? In the first place, it is impossible to get equal, just valuation of property under our present system. When you divide up this assessment of property among a large number of men, you increase, in the same proportion, the difficulties in getting a uniform valuation. It would be a great step in the right direction if there were but one assessor in each county, and he should be appointed for a term of four years by the judge of the district court in which that county is located, the appointment to be approved by the county commissioners, who should also decide the number of deputies that he should have, and should also approve his selections. By having the appointment of the assessor made by the judge, and for a period of four years, he is removed from temptation to favor parties for their political influence and he would be far more independent in his attempts to discover property that is withheld from assessment.

Today we have quite an army of assessors, largely men of little practical experience, elected for one year and dependent for their re-election upon the men whose property they are valuing. In view of this condition I would suggest, not a change in the existing law, but a change in the manner of executing it.

LAND DEPARTMENT.

The department, in so far as its records pertaining to the character of land under its control are concerned, is absolutely in the dark, as there is no reliable information on file showing the character of soil; whether land is meadow, grazing or agricultural land. In 1890, when the state secured control of sections sixteen and thirty-six, an appraisalment was

made of all lands in the state. These lands were supposed to have been personally inspected by the boards of appraisers in the different counties, but from a careful perusal of such appraisements it can readily be seen that the majority of such appraisements were made without an inspection of the land. For instance, in Ward county the appraisers' returns show all lands in that county, in 1890, appraised at ten dollars per acre. Appraisements of lands have been made in the Red River valley counties in 1890-'92-'93, and in Cass, Richland and a portion of Barnes county in 1898. In order to arrive at anything like a fair rental, all lands in the state should be appraised at least every three years. The cost of one appraisement in Cass county, in 1898, was two hundred and forty-one dollars (241) only two members of the board acting; in Richland county two hundred and forty-seven dollars (\$247.) There has never been any appraisement of institution lands except such as has been made by the county board of appraisers, without going outside of the county auditor's office; that is, no personal inspection of the land has ever been made. These appraisements do not show the character of the soil, whether the land is best adapted for agriculture, grazing or meadow. Our state is young and the minimum price at which lands can be sold being ten dollars (\$10) per acre, in order to secure any income from its vast holdings, in the middle and western part of the state, a full and complete record should be obtained as to the value of these lands for agriculture, grazing and meadow purposes. At the present time our rentals are all based upon a valuation which was not made with any view to leasing of the lands, but for the purpose of sale. As an illustration: in the western part of the state a quarter section, level and fit for agricultural purposes, will be appraised double the amount that a quarter section valuable for hay is appraised. This is wrong as there is no provision for breaking-land and that appraised highest is only fit for grazing where the quarter appraised lowest may yield from fifty to one hundred and fifty tons of hay each year, and it will only be a short time before hay land in the western part of the state will be the most valuable land. If the state is to receive an adequate rental it is necessary that the department have a detailed record of each quarter section. This object can not be accomplished by any method in a short time. It will take years to obtain this information, but when obtained it would be of inestimable value to the state and would result in largely increased rentals. Lands are leased for one per cent (1 per cent) of their appraised value for grazing and hay purposes and five per cent (5 per cent) for agricultural purposes. Many acres have come to the attention of the commissioner where the state receives, perhaps, eight dollars (\$8) a year for a quarter, which has from twenty (20) to thirty (30) acres of breaking thereon and which is cropped each year by the lessee. This is especially true of lands which have been selected by the state in satisfaction of grants. Many quarters have been selected by the state, which had been filed on by settlers, a few acres broken and the claims abandoned.

Under our present law there is no way of obtaining information as to breaking on lands except through the board of appraisal of each county. It would, therefore, be necessary to order an appraisement of certain lands and this would result in sending out three men, to inspect the land, at an expense of three dollars (\$3) a day each and their necessary traveling expenses so that it can be readily seen that there is no practical way of obtaining information, which is very essential in placing a proper rental value upon this class of lands.

From time to time numerous cases of trespass come to the notice of the department, and especially has this been true during the past season. About the only way in which trespass upon school lands comes to the notice of the department is through the enmity of neighbors, and, as the law now exists, the matter is laid before the attorney general and, if

he deems it meritorious, the case is sent to the state's attorney of the county in which the land is situated upon which trespass has been committed, for prosecution. I believe that the law should be such that, when a person has been found guilty of trespass upon school lands, the commissioner, or agent of the department, should have the power, and it should be his duty, to swear out a complaint against the offender and make it the duty of the state's attorney to prosecute, upon request of the commissioner.

This state has nearly three millions (3,000,000) acres of land and only one hundred and thirty thousand (130,000) acres of it has been sold and it is my opinion that such legislation should be passed as will tend to increase the income of our lands, and thus decrease taxation for school purposes. To this end I would recommend that there be attached to this department an officer whose duty it shall be, under the provision of the commissioner, to inquire into the character of all lands under the control of the department; appraise lands for rental purposes; look after collections of interest and payments on contracts, and rentals on term leases; prosecute cases of trespass, and generally to take charge of all matters which require personal attention outside of the office. If such legislation as is suggested in the foregoing should be passed it would mean at least an increase of fifty per cent (50 per cent) in rentals, or a sum not far from eight thousand dollars (\$8,000 per year.

PENITENTIARY.

I feel warranted in saying that this institution has never been more acceptably managed than during the last four years, and much credit is due the management of this institution in the effort made to subserve the interests of the state.

The improvements made at this institution during the past two years, and they are extensive, admirably meet the requirements for which they were intended.

The question of labor is always a difficult one at institutions of this kind, and for the reason that it is seldom, if ever, advisable to employ convict labor as against outside competition. So far, however, as this question is concerned it has been happily settled and for all time by the introduction of the twine plant, which will give steady employment to the inmates of the institution without competition from outside labor.

I have great faith in the possibilities of the twine plant, and for the reason that it gives employment to the inmates and hence is humanitarian, and, at the same time, a good business investment on the part of the state.

The warden has succeeded in putting in a plant which is first class in every particular and that has, and will continue, to produce a quality of twine that is the equal of the very best made in the country. That it will save many dollars to the individual purchaser and thousands in the aggregate to the farmers of the state I have not the slightest doubt. With a wise management of its possibilities and a ready sale of its output I believe this institution can be made nearly, if not wholly, self-supporting within the next five years. The benefit to those incarcerated, and in the steady employment it will give is of the highest possible reformative value and this itself is of sufficient importance to justify the expense of maintaining it.

The unfortunate fact that machinery of all kinds was at a high figure at the time the plant was erected, coupled with the equally unfortunate fact, that there was a practical failure of crops in the state the first year of its operation and, by reason of this, no demand for the twine, does not in the slightest degree lessen the value of the plant as a money saving investment, nor the wisdom of the legislature in establishing it.

I therefore urge its continuance and suggest that an appropriation be made sufficient to enable the plant to operate at its full capacity, of about ten thousand (10,000) pounds per day. Such action on your part will give employment to sixty or seventy men otherwise unemployed and start this institution in the direction that will enable it to become self-supporting instead of a drain upon the financial resources of the state.

There is earnest need of the erection of a hospital at this institution. To longer delay the erection of such a building is a menace to the health of every person about the building, and I suggest that a sufficient appropriation be also made for this purpose.

EXTRADITION AND TRANSPORTATION OF CONVICTS AND INSANE PATIENTS.

I again desire to call your attention to the large expense incurred in sending to other states for escaped criminals, together with that incurred in the transportation of patients to the asylum, and of convicts to the penitentiary.

During the period from July 1, 1893, to June 30, 1900, there was paid out from the general fund, to meet these expenses, as follows:

Arrest and return of fugitives	\$ 2,386.22
Transportation of patients to the hospital for the insane....	16,352.26
Transportation of convicts to the penitentiary.....	8,735.61
Transportation to reform school.....	597.61
Total	\$ 28,071.40

It is my opinion that these expenses should be paid in whole, or in part, by the respective counties.

In the matter of extradition, experience has demonstrated that radical changes should be made in this direction. Except certain crimes, such as murder, arson, and offenses of like nature, the county should be made to bear the expense; and for embezzlement, collection of debts, etc., of private individuals and corporations, the charge should be borne by the party desiring the extradition. I am satisfied that some such change would save the state from eight to ten thousand dollars per year. It promotes official economy and official efficiency for officers of the law to look to their constituency, to whom they are directly responsible, for the compensation of services rendered.

HOSPITAL FOR THE INSANE.

The hospital for the insane is the largest and most populous of the state institutions. Its needs and wants continue to increase from year to year with the natural growth of the state. During the biennial period just passed a new ward and a new laundry building, both furnished and fully equipped, have been constructed as per advice and consent of the last legislative assembly. The buildings are substantial and their furnishings are such as to meet all the requirements for which they were erected, and yet the capacity of the institution continues inadequate for the best results to be accomplished. On June 30, 1898, the end of the former biennial period, the institution was caring for 342 patients besides its officers and employes. This number increased until on June 30, 1900, the end of the last biennial period, the number of patients was 383, or an increase of 12 per cent. The percentage of discharged to number treated has been 23.8 per cent, which certainly speaks volumes for the efficient management of the medical department by Dr. D. S. Moore, the superintendent, and his assistants. The per capita cost for board, clothing, attendance, etc., for the biennial period ending June 30, 1898, was \$173.70, while the per capita cost for the biennial period ending June 30, 1900,

was \$154.39. This result was accomplished without inconvenience to the patients and without marring the well known efficiency of the institution, and demonstrates a most economical conduct of affairs. Having been fully advised in the premises I do not hesitate to communicate to your honorable body my high regard and general approval of the manner in which this institution has been conducted and of the manner in which this unfortunate class of our fellow citizens have been cared for and in considering the future requirements and needs of the hospital for the insane much valuable information can be obtained from the recommendations of its trustees and officers.

COMMON SCHOOLS.

The most powerful lever of progress is education. If it is true, as I hold it to be, that ignorance, poverty and crime are intimately related, it is the duty of every state to educate.

In a republic where every man is an elector and every elector is a sovereign, having in the election of his legislators and his rulers equal voice with the best, the wealthiest and the wisest, illiteracy and ignorance of the masses becomes a national calamity. A republic can survive war, famine and pestilence, but it can not survive the ignorance of its people.

The demands of our people for a high educational standard is evidenced by the heavy taxes voluntarily imposed upon their property for this purpose. The following statistics, taken from State Superintendent Halland's report, will give you some idea of the splendid growth of our common schools during the past few years.

Number of children of school age.....	92,009
Number of children enrolled.....	77,386
Number of school houses in 1890.....	1,610
Number of school houses in 1901.....	3,003
A gain of 86 per cent.	
Value of school property in 1900.....	\$ 2,587,865.66
Total sum expended for maintenance during the past two years	1,583,594.27

The state high school board recommends that the appropriation for high schools be increased from four thousand dollars (\$4,000) to eight thousand dollars (\$8,000).

The high school law, enacted by the last session, has been, in all ways, a most beneficial measure. Under its provisions thirty-one (31) schools are now classified as high schools, with ten (10) more seeking classification.

By reason of the limited appropriation the board has been unable to meet the demands for aid. Justice to the different communities in the state demands that the appropriation be increased.

The work in this particular field has increased to such an extent that the members of the board find it impossible to attend to the examination and inspection, and they recommend that they be empowered to employ an inspector to visit schools and read the examination papers.

With the appropriation, as requested, secured I have no doubt that within the next two years the state will have not less than fifty schools of the high school grade.

The increase from four thousand dollars (\$4,000) to eight thousand dollars (\$8,000) is but a slight one and the value of the work to be accomplished wholly justifies the increase of the appropriation requested.

STATE UNIVERSITY.

All the departments of the university are in the most thriving condition, as the president's report shows, and the splendid work accomplished

by this most valuable of all our state educational institutions is being recognized and appreciated by the people.

There is a pressing need in this institution for the erection of a young ladies' dormitory, a science hall and a library hall. With the erection of these three buildings the needs of the university, in this respect, will be met for many years to come.

The next ten years will show a very large growth in the attendance at the university and the appeal, from almost every department of the university, for more room and greater facilities is emphatic and urgent.

NORMAL SCHOOLS.

The reports of the two normal schools show the excellent condition which they are in, and the statistics exhibited prove their utility. Every year increases their standard of proficiency, which is manifested by the superiority of the teachers of our public schools, who have graduated from them.

The financial management of these schools, through their boards of trustees, merits approval and their economic administration entitles them to praise.

SCHOOL FOR THE DEAF AND DUMB.

The school for the deaf and dumb continues to do excellent work under the efficient management of Supt. D. F. Bangs. I have personally noted, with pleasure, the great improvements made in the building and equipment during the past biennial period and am satisfied that the money, appropriated for bettering the condition of the institution, has been judiciously and wisely expended. Excellent work is certainly being done for the deaf of the state and a high standard of scholarship is being maintained at this institution. There is evident need of more extended improvements, chief of which are a separate boiler house, better water supply, and a separate building for the teaching of trades. Space will not permit me to dwell at length upon these needs further than to recommend them to your consideration and to recommend that they be provided for in some way, if possible. The call for more extended instruction for these deaf children, along practical mechanical lines, is especially urgent and there certainly ought to be a way provided for equipping the pupils of this institution with a trade, whereby they may be self-supporting on leaving school. No class of young people stands more in need of it than do the deaf, and without it no education given them is the complete education that they are justly entitled to receive at the hands of the state.

INDUSTRIAL SCHOOL.

This institution has been a success from the start. The report shows an enrolment of one hundred and sixty (160) students during the year. It is the youngest educational institution in the state and the very marked degree of success which it has attained, and in so short a period, is an evidence of the wisdom of its erection and operation.

The knowledge obtained here is directly applicable to the every day conditions of life. The course of study is sufficiently extensive for all practical purposes, in addition to which there is given a thorough course of industrial training for the student of both sexes, the value of which can not be over estimated.

I have great faith in the future of this institution, both as to its rapid growth as to attendance, and as to its value as an educational force in the state.

The needs of this institution are fully set out in the report of the board, and I trust you will give it that consideration which it very much deserves and should have.

AGRICULTURAL COLLEGE.

The college of agriculture is doing a most valuable work, which is set out in the report of President Worst, which I would most earnestly recommend to your consideration.

The excellent growth in attendance at this institution, and the fact that it appeals directly to the thousands of boys and girls now growing up on the farm, gives to this institution a popularity not easily attained by that of any other educational institution in the state.

The system of farmers' institutes, held in different parts of the state, where papers are read and the latest and best methods for the practical cultivation of the soil are discussed, can not be too highly recommended. Already the beneficial results of these meetings can be seen everywhere throughout the state, in the more intelligent cultivation of the soil and the general tendency to diversified farming. These meetings, should, in every way possible, be encouraged and by such legislation as will enlarge their scope and usefulness.

AGRICULTURE.

North Dakota is pre-eminently adapted to agricultural pursuits, and the true source of her wealth lies in her healthy climate and the capacity of her soil to produce those staples most necessary for the sustenance of mankind. The mines of California and Colorado do not possess half the possibilities in their output as the prairie-mines of North Dakota, which have the additional advantage over the former that, with proper care, they will never become exhausted. We should strive to understand the character and capacity of the soil and engage in that kind of farming which is best adapted to the production of the greatest wealth. It would be much more to our advantage if we shipped less grain and more stock and devoted more time to the consideration of the dairy and kindred subjects.

In this connection I wish to submit to you a statement of the growth of this state along agricultural lines and which tells, in language more eloquent than words, the story of the state's remarkable progress during the past ten years, and which, I feel quite sure, will serve as nothing else could, to enlarge the confidence of the people in the splendid future of this young state of ours.

Total number of acres in farms, in 1900.....	11,297,758
Estimated value of same	\$139,000,000
Total number of acres under cultivation in 1890.....	3,000,000
Total number of acres under cultivation in 1900.....	6,623,315
Total number of horses and mules in 1890.....	132,428
Total number of horses and mules in 1900.....	285,170
Total number of cattle in 1890.....	232,960
Total number of cattle in 1900.....	384,685
Total number of sheep in 1890.....	89,290
Total number of sheep in 1900.....	213,811
Assessed valuation of property in 1890.....	\$ 78,394,536
Assessed valuation of property in 1900.....	117,204,485
Total estimated value of cereals in 1890.....	18,432,600
Total estimated value of cereals in 1900.....	37,806,745
Estimated value of horses, mules, cattle and sheep in 1890..	17,980,520
Estimated value of horses, mules, cattle and sheep in 1900..	35,449,394
Number of pounds of wool sold in 1900.....	1,494,443
Estimated value of same.....	\$ 224,171
Live stock sold in 1900.....	3,059,521
Value of dairy products in 1900 (butter estimated at 12 cents per pound, and cheese at 8 cents per pound).....	\$ 586,010
Total number of hogs in 1900.....	103,360
Estimated value	\$ 826,880

When you take into consideration the age of the state and its population three hundred and nineteen thousand (319,000) no state in the union can, make such a showing, or even approach it; especially is this true when one considers the small amount of capital originally invested and the ease with which it has been produced as compared with other states engaged in like pursuits.

INSTITUTION LANDS.

The fact that there is urgent necessity for additional buildings at all our state institutions, particularly is this true of the university and normal schools, and taking into consideration the anticipated revenues for the next biennial period it is clearly evident that no appropriation can be made sufficient to meet the emergency. I would suggest that such legislation be enacted as will authorize the boards of trustees of the several state institutions to bond, to a limited extent, the land set aside for each special and separate institution. The buildings to be erected in the next two or three years will serve our state institutions for generations to come.

The time has arrived when it is not only reasonable but urgent that the liberal provision made by the federal government for the future wants of our state institutions be made available for present needs. It is doubtful whether an institution ever has needs, in its subsequent development, as urgent as those which present themselves in the earlier years of its career, particularly is this true of our educational institutions. The university and both the normal schools should have larger capacity in the way of additional room. Under the circumstances it certainly will not be unwise to draw to a limited extent upon the future for the needed improvements, of which future generations will reap a large part of the benefits and thus lessen the burden of taxation upon the present.

SOLDIERS' HOME.

Thirty-six years have elapsed since the close of the great civil war undertaken for the preservation of the national integrity. Many of those men who did such heroic service for their country in its hour of need were almost totally disabled in its service, and now when old age has settled upon them, are unable longer to support themselves. It is pleasing, therefore, to know that our state has provided for them a pleasant home in which they can spend the last years of their life in quiet contentment.

The report of the board of this institution is complete and deals fully with all matters pertaining to the needs, maintenance, and care of these veterans of the greatest civil war the world ever saw. The state and the nation owe them a debt of everlasting gratitude and there should be no hesitancy in granting them full compensation for the heroic service rendered.

THE NATIONAL GUARD.

No state in the union has more reason to be proud of their national guard than has North Dakota, since no regiment in the field of active operations more fully met the confidence reposed in them by the people of the state which they represented. I congratulate the entire command, officers and men alike, upon their courage and efficiency which has won the good name universally conceded them.

The report of Adjutant General Miller makes full exhibit of the details of the organization and merits your careful examination.

I desire, in this connection, to call your attention to the urgent necessity for a permanent storehouse or arsenal for the equipments, stores and supplies for the state guard.

The annual appropriation of the government has been increased during

the past year from four hundred thousand dollars to one million dollars. North Dakota under the apportionment already made will secure five thousand one hundred and seventy-five dollars as against two thousand and six hundred heretofore. This allowance is received in stores, supplies and equipments and will soon put the state guard in excellent condition as to equipage.

The total amount of stores, equipage and supplies now belonging to the state troops is of the value of thirty-nine thousand one hundred and forty-one dollars and fifty-three cents. Much of the equipage and reserve supplies, to the amount of several thousand dollars, is stored in and about the basement of the capitol building, which is both unsatisfactory and unsafe. I would suggest the erection of a building of sufficient capacity for the proper storage of the supplies constantly being received and issued. A building of such a character should, in every way, be an economical investment.

GEOLOGICAL SURVEY.

North Dakota is a young undeveloped state and but sparsely settled, yet by judicious direction and development of her resources, lying as she does in a great food-producing belt, she is capable of supporting a greatly increased population and is destined to become a wealthy and prosperous state.

Since our state has a great diversity of soil, climate and rainfall, as well as natural deposits of coals and clays, it behooves us to investigate its natural conditions and resources, that investments may be secured and all efforts for further development be wisely expended.

The future greatness of North Dakota, however, lies in her agricultural resources, including animal husbandry; hence her soil and water supply is paramount in importance to all other resources.

The portion of the state known as the Red River valley, embracing no less than four million five hundred thousand acres of land in North Dakota, having a rich black soil, in formation entirely different from the remainder of our state, requires agricultural operations peculiar to itself. This region has a world-wide reputation for its productiveness, yet its boundaries are undetermined. The remainder of the state may be divided into districts with soils and climatic conditions peculiar to themselves, and the mapping of such sections is highly essential to the intelligent direction of scientific agriculture.

An artesian basin underlies the greater part, if not the whole of our state, which is capable of furnishing an unlimited supply of water for city use, possibly power, and probably, in many sections, for irrigation. Requests are constantly being received for information regarding the extent and availability of this basin, and accurate information regarding it is much needed.

There are many sites which are suitable for the construction of dams for impounding the spring floods, the water being thus held for use later in the season when needed. In connection with this, the annual discharge of our streams becomes of great importance.

At our state experiment station valuable investigations are conducted in experimental agriculture, yet from natural limitations it is restricted from making such investigations as above referred to, for which there is a great demand. The federal government recognizing this has inaugurated a system of surveys for the purpose of investigating and accurately mapping the natural resources of the country. These surveys have been of great value in the states, like our own, where diverse conditions exist, and federal money is eagerly sought for in such states.

I understand that it is to be the purpose of the federal government to pursue these investigations and mappings in those districts where such

work is most needed and where a disposition of appreciation is shown on the part of the people by co-operating in the work; therefore I consider that a small annual appropriation made to co-operate with and secure the federal aid in these investigations within our state, would be money wisely spent and ultimately a great saving to the state as compared with independent work.

CORPORATIONS.

Division and combination of labor, of energy and of means, are the main elements of all civilization. Private corporations, a natural outgrowth, are among the principal factors of the great progress which our age has witnessed. Their creation is permitted by the state for the purpose of promoting the welfare of the people, and their action should be kept strictly within the sphere for which they are created. The authority of the state to regulate and control corporations is now firmly established by the decisions of the courts and should be exercised with firmness, intelligence and discretion.

Banks and insurance companies are now required by law to give publicity to their business; such requirements should be extended to other corporations doing business in the state, and litigation should be kept in our state courts as far as possible.

In no field of legislative action is the law-maker confronted with greater difficulties, or brought in contact with convictions more sincere or more conflicting, than those that confront him while endeavoring to regulate, by law, the relative rights of those who furnish the immense capital invested by corporations, in the business enterprises of the country, and those who supply the manual labor, without which each of these investments would prove a failure. Nowhere do these apparently conflicting but really dependent interests assume more menacing proportions, or lead him into labyrinths of grave doubt, than those that beset the most honest and conscientious in his efforts to discover the line of even an exact justice between these essential forces, that, combined, accomplish the great improvements of the world, but, permanently divided, would become little less than impediments in the pathway of human progress.

It follows from the very necessity of the situation that, while on the one hand, the legislature should see with jealous care that the privileges conferred on these bodies are not used for dishonest or oppressive purposes, on the other it should be careful to observe that by unfair legislation their opportunities for the accomplishment of the legitimate purposes for which they are created are not unnecessarily crippled.

All that seems necessary to unite the real interests of these parties, each of which is dependent upon the prosperity of the other for success, is a fair and just administration of the laws already enacted, and such reasonable amendments—if any are required—as experience may demonstrate are necessary for an honorable adjustment of the rights of each upon the basis of absolute fairness to both.

RAILROADS.

It has been the policy of this state to encourage the construction of railroads. The wisdom of such a policy is evidenced by the rapid growth of the system and the great benefits arising from it to the various interests of all our people. We have today three thousand and thirty-one (3,031) miles of railway in operation in the state, yet our people will hardly be satisfied until every county in the state is intersected by railroads. During the past two years the assessed valuation of railways has increased from twelve million dollars (\$12,000,000) to seventeen million dollars (\$17,000,000).

Many questions have arisen and from the necessity of the case will continue to arise between the shipper and the companies. But it is a notice-

able fact, and a gratifying one, that friction between the people and the railroads is becoming less frequent with each year and largely from the fact that they are approaching each other more closely as they more clearly recognize the rights and interdependence of each.

CONSTITUTIONAL AMENDMENTS.

The proposed amendment to section 179 of the constitution of the state, as submitted to the voters at the last election, was endorsed by such a majority as to leave no doubt as to the wishes of the people in the matter of the proposed legislation.

When one considers the fact that the past three administrations (and each of them have been economical) have closed with a shortage of greater or less magnitude, the duty of this body, in the light of the vote for the amendment, and of the conditions of the revenues, is clear and plain. Since the revenues of the state are not sufficient to meet the legitimate and necessary expenditures, then such legislation should be enacted as will cure the defect.

This amendment to the constitution will enlarge the scope of the taxable property within the state, to a considerable extent, and this body should, in a reasonable, just and equitable manner, enact such legislation as will meet the scope of the proposed amendment, and, in so doing, reflect the expressed will of the people.

PRIMARY ELECTION.

If there is one duty more clearly defined than all others, which every citizen of sufficient intelligence to exercise the elective franchise owes his state, it is that which requires that he weigh, with unbiased care, the political issues his vote must help to determine, and conscientiously form his own opinion as to how it should be settled, and then cast his ballot in accord with his deliberate judgment.

The majority, if left to settle political questions uninfluenced, except by legitimate argument as to the correctness of the principles advocated, will always settle them right.

Under a representative form of government the people should have free choice of their representatives. Any obstacle to such freedom of choice should be removed. The direct vote of the man who holds the ballot in his hand, for party candidates, is the best and simplest means of expressing preference for those whom he prefers to hold places of public trust. If the people make mistakes they alone are to be held responsible. The cause of error in this case is easily ascertained and the specific remedy is easily applied.

The direct vote and the Australian ballot system is of less cost to the people than that of the convention system and more certain to express the untrammelled will of the majority. I, therefore, recommend the passage of some form of a primary election law.

PROHIBITION.

Notwithstanding the adverse opinions and unfriendly criticisms indulged in by its opponents, there is no doubt the prohibitory law has been reasonably successful. That the principle of the law is still dominant must be conceded and the people remain firm in the determination that prohibition must continue the order of the state, as they remain equally firm in their faith that the pledges of the republican party will be kept. I am aware that the law is violated in very many places, but this argues nothing for its repeal—the same may be said as regards the law against burglary and other graver crimes, yet none desire their modification.

Penal statutes are never self-supporting, but must depend upon individual effort as well as a quickened and approving public conscience. It will not do to say that the party making a law has sole responsibility for

its success, although they should be active in this respect. Whatever the law it belongs to all alike.

Law is but a reflection of public sentiment and the enforcement of law will always depend upon the action of the people. Experience has fully demonstrated that the enforcement of any law, in opposition to the pronounced sentiment of the community, can not long be successfully accomplished. Whenever the people in any community demand the enforcement of a law their voice will be heard. Without the support of public sentiment the efforts of the officers to enforce the law will not be crowned with success.

All laws ought to be enforced, for the open violation of any law is demoralizing to the public conscience. It breeds a disregard of all law, which is dangerous to the community. In this country the law is supreme. It is the governing power, and a disregard of the law is a disregard of the government itself. A continuation of the open violation of any law can only result in evil to the state. The duty of every officer is plain; the legislature declares what the law shall be; it is the duty of every officer to enforce, and of the people to obey it, until public opinion is clearly against its enforcement, in which case it should be repealed.

Singularly enough the law for the suppression of the liquor traffic has had to contend not only against its natural enemies, but to apologize for some of its friends whose acts have really been both deadly in character and hurtful in influence. And yet, struggling with all these elements, the law has, in a large measure, sustained itself.

I am persuaded there is less liquor drinking in North Dakota; less of crime, the outgrowth of its sale and use; less of suffering resultant from the traffic, and, therefore, more of public and private good. All of this, in my judgment, should stimulate its better enforcement.

GOVERNOR F. B. FANCHER.

The serious illness of Governor Fancher during his term of office was a matter of the deepest regret to the people of the entire state. When he left in September last he was in such a condition physically as to cause genuine alarm to his friends throughout the state. Letters of recent date, however, are of a nature that indicate his rapid recovery and that he hopes to be able to return to the state fully recovered by the early spring. This information will I am sure be a matter of much satisfaction to this body and to the people of the state in general.

PARDONS.

John Lannes, sentenced June, 1898, for the term of one year and three months for the crime of "bigamy." Pardoned April 11, 1899.

Edgar Day, sentenced September, 1897, for the term of two years for the crime of forgery. Pardoned on the 24th of April, 1899.

George E. Rand, sentenced May, 1896, for the term of four years for the crime of "assault with intent to commit rape." Pardoned July 11, 1899.

Guy Martin, sentenced March, 1899, for the term of one year and three months for the crime of "assault and battery with a dangerous weapon." Pardoned November 22, 1899.

Iver Jacobson, sentenced June, 1897, for three years for the crime of "embezzlement." Pardoned January 19, 1900.

Frank McKnight, sentenced March, 1899, for the term of one year and seven months for the crime of "assault with intent to commit robbery." Pardoned March 1, 1900.

William Lester, sentenced October, 1899, for the term of one year for the crime of "grand larceny." Pardoned April 18, 1900.

Gust Johnson, sentenced November, 1899, for the term of one year for the crime of "embezzlement." Pardoned May 4, 1900.

John Schelke, sentenced May, 1899, for the term of ten years for the crime of "arson." Pardoned June 1, 1900.

Spencer E. Percival, sentenced October, 1899, for the term of one and one-half years for the crime of "embezzlement." Pardoned November 27, 1900.

Oscar Falck, sentenced May, 1899, for the term of four years, for the crime of "grand larceny." Pardoned November 3, 1900.

Dolph Rodefer, sentenced July, 1900, for the term of one year for the crime of forgery. Pardoned December 18, 1900.

John Folsom, sentenced August, 1898, for the term of three years for the crime of "robbery in the first degree." Pardoned January 5, 1900.

COMMUTATIONS.

Walter W. Goode, sentenced on the 15th of December, 1899, for the term of one year for the crime of "escaping from the state penitentiary." Sentence commuted to a term of imprisonment expiring on the 21st day of December, 1899.

George Mitchell, sentenced on the 11th day of July, 1899, for the term of five years for the crime of "burglary in the second degree." Sentence commuted to a term of imprisonment expiring on the 20th day of August, 1900.

John A. Scott, sentenced in October, 1896, for the term of ten years for the crime of "manslaughter." Sentence commuted to a term of imprisonment expiring on the 26th day of October, 1900.

RESTORATION OF CITIZENSHIP.

Floyd Hevener, sentenced June, 1897, for the crime of "burglary." Restored to citizenship February 7, 1899.

Thomas Ford, sentenced December, 1895, for the crime of "manslaughter." Restored to citizenship February 14, 1899.

William R. Ross, sentenced April, 1898, for the crime of "grand larceny." Restored to citizenship February 18, 1899.

George Thor, sentenced February, 1898, for the crime of "maintaining a common nuisance in violation of the prohibition law." Restored to citizenship March 9, 1899.

P. A. Havervold, sentenced May, 1898, for the crime of "embezzlement." Restored to citizenship March 22, 1899.

John Anderson, sentenced December, 1897, for the crime of "grand larceny." Restored to citizenship March 25, 1899.

John Keegan, sentenced March, 1895, for the crime of "assault and battery with intent to kill." Restored to citizenship April 10, 1899.

J. A. Ferris, sentenced February, 1893, for the crime of "grand larceny." Restored to citizenship April, 10, 1899.

John O'Brien, sentenced November, 1895, for the crime of "assault and battery with a dangerous weapon with intent to do bodily harm." Restored to citizenship May 23, 1899.

Carl Hoppe, sentenced May, 1898, for the crime of "grand larceny." Restored to citizenship June 2, 1899.

V. B. Vale, sentenced September, 1898, for the crime of "embezzlement." Restored to citizenship July 3, 1899.

William Douglas Spencer, sentenced January, 1895, for the crime of "manslaughter in the first degree." Restored to citizenship July 12, 1899.

George Pennell, sentenced May, 1898, for the crime of "grand larceny." Restored to citizenship July 18, 1899.

Carl Hansey, sentenced November, 1897, for the crime of "grand larceny." Restored to citizenship July 18, 1899.

Scott McKenzie, sentenced November, 1897, for the crime of "assault with a dangerous weapon." Restored to citizenship July 26, 1899.

Earnest Francois, sentenced October, 1898, for the crime of "grand larceny." Restored to citizenship on the 15th day of August, 1899.

Bert Huntley, sentenced June, 1898, for the crime of "grand larceny." Restored to citizenship September 16, 1899.

Ulic Chilkoff, sentenced May, 1897, for the crime of "grand larceny." Restored to citizenship November 6, 1899.

Patrick McNamara, sentenced December, 1895, for the crime of "assault with a deadly weapon with intent to kill." Restored to citizenship November 6, 1899.

George Morris, sentenced January, 1899, for the crime of "maintaining a common nuisance." Restored to citizenship November 20, 1899.

Loyal Bottleson, sentenced February, 1899, for the crime of "grand larceny." Restored to citizenship December 2, 1899.

Lee Allen, sentenced June, 1897, for the crime of "grand larceny." Restored to citizenship November 11, 1899.

Walter W. Goode, sentenced November, 1897, for the crime of "grand larceny." Restored to citizenship December 18, 1899.

John Rodgers, sentenced November, 1896, for the crime of "grand larceny." Restored to citizenship February 27, 1900.

Clarence S. Paulding, sentenced December, 1898, for the crime of "grand larceny." Restored to citizenship March 3, 1900.

Alfred Thompson, sentenced March, 1898, for the crime of "grand larceny." Restored to citizenship April 1, 1900.

William Murphy, sentenced June, 1898, for the crime of robbery. Restored to citizenship April 13, 1900.

Lawrence Hyde, sentenced June, 1892, for the crime of "rape in the first degree." Restored to citizenship April 20, 1900.

George Boe, sentenced November, 1897, for the crime of "grand larceny." Restored to citizenship May 2, 1900.

Ed McKinney, sentenced May, 1898, for the crime of "grand larceny." Restored to citizenship May 31, 1900.

Willie Carter, sentenced July, 1899, for the crime of "grand larceny." Restored to citizenship August 15, 1900.

F. W. Bixby, sentenced June, 1897, for the crime of "escaping from county jail." Restored to citizenship August 18, 1900.

William J. Levine, sentenced January, 1898, for the crime of "grand larceny." Restored to citizenship September 12, 1900.

Jack Venable, sentenced February, 1898, for the crime of "assault with a dangerous weapon with intent to do bodily harm." Restored to citizenship August 21, 1900.

B. R. Fulton, sentenced November, 1899, for the crime of "burglary." Restored to citizenship September 24, 1900.

Norman Markuson, sentenced December, 1897, for the crime of "criminal contempt of the district court." Restored to citizenship September 25, 1900.

James Shortall, sentenced December, 1899, for the crime of "embezzlement." Restored to citizenship October 26, 1900.

Henry G. Hall, sentenced May, 1898, for the crime of "killing one cow." Restored to citizenship October 26, 1900.

Alexander Dailey, sentenced May, 1898, for the crime of "grand larceny." Restored to citizenship October 25, 1900.

CONCLUSION.

There exists no more responsible trust than that of the legislator. The duties before you are grave and earnest. Good laws are the best legacy which one generation can leave to another and on your action may depend the woes and blessings of thousands yet unborn. You were not sent to serve your own interests or those of any party, or class, or sect, but solely the interests and the welfare of the state. You should never forget that the people are the source of all power, and that while you make the laws for them as their representatives, a moral and intelligent public sentiment should be a law to you.

You should place the burden of taxation upon the shoulders of all, and while making sufficient appropriations for the constantly growing demands of the state, should dispose of the public funds with the utmost care and vigilance. You should be prudent managers of the state, carefully regulating its expense by its income and should refuse to yield when besieged to make appropriations for purposes to which to give state aid would be beyond your legitimate sphere of action.

I earnestly hope that your united efforts may be crowned with success. That you will accomplish much is the hope of those that have honored you—of those you will honor—if, when your work is done, the Great Master of all, the Architect and Builder of that system of divine laws whose chief interpreter is the conscience of man, pronounces it "Well done!"

At the conclusion of the message of ex-Governor Devine the president of the senate introduced Governor White, who delivered his inaugural address, as follows:

The very able and complete message of the retiring governor, together with the reports of the state officers, which will be placed upon your desks, fully inform you of the condition of the state and of its various institutions.

I desire to call your attention principally to the one subject that I deem to be of the most importance for your consideration at this session, namely,

THE FINANCES OF THE STATE.

The makers of our constitution in their wisdom saw fit to place a very low and inflexible limit to our state indebtedness, at the same time they permanently located a large number of state institutions. They liberally endowed them with grants of land, which grants, however, were not available for the building up of these institutions and your predecessors have built them up largely from taxation.

These institutions are a great credit to our state and I believe are not in advance of our needs, but they are, perhaps, in advance of our ability to secure, by taxation, under the existing laws, means to build, equip and maintain them, and provide for their growth. Almost since statehood our expenditures have exceeded our receipts and as an inevitable result our debt limit was soon reached and we have for some time had an empty treasury and bills long past due.

On January 1st, 1895, by reason of excessive appropriations and a lack of revenue there were due and unpaid claims against the state amounting to about \$130,000. The governor that year vetoed appropriations amounting to more than \$100,000, and a number of your institutions were supported for two years by private subscription and yet this administration begins the new century with an empty treasury and \$150,000 of unpaid vouchers. Besides, all this time we have levied taxes up to the limit permitted by law.

Gentlemen of the Legislative Assembly: we owe a duty to our constituents to amend this condition and to place our state in a position to pay all claims on demand.

There are but two ways this can be done; either we must materially increase our receipts or we must materially cut down our expenditures, or both. The former we can ill afford to do on the heels of an almost complete failure of crop. There is a natural increase of the revenues but on account of this failure of crop I believe the receipts for the past two years are a fair index of the probable revenues for the ensuing two years. This amounts in round numbers to \$935,000. Our expenditures based upon the present laws and the appropriations of the last legislature.

amounts to \$962,000 or nearly \$30,000 more than the probable revenues. These expenditures are of three classes:

First: The standing appropriations, the amounts of which are fixed and limited by law. These at the present time, for the biennial period, amount to \$386,000.

Second: The standing appropriations, the amounts of which are unlimited and are governed by the operation of the law. These we can quite accurately estimate from the amount of previous years and will probably be \$250,000, and,

Third: The biennial appropriations of the legislature, which vary with the needs of the state institutions. The appropriations of this class for the past two years amount to \$326,000.

You will notice that more than two-thirds of these expenditures arise under the first two classes or from the operation of our standing appropriations and I believe that by reason of the imperfect knowledge, by our legislators, of the amounts appropriated by these appropriations, is due the fact that our expenditures have so often exceeded our receipts. I do not believe that this or any other of our legislative assemblies would deliberately and with knowledge appropriate more money than they reasonably might expect to receive from our ordinary sources of revenue.

That such appropriations have been made more than once, the record of our unpaid bills is the indisputable proof. I am opposed to the appropriation of money by standing appropriations; and believe where possible, all appropriations should be made in specific amounts and that every dollar of the revenue should be paid out on bills acted upon every two years. It was undoubtedly the intention of our constitution makers that a "general appropriation bill, embracing the expenses of the executive, legislative and judicial departments of the state, interest on the public debt and for public schools" be passed at each session and that all expenditures be authorized and based upon the condition of the treasury and the probable receipts. Your predecessors have been kind to you. They have appropriated more than two-thirds of your revenue and have also left you a legacy of \$150,000 of unpaid bills.

Gentlemen, I believe this to be all wrong. You are held responsible for the financial condition of the state for the next two years and every expense of the state should pass in review before you. Wipe every standing appropriation from the statutes, take a fresh start and let us see if the finances of the state cannot be placed and kept on a business basis.

In line with this idea and as a basis for your consideration I submit to you the following recommendations for the appropriations for the ensuing two years in lieu of all other appropriations.

APPROPRIATIONS RECOMMENDED.

Purposes	Amount Recommended	Old Appropriation, or Law
Salaries and Expenses State Officers.....	\$ 43,200	\$ 43,200
Salaries of Supreme and District Judges....	73,000	73,000
Salaries of Examiner, deputy and Assistant..	7,600	10,000
Salaries and Expenses of Land Office.....	10,000	10,000
Salaries and Expenses of Adjutant General...	1,000	3,000
Salaries and Expenses Supt. Irrigation and For.		3,000
Salaries and Expenses District Veterinarians (9)		10,800
Salaries Supt. State Board of Health.....	1,000	1,800
Clerk Hire State Officers	41,000	41,000
Clerk Hire and Stenographer Supreme Court..	4,400	4,400
Office and Traveling Expenses R. R. Com....	2,600	2,600
Traveling Expenses Supt. Pub. Instruction...	1,200	1,200
Advertising, Leasing School Lands.....		9,000
Expenses of State Geologist	600	600

Purposes	Amount Recommended	Old Appropriation, or Law
Conducting Teachers' Institutes	\$ 2,000	\$ 2,000
Educational Library	600	600
Traveling School Library		1,500
State Library, Care and New Books.....	3,000	3,000
Document Fund	400	400
State Weather Bureau		1,000
Wool Market	400	400
Militia	22,000	22,000
Resident Officers Insane Hospital.....	12,800	12,800
Cruelty to Animals		1,000
State Fair		2,500
Expenses Chief Veterinarian	1,000	1,000
Maintenance of Capitol	32,000	40,000
Public Printing	30,000	50,000
Interest on State Institution Bonds.....	6,300	6,300
Aid to High Schools		8,000
Contingent Fund	1,000	1,000
Relief of Needy Settlers		14,000
Immigration Fund	1,000	1,000
Salaries and Exp. Asst. Dairy and Food Com..		3,200
Legislative Assembly	52,000	70,500
Insurance Public Buildings		12,000
Two per Cent to Fire Companies.....	12,500	12,500
Aid to Fire Associations	2,000	2,000
Transportation of Insane and Convicts.....	25,000	25,000
Arrest of Fugitives from Justice.....	2,500	2,500
Care of Convicts in Reform School.....	7,500	7,500
Care of Blind	2,500	2,500
Expenses of Boards	10,500	10,500
Expense of Public Examiner and Deputy.....	3,000	3,000
Bounties and Rewards		6,000
State University	70,000	98,000
Insane Asylum	110,300	110,300
Agricultural College	28,000	27,700
Deaf and Dumb School	25,000	47,000
State Normal, Mayville	28,000	22,300
State Normal, Valley City	28,000	25,500
Soldiers Home	14,000	14,000
Industrial School	15,000	7,000
Penitentiary	60,000	64,400

\$797,900 \$956,100

This is \$158,000 less than the estimated expenditures based upon the standing appropriations and those of last session and if passed at about the foregoing figures will keep us well within the revenue and clean up a large part of our floating debt. I have prepared these recommendations upon the conviction that it is absolutely necessary to retrench and with the desire to do so with the least possible injury to the public service. My reasons for some of them are as follows:

IRRIGATION AND FORESTRY.

The office of superintendent of irrigation and forestry was repealed by omission from the code of 1895 but has been held to be in force and I recommend that it be repealed by specific act and that the duties be assigned to the agricultural college where the facilities at command of that institution will permit of a more extensive and complete line of work without additional cost to the state.

DISTRICT VETERINARIANS.

In lieu of the present district veterinarians a law providing for a county veterinarian along the lines of the provision for county physicians would accomplish the purpose much more efficiently and with very little expense to the county.

PUBLIC PRINTING.

The last legislative assembly limited the amount of public printing to \$30,000, but failed in any way to modify the laws in order to bring it within that amount and in addition authorized the publication of the Revised Codes of 1899. Under the present law all the state officers are required to make biennial reports to the governor. These reports the law requires to be printed. They are in most cases largely copies of public records and a summary would present the information in a more accessible and convenient form for the public use. A provision that such a summary may be printed in place of the entire report would reduce the cost to some extent. The number of these reports might be largely reduced and still meet all demands.

LEGISLATIVE EXPENSES.

The clerk hire and expenses of the legislative assembly is a matter that is closer to you perhaps than any other. I desire to call your attention to this question and compare the expenses of the different sessions. In the session of 1891, the clerk hire amounted to \$19,706; the usual amount of business was done; there were clerks enough and to spare, to my own knowledge in that session we had clerks who did no work except to sign the pay roll. The total expenses of that session, including committee rooms was \$52,949. Clerks were then paid \$1 more per day than now. So it seems to me that the expenses of this assembly should not exceed \$52,000. If you proceed according to the law now upon the statutes in this matter it will be considerably less than \$50,000. The state needs every dollar that can be saved and I commend this to your earnest attention.

STATE UNIVERSITY.

At the last session a law was passed providing for a standing appropriation for the state university to be an amount annually equal to two-fifths of a mill on the dollar of the assessed valuation of the state. By the operation of this law the amount appropriated to this institution is much more than has been appropriated to it by previous legislatures.

In 1891 there was appropriated.....	\$ 60,700
In 1893 there was appropriated.....	73,920
In 1895 there was appropriated.....	60,000
In 1897 there was appropriated, and deficiency.....	58,200
In 1899 there was appropriated, (this law).....	85,000
In 1900 there will be appropriated (estimated).....	98,000

This is more than the actual needs for the maintenance of this institution and the condition of the treasury, it seems to me, does not now warrant the erection of any new state buildings.

INSURANCE ON PUBLIC BUILDINGS.

Since we became a state it has been the law and policy of those in authority to fully insure all our public buildings and during this time we have paid to insurance companies, in premiums \$44,590, more than we have secured from losses. This state is strong enough to carry its own insurance. The \$6,000 paid annually to insurance companies would, if set aside for the purpose, soon create a fund that would much more than

replace our losses. If you see fit to repeal this law I would recommend that you pass a contingency appropriation to rebuild any building that may be destroyed by fire.

ADVERTISING, LEASING, SALE AND APPRAISING SCHOOL LANDS.

Our school lands are leased at a very low figure and in addition to the minimum rate and in all cases I believe that a fee should be charged sufficient to cover all expenses of this department, this fee would not be large and those who would pay it could well afford to do so.

I have asked for an increase of the contingent fund in lieu of the appropriation for "rewards" and for the "relief of needy settlers." Quite a number of officers have received no recommendations for appropriations with a view that they be abolished. I believe they would not be missed.

Members of this assembly, this financial question is of more importance to the welfare of our people than all others that will come before you and I submit it to you with the request that you give it your thoughtful and early consideration.

APPORTIONMENT.

The extraordinary and unequal growth of the state during the past ten years as shown by the census of this year render it necessary to reapportion the legislative districts of the state in order that all parts be equally represented. The census of the state by townships will be placed before you as soon as the report can be obtained from the department. In the interest of economy I think there should not be a very great increase in the number of the members.

Our population will probably entitle us to another congressman. A measure providing the manner of electing our congressmen in anticipation of that increase would be advisable.

Two amendemnts to our constitution were adopted at the last general election. Such legislation as is necessary to carry them into effect should be enacted.

PAN-AMERICAN EXPOSITION.

During the coming summer there will be held at the city of Buffalo, N. Y., an exposition of the republics of the western continent. From the reports received of the great preparation being made for this exhibit, am satisfied this would be a good opportunity for this state to place the knowledge of her undeveloped resources before a great many home-seekers of our eastern states. I would be much pleased if some method could be devised whereby, without too great expense we could make a creditable showing at that exposition.

In conclusion let me assure you of my desire to assist you in every manner possible in the interest of good legislation. Let us give to the state the best service of which we are capable and co-operate to the end that this administration be wise and just.

Respectfully submitted,

FRANK WHITE,
Governor.

Bismarck, N. D., Jan. 8, 1901.

Mr. Simpson moved

That the joint session do now dissolve.

Which motion prevailed, and

The joint session dissolved.

House reassembled.

The oath of office was administered by the speaker to the follow-

ing assistant engrossing and enrolling clerks: W. F. Gaulke, S. H. Little, Lyman Brandt, Ole Hanson assigned to bill room, Kate Gallagher, J. C. Adamson, E. K. Ramsey, Halvor Torgeson, Geo. A. Monteith, Geo. Lutz, Karl H. Smith, G. A. Stetmore, F. A. McDonald.

Mr. Chacey moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 10, 1901.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Gulack, Hammond and Bacon, who were excused.

REPORT OF SPECIAL COMMITTEE.

The special committee on revision and correction of the Journal made the following report:

Mr Speaker:

Your committee on revision and correction of the Journal beg leave to report as follows:

On pages 1, 2, 4 "Lerum" should be spelled "Lerom."

On page 5, line 4, Mr. Hammond was excused on account of illness.

In line 11, page 8, the word "educational" was misspelled.

In line 12, page 26, "1900" should be "1901."

In line 48, page 9, the word "fifty" was misspelled; also, in line 56 the word "value" was misspelled.

In line 49, page 11, the word "bore" should be "borne."

In line 40, page 13, the word "efficient" is misspelled."

In line 24, page 15, the word "state" is misspelled.

In line 14, page 17, the word "station" is misspelled.

All of which is respectfully submitted.

G. A. WILLISON,
C. A. HALL,
Committee.

Mr. Sargeant moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The speaker administered the oath of office to Mrs. Georgia Packard and W. J. Freede as assistant engrossing and enrolling clerks.

MOTIONS AND RESOLUTIONS.

Mr. Tufte offered the following resolution and moved its adoption:

Resolved, That the secretary of state is hereby instructed to furnish the speaker and the chief clerk of the house with necessary postage stamps during this session.

Which motion prevailed, and
The resolution was adopted.

Mr. Reade moved
That the rules be suspended and the report of the special committee be now considered by the house,
Which motion prevailed.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committee on mileage and per diem find the members entitled to the following mileage:

Name	Miles.	Amt.
Allhouse	84	\$ 8 40
Anderson	548	54 80
Axvig	716	71 60
Bacon	544	54 40
Bennett	654	65 40
Bjornson	436	43 60
Brisbin	544	54 40
Cassell	430	43 00
Chacey	416	41 60
Chaffee	288	28 80
Chevalier	692	69 20
Davis	780	78 00
Dickson	642	64 20
Dwire	530	53 00

Name	Miles	Amt.
Galbraith	544	\$54 40
Gronvold	768	76 80
Gulack	500	50 00
Gullikson	624	62 40
Hall	586	58 60
Hare	2	20
Hammond	820	82 00
Heath	442	44 20
Hill	350	35 00
Hjelmstad	548	54 80
Johnson	540	54 00
Keeler	234	23 40
Leech	388	38 80
Lemke	806	80 60
Lerom	504	50 40
Mallough	364	36 40
McClure	194	19 40
McLean	802	80 20
Michels	728	72 80
Miller	606	60 60
Morgan	448	44 80
Nelson	456	45 60
Niven	324	32 40
Nicholson	700	70 00
Packard	10	1 00
Palmer	876	87 60
Parr	640	64 00
Phifer	254	25 40
Ramsett	314	31 40
Reade	2	20
Restemayer	694	69 40
Rose	424	42 40
Sargeant	492	49 20
Severson	418	41 80
Stafne	458	45 80
Strutz	358	35 80
Swarthout	672	67 20
Thomas	460	46 00
Thordarson	686	68 60
Tubbs	388	38 80
Tufte	480	48 00
Wade	140	14 00
Watts	728	72 80
Watson	362	36 20
Willison	468	46 80
Winslow	480	48 00
Young	274	27 40
Pollock (speaker)	388	38 80

Respectfully submitted,

A. M. PACKARD,
 G. O. GULACK,
 E. H. RESTEMAYER,
 JAMES MICHELS,
 T. J. DWIRE,

Committee.

The question being on the adoption of the report.

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hjelmstad,	Reade,
Anderson,	Johnson,	Restemayer,
Axvig,	Keeler,	Rose,
Bennett,	Leech,	Sargeant,
Bjornson,	Lemke,	Severson,
Brisbin,	Lerum,	Stafne,
Cassell,	Mallough,	Strutz,
Chacey,	McClure,	Swarthout,
Chaffee,	McLean,	Thomas,
Chevalier,	Michels,	Thordarson,
Davis,	Miller,	Tubbs,
Dickson,	Morgan,	Tufte,
Dwire,	Nelson,	Wade,
Galbraith,	Niven,	Watts,
Gronvold,	Nicholson,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Winslow,
Hare,	Parr,	Young,
Heath,	Phifer,	Mr. Speaker,
Hill,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Gulaek,	Hammond,

Mr. Reade made the following report and moved its adoption:

Mr. Speaker:

Your committee on the selection of necessary committee rooms beg leave to make the following report:

That we have secured for the use of the speaker and journal clerk one room in the Patterson building, on Main street, heated and lighted for the session at \$47.50, and your committee recommend the appointment of Mr. E. S. Pierce as janitor of the same.

Your committee ask leave to report further when all of the committees shall have been appointed and they more thoroughly understand the needs of this house.

Respectfully submitted,
H. L. READE,
T. W. ALLSHOUSE,
W. A. McCLURE,
 Committee.

Which motion prevailed, and
 The report was adopted.

Mr. Heath offered a concurrent resolution and moved its adoption:

Mr. Hare moved

That the resolution be returned to Mr. Heath for correction,
 Which motion prevailed.

Mr. Chacey offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Whereas, Owing to the financial condition of the state of North Dakota and recommendations of the governor, therefore be it

Resolved, By the house of representatives, the senate concurring, that the seventh legislative assembly shall consist of fifty days.

Mr Hare moved

To amend the resolution to read "thirty" days instead of "fifty" days.

The question being on the amendment,

The motion was lost.

The question being on the original motion.

Roll call was demanded.

The roll was called and there were ayes 43, nays 14, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Hall,
Hare,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerum,
Mallough,
Michels,
Miller,
Morgan,
Nelson,
Niven,
Palmer,
Phifer,
Ramsett,

Messrs.—

Restemayer,
Sargeant,
Severson,
Staffne,
Swarthout,
Thorvarson,
Tubbs,
Tufte,
Wade,
Watfs,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those who voted in the negative were:

Messrs.—

Allshouse,
Axvig,
Bennett,
Dickson,
Gullikson,

Messrs.—

McClure,
McLean,
Nicholson,
Packard,
Parr,

Messrs.

Reade,
Rose,
Strutz,
Thomas,

Absent and not voting:

Bacon,

Gulack,

Hammond,

Messrs. Michels and Miller being excused.

Mr. Heath offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Whereas, It has generally been the custom of every legislative assembly of this state to appoint a committee to visit the several state institutions to see what their needs may be and as to how they are managed, and any other matters that might come up before the committee from the legislature;

And, whereas, it has been the custom of this committee to report to the legislature as to the condition of the several state institutions and as to their needs in the way of appropriation; therefore, be it

Resolved, That the house of representatives, the senate concurring, appoint a committee of five, three to be appointed by the speaker of the house, and two to be appointed by the president of the senate.

Mr. Davis offered as a substitute resolution the following and moved its adoption:

CONCURRENT RESOLUTION.

Resolved, That a committee of three from the house be appointed by the speaker of the house to act in conjunction with a like committee from the senate and visit the several public institutions of the state to ascertain their requirements and report to the legislative assembly at some time during session; but that no representative shall be appointed in whose county there is a state institution located.

Mr. Hare moved

That further consideration of this matter be postponed until tomorrow at 3 o'clock.

Which motion prevailed.

Mr. Tufte offered the following concurrent resolution and memorial and moved its adoption.

CONCURRENT RESOLUTION AND MEMORIAL.

Concurrent resolution and memorial of the senate and house of representatives of the state of North Dakota to the senate and house of representatives of the United States, asking for the election of a United States senator by a direct vote of the people.

Whereas, Experience has demonstrated that the interests of the people would be best served by the election of United States senators by the vote of the people of the various states; therefore, be it

Resolved, By the house of representatives of the state of North Dakota, the senate concurring, that our representatives in congress are hereby requested to use all honorable means to secure the submission of an amendment to the constitution of the United States providing for the election of United States senators by the direct vote of the people.

Resolved, further, That copies of this resolution, properly attested, be sent to our representatives in congress of the United States. And be it hereby further

Resolved, That a copy of the foregoing resolution, duly signed and certified, be sent to the proper officials of the several states in the union, together with the request, hereby expressed, that such resolution be laid before the legislative assembly of each such state, to be by it approved at discretion thereof, and notice of such approval communicated when given to the senators and representatives acting for such states in the congress of the United States.

Which motion prevailed, and

The resolution was adopted.

INTRODUCTION OF BILLS.

Mr. Leech introduced

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Which was read the first time.

Mr. Leech introduced

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Which was read the first time.

Mr. Leech introduced

House bill No. 3,

A bill for an act entitled an act to provide for the exemption of property used exclusively for religious purposes from taxation.

Which was read the first time.

Mr. Leech introduced

House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

Which was read the first time.

Mr. Leech introduced

House bill No. 5,

A bill for an act entitled an act to provide for directors and officers of religious corporations.

Which was read the first time.

Mr. Thomas introduced

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Which was read the first time.

Mr. Allshouse introduced

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota, relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

Which was read the first time.

Mr. Rose introduced

House bill No. 8,

A bill for an act concerning land titles.

Which was read the first time.

The speaker administered the oath of office as assistant engrossing and enrolling clerks to W. L. Gill and George Strong.

Mr. Gronvold moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,

Chief Clerk.

FOURTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 11, 1901.

The House assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Bjornson, Gulack, Hammond and Hjelmstad.

Mr Tufte explained that Mr. Hjelmstad was ill, and was therefore excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the third day and found no corrections.

J. D. BACON,

Chairman.

Mr. Reade moved

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

MOTIONS AND RESOLUTIONS.

Mr. Restemayer moved

That the sergeant-at-arms be instructed to immediately procure and have placed on each member's desk his name and the name of the county in which he resides, and to have same in such type and so placed as to be readily seen from the speaker's desk.

Which motion prevailed.

EXECUTIVE COMMUNICATION.

The following message was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 11, 1901.

To the House of Representatives:

Gentlemen: I have the honor to inform you that I have appointed C. W. Getchell, of Valley City, N. D., my private secretary.

Very respectfully yours,

FRANK WHITE,
Governor.

Mr. Young moved

That the courtesies of the floor be extended to E. W. Brown, mayor of the city of Rockford, Ill.; Mrs. Brrwn, Mr. and Mrs. Edward Winterer, Colonel and Mrs. A. P. Pake, Miss Louise Winterer, and Miss Jennie McDonald of Valley City.

Which motion prevailed, and

The courtesies of the floor were so extended,

INTRODUCTION OF BILLS.

Mr. Watts introduced

House bill No. 9,

A bill for an act providing for an appropriation to pay expense of construction of drains through school lands situated in Pembina county.

Which was read the first time.

Mr. Morgan introduced

House bill No. 10,

A bill for an act entitled an act to amend section 446 of article 10, chapter 7 of the Revised Codes of 1899, relating to the drawing of jurors.

Which was read the first time.

Mr. Morgan introduced

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

Which was read the first time.

Mr. Chaffee introduced

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

Which was read the first time.

Mr. Nelson introduced

House bill No. 13,

A bill for an act to amend section 1891, article 6 of chapter 26 of the Revised Codes of 1899.

Which was read the first time.

Mr. Chacey introduced

House bill No. 14,

A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves.

Which was read the first time.

Mr. Davis introduced

House bill No. 15,

A bill for an act to amend section 960 of the Revised Codes of North Dakota relating to residents entitled to education free.

Which was read the first time.

Mr. Davis introduced

House bill No. 16,

A concurrent resolution amending subdivision 5, section 215 of article 19 of the constitution of the state of North Dakota.

That the following amendment to the constitution of the state of North Dakota be amended by the seventh legislative assembly of the state of North Dakota and submitted for approval to the eighth legislative assembly, to-wit:

Sub-division 5, section 215 of article 19 of the constitution of the state of North Dakota is amended to read as follows:

Fifth—The school for the deaf of North Dakota at the city of Devils Lake, in Ramsey county.

Which was read the first time.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 11, 1901.

Mr. Speaker:

I have the honor to transmit herewith a concurrent resolution:

CONCURRENT RESOLUTION.

Be it resolved by the house, the senate concurring, that when we adjourn we adjourn until January 16th.

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

GEORGE L. TOWNES,
Secretary.

Mr. Cassell moved
That the house concur in the senate resolution.
Which motion prevailed, and
The resolution was concurred in.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 11, 1901.

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 12,

A bill for an act to amend section 28 of the Revised Codes of North Dakota, 1899, the same being chapter 104 of the session laws of 1899, relating to legislative officers and employes and their compensation.

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

GEORGE L. TOWNES,
Secretary.

Mr. Hare moved

That the rules be suspended and senate bill No. 12 be taken out of its regular order, given its first and second reading and referred to a special committee of five.

Which motion prevailed, and

Senate bill No. 12 was given its first and second reading and referred to a special committee consisting of Messrs. Hare, Mallough, Bennett, Nicholson and Keeler.

The speaker administered the oath to the following enrolling and engrossing clerks: John E. Veon, George Haas and William M. Anderson, and to E. S. Pierce, janitor.

Mr. Tufte moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 16, 1901.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present excepting Messrs. Axvig, Gulack and Restemayer, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal asked for more time in which to make their report,
Which was granted.

Mr. Allshouse requested that the privileges of the floor be extended to Hon. J. L. Belden.

Mr. Nelson requested that the privileges of the floor be extended to Mr. A. T. Kraabel, of Clifford.

There being no objections, the courtesies of the floor were so extended.

The speaker announced the appointment of the following standing committees:

Committee on Rules—Messrs. Tubbs, chairman; Hall, Reade, Dwire, Chaffee, Thomas, Galbraith, Gullikson, Chevalier.

Committee on Judiciary—Messrs. Young, chairman; Cassell, Thomas, Galbraith, Restemayer, Nelson, Leech, Heath, Mallough, Hall, Michels, Davis, Bjornson, Gulack, Hare.

Committee on Ways and Means—Messrs. Cassell, chairman; Michels, Chacey, Watts, Thordarson, Willison, McLean, Nevin, Bjornson, Packard, McClure.

Committee on Railroads—Messrs. Bacon, chairman; Leech, Reade, Keeler, Chaffee, Nicholson, Gronvold, Cassell, Johnson, Morgan, Lerom, Tuftte, Swarthout, Thordarson, Watts.

Committee on Appropriations—Messrs. Hare, chairman; Willison, Chacey, Leech, Sargeant, Restemayer, Bacon, Ramsett, Stafne, Dwire, Nicholson, Watson, Strutz, Hammond, Packard.

Committee on Engrossment—Messrs. Watson, chairman; Allshouse, Palmer, Nevin, Hjelmstad, Mallough, Brisbin, Dickson, Chevalier.

Committee on Enrollment—Messrs. Sargeant, chairman; McClure, Chaffee, Axvig, Ramsett, Tubbs, Severson, Bennett, Parr.

Committee on Education—Messrs. Hall, chairman; Hare, Rose, Nelson, McLean, Cassell, Dwire, Morgan, Miller.

Committee on Election and Privileges—Messrs. Thordarson, chairman; Tuftte, Miller, Nelson, Phifer, Axvig, Michels, Keeler, Wade.

Committee on Municipal Corporations—Messrs. Reade, chairman; Nevin, McLean, Young, Thomas, Leech, Brisbin, Galbraith, Bennett.

Corporations Other than Municipal—Messrs. Michels, chairman; Wade, Young, Anderson, Johnson, Hill, Lerom, Parr, Gullikson.

Committee on Agriculture—Messrs. Chacey, chairman; Willison, Bennett, Parr, Hill, Stafne, Phifer, Winslow, Axvig, Davis, Keeler, Strutz, Allshouse.

Committee on Public Printing—Messrs. Morgan, chairman; Packard, Reade, Allshouse, Rose, Gronvold, Hill, Sargeant, Thordarson.

Committee on Irrigation—Messrs. Dwire, chairman; Dickson, Gullikson, Hjelmstad, Tubbs, Anderson, Axvig, Hammond, Wade.

Committee on Insurance—Messrs. Restemayer, chairman; Swarthout, Tuftte, Galbraith, Sargeant, Stafne, McLean, Chaffee, McClure.

Committee on Banking—Messrs. Johnson, chairman; Young, Gulack, Hare, McClure, Tubbs, Heath, Nelson, Swarthout.

Committee on Immigration—Messrs. Davis, chairman; Nevin, Bjornson, Hammond, McClure, Hall, Dwire, Bennett, Dickson.

Committee on Labor—Messrs. Brisbin, chairman; Dickson, Miller, Leech, Johnson, Anderson, Lemke, Nicholson, Wade.

Committee on Apportionment—Messrs. Leech, chairman; Chevalier, Restemayer, Swarthout, Miller, Tuftte, Bacon, Brisbin, Willison, Chacey, Mallough, Stafne, Johnson, Dwire, Young, Winslow, Hall, McLean, Lemke, Michels, Davis, Nevin, Keeler, Bjornson, Rose, Gulack, Hare, Hammond, Palmer, Packard, McClure.

Committee on Schools and Public Lands—Messrs. Watts, chairman; Miller, Tuftte, Nelson, Hill, Hall, Chaffee, Keeler, Packard.

Committee on Public Health—Messrs. Axvig, chairman; Watts, Gullikson, Miller, Galbraith, Severson, Phifer, Bjornson, Palmer.

Committee on Military Affairs—Messrs. Lemke, chairman; Chacey, Thomas, Hall, Michels, Hare, Dwire, Reade, Wade.

Committee on Warehouses, Grain Grading and Dealing—Messrs. Allshouse, chairman; Strutz, Bjornson, Watson, Keeler, McLean, Nicholson, Nevin, Dwire, Tubbs, Severson, Lerom, Bennett, Parr, Chevalier.

Committee on Federal Relations—Messrs. Thomas, chairman; Watts, Dickson, Gullikson, Brisbin, Lerom, Severson, Phifer, Anderson.

Committee on Mines and Mining—Messrs. Palmer, chairman; McClure, Hare, Gulack, Strutz, Chaffee, Nicholson, Heath, Parr.

Committee on Temperance—Messrs. Tufte, chairman; Willison, Mallough, Chevalier, Thordarson, Parr, Phifer, Davis, Packard.

Committee on State Affairs—Messrs. Gronvold, chairman; Young, Chaffee, Gulack, Hare, Morgan, Nelson, Restemayer, Watts.

Committee on Public Highways, Bridges and Ferries—Messrs. Severson, chairman; Chevalier, Parr, Hjelmstad, Ramsett, Winslow, Axvig, Rose, Palmer.

Committee on Supplies and Expenditures—Messrs. Heath, chairman; Bennett, Bacon, Tubbs, Anderson, Ramsett, Winslow, Lemke, Watson.

Committee on Forestry—Messrs. Hjelmstad, chairman; Thordarson, Gullikson, Galbraith, Phifer, Hall, Gronvold, Strutz, Watson.

Committee on Public Debt—Messrs. Hill, chairman; Heath, Stafne, Johnson, Phifer, Anderson, Ramsett, Winslow, Strutz.

Committee on Woman Suffrage—Messrs. Mallough, chairman; Watts, Brisbin, Thomas, Johnson, Hall, Wade, Hammond, Palmer.

Committee on Manufactures—Messrs. Nicholson, chairman; Bjornson, Gulack, Reade, Winslow, Morgan, Chacey, Hjelmstad, Swarthout.

Committee on Counties and County Boundaries—Messrs. Packard, chairman; McClure, Hammond, Chaffee, Axvig, Winslow, Anderson, Willison, Gullikson.

Committee on Taxes and Tax Laws—Messrs. Nelson, chairman; Thordarson, Heath, Tubbs, Thomas, Phifer, Young, McLean, Gronvold, Keeler, Allhouse.

Committee on Coal Lands and Mining—Messrs. McClure, chairman; Wade, Allhouse, Nevin, Michels, Lemke, Axvig, Cassell, Hill.

Committee on Sheep Industry—Messrs. Phifer, chairman; Wade, Reade, Rose, Davis, Miller, Restemayer.

Committee on Correction and Revision of the Journal—Messrs. Winslow, chairman; Bacon, Heath, Thomas, Hall, Keeler, Gulack.

Committee on Mileage and Per Diem—Messrs. Gulack, chairman; Packard, Michels, Dwire, Restemayer.

Committee on Public Buildings—Messrs. Willison, chairman; Restemayer, Swarthout, Gullikson, Bennett, Bacon, Severson, Watson, Reade.

JOINT COMMITTEES.

Penal Institutions—Messrs. Stafne, chairman; Packard, Reade, Lemke, Ramsett, Mallough, Lerom, Brisbin, Miller.

Charitable Institutions—Messrs. Lerom, chairman; Tufte, Chacey, Mallough, Stafne, Morgan, Johnson, Gronvold, Nicholson.

Educational Institutions—Messrs. McLean, chairman; Thordarson, Severson, Hill, Chaffee, Bjornson, Rose, Strutz, Hammond.

State Library—Messrs. Keeler, chairman; Hammond, Allhouse, Strutz, Sargeant, Galbraith, Bacon, Dickson, Swarthout.

Joint Rules—Messrs. Bennett, chairman; Chevalier, Dickson, Miller, Brisbin, Tubbs, Morgan, Cassell, Gronvold.

Mr. Chacey moved

That the chief clerk be instructed to furnish the chairman of each committee with a list of the members of the committee at the close of today's session.

Which motion was lost.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 16, 1901.

Mr. Speaker:

I have the honor to report that the senate has had under consideration the following concurrent resolution:

CONCURRENT RESOLUTION.

Whereas, owing to the financial condition of the state of North Dakota, and recommendations of the governor; therefore, be it

Resolved by the house of representatives, the senate concurring, that the seventh legislative assembly shall consist of fifty days.

Which resolution the senate has amended by substituting the words "thirty-five" for "fifty" in the last line.

Also,

I have the honor to return, as requested, herewith concurrent resolution relating to a proposed committee to visit the state institutions.

GEORGE L. TOWNES,
Secretary.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Tufte presented the following communication:

To the Hon. T. E. Tufte:

Dear Sir: At a farmers' institute held in the city of Larimore, N. D., Dec. 20, 1900, the following resolution was introduced by Hon. W. W. Glasgow and seconded by T. F. Eastgate, S. F. Mercer, Hon. J. W. Scott, James Doyle, Martin, Blair, J. D. Pierce and Anthony Stonehouse, and was unanimously adopted:

Whereas, farmers' institutes are the best medium for giving instruction to the advanced principles of agriculture, and in view of the great benefits to be derived by the farmers from the lectures given at these institutes by the professors from the agricultural college in giving us the results of their experiments by the different methods of farming, thereby showing us the best methods to pursue to get the best results, and thus helping towards the general prosperity of the whole state, be it

Resolved, that it is the sense of this meeting that an appropriation of \$5,000 should be made by our next legislature to defray the expenses of conducting the institutes; further, that the secretary of this meeting be instructed to send a copy of these resolutions to the senator and representatives from this district, and they be requested to urge the passage of such a bill.

J. DEXTER PIERCE,
Secretary.

REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred
Senate bill No. 12,

A bill for an act to amend section 28 of the Revised Codes of

North Dakota, 1899, the same being chapter 104 of the session laws of 1899, relating to legislative officers and employes and their compensation.

Made the following report:

Your committee to whom was referred Senate bill No. 12 have had the same under consideration and report the following amendments:

Line 25 of printed bill shall read one watchman, whose compensation shall be \$4 per day.

Line 14 of printed bill shall read one stenographer, whose compensation shall be \$5 per day.

Line 53 of printed bill shall read two doorkeepers, whose compensation shall be \$4 per day.

Line 55 of printed bill shall read one messenger, whose compensation shall be \$4 per day.

Line 62 shall read one watchman, whose compensation shall be \$4 per day.

Line 65 shall read two attendants in cloak room, whose compensation shall be \$3 per day.

Line 75, after the word "day" in the printed bill shall read "and such janitors as may be deemed necessary by the house, and who shall receive \$3 per day."

As amended we recommend the bill do pass.

JOSEPH HARE,
R. L. BENNETT,
H. A. NICHOLSON,
D. H. MALLOWH,
F. H. KEELER.

Mr. Thomas moved

That Senate bill No. 12, together with this report, be referred to general orders.

Mr. Tufte moved

That Senate bill No. 12, together with the report of the committee, be made a special order for Saturday at 3 o'clock.

Which motion was lost.

The speaker stated that if there was no objection the bill would be referred to general orders without a motion to that effect.

COMMITTEE OF THE WHOLE.

Mr. Hare moved

That the rules be suspended and the house proceed to the 17th order of business and resolve itself into a committee of the whole for the consideration of

Senate bill No. 12,

A bill for an act to amend section 28 of the Revised Codes of North Dakota, 1899, the same being chapter 104 of the session laws of 1899, relating to legislative officers and employes and their compensation.

Which was read the first time.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Hare to the chair.

When the committee arose they made the following report:

Mr. Speaker:

Your committee of the whole to whom was referred

Senate bill No. 12,

A bill for an act to amend section 28 of the Revised Codes of North Dakota, 1899, the same being chapter 104 of the session laws of 1899, relating to legislative officers and employes and their compensation.

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

Line 25 of printed bill shall read "one watchman, whose compensation shall be \$4.00 per day."

Line 14 of printed bill shall read "one stenographer, whose compensation shall be \$5.00 per day."

Line 53 of printed bill shall read "two doorkeepers, whose compensation shall be \$4.00 per day."

Line 55 of printed bill shall read "one messenger, whose compensation shall be \$4.00 per day."

Line 62 shall read "one watchman, whose compensation shall be \$4.00 per day."

Line 65 shall read "two attendants in cloak rooms, whose compensation shall be \$3.00 per day."

Line 75, after the word "day" in the printed bill, shall read "and such janitors as may be deemed necessary by the house and who shall receive \$3.00 per day."

And when so amended recommend that the same do pass.

JOSEPH HARE,
Chairman.

Mr. Hare moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

Mr. Hare moved

That the rules be suspended and

Senate bill No. 12,

A bill for an act to amend section 28 of the Revised Codes of North Dakota, 1899, the same being chapter 104 of the session laws of 1899, relating to legislative officers and employes and their compensation.

Be placed upon its third reading and final passage.

Which motion prevailed, and

Senate bill No. 12,

A bill for an act to amend section 28 of the Revised Codes of North Dakota, 1899, the same being chapter 104 of the session laws of 1899, relating to legislative officers and employes and their compensation.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 43, nays 15, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hammond,	Packard,
Bacon,	Heath,	Palmer,
Bennett,	Hill,	Parr,
Brisbin,	Hjelmstad,	Phifer,
Cassell,	Keeler,	Reade,
Chacey,	Leech,	Rose,
Chaffee,	Lemke,	Severson,
Chevalier,	Mallough,	Strutz,
Davis,	McClure,	Swarthout,
Dwire,	McLean,	Tubbs,
Galbraith,	Michels,	Wade,
Gronvold,	Miller,	Watts,
Gullikson,	Nevin,	Watson,
Hall,	Nicholson,	Mr. Speaker,
Hare,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Morgan,	Thomas,
Bjornson,	Nelson,	Thordarson,
Dickson,	Ramsett,	Tufte,
Johnson,	Sargeant,	Willison,
Lerom,	Staïne,	Young,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Restemayer,	Winslow,
Gulack,		

Messrs. Axvig, Gulack, Restemayer and Winslow being excused.
So the bill as amended passed and the title was agreed to.

Mr. Watts moved

That the vote by which Senate bill No. 12 was passed be reconsidered, and the motion to reconsider be laid upon the table.

Which motion prevailed.

REPORT OF SELECT COMMITTEE.

The select committee on procuring necessary rooms for the standing committees of the house made the following report:

Mr. Speaker:

Your select committee on procuring necessary rooms for the standing committees of the house beg leave to report further that we have selected for the committee on education and temperance the Grand Army hall on Main street at \$60.00.

For the committee on judiciary and railroads, rooms in the Paterson building on Main street at \$47.50.

For the committee on banking, rooms in the Weeks building on Fifth street at \$50.00.

For the committee on ways and means and warehouse, grain

grading and dealing, rooms in the Webb building on Main street at \$37.50.

For the committee on appropriations, tax and tax laws, rooms in the Webb building on Main street at \$37.50.

For the committee on agriculture, rooms in the Harris building on Main street at \$50.00.

For the committee on apportionment, rooms in the McGowan building on Main street at \$75.00.

The above rooms include heating and lighting for the session.

Your committee recommend the appointment of the following persons to act as janitors of the committee rooms and messengers to the committees, viz: John Larson, M. A. Edberg, Mat Clooton, Emil Fromig, Peter Roth, E. H. Smith, R. L. Walters.

Your committee ask leave to report further when they find there is any more needs of this house in the line of committee rooms.

Respectfully submitted,

H. L. READE,
T. W. ALLSHOUSE,
W. A. McCLURE,

Committee.

Mr. Reade moved

That the report of the select committee be adopted.

Which motion prevailed.

INTRODUCTION OF HOUSE BILLS.

Mr. Nevin introduced

House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

Which was read the first time.

Mr. Morgan introduced

House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

Which was read the first time.

Mr. Galbraith introduced

House bill No. 19,

A bill for an act entitled An act to amend section 345 of the Code of Civil Procedure, being section 5541 of the Revised Codes North Dakota, 1899.

Which was read the first time.

Also,

House bill No. 20,

A bill for an act to amend section 403 of the Revised Codes, re-

lating to the boundaries and terms of court in and for the First judicial district of the state of North Dakota.

Which was read the first time.

Also,

House bill No. 21,

A bill for an act entitled "An act for the examination of parties and persons interested in an action or proceeding under the rules of cross-examination when called to testify by an adverse party and providing that the party calling for such examination shall not be concluded thereby."

Also,

House bill No. 22,

A bill for an act to amend section 225 of the Revised Codes of 1899, so as to enable the lessee of common school and public lands of the state during and within one year after his term shall have expired to remove from such lands any fencing, buildings or improvements he may have made thereon or have purchased from his predecessor.

Mr. Heath introduced

House bill No. 23,

A bill for an act entitled "An act to amend section 135 of the Probate Code of North Dakota, being section 6391 of the Revised Codes of North Dakota for 1895, relating to exemptions."

Also,

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions."

Also,

House bill No. 25,

A bill for an act to amend sections 5 and 7 of chapter 126 of laws passed at the fifth session of the legislative assembly of the state of North Dakota in 1897, which act is entitled an act prescribing the mode of making assessments of property the equalization of and the levy and collection of taxes and for all other purposes relative thereto, and the repealing of sections 1176 to 1198 inclusive, 1200 to 1229 inclusive, 1231, 1234, 1237 to 1240 inclusive, 1242 to 1247 inclusive, 1250 to 1253 inclusive, 1255 to 1290 inclusive, 1294, 1296, 1309, 1325 to 1330 inclusive, 1336 to 1339 inclusive, and 1346 of the Revised Codes of North Dakota of 1895, and all other sections and parts of sections of said codes, and of all acts and parts of acts inconsistent with the provisions of this act.

Which was read the first time.

Mr. McLean introduced
House bill No. 26,

A bill for an act to amend subdivisions 1, 2, 3 and 4 of section 7677, chapter 72 of the Revised Codes of 1899, relating to game and fish.

Which was read the first time.

Also,

House bill No. 27,

A bill for an act to amend subdivision 3 of section 7110, chapter 20 of the Revised Codes of 1899, relating to the punishment for kidnapping.

Which was read the first time.

Mr. Dwire introduced
House bill No. 28,

A bill for an act to provide for the cancellation of judgments, in the offices of clerks of the district courts by filing therein "discharges" in bankruptcy.

Which was read the first time.

Mr. Grorvold introduced
House bill No. 29,

Concurrent resolution, proposed amendment to the constitution of the state of North Dakota.

Which was read the first time.

The speaker administered the oath to the following enrolling and engrossing clerks: J. J. Clary, Helmer M. Habberstad, Henry Ylvisaker, C. M. Mitchell, H. A. Bergman, Dora J. Allen, J. M. Yores and W. H. Dixon; and to the following as janitors of committee rooms: R. L. Walters, Martin A. Edberg, Matt Clooton, Peter Roth, E. H. Smith.

Mr. Hare moved

That the house do now adjourn until tomorrow at 2 o'clock p. m.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

TENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 17, 1901.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by chaplain.

Roll call.

All members present excepting Messrs. Gulack and Swarthout, who were excused.

Mr. Mallough requested that the privileges of the floor be extended to H. F. Chaffee and W. R. Reed, of Cass county.

There being no objections, the courtesies of the floor were so extended.

REFERENCE OF THE JOURNAL-

The committee on revision and correction of the journal asked for further time in which to make their report.

Which was granted.

REPORT OF SPECIAL COMMITTEE.

The special committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fourth day respectfully submit the following report:

In line 25, page 2, correct the spelling of the word "Brown."

And as so corrected the journal be approved.

All of which is respectfully submitted.

J. D. BACON,
G. A. WILLISON,
C. A. HALL.

Mr. Bacon moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Bacon offered the following resolution and moved its adoption:

Resolved, that it is deemed necessary for the house to have an additional stenographer for the use of members, and that the speaker be requested to appoint same on enrolling and engrossing force.

Resolved, further, that some committee room not otherwise engaged between 9 a. m. and 12 o'clock (noon) be designated as headquarters for house stenographers, at which place they will be required to remain during the hours named, unless otherwise requested by the speaker of the house.

Which motion prevailed, and

The resolution was adopted.

The speaker appointed Miss Halloran as such assistant enrolling and engrossing clerk to be assigned to duty as stenographer for the members of the house.

The roll being called on the confirmation of the appointment:

There were ayes 36, nays 3, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Heath	Phifer
Anderson	Hill	Ramsett
Bacon	Hjelmstad	Reade
Bennett	Johnson	Restemayer
Bjornson	Keeler	Rose
Brisbin	Leech	Sargeant
Cassell	Lenke	Severson
Chacey	Lerom	Stafne
Chaffee	Mallough	Strutz
Chevalier	McClure	Thomas
Davis	Michels	Thordarson
Dickson	Miller	Tubbs
Dwire	Morgan	Tufte
Galbraith	Nelson	Wade
Gronvold	Nevin	Watts
Gullikson	Nicholson	Watson
Hall	Packard	Willison
Hare	Palmer	Winslow
Hammond	Parr	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Axvig	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Swarthout	Gulack	Mr. Speaker

Messrs Gulack and Swarthout being excused.

Miss Halloran was duly declared elected.

Mr. Palmer offered the following resolution and moved its adoption:

Resolved, that in the opinion of the house an enrolling and engrossing clerk should be appointed who shall be assigned to duty as proofreader

Which motion prevailed. and
The resolution was adopted.

The speaker appointed Mr. George W. Wilson as such assistant enrolling and engrossing clerk to be assigned to duty as proof-reader.

The roll being called upon the confirmation of the appointment, there were ayes 41, nays 17, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hammond	Packard
Bacon	Heath	Palmer
Bjornson	Hill	Parr
Brisbin	Hjelmstad	Phifer
Cassell	Leech	Reade
Chaffee	Lenke	Rose
Chevalier	Mallough	Stafne
Davis	McClure	Strutz
Dwire	McLean	Thomas
Gronvold	Michels	Tubbs
Gullikson	Miller	Wade
Hall	Nevin	Watson
Hare	Nicholson	Watts

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Axvig	Keeler	Thordarson
Bennett	Lerom	Tufte
Chacey	Nelson	Willison
Dickson	Restemayer	Winslow
Galbraith	Sargeant	Young
Johnson	Severson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Ramsett	Mr. Speaker
Gulack	Swarthout	

Messrs. Gulack and Swarthout being excused.

Mr. Speaker not voting.

INTRODUCTION OF HOUSE BILLS.

Mr. Packard introduced

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

Which was read the first time.

Mr. Leech introduced

House bill No. 31,

A bill for an act to amend section 248 of the Revised Codes, relating to the powers and duties of county boards of health.

Which was read the first time.

Mr. Ramsett introduced

House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

Which was read the first time.

Mr. Tufte introduced

House bill No. 33,

A bill for an act to make an appropriation for conducting farmers' institutes and to amend section 1703 of the Revised Codes of North Dakota for 1899.

Which was read the first time.

Mr. Lemke introduced.

House bill No. 34,

A bill for an act to amend sections 4063 and 4064 of the Revised Codes of 1895.

Which was read the first time.

Mr. Hall introduced

House bill No. 35,

A bill for an act to amend section 1243 of the Revised Codes, relating to delinquent personal property tax. When due. Penalty. Distress.

Which was read the first time.

Mr. Davis introduced

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

Which was read the first time.

Mr. Thomas introduced

House bill No. 37,

A bill for an act to amend sections 456 and 457 of the Revised Codes of 1899, relating to jurors.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Was read the second time, and

Referred to committee on municipal corporations.

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly

known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Was read the second time, and

Referred to the committee on judiciary.

House bill No. 3,

A bill for an act entitled an act to provide for the exemption of property used exclusively for religious purposes from taxation.

Was read the second time, and

Referred to the committee on taxes and tax law.

House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

Was read the second time, and

Referred to the committee on judiciary.

House bill No. 5,

A bill for an act entitled an act to provide for directors and officers of religious corporations.

Was read the second time, and

Referred to the committee on judiciary.

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Was read the second time, and

Referred to the committee on state affairs.

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota, relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

Was read the second time, and

Referred to the committee on banking.

House bill No. 8,

A bill for an act concerning land titles.

Was read the second time, and

Referred to the committee on judiciary.

House bill No. 9,

A bill for an act providing for an appropriation to pay expense of construction of drains through school lands situated in Pembina county.

Was read the second time, and
Referred to the committee on state affairs.

House bill No. 10,

A bill for an act entitled an act to amend section 446 of article 10, chapter 7 of the Revised Codes of 1899, relating to the drawing of jurors.

Was read the second time, and
Referred to the committee on judiciary.

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

Was read the second time, and
Referred to the committee on highways.

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

Was read the second time, and
Referred to the committee on judiciary.

House bill No. 13.

A bill for an act to amend section 1891, article 6 of chapter 26 of the Revised Codes of 1899.

Was read the second time, and
Referred to the committee on elections.

House bill No. 14,

A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves.

Was read the second time, and
Referred to the committee on state affairs.

House bill No. 15,

A bill for an act to amend section 960 of the Revised Codes of North Dakota relating to residents entitled to education free.

Was read the second time, and
Referred to the committee on education.

House bill No. 16,

A concurrent resolution amending subdivision 5, section 215 of article 19 of the constitution of the state of North Dakota.

Was read the second time, and
Referred to the committee on judiciary.

House bill No. 17,

A bill for an act to repeal section 3072a, section 2072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

Was read the second time, and
Referred to committee on railroads.

House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

Was read the second time, and
Referred to the committee on state affairs.

House bill No. 19,

A bill for an act entitled "An act to amend section 345 of the Code of Civil Procedure, being section 5541 of the Revised Codes North Dakota, 1899.

Was read the second time, and
Referred to the committee on judiciary.

House bill No. 20,

A bill for an act to amend section 403 of the Revised Codes, relating to the boundaries and terms of court in and for the First judicial district of the state of North Dakota.

Was read the second time, and
Referred to the committee on judiciary.

House bill No. 21,

A bill for an act entitled "An act for the examination of parties and persons interested in an action or proceeding under the rules of cross-examination when called to testify by an adverse party and providing that the party calling for such examination shall not be concluded thereby."

Was read the second time, and
Referred to committee on judiciary.

House bill No. 23,

A bill for an act entitled "An act to amend section 135 of the Probate Code of North Dakota, being section 6391 of the Revised Codes of North Dakota for 1895, relating to exemptions."

Was read the second time and
Referred to the committee on judiciary.

House bill No. 26,

A bill for an act to amend subdivisions 1, 2, 3 and 4 of section 7677, chapter 72 of the Revised Codes of 1899, relating to game and fish.

Was read the second time and
Referred to the committee on state affairs.

House bill No. 28,

A bill for an act to provide for the cancellation of judgments, in the offices of clerks of the district courts by filing therein "discharges" in bankruptcy.

Was read the second time and
Referred to the committee on judiciary.

Mr. Chacey moved

That the house stenographers be instructed to furnish the chairman of committees information as to places for meeting of such committees.

Which motion prevailed, and
It was so ordered.

Mr. Thomas moved that
House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

Be not printed until further order of the house.

Mr. Ramsett moved
That the motion be amended to the effect that
House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

Be not printed until same had been acted upon by a committee

Mr. Thomas accepted the amendment, and
The question being upon the original motion as amended.
The motion was lost.

The speaker administered the oath to Miss Halloran as an assistant enrolling and engrossing clerk to be assigned to duty as a stenographer for the members of the house.

Also,

To Geo. W. Wilson as an assistant enrolling and engrossing clerk to be assigned to duty as proofreader.

Also,

To Emil Froemig as janitor for committee room.

Mr. Thomas moved
That the house do now adjourn.

Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

ELEVENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 18, 1901.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Swarthout, who was excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal beg leave to report that they have examined the Journal for the ninth day and make the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal or the ninth day and beg leave to report:

Line 3, page 1, insert "ninth" instead of "eighth."

Line 12, page 2, substitute "Keeler" for "Watson."

Line 28, page 2, correct spelling of word "corporations."

Line 30, page 4, word "Pierce" misspelled; correct same word in line 44.

Line 23, page 6, change word "room" to "rooms."

After line 33, page 7, insert:

"Mr. Watts moved

"That the vote by which Senate bill No. 12 passed, be reconsidered, and that the motion to reconsider be laid upon the table."

"Which motion prevailed."

Line 10, page 8, correct spelling of name "Walters."

Line 37, page 8, insert word "of" after codes.

On page 10 change the paragraph beginning with line 22 to read as follows:

"The speaker administered the oath to the following enrolling and engrossing clerks: J. J. Clary, Helmer M. Habberstad, Henry Ylvisaker, C. M. Mitchell, H. A. Bergman, Dora J. Allen, J. M. Yores and W. H. Dixon." And to the following as janitors of committee rooms: "R. L. Walters, Martin A. Edberg, Matt Clooton, Peter Roth, and E. H. Smith."

Line 27, page 10, change the name "Hare" to "Leech."

And as so corrected recommend that the Journal be approved.

Respectfully submitted,

C. WINSLOW,

Chairman.

Also,

For the tenth day made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal for the tenth day beg leave to report:

Line 3, page 1, insert "tenth" instead of "ninth."

Line 25, page 2, correct spelling of word "designated."

Line 7, page 4, strike out entire line.

Line 31, page 4, change word "for" to "of."

Line 33, page 7, insert word "of" after word "codes."

And as so corrected recommend that the the journal be approved.

Respectfully submitted,

C. WINSLOW,
Chairman.

INTRODUCTION OF HOUSE BILLS AND MEMORIALS.

Mr. Cassell introduced

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

Which was read the first time.

Mr. McLean introduced

House bill No. 39,

A bill for an act to repeal section 161 of the Revised Codes of 1899, relating to the appropriation to the Morton county fair association.

Which was read the first time.

Mr. Packard introduced

House bill No. 40,

A bill for an act amend section 217 of the Revised Code of North Dakota, 1899.

Which was read the first time.

SECOND READING OF HOUSE BILLS AND MEMORIALS.

House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

Was read the second time and

Referred to committee on schools and public lands.

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section

325 of the Code of Civil Procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions.

Was read the second time and
Referred to committee on judiciary.

House bill No. 25,

A bill for an act to amend sections 5 and 7 of chapter 126 of laws passed at the fifth session of the legislative assembly of the state of North Dakota in 1897, which act is entitled an act prescribing the mode of making assessments of property the equalization of and the levy and collection of taxes and for all other purposes relative thereto, and the repealing of sections 1176 to 1198 inclusive, 1200 to 1229 inclusive, 1231, 1234, 1237 to 1240 inclusive, 1242 to 1247 inclusive, 1250 to 1253 inclusive, 1255 to 1290 inclusive, 1294, 1296, 1309, 1325 to 1330 inclusive, 1336 to 1339 inclusive, and 1346 of the Revised Codes of North Dakota of 1895, and all other sections and parts of sections of said codes, and of all acts and parts of acts inconsistent with the provisions of this act.

Was read the second time and
Referred to committee on taxes and tax laws.

House bill No. 27,

A bill for an act to amend subdivision 3 of section 7110, chapter 20 of the Revised Codes of 1899, relating to the punishment for kidnapping.

Was read the second time and
Referred to committee on judiciary.

Concurrent resolution to amend the constitution of the state of North Dakota.

Was read the second time and
Referred to committee on state affairs.

House bill No. 31,

A bill for an act to amend section 248 of the Revised Codes, relating to the powers and duties of county boards of health.

Was read the second time, and
Referred to the committee on public health.

House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

Was read the second time, and
Referred to the committee on judiciary.

House bill No. 33,

A bill for an act to make an appropriation for conducting

farmer's institutes and to amend section 1703 of the Revised Codes of North Dakota for 1899.

Was read the second time, and

Referred to the committee on appropriations.

House bill No. 34,

A bill for an act to amend sections 4063 and 4064 of the Revised Codes of 1895.

Was read the second time, and

Referred to the committee on judiciary.

House bill No. 35,

A bill for an act to amend section 1243 of the Revised Codes, relating to delinquent personal property tax. When due. Penalty. Distress.

Was read the second time, and

Referred to the committee on taxes and tax laws.

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

Was read the second time and

Referred to the committee on judiciary.

House bill No. 37,

A bill for an act to amend sections 456 and 457 of the Revised Codes of 1899, relating to jurors.

Was read the second time and

Referred to the committee on judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 18, 1901.

Mr. Speaker:

I have the honor to transmit herewith a concurrent resolution relating to the issuance and disposition of funding warrants, which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully,
GEO. L. TOWNES,
Secretary.

CONCURRENT RESOLUTION.

Be it resolved by the senate of the state of North Dakota, the house of representatives concurring, that the state treasurer, with the advice and consent of the governor and state auditor, be hereby authorized and instructed to negotiate and dispose of state funding warrants not to exceed one hundred and fifty thousand dollars at such discount as will allow a reasonable rate of interest; such indebtedness to become due and payable on or before January 1, 1902. The condition of the treasury is such that there is no money in the general fund to meet the balance of the expenditures, of the legislature, the state institutions and miscellaneous expenses

of the state. That the collections of taxes from the counties from now until July will not be sufficient to meet the expenses; therefore, this loan is necessary to protect the credit of the state and state institutions.

CONSIDERATION OF MESSAGES FROM THE SENATE.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 18, 1901.

Mr. Speaker:

I have the honor to report that the senate has had under consideration the following concurrent resolution:

CONCURRENT RESOLUTION.

Whereas, Owing to the financial condition of the state of North Dakota and recommendations of the governor, therefore be it

Resolved, By the house of representatives, the senate concurring, that the seventh legislative assembly shall consist of fifty days.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Which resolution the senate has amended by substituting the words "thirty-five" for "fifty" in the last line.

Mr. Packard moved

That the further consideration of the concurrent resolution be indefinitely postponed.

Mr. Galbraith moved

As a substitute motion that the house concur in the senate amendment to the concurrent resolution.

Mr. Hall moved

That further consideration of the message be laid upon the table

Roll call demanded.

The question being upon the motion to lay upon the table.

The roll was called and there were ayes 32, nays 29, absent and not voting 1.

Those voting in the affirmative were:

Messrs.—

Allshouse,
Bennett,
Davis,
Dickson,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,
Hjelmstad,

Messrs.—

Keeler,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Reade,
Rose,
Severson,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watson,

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Dwire,

Messrs.—

Galbraith,
Gulack,
Hill,
Johnson,
Leech,
Lerom,
Mallough,
Nelson,
Niven,

Messrs.—

Ramsett,
Restemayer,
Sargeant,
Stafne,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting Mr. Swarthout, who was excused.

So the motion prevailed, and

The concurrent resolution was laid upon the table.

The Speaker administered the oath to T. S. Carpenter as an assistant enrolling and engrossing clerk.

Mr. Bacon moved

That the house do now adjourn,

Which motion prevailed.

And the house adjourned.

J. D. SCANLAN,
Chief Clerk.

TWELFTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 19, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present excepting Messrs. Hare, Stafne and Swarthouse, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal for the eleventh day, and beg leave to report:

Line 20, page 1, change "or" to "of."

Line 3, page 3, insert "to" after word "act."

Page 3, strike out lines 7 to 13 inclusive.

In line 37 page 4 insert words "sheep industry" in lieu of "judiciary."

And as so corrected, recommend that the Journal be approved.

Respectfully submitted,

C. WINSLOW,
Chairman.

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

Mr. Gronvold stated that Miss Geneva Egeland who was appointed on the enrolling and engrossing force the first day of the session was unable to take the position and asked permission to substitute the name of Mr. Y. W. Spawn as clerk for the 20th district.

Which permission was granted, and
It was so ordered.

Mr. Gronvold requested that the privileges of the floor be extended to Geo. W. Spawn, of Pierce county.

Mr. Mallough requested that the privileges of the floor be extended to Dr. Robinson, of Richland county.

There being no objections the requests were granted.

REPORTS OF STANDING COMMITTEES.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations, to whom was referred House bill No. 1, beg leave to report that we have had the same under consideration and recommend that the same be amended to read as follows:

House bill No. 1,

A bill for an act to amend section 1260 of the Revised Codes of 1899, being chapter 4 of the laws of 1899, providing that all penalty and interest collected on taxes of city, village or other municipal corporations shall belong to such city, village or other municipal corporation, and shall be paid by the county treasurer to the treasurer of such city, villiage or other municipal corporation entitled thereto.

And when so amended recommend that the same do pass.

H. L. READE,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

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

F. F. GRONVOLD,
Chairman.

The chief clerk announced that the speaker was about to sign Senate bill No. 12,

A bill for an act to amend section 28 of the Revised Codes of North Dakota, 1899, the same being chapter 104 of the session laws of 1899, relating to legislative officers and employes and their compensation.

The committee on rules made the following report:

Mr Speaker:

Your committee on rules beg leave to report the following rules for the government of this house, and respectfully ask that the same be adopted, and when so adopted that the secretary of state cause them to be incorporated in proper form in the legislative manual, and that five extra copies thereof be furnished to each of the officers and members of this legislative assembly.

C. A. TUBBS,
Chairman.

RULES OF THE HOUSE.

1. The speaker shall take the chair at the time to which the house stands adjourned, and the house shall then be called order, and the roll of the members called and the names of the absentees entered upon the journal of the house.

2. Upon the appearance of a quorum the journal of the preceding day shall be referred to the committee on revision and correction. Any mistake therein shall be corrected by the committee and reported to the house for correction.

3. Eleven members of the house may order a call of the house and cause absent members to be sent for, but a call must not be made while a vote is being taken. The call being moved, the speaker shall require those desiring the call to rise, and if eleven or more members shall rise the call shall be ordered. The call being ordered the sergeant-at-arms shall close the door and allow no member to leave the room. The clerk shall then call the roll and furnish the sergeant-at-arms with a list of those members absent without leave, and that officer must proceed forthwith to find and bring in such absentees. While the house is under call no business can be transacted except to receive and act upon the report of the sergeant-at-arms and no motion is in order except a motion to suspend further proceedings under the call, and said motion shall not be adopted unless a majority of all members-elect vote in favor thereof. Upon a report of the sergeant-at-arms showing that all members who were absent without leave, naming them, are present, the call shall be at an end, and the doors shall be opened, and the business pending at the time the call was made be proceeded with.

4. The speaker shall preserve order and decorum and decide all questions of order subject to an appeal to the house.

5. The speaker shall vote on all questions taken by ayes and nays (ex-

cept on appeals from his own decisions) and in all elections or decisions called for by any member.

6. When the house adjourns the members shall keep their seats until the speaker announces the adjournment.

7. Every member previous to his speaking, shall rise from his seat and respectfully address "Mr. Speaker" and remain standing in his place before proceeding to speak until he is recognized by the chair.

8. When two or more members rise at the same time to speak the speaker must designate the member who is to speak, but in all cases the member who shall first rise and address the chair may speak first.

9. No member shall speak more than twice on the same subject without leave of the house, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten minutes at the first time, nor more than five minutes at the second time, without unanimous consent of the house.

10. No motion shall be debated or put unless the same be seconded. It must then be stated by the speaker before the debate and any such motion must be reduced to writing if the speaker or any member desires it.

11. After the motion shall be stated by the speaker, it shall be deemed to be in possession of the house, but may be withdrawn at any time before amendment or decision, but all motions, resolutions or amendments must be entered on the journal, whether rejected or adopted.

12. When the question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely—which several motions shall have precedence in the order in which they stand arranged.

13. A motion to adjourn shall always be in order, except when a member is addressing the chair, or a vote is being taken; that, and the motion to lay upon the table, shall be decided without debate.

14. The previous question shall be in this form: "Shall the main question be now put?" It shall be admitted only when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the house to a direct vote upon the amendments reported by a committee, if any, upon the pending previous question, and prior to the seconding of the same, a call of the house shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to decision of the main question.

15. When the previous question is decided in the negative it shall leave the main question under debate for the remainder of the sitting unless sooner disposed of in some other manner.

16. All incidental questions of order arising after motion is made for the previous question, during the pendency of such motion, or after the house shall have determined that the main question shall be now put, shall be decided, whether on appeal or otherwise, without debate.

17. Petitions, memorials and any other papers addressed to the house shall be presented by the speaker or by a member in his place.

18. Every member who is present, before the vote is declared from the chair, must vote for or against the question before the house, unless the house excuses him or unless he is immediately interested in the question, in which case he must not vote.

19. When the speaker is putting the question, no member shall walk out of, or across the house, nor when a member is speaking, shall any person entertain any private discourse, or pass between the person speaking and the chair.

20. If a question in debate contains several propositions, any member may have the same divided.

21. A member called to order must immediately sit down unless permitted to explain, and the house if appealed to must decide the case. If

there be no appeal, the decision of the chair shall stand. On appeal no member shall speak more than once without leave of the house. When a member is called to order for offensive language there shall be no debate.

22. A bill can only be introduced on the report of the committee, or on a call for bills or by a motion for leave.

23. Every bill, before being introduced, shall have endorsed thereon its title and every bill and resolution shall have endorsed thereon the name of the member introducing the same and when ordered by a committee, the name of such committee shall be endorsed thereon.

24. Every bill, memorial, order or resolution, requiring the approval of the governor, or a change in the constitution of the state of North Dakota, shall, after second reading, be referred to its appropriate committee, and if reported without amendment shall pass to a third reading, unless otherwise ordered, and when amended it shall go to committee of the whole house.

25. All bills shall be properly engrossed before their final passage.

26. No amendment shall be received on the third reading except to fill blanks without unanimous consent of the house, but all bills and resolutions may be recommitted at any time previous to their passage. If any amendment be reported on such recommitment by any other than a committee of the whole, it shall be read a second time, and the question of third reading and passage then put.

27. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; no bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the house.

28. In forming a committee of the whole house the speaker shall appoint a chairman to preside.

29. Bills committed to the committee of the whole house shall be read, be open to amendment and debated by sections, unless otherwise ordered, leaving the title to be last considered; all amendments shall be noted in writing and reported to the house by the chairman.

30. All questions, whether in committee, or in the house, shall be put in the order in which they are moved, except in the case of privileged questions, and in filling blanks the largest sum and the longest time shall be first put.

31. A similar mode of procedure shall be observed with bills which have originated in and passed the senate, as with bills which have originated in the house, except that they shall not be printed nor engrossed, nor enrolled.

32. No motion for reconsideration shall be in order unless on the same day or the day following that on which the decision proposed to be considered took place, nor unless one of the majority shall move a reconsideration.

33. When notice of intention to move the reconsideration of any bill or joint resolution shall be given by a member, the clerk of the house shall retain the said bill or joint resolution until after the time during which the said motion can be made unless the same can previously be disposed of.

34. Any member who votes on the prevailing side of a question may move a reconsideration of the same, which motion shall be decided by a majority vote.

35. The rules of the house shall be observed in committee of the whole house so far as may be applicable except that the ayes and nays shall not be called, the previous question enforced nor the time of speaking limited.

36. A motion that the committee rise shall always be in order and shall be decided without debate.

37. No bill reported from standing or select committees or from the committee of the whole shall come up for a third reading until the first day after such report unless the house by a two-thirds vote otherwise order.

38. Standing committees shall be appointed on the following subjects:

- On rules to consist of nine members.
 - On mileage and per diem to consist of three members.
 - On judiciary to consist of fifteen members.
 - On ways and means to consist of eleven members.
 - On railroads to consist of fifteen members.
 - On appropriations to consist of fifteen members.
 - On engrossment to consist of nine members.
 - On enrolment to consist of nine members.
 - On education to consist of nine members.
 - On election and privileges to consist of nine members.
 - On municipal corporations to consist of nine members.
 - On corporations other than municipal to consist of nine members.
 - On agriculture to consist of thirteen members.
 - On public printing to consist of nine members.
 - On irrigation to consist of nine members.
 - On insurance to consist of nine members.
 - On banking to consist of nine members.
 - On labor to consist of nine members.
 - On immigration to consist of nine members.
 - On apportionment to consist of a member from each senatorial district.
 - On schools and public lands to consist of nine members.
 - On public health to consist of nine members.
 - On military affairs to consist of nine members.
 - On warehouses, grain grading and dealing to consist of fifteen members.
 - On federal relations to consist of nine members.
 - On mines and mining to consist of nine members.
 - On temperance to consist of nine members.
 - On highways, bridges and ferries to consist of nine members.
 - On state affairs to consist of nine members.
 - On supplies and expenditures to consist of nine members.
 - On forestry to consist of nine members.
 - On public debt to consist of nine members.
 - On woman suffrage to consist of nine members.
 - On manufacturers to consist of nine members.
 - On counties and county boundaries to consist of nine members.
 - On taxes and tax laws to consist of eleven members.
 - On coal lands and mining to consist of nine members.
 - On sheep industry to consist of seven members.
 - On revision and correction to consist of seven members.
- Also joint committees on the following subjects:
- On public buildings to consist of nine members.
 - On charitable institutions to consist of nine members.
 - On penal institutions to consist of nine members.
 - On educational institutions to consist of nine members.
 - On state library to consist of nine members.
 - On joint rules to consist of nine members.

39. The first named member of each committee shall be the chairman and in his absence or being excused by the house the next named member and so on as often as the case shall happen, shall act as chairman.

40. The committee on engrossment shall examine all bills after they are engrossed and report the same to the house correctly engrossed before their third reading; said committee may report at any time.

41. The committee on enrollment shall examine all house bills and memorials which have passed the two houses, and when reported correctly enrolled, they shall be presented to the presiding officers of the house and senate for their signatures, and when so signed, presented to the governor for his approval; said committee may report at any time.

42. Select committees to whom reference shall have been made, must, in all cases, report a state of facts and their opinion thereon to the house.

43. In all cases where a bill, order or resolution, or motion shall be entered, upon the journal of the house, the name of the member moving the same shall be entered on the journal.

44. No person shall be admitted within the bar of the house except the executive, members of the senate, state officers, judges of the supreme and district courts, members of congress, ex-members of the legislative assembly, delegates to the state constitutional convention, all federal officers of the state and reporters of newspapers, except by vote of the house.

45. After calling the house to order, the order of business for the day shall be as follows:

1. Prayer by the chaplain.
2. Calling the roll.
3. Reference of the journal.
4. Presentation of petitions and communications.
5. Reports of standing committees.
6. Reports of select committees.
7. Motions and resolutions.
8. Unfinished business.
9. Introduction of bills and memorials.
10. First reading of house bills and memorials.
11. Second reading of house bills and memorials.
12. Third reading of the same.
13. Consideration of messages from the senate.
14. First reading of senate bills and memorials.
15. Second reading of senate bills and memorials.
16. Third reading of the same.
17. Consideration of general orders.

46. Whenever the report of any committee of conference contains several modifications or amendments, any member may have the same divided, and the question of concurrence taken separately upon each modification or amendment.

47. When the house has arrived at "the general orders of the day" it shall go into committee of the whole upon such orders, or a particular order designated by a vote of the house; and no other business shall be in order until the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up the committee of the whole shall consider, act upon, or pass the general order, according to the order of reference.

48. The speaker may leave the chair, appoint a member to preside, but not for a longer time than one day, except by leave of the house.

49. The rules of parliamentary practice adopted by the house of representatives of the United States shall govern the house in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the house, and the joint rules and orders of the senate and house of representatives.

50. No rule of the house shall be suspended, altered or amended without the concurrence of two-thirds of the members of the whole house.

51. The hour of daily meeting of the house shall be 2 o'clock in the afternoon, until the house directs otherwise.

52. The ayes and nays shall not be ordered unless demanded by eleven members, except upon the final passage of bills, concurrent resolutions to amend the constitution, and memorials, in which case ayes and nays shall be had without any demand.

53. In case all the members of any committee, required or entitled to report on any subject referred to them, cannot agree upon any report, the majority and minority may each make a special report, and any member dissenting in whole or in part from the reasonings and conclusions of both majority and minority may also present to the house a statement of his reasonings and conclusions; and all reports, if decorous in language and respectful to the house, shall be entered at length on the journal.

54. No smoking shall be allowed in the house while in session.

55. No member or other person shall remain by the clerk's desk when the ayes and nays are being called.

56. In case of any disturbance or disorderly conduct in the lobby or gallery, the speaker or chairman of the committee of the whole shall have power to order the same to be cleared.

57. No member or officer of the house, unless he from illness or other cause shall be unable to attend shall absent himself from a session of the house during an entire day without having first obtained leave of absence, and no one shall be entitled to draw pay while absent more than one day without leave.

58. Neither the chief clerk nor his assistants shall permit any records or papers belonging to the house to be taken out of their custody otherwise than in the regular course of business. The chief clerk shall report all missing bills, resolutions and papers to the speaker; shall have general supervision of all clerical duties appertaining to the business of the house; shall perform, under the direction of the speaker, all duties pertaining to the office and shall also keep a book showing the situation and progress of all bills, memorials and joint resolutions.

59. The chairman of the different standing committees shall send to the chief clerk's desk, to be read previous to adjournment notice of the time and place of meeting of such committees.

Respectfully submitted,

C. A. TUBBS,

Chairman of the Committee on Rules.

Mr. Tubbs moved

That the report of the committee on rules be adopted.

Mr. Young moved

That the report be amended by adding an additional rule, No. 60, as follows:

At least one day's notice shall be given of the introduction of any motion or resolution calling for or involving the expenditure of any money,

Which motion prevailed, and

The amendment was adopted.

The question being upon the adoption of the report as amended

The motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to, whom was referred

House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

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

Also,

House bill No. 5,

A bill for an act entitled an act to provide for directors and officers of religious corporations.

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

Also,

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

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

By adding after the word "proposition" in line 4, section 13, of said bill the words "which vote shall be by yeas and nays, and the minutes of such meeting shall show the names of those voting in the affirmative and of those voting in the negative, which record shall be prima facie evidence of the facts therein contained."

And when so amended recommend that the same do pass.

Also,

House bill No. 20,

A bill for an act to amend section 403 of the Revised Codes, relating to the boundaries and terms of court in and for the First judicial district of the state of North Dakota.

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

Also,

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

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

Striking out lines one to eight inclusive, and in lieu thereof inserting "section 1, (amendment) that section 278 of the political code of the state of North Dakota be amended so as to read as follows:"

And inserting in line nine of said bill before the first word "the" therein "section 278, license to be recorded."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the reports as read be adopted,

Which motion prevailed, and
The reports were adopted.

MOTIONS AND RESOLUTIONS.

Mr. Wade made the following motion, that
House bill No. 14,

A bill for an act authorizing board of county commissioners
to offer reward for the destruction of buffalo or timber wolves.

Be recalled from the committee on state affairs and referred to
the committee on sheep judiciary.

Which motion prevailed.

Mr. Strutz offered the following concurrent resolution.

CONCURRENT RESOLUTION.

1. Whereas, The growing season of nineteen hundred was extremely
dry, preventing the growth and maturity of grain crops and hay through-
out the entire state.

2. Whereas, In consequence of said drouth there is a shortage of coarse
grains to meet the demand for feeding purposes.

3. Whereas, As a further consequence of said drouth there are many
sections of the state entirely destitute of hay, necessary to feed work stock
during seed time.

4. Whereas, The available supplies to meet the demand must be shipped
into the state from outside sources or supply.

5. Resolved, That the house of representatives, the senate concurring,
petition the railway companies operating railways within the state to
grant a reduced freight rate on corn, oats, hay and ground feed.

6. Resolved, That a copy of this resolution be sent to each of the follow-
ing railway companies, viz.: Great Northern, Northern Pacific, Soo
Line, Milwaukee & St. Paul, Chicago & Northwestern.

Mr. Bacon moved that the concurrent resolution be adopted

Which motion prevailed, and

The concurrent resolution was adopted.

Mr. Chacey moved,

That the vote by which the concurrent resolution relating to fix-
ing the length of the present legislative session, which was laid on
the table yesterday, be reconsidered.

Mr. Reade rose to the point of order that Mr. Chacey could not
make this motion to reconsider as he voted in the negative on
this question.

The speaker ruled the point of order well taken and also that the
vote on the motion to lay on the table could not be reconsidered.

INTRODUCTION OF BILLS AND MEMORIALS.

Mr. Hammond introduced

House bill No. 41,

A bill for an act entitled an act providing for an appropria-
tion for the erection of buildings for the North Dakota school of

forestry at Bottineau, and for the contingent expenses incident to the construction thereof.

Which was read the first time.

Mr. Lemke introduced

House bill No. 42,

A bill for an act to amend section 2079 of the Revised Codes of 1899 of the state of North Dakota with reference to the fees to be charged by registers of deeds.

Which was read the first time.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 19, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 11,

A bill for an act to amend sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of the state of North Dakota, relating to the recording of marks and brands.

Also,

Senate bill No. 8,

A bill for an act entitled an act to amend section 6219 of the Revised Codes.

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

GEORGE L. TOWNES,
Secretary.

Mr. Hall introduced

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

Which was read the first time.

Mr. Gulack introduced

House bill No. 44,

A bill for an act to amend section 4719 of the Revised of North Dakota, 1899, relating to the discharge of real estate mortgages.

Which was read the first time.

Mr. Chacey introduced

House bill No. 45,

A bill for an act to repeal section 1549 of the Revised Codes of North Dakota, making it lawful for stock to run at large from the first day of November until the first day of April each year.

Which was read the first time.

SECOND READING OF HOUSE BILLS AND MEMORIALS

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

Was read the second time and

Referred to the committee on appropriations.

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

Was read the second time and

Referred to the committee on state affairs.

House bill No. 39,

A bill for an act to repeal section 161 of the Revised Codes of 1899, relating to the appropriation to the Morton county fair association.

Was read the second time and

Referred to the committee on appropriations.

House bill No. 40,

A bill for an act amend section 217 of the Revised Code of North Dakota, 1899.

Was read the second time and

Referred to the committee on schools and public lands.

CONSIDERATION OF MESSAGES FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 19, 1901.

Mr. Speaker:

I have the honor to transmit herewith a concurrent resolution relating to the issuance and disposition of funding warrants,

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

Very respectfully,
GEORGE L. TOWNES,
Chairman.

CONCURRENT RESOLUTION.

Be it resolved by the senate of the state of North Dakota, the house of representatives concurring;

That the state treasurer with the advice and consent of the governor and state auditor, be hereby authorized and instructed to negotiate and dispose of state funding warrants not to exceed one hundred and fifty thousand dollars, at such discount as will allow a reasonable rate of interest. Such indebtedness to become due and payable on or before January 1, 1902. The condition of the treasury is such that there is no money in the general fund to meet the balance of the expenditures of the legislature,

the state institutions and miscellaneous expenses of the state; that the collections of taxes from the counties from now until July will not be sufficient to meet the expenses, therefore this loan is necessary to protect the credit of the state and state institutions.

Mr. Bacon offered the following amendment to the concurrent resolution and moved its adoption:

Inserting the word auditor where the word treasurer appears and the word treasurer in place of the word auditor, and by changing the date January 1st, 1902, March 1st, 1902.

Which motion prevailed, and
The amendment was adopted.

Mr. Rose moved

That the roll be called on the adoption of the resolution as amended.

Which motion prevailed, and

The question being upon the passage of the concurrent resolution as amended.

The roll was called and there were ayes 57, nays 1, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Heath,

Messrs.—

Hill,
Johnson,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Niven,
Nicholson,
Palmer,
Parr,
Phifer,

Messrs.—

Reade,
Ramsett,
Restemayer,
Rose,
Sargeant,
Severson,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Dwire,
Hare,

Messrs.—

Stafne,

Messrs.

Swarthout,

Mr. Packard voted in the negative.

Messrs. Hare, Stafne and Swarthouse being excused.

So the concurrent resolution was adopted.

Mr. Allshouse asked unanimous consent to introduce a bill which was granted.

Mr. Allshouse introduced

House bill No. 46,

A bill for an act entitled an act to amend section 1050 of the Revised Codes of North Dakota, 1899.

Which was read the first time.

Mr. Watts moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FOURTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 21, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Mallough, McClure, Swarthout, Hare, Stafne and Strutz, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal respectfully report that they have carefully examined the journal for the twelfth day and beg leave to report:

Line 7, page 2, substitute "Bennett" for "Winslow."
 Line 20, page 2, substitute "Robertson" for "Robinson."
 Line 26, page 3, insert word "to" after word "called."
 Line 26, page 4, transpose words "day certain."
 Line 10, page 10, substitute "industry" for "judiciary."
 Line 40, page 10, correct spelling of word "that."
 Line 37, page 11, insert word "codes" after word "revised."
 Line 20, page 12, insert word "to" after word "act."
 Line 47, page 13, correct spelling of name "Swarthout."
 Add after compensation, line 12, "and the speaker signed the bill in the presence of the house."

And as so corrected, recommend that the journal be approved.

Respectfully submitted,

C. WINSLOW,
 Chairman.

Mr. Reade moved

That the report as read be adopted

Mr. Cassell moved

To amend by striking out in the report the reference to the words "day certain."

Which motion prevailed, and

The report as amended was adopted.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker:

Your committee on sheep industry beg leave to submit the following report.

That they have had under consideration

House bill No. 14,

A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves.

Also,

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

And recommend that the title be amended to read as follows:

That section 1 be amended to read "section 1566 of the revised codes of 1899 of the state of North Dakota," etc., instead of "section 1566 of the political code of North Dakota," etc.

And recommend that the same do pass.

And when so amended recommend that the same do pass.

Respectfully submitted,

G. B. PHIFER,
 Chairman.

Mr. Rose moved

That the reports as read be adopted,
Which motion prevailed, and
The reports were adopted.

MOTIONS AND RESOLUTIONS.

Mr. Bacon moved

That the vote by which the concurrent resolution relating to the issue of funding warrants passed the house be reconsidered.

Which motion prevailed.

Mr. Bacon moved

To amend the concurrent resolution by striking out the word "treasurer" where it occurs in the first line and inserting in lieu thereof the word "auditor;" also by striking out the word "auditor" where it occurs in the second line and inserting in lieu thereof the word "treasurer."

Which motion prevailed, and

The resolution was amended.

The question being upon the passage of the resolution as amended.

The roll was called and there were ayes 54, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,

Messrs.—

Hall,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Niven,
Nicholson,
Palmer,

Messrs.

Parr,
Phifer,
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Hare,
Mallough,
McClure,

Messrs.—

Rose,
Stafne,

Messrs.

Strutz,
Swarthout,

Messrs. Mallough, McClure, Swarthout, Hare, Stafne and Strutz being excused.

Mr. Packard voting in the negative.

So the motion prevailed, and

The concurrent resolution was adopted as amended.

Mr. Reade offered the following resolution and moved its adoption:

Resolved, That the report of mileage due G. B. Phifer be corrected to read 354 instead of 254 miles, and that \$35.40 be allowed him instead of \$25.40.

Which motion prevailed.

Mr. Chacey offered the following resolution and moved its adoption:

Whereas, the executive state of New York has authorized a large appropriation for the Pan-American exposition at Buffalo, and the enterprising citizens of that metropolis of the lakes have taken hold, constructed extensive buildings and furnished grounds well adapted for the purposes designed, and with lavish hand provided transit conveniences, all the states in the union being invited to participate in the exposition and send representatives, all of which has been endorsed and recommended by the national congress; therefore, in accordance with public pride and the recommendations of the governor of our state in his message to the assembly, be it

Resolved, That the committee on ways and means of this house is hereby requested to confer with his excellency, the governor, and if necessary other state officials, and consider, and if possible devise ways and means, by an appropriation or otherwise, to pay the expenses necessary to send and keep commissioner or commissioners at the Pan-American exposition at Buffalo beginning next May, to the end that the state of North Dakota may be properly represented, and the said commission to receive, care and provide for any and all exhibits sent from this state. And further be it

Resolved, That corporations, cities and communities throughout the state be and are hereby urged to prepare and forward local exhibits that will do credit to our state and our people on this occasion.

Resolved, further, That the said committee on ways and means is hereby requested to prepare and submit a bill to the house with a view of meeting the intent of the foregoing.

Which motion prevailed, and

The resolution was adopted.

The privileges of the floor were extended to Messrs. Thos. Gunderson, L. B. Neimeyer, Prof. Carhart and C. L. Richmond.

Mr. Leech offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Whereas, the state bar association of this state is to observe "John Marshal Day" with appropriate ceremonies, February 4th, 1901;

Resolved, by the house of representatives, the senate concurring: that a committee of three members of this house be appointed by the speaker, and two members of the senate be appointed by the president of the senate as a committee to act with a committee of said bar association in arranging for the suitable observance of said day.

Which motion prevailed, and

The resolution was adopted.

The speaker appointed as such committee for the house Messrs. Leech, Young and Thomas.

Mr. Ramsett offered the following resolution:

Whereas, We have more employes on the pay roll than are actually needed at this date; and,
Whereas, We deem it fair that all districts should be treated alike; be it

Resolved, That no employes shall be placed on the pay roll who come from any district from where three or more are already employed in this house.

Mr. Ramsett moved

The adoption of the resolution.

Mr. Galbraith moved

To amend the resolution by striking out the words "more employes than are needed."

The speaker ruled the resolution out of order.

Mr. Tubbs moved

That rule 59 be transferred and numbered as 60, and that rule 60 be numbered 59.

Which motion prevailed.

INTRODUCTION OF HOUSE BILLS AND MEMORIALS.

Mr. Galbraith introduced

House bill No. 47,

A bill for an act to amend section 4064 of the Revised Codes of the state of North Dakota, 1895, in regard to usury, and providing that a contract or agreement providing for a greater rate of interest after than before maturity shall be deemed usurious.

Which was read the first time.

Mr. Axvig introduced

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

Which was read the first time.

Mr. Watts introduced

House bill No. 49,

A bill for an act to amend section 5848, chapter 29 of the Codes of Civil Procedure of the Revised Codes of the state of North Dakota, relating to foreclosure by advertisement of real estate mortgages.

Which was read the first time.

Mr. Chaffee introduced

House bill No. 50,

A bill for an act to amend section 3605 of the Revised Codes of North Dakota, which said section defines and exempts the homestead.

Which was read the first time.

Mr. Bacon introduced

House bill No. 51,

A bill for an act to amend section 1645 of the Revised Codes of the state of North Dakota, relating to permits.

Which was read the first time.

Mr. Winslow introduced

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Which was read the first time.

Mr. Chacey introduced

House bill No. 53,

A bill for an act to repeal section 1817 and section 1818 of article 2 of chapter 24 of the political code relating to the appointment of honorably discharged union soldiers and sailors upon public works and in public departments.

Which was read the first time.

FIRST READING OF SENATE BILLS.

Senate bill No. 11,

A bill to amend sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of the state of North Dakota, relating to the recording of marks and brands.

Which was read the first time.

Senate bill No. 8;

A bill for an act entitled an act to amend section 6219 of the Revised Codes.

Which was read the first time.

Mr. Young moved

That we return to order of business No. 12,

Which motion prevailed.

Mr. Bacon moved

That we take a recess for 10 minutes,

Which motion prevailed.

After recess.

GENERAL ORDERS.

Mr. Tufte moved

That the house resolve itself into a committee of the whole for the consideration of general orders,

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Cassell to the chair.

When the committee arose they made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to

license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

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

Striking out lines one to eight inclusive, and in lieu thereof inserting "section 1, (amendment) that section 278 of the political code of the state of North Dakota be amended so as to read as follows:"

And inserting in line nine of said bill before the first word "the" therein "section 278, license to be recorded."

And when so amended recommend that the same do pass.

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

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

By adding after the word "proposition" in line 4, section 13, of said bill the words "which vote shall be by yeas and nays, and the minutes of such meeting shall show the names of those voting in the affirmative and of those voting in the negative, which record shall be prima facie evidence of the facts therein contained."

And when so amended recommend that the same do pass.

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

And recommend that same be laid over.

M. B. CASSELL,
Chairman.

Mr. Tufte moved

That the report of the committee be adopted,

Which motion prevailed.

Mr. Nelson moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FIFTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 22, 1901.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Hare, Mallough, Swarthout and Strutz, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal for the fourteenth day and beg leave to recommend that the same be corrected as follows:

On page 2 strike out lines 19 and 20.

On page 2, line 22, correct the spelling of "amend."

On page 2, line 22, insert after the word "report" "the reference to."

On page 2, line 29, add the word "had" after the word "have."

On page 4, line 50, correct the spelling of the word "was."

On page 5, line 9, strike out the word "Young" and insert "Ramsett."

And as so corrected recommend that the journal be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

The adoption of the report,

Which motion prevailed, and

The report was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House bill No. 3,

A bill for an act entitled an act to provide for the exemption of property used exclusively for religious purposes from taxation.

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

Mr. Nelson moved

That the report as read be adopted,

Which motion prevailed, and

The report was adopted.

Also,

House bill No. 35,

A bill for an act to amend section 1243 of the Revised Codes, relating to delinquent personal property tax. When due. Penalty. Distress.

Have had the same under consideration and recommend that he same be indefinitely postponed.

Mr. Nelson moved

That the report on house bill No. 35 as read be adopted,

Which motion prevailed, and

The report was adopted, and

The further consideration of the bill was indefinitely postponed.

T. E. NELSON,

Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

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

Also,

House bill No. 26,

A bill for an act to amend subdivisions 1, 2, 3 and 4 of section 7677, chapter 72 of the Revised Codes of 1899, relating to game and fish.

And recommend that the same be indefinitely postponed.

Also,

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

And recommend that the same be amended

By "striking out the emergency clause,"

And when so amended recommend that the same do pass.

Respectfully submitted,

F. T. GRONVOLD,

Chairman.

Mr. Gronvold moved

That the report be adopted,

Mr. Thomas moved

As a substitute motion that the portions of the report referring to the different bills be considered separately.

Which motion prevailed, and

The report was so considered.

Mr. Gronvold moved

That the portion of the report referring to

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

Be adopted.

Which motion prevailed, and

That portion of the report referring to

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

Was adopted.

Mr. Gronvold moved

That the portion of the report referring to

House bill No. 26,

A bill for an act to amend subdivisions 1, 2, 3 and 4 of section 7677, chapter 72 of the Revised Codes of 1899, relating to game and fish.

Be adopted.

Which motion prevailed, and

The portion of the report referring to

House bill No. 26,

A bill for an act to amend subdivisions 1, 2, 3 and 4 of section 7677, chapter 72 of the Revised Codes of 1899, relating to game and fish.

Was adopted and

The further consideration of the bill was indefinitely postponed.

Mr. Thomas moved

That the rules be suspended and that portion of the report referring to

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Be adopted.

Which motion prevailed, and
The portion of the report referring to
House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 19,

A bill for an act entitled An act to amend section 345 of the Code of Civil Procedure, being section 5541 of the Revised Codes North Dakota, 1899.

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

By inserting in line four of said bill before the word "payment" the words and figures "section 5541."

And when so amended recommend that the same do pass.

Mr. Galbraith moved

That the rules be suspended and the report on

House bill No. 19,

A bill for an act entitled An act to amend section 345 of the Code of Civil Procedure, being section 5541 of the Revised Codes North Dakota, 1899.

As read be adopted.

Which motion prevailed, and
The report was adopted.

Also,

House bill No. 10,

A bill for an act entitled an act to amend section 446 of article 10, chapter 7 of the Revised Codes of 1899, relating to the drawing of jurors.

Have had the same under consideration and recommend that the consideration of the same be indefinitely postponed.

Mr. Young moved

That the report on

House bill No. 10,

A bill for an act entitled an act to amend section 446 of article 10, chapter 7 of the Revised Codes of 1899, relating to the drawing of jurors.

As read be adopted.

Which motion prevailed, and
The report was adopted.

And the further consideration of the bill was indefinitely postponed.

Also,

House bill No 21,

A bill for an act entitled "An act for the examination of parties and persons interested in an action or proceeding under the rules of cross-examination when called to testify by an adverse party and providing that the party calling for such examination shall not be concluded thereby."

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

By inserting in line three in lieu of the first "of" in said line the word "or."

And when so amended recommend that the same do pass.

Mr. Young moved

That the report on

House bill No. 21,

A bill for an act entitled "An act for the examination of parties and persons interested in an action or proceeding under the rules of cross-examination when called to testify by an adverse party and providing that the party calling for such examination shall not be concluded thereby."

As read be adopted.

Which motion prevailed, and

The report was adopted.

Also,

House bill No. 16,

A concurrent resolution amending subdivision 5, section 215 of article 19 of the constitution of the state of North Dakota.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report on

House bill No. 16,

A concurrent resolution amending subdivision 5, section 215 of article 19 of the constitution of the state of North Dakota.

As read be adopted.

Mr. Bacon moved

As a substitute motion that the consideration of the committee report on this bill be adopted.

Which motion prevailed, and

Consideration of the report was deferred.

INTRODUCTION OF HOUSE BILLS AND MEMORIALS.

Mr. Swenson introduced

House bill No. 54,

A bill for an act to amend section 686 of the Revised Codes.

Which was read the first time.

Mr. Reade introduced

House bill No. 55,

A bill for an act to amend sections 2464 and 2465 of the Revised Codes of 1899, relating to volunteer firemen's association.

Which was read the first time.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 22, 1901.

Mr. Speaker:

I have the honor to transmit

Senate bill No. 2,

A bill for an act entitled an act to provide a time at which claims against the estates of decedents shall be barred.

Also,

Senate bill No. 3,

A bill for an act entitled an act to amend section 5256, Revised Codes, relating to mailing summons and complaint.

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

Very respectfully,

GEO. L. TOWNES,

Secretary.

Mr. Thordarson introduced

House bill No. 56,

A bill for an act to repeal section 1811 of the Revised Codes of 1899 of the state of North Dakota, being chapter 51 of the session laws of the state of North Dakota.

Which was read the first time.

Mr. Michels introduced

House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

Which was read the first time.

Also,

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes,

relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Which was read the first time.

Mr. Young introduced

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

Which was read the first time.

SECOND READING OF HOUSE BILLS AND MEMORIALS.

House bill No. 41,

A bill for an act entitled an act providing for an appropriation for the erection of buildings for the North Dakota school of forestry at Bottineau, and for the contingent expenses incident to the construction thereof.

Was read the second time and

Referred to the committee on appropriations.

Also,

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

Was read the second time and

Referred to the committee on education.

Also,

House bill No. 44,

A bill for an act to amend section 4719 of the Revised of North Dakota, 1899, relating to the discharge of real estate mortgages.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 45,

A bill for an act to repeal section 1549 of the Revised Codes of North Dakota, making it lawful for stock to run at large from the first day of November until the first day of April each year.

Was read the second time and

Referred to the committee of agriculture.

Also,

House bill No. 46,

A bill for an act entitled an act to amend section 1050 of the Revised Codes of North Dakota, 1899.

Was read the second time and

Referred to the committee on public highways.

Also,

House bill No. 47,

A bill for an act to amend section 4064 of the Revised Codes of the state of North Dakota, 1895, in regard to usury, and providing that a contract or agreement providing for a greater rate of interest after than before maturity shall be deemed usurious.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 50,

A bill for an act to amend section 3605 of the Revised Codes of North Dakota, which said section defines and exempts the homestead.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 53,

A bill for an act to repeal section 1817 and section 1818 of article 2 of chapter 24 of the political code relating to the appointment of honorably discharged union soldiers and sailors upon public works and in public departments.

Was read the second time, and

Referred to the committee on military affairs.

FIRST READING OF SENATE BILLS AND MEMORIALS.

Senate bill No. 2,

A bill for an act entitled an act to provide a time at which claims against the estates of decedents shall be barred.

Was read the first time.

Also,

Senate bill No. 3,

A bill for an act entitled an act to amend section 5256, Revised Codes, relating to mailing summons and complaint.

Was read the first time.

SECOND READING OF SENATE BILLS.

Senate bill No. 8,

A bill for an act entitled an act to amend section 6219 of the Revised Codes.

Was read the second time and

Referred to the committee on judiciary.

Senate bill No. 11,

A bill to amend sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of the state of North Dakota, relating to the recording of marks and brands.

Was read the second time and

Referred to the committee on sheep and sheep industries.

Mr. Gronvold moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 23, 1901.

The House assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Galbraith, Johnson, Mal-
lough and Strutz, who were excused.

REFERENCE OF THE JOURNAL.

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the 15th day and beg leave to report:

Line 5, page 5, insert word "of" before word "North."

Line 20, page 6, the word "adopted" stricken out and "deferred" substituted therefor.

Line 9, page 6, correct spelling of word "the."

Line 7, page 8, insert word "codes" after word "revised."

Line 29, page 8, insert letter "o" at beginning of line.

And as so corrected recommend that the journal be approved.

Respectfully submitted,

C. WINSLOW,

Chairman.

Mr. Winslow moved,

That the report of the committee on revision and correction of the Journal be adopted.

Which motion prevailed, and

The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Mr. Bjornson presented the following:

Hon. James B. Sharpe and J. A. T. Bjornson, Members of the Seventh Legislative Assembly of the State of North Dakota.

Gentlemen:—We respectfully request you, and each of you to use your best efforts to secure the amendment of Section 527 of the Revised Codes by striking out and excluding therefrom the following sentence, to-wit:

"And also cause to be published in at least one of the newspapers of the county in tabular form the vote by precincts for each officer and proposition voted for at said election; such publication to be paid for at a rate not exceeding the rate paid for publishing county commissioners' proceedings."

Dated LaMoure, North Dakota, January 17, 1901.

H. J. HANSON,
J. N. JORDAN,
J. W. JOHNSTON,
J. A. WHITE,
M. ROSCOE,

County Commissioners of LaMoure County, North Dakota.

Hon. James B. Sharpe and Hon. J. A. T. Bjornson, Members of the Seventh Legislative Assembly of the State of North Dakota.

Gentlemen:—We the undersigned, county commissioners of LaMoure county, North Dakota, respectfully request that you use all proper means to secure the amendment of Section 1233 of the Revised Codes so that the treasurer's notice mentioned therein may not be required by law; or if so required need not contain notice of the rates of taxation and the amounts raised for each specific purpose. If such notice is required in any form, we request that said section fix the rate for the publication thereof in tabular form, at no greater sum than that prescribed by law for county commissioners' proceedings.

Dated at LaMoure, North Dakota, January 17, 1901.

H. J. HANSON,
J. N. JORDAN,
J. A. WHITE,
J. W. JOHNSTON,
M. ROSCOE.

Mr. Packard presented the following:

GLEN ULLIN, N. D., January 21, 1901.

Hon. A. M. Packard, Bismarck, N. D.

Dear Sir: We, the undersigned constituents of the 30th legislative district of the state of North Dakota, which district you are representing, respectfully and earnestly ask you to give your full support to passing a

bill to amend the exemption laws to such an extent as to read five hundred (\$500.00) dollars instead of fifteen hundred (\$1,500.00) dollars, and use all reasonable means in your power to secure the passage of such a bill.

J. T. NELSON,
And 21 Others.

Also the following:

To the Honorable Representatives of the 30th District, consisting of the following gentlemen, viz: A. M. Packard, W. B. Wade and J. A. McDougal:

At a meeting held by the Glen Ullin Wool Growers' association Jan. 5, 1901, it was unanimously resolved that we call the attention of the above representatives of the 30th district to the necessity of increasing the wolf bounty for the benefit of the stock growers in said state. If you will only take into consideration the amount of stock which has been killed during the year 1900 you will find that the amount of taxes the state loses would to a great extent cover some of the expense of paying said bounty.

We find from an account which has been handed in by each member of this association that the loss of sheep during the year 1900 sums up to the total number of 822 head of sheep at a valuation of \$3.50 per head would amount to \$2,877.

P. B. WICKHAM, President.
E. GARTSIDE, Secretary.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 27,

A bill for an act to amend subdivision 3 of section 7110, chapter 20 of the Revised Codes of 1899, relating to the punishment for kidnapping.

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

By striking out all after the enacting clause and inserting the following:
Section 1. That section 7110 of the revised codes be and the same is hereby amended to read as follows:

Section 7110. Kidnapping defined. Defense. Exception.) Every person who, without lawful authority, forcibly seizes and confines another, or inveigles or kidnaps another, with intent either,

1. To cause such other person to be secretly confined or imprisoned in this state against his will; or,

2. To cause such other person to be sent out of this state against his will; or,

3. To cause such other person to be sold as a slave, or in any way held to service against his will; is punishable by imprisonment in the penitentiary not less than ten and not exceeding twenty years. Upon any trial for a violation of this section, the consent thereto of the person kidnapped or confined, shall not be a defense, unless it appears satisfactorily to the jury, that such person was above the age of sixteen years, and that such consent was not extorted by threat or by duress.

That the title to the printed bill be stricken out and the following substituted:

A bill for an act to amend section 7110 of the revised codes, relating to kidnapping.

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 23, 1901.

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 36,

A bill for an act entitled an act to provide for the settlement of
estates of decedents.

Also,

Senate bill No. 33,

A bill for an act to secure from loss persons who furnish
materials or labor in the alteration, repair, erection or better-
ment of public buildings.

Also,

Senate bill No. 40,

A bill for an act in relation to the transaction of business by
fire insurance companies or associations otherwise than through
resident agents.

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

Very respectfully,
GEORGE L. TOWNES,
Secretary.

REPORTS OF STANDING COMMITTEES.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of
the Revised Codes, 1899, relating to education.

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

CLARKSON A. HALL,
Chairman.

Mr. Dwire moved

That the report as read be adopted.

Which motion prevailed, and

The report was adopted.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 5,

A bill for an act entitled an act to provide for directors and officers of religious corporations.

Also,

House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

Also,

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

Also,

House bill No. 14,

A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves.

Also,

House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

Also,

House bill No. 20,

A bill for an act to amend section 403 of the Revised Codes, relating to the boundaries and terms of court in and for the First judicial district of the state of North Dakota.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

The committee on highways, bridges and ferries made the following report;

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House bill No. 46,

A bill for an act entitled an act to amend section 1050 of the Revised Codes of North Dakota, 1899.

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

Also,

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

And recommend that the same be amended as follows:

After the word "to" insert the words "the clerk," in lieu of the words "one of the supervisors"

And when so amended recommend that the same do pass.

ELLING SEVERSON,
Chairman.

The following minority report was also submitted.

Mr Speaker:

The minority of your committee on highways, bridges and ferries, beg leave to make the following report.

That the minority of your committee have had under consideration

House bill No. 46,

A bill for an act entitled an act to amend section 1050 of the Revised Codes of North Dakota, 1899.

And we recommend the following amendment:

After the word "highways" in line 1, sec. 1050, insert the words: "On section lines."

And when so amended recommend that the same do pass.

Respectfully submitted,

J. H. PARR,
O. J. CHEVALIER,
Minority of Committee.

Mr. Morgan moved

That the report be divided and the portions of the report referring to the different bills be considered separately.

Which motion prevailed, and

The report was so considered.

Mr. Rose moved, that

House bill No. 46,

A bill for an act entitled an act to amend section 1050 of the Revised Codes of North Dakota, 1899.

On which there is a majority and minority report be referred back to the committee on highways, bridges and ferries,

Which motion prevailed, and

The bill was so referred.

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

Was referred to general orders.

PETITIONS AND COMMUNICATIONS.

The following petition was received:

GRANDIN, N. D., Jan. 21, 1901.

To the Senator and Representatives of the Tenth District:

We, the undersigned residents and taxpayers of Cass county, hereby respectfully ask you to vote for any measure at the present session of the legislature that will reduce the exemptions from \$1,500 to \$500.

ROBERT SWARTWOOD
And nineteen others.

INTRODUCTION OF BILLS AND MEMORIALS.

Mr. Rose introduced
House bill No. 60,

A bill for an act to provide for the maintenance of the industrial school and school of manual training, located at Ellendale, and for making necessary improvements, and making an appropriation therefor.

Which was read the first time.

Mr. Leech introduced (by request)
House bill No. 61,

A bill for an act requiring district judges to give a reason for their decisions.

Which was read the first time.

Also,

House bill No. 62,

A bill for an act to regulate and limit motions to dismiss and motions tending to defeat appeals to the supreme court.

Which was read the first time.

Also,

House bill No. 63,

A bill for an act to regulate the hearing and determination of cases by the supreme court, and to provide for amendments so as to obviate errors of practice.

Which was read the first time.

Also,

House bill No. 64,

A bill for an act to provide for the appointment of a tax commissioner and to prescribe his duties and his salary.

Which was read the first time.

Also,

House bill No. 65,

A bill for an act to amend section 5276 of the Code of Civil Procedure relating to sham answers.

Which was read the first time.

Mr. Bjornson introduced

House bill No. 66,

A bill for an act to amend section 441 of the Revised Codes of North Dakota, relating to jurors.

Which was read the first time.

Mr. Gronvold introduced

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

Which was read the first time.

Mr. Chaffee introduced

House bill No. 68,

A bill for an act entitled "An act to require fire, lightning or tornado insurance agents within the state, to pay license fees."

Which was read the first time.

Mr. Thomas introduced

House bill No. 69,

A bill for an act to abolish the provisions of section 1549 in townships and in counties not organized into townships by a vote of the electors and prescribing the manner of conducting the elections therein for that purpose.

Which was read the first time.

Also,

House bill No. 70,

A bill for an act entitled "An act to create and establish the office of state veterinarian, prescribing his qualifications, duties, power, authority and compensation and repealing article 7 of chapter 22 of the Political Code and all acts in conflict with this act."

Which was read the first time.

Mr. Hare introduced

House bill No. 71,

A bill for an act to amend section 5958 of the Revised Codes, enumerating what property may be taken in the exercise of the right of eminent domain.

Which was read the first time.

Mr. Anderson introduced

House bill No. 72,

A bill for an act to give publicity to the affairs of school districts, and the accounts of treasurers thereof.

Which was read the first time.

Mr. Cassell introduced

House bill No. 73,

A bill for an act to amend sections 450, 453 and 457 of the Revised Codes of North Dakota, relating to jurors and the manner of drawing same.

Which was read the first time.

Also,

House bill No. 74,

A bill for an act to appropriate money to meet a deficiency in the salary and expenses of the office of assistant dairy and food commissioner.

Which was read the first time.

Mr. Cassell moved

That the rules be suspended and

House bill No. 74,

A bill for an act to appropriate money to meet a deficiency

in the salary and expenses of the office of assistant dairy and food commissioner.

Be given its second reading and referred,
Which motion prevailed, and

House bill No. 74,

A bill for an act to appropriate money to meet a deficiency in the salary and expenses of the office of assistant dairy and food commissioner.

Was read the second time, and

Referred to the committee on appropriations.

Mr. McClure introduced

House bill No. 75,

A bill for an act to amend and to re-enact section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

Which was read the first time.

Mr. Gulack introduced

House bill No. 76,

A bill for an act providing that deeds and mortgages shall not be recorded unless the post office address of grantor and grantee shall appear therein.

Which was read the first time.

Mr. Davis introduced

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

Which was read the first time.

Mr. Davis introduced

House bill No. 78,

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Which was read the first time.

Also,

House bill No. 79,

A bill for an act to amend section 2540 of the Revised Codes of North Dakota, relating to the time of holding annual township meetings.

Which was read the first time.

Mr. Bjornson introduced

House bill No. 80,

A bill for an act to amend section 1233 of the Revised Codes of the state of North Dakota, relating to notice of. Rates of taxation and terms for payment. Deputy treasurer.

Which was read the first time

Also,

House bill No. 81,

A bill for an act to amend section 527 of the Revised Codes of North Dakota, relating to abstract of votes. Certificate of election. Publication of returns.

Which was read the first time.

SECOND READING OF HOUSE BILLS AND MEMORIALS

House bill No. 42,

A bill for an act to amend section 2079 of the Revised Codes of 1899 of the state of North Dakota with reference to the fees to be charged by registers of deeds.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

Was read the second time, and

Referred to the committee on agriculture.

Also,

House bill No. 54,

A bill for an act to amend section 686 of the Revised Codes.

Was read the second time, and

Referred to the committee on education.

Also,

House bill No. 55,

A bill for an act to amend sections 2464 and 2465 of the Revised Codes of 1899, relating to volunteer firemen's association.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

Was read the second time, and

Referred to the committee on schools and school lands.

Also,

House bill No. 56,

A bill for an act to repeal section 1811 of the Revised Codes of 1899 of the state of North Dakota, being chapter 51 of the session laws of the state of North Dakota.

Was read the second time, and

Referred to the committee on ways and means.

Also,

House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Was read the second time, and

Referred to the committee on education.

Also,

House bill No. 51,

A bill for an act to amend section 1645 of the Revised Codes of the state of North Dakota, relating to permits.

Was read the second time, and

Referred to the committee on state affairs.

Mr. Bacon moved

That the house take a recess of ten minutes.

Which motion prevailed and

The house took a recess.

The house reassembled.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 23, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 37,

A bill for an act to amend section 338d of the Revised Codes of 1899, relating to vouchers and warrants.

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

Very respectfully,
GEORGE L. TOWNES,
Secretary.

Mr. Hare moved

That the rules be suspended and that

Senate bill No. 37 be read the first and second times and referred to its appropriate committee.

Which motion prevailed and

Senate bill No. 37,

A bill for an act to amend section 338d of the Revised Codes of 1899, relating to vouchers and warrants.

Was read the first and second times, and
 Referred to the committee on ways and means.

THIRD READING OF HOUSE BILLS AND MEMORIALS.

House bill No. 14,

A bill for an act authorizing board of county commissioners
 to offer reward for the destruction of buffalo or timber wolves.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays 4, absent and
 not voting 7.

Messrs.—

Allshouse,
 Bacon,
 Bennett,
 Bjornson,
 Brisbin,
 Cassell,
 Chacey,
 Chaffee,
 Chevalier,
 Davis,
 Dickson,
 Dwire,
 Gronvold,
 Gulack,
 Gullikson,
 Hall,
 Hare,

Messrs.—

Hammond,
 Heath,
 Hill,
 Hjelmstad,
 Keeler,
 Lemke,
 Leech,
 Lerom,
 McClure,
 McLean,
 Miller,
 Nelson,
 Niven,
 Nicholson,
 Packard,
 Palmer,
 Parr,

Messrs.—

Ramsett,
 Reade,
 Restemayer,
 Rose,
 Sargeant,
 Severson,
 Swarthout,
 Thomas,
 Thordarson,
 Tubbs,
 Tuffe,
 Wade,
 Watson,
 Willison,
 Winslow,
 Young,
 Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
 Morgan,

Messrs.—

Stafne,

Messrs.—

Watts,

Absent and not voting:

Messrs.—

Axvig,
 Galbraith,
 Johnson,

Messrs.—

Mallough,
 Michels,

Messrs.

Phifer,
 Strutz,

Messrs. Galbreth, Johnson, Mallough and Strutz, were excused.

So the bill passed and the title was agreed to.

Mr. Lerom moved to adjourn,

Which motion was lost.

Mr. Wade moved

That the vote by which house bill No. 14 was passed be recon-
 sidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

Mr. Bacon moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
 Chief Clerk.

SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 24, 1901.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Axvig, Strutz and Galbraith, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the sixteenth day and beg leave to report:

Page 6, line 30, change "16" to "46."

Page 6, strike out lines 31 and 32 and insert in lieu thereof:

"A bill for an act entitled an act to amend section 1050 of the Revised Codes of North Dakota, 1899."

Page 6 strike out lines 37 to 43, inclusive.

Page 12, line 18, change "54" to "51."

Page 12, line 47, correct spelling of name "Galbraith."

And as so corrected recommend that the journal be approved.

Respectfully submitted,

M. WINSLOW,
Chairman.

Mr. Winslow moved

The adoption of the report,

Which motion prevailed, and

The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Bennett presented the following petition.

INKSTER, N. D., Jan. 21, 1901.

To Hon. R. L. Bennett, Representative of the Fifth District, Bismarck,
North Dakota.

Sir:—We, the undersigned business men, learning that there is a bill now

before the legislature amending the Exemption law by fixing the amount of said exemptions at \$500, instead of \$1,500 as it is now, and believing that it is for the best interest of our state to have such an amendment become a law, urge you to give this bill, when introduced, your hearty support.

Respectfully,

V. E. BEMIS.
And 23 Others.

REPORTS OF STANDING COMMITTEES.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred.

House bill No. 22,

A bill for an act to amend section 225 of the Revised Codes of 1899, so as to enable the lessee of common school and public lands of the state during and within one year after his term shall have expired to remove from such lands any fencing, buildings or improvements he may have made thereon or have purchased from his predecessor.

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

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Also,

House bill No. 21,

A bill for an act entitled "An act for the examination of parties and persons interested in an action or proceeding under the rules of cross-examination when called to testify by an adverse party and providing that the party calling for such examination shall not be concluded thereby."

Also,

House bill No. 3,

A bill for an act entitled an act to provide for the exemption

of property used exclusively for religious purposes from taxation.

Also,

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Also,

House bill No. 19,

A bill for an act entitled "An act to amend section 345 of the Code of Civil Procedure, being section 5541 of the Revised Codes

Also,

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

Also,

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate bill No. 37,

A bill for an act to amend section 338d of the Revised Codes of 1899, relating to vouchers and warrants.

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

M. B. CASSELL,

Chairman.

Mr. Rose moved

That the rules be suspended, and

Senate bill No. 37,

A bill for an act to amend section 338d of the Revised Codes of 1899, relating to vouchers and warrants.

Be put upon its third reading and final passage,

Which motion prevailed, and

Senate bill No. 37,

A bill for an act to amend section 338d of the Revised Codes of 1899, relating to vouchers and warrants.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays 1, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Palmer,
Parr,
Phifer,

Messrs.

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Mr. Packard voting in the negative.

Absent and not voting:

Messrs.—

Axvig,
Galbraith,

Messrs.—

Johnson,

Messrs.

Strutz,

Messrs. Axvig, Galbraith, Johnson and Strutz being excused.

So the bill passed.

Mr. Cassell moved

That the title be amended so as to read

For an Act to Amend Section 1 of chapter 170 of session laws of 1899, being same as section 338d of the Revised Codes of 1899, relating to vouchers and warrants.

And the amendment was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 24, 1901.

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 34,

A bill for an act to amend section 5200 of the Revised Codes of

the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

Also,

Senate bill No. 46,

A bill for an act to cure defective acknowledgments.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Speaker:

The senate has had under consideration the concurrent resolution annexed hereto, relating to petitioning the railway companies operating railways within the state to grant a reduced freight rate on corn, oats, hay and ground feed which the senate has concurred in.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

CONCURRENT RESOLUTION.

1. Whereas, The growing season of nineteen hundred was extremely dry, preventing the growth and maturity of grain crops and hay throughout the entire state.

2. Whereas, In consequence of said drouth there is a shortage of coarse grains to meet the demand for feeding purposes.

3. Whereas, As a further consequence of said drouth there are many sections of the state entirely destitute of hay, necessary to feed work stock during seed time.

4. Whereas, The available supplies to meet the demand must be shipped into the state from outside sources of supply.

5. Resolved, That the house of representatives, the senate concurring, petition the railway companies operating railways within the state to grant a reduced freight rate on corn, oats, hay and ground feed.

6. Resolved, That a copy of this resolution be sent to each of the following railway companies, viz.: Great Northern, Northern Pacific, Soo Line, Milwaukee & St. Paul, Chicago & Northwestern.

Mr. Leech moved

That the rules be suspended and

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Be put upon its third reading and final passage.

Motion withdrawn.

Mr. Leech moved that
House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Be referred to general orders,
Which motion prevailed, and
The bill was referred to general orders.

REPORT OF COMMITTEE ON JOINT RULES.

Mr. Speaker:

Your committee on joint rules beg leave to report the same joint rules and joint convention rules for the government of the house and senate as were adopted by the legislative assembly of 1899, and recommend that the secretary of state be authorized to incorporate them in proper form in the legislative manual of 1901, which shall also contain similar information to that contained in the last manual, and when printed that copies be furnished the state officers and five copies to each member of the seventh legislative assembly and sufficient copies be retained to supply each member of the eighth legislative assembly with one copy. Advance sheets of the manual containing the rules of each house and the standing committees shall be furnished for the use of the members of the respective bodies at once.

Respectfully submitted,

JUDSON LAMOURE,
Chairman of the Senate Committee.
R. L. BENNETT,
Chairman of the House Committee.

Mr. Bennett moved
That the report be adopted as read,
Which motion prevailed, and
The report was adopted.

Mr. Reade moved
That the privileges of the floor of the house be extended to Mr. Geo. A. Welch, of Burleigh county.
There being no objections, the courtesies of the floor were so extended.

MOTIONS AND RESOLUTIONS.

Mr. Young moved
That the attorney general be requested to furnish a written

opinion as to the legal status of the so-called Revised Codes of North Dakota of 1899 and that he recommend a suitable form to be used in the preparation of bills where amendments are made to the existing laws of this state.

Which motion prevailed.

INTRODUCTION OF HOUSE BILLS AND MEMORIALS.

Mr. Tufte introduced

House bill No. 82,

A bill for an act to define and reapportion the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Which was read the first time.

Mr. Hall introduced

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Which was read the first time.

Mr. Nevin introduced

House bill No. 84,

A bill for an act defining the duties of county judges in courts of limited jurisdiction.

Which was read the first time.

Also,

House bill No. 85,

A bill for an act defining the duties of attorneys at law.

Which was read the first time.

Mr. Keeler introduced

House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

Which was read the first time.

Also,

House bill No. 87,

A bill for an act to amend section 1030 of the Revised Codes of 1899, as relating to fuel for public schools.

Which was read the first time.

Mr. Tufte introduced

House Bill No. 88 as substitute for House Bill No. 33.

House bill No. 88,

A bill for an act to create a state farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Which was read the first time.

SECOND READING OF HOUSE BILLS AND MEMORIALS

House bill No. 79,

A bill for an act to amend section 2540 of the Revised Codes of North Dakota, relating to the time of holding annual township meetings.

Was read the second time and

Referred to committee on elections and privileges.

Also,

House bill No. 72,

A bill for an act to give publicity to the affairs of school districts, and the accounts of treasurers thereof.

Was read the second time and

Referred to the committee on education.

Also,

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

Was read the second time and

Referred to the committee on state affairs.

Also,

House bill No. 71,

A bill for an act to amend section 5958 of the Revised Codes, enumerating what property may be taken in the exercise of the right of eminent domain.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 73,

A bill for an act to amend sections 450, 453, 456 and 457 of the Revised Codes of North Dakota, relating to jurors and the manner of drawing same.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 65,

A bill for an act to amend section 5276 of the Code of Civil Procedure relating to sham answers.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 78,

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Was read the second time and

Referred to the committee on elections and privileges.

Also,

House bill No. 80,

A bill for an act to amend section 1233 of the Revised Codes of the state of North Dakota, relating to notice of. Rates of taxation and terms for payment. Deputy treasurer.

Was read the second time and

Referred to the committee on taxes and tax laws.

Also,

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Was read the second time and

Referred to the committee on schools and public lands.

Also,

House bill No. 63,

A bill for an act to regulate the hearing and determination of cases by the supreme court, and to provide for amendments so as to obviate errors of practice.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 75,

A bill for an act to amend and to re-enact section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

Was read the second time and

Referred to the committee on ways and means.

Also,

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

Was read the second time and

Referred to committee on county and county boundaries.

Also,

House bill No. 61,

A bill for an act requiring district judges to give a reason for their decisions.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 60,

A bill for an act to provide for the maintenance of the industrial school and school of manual training, located at Ellendale, and for making necessary improvements, and making an appropriation therefor.

Was read the second time, and

Referred to the committee on appropriations.

Also,

House bill No. 64,

A bill for an act to provide for the appointment of a tax commissioner and to prescribe his duties and his salary.

Was read the second time, and

Referred to the committee on taxes and tax laws.

Also,

House bill No. 62,

A bill for an act to regulate and limit motions to dismiss and motions tending to defeat appeals to the supreme court.

Was read the second time, and

Referred to the committee on judiciary.

THIRD READING OF HOUSE BILLS AND MEMORIALS.

House bill No. 3,

A bill for an act entitled an act to provide for the exemption of property used exclusively for religious purposes from taxation.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon,
Bennett,
Bjornson,
Britsbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Gronvold,
Gulack,
Gullkson,
Hall,
Heath,
Hill,
Hjelmstad,

Messrs.—

Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Palmer,
Parr,
Phifer,
Reade,
Ramsett,

Messrs.—

Restemayer,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willson,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Galbraith,	Rose,
Axvig,	Hare,	Strutz,
Dwire,	Johnson,	

Messrs. Axvig, Galbraith, Johnson and Strutz being excused.

So the bill passed and the title was agreed to.

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 45, nays 10, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Phifer,
Bacon,	Keeler,	Ramsett,
Brisbin,	Leech,	Restemayer,
Cassell,	Lemke,	Sargeant,
Chacey,	Lerom,	Stafne,
Chaffee,	Mallough,	Swarthout,
Chevalier,	McClure,	Thomas,
Davis,	McLean,	Thordarson,
Dickson,	Miller,	Tubbs,
Dwire,	Morgan,	Tufte,
Gullikson,	Nelson,	Watson,
Hall,	Nicholson,	Willison,
Hammond,	Nevin,	Winslow,
Heath,	Palmer,	Young,
Hill,	Parr,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Gulack,	Reade,
Bennett,	Michels,	Severson,
Bjornson,	Packard,	Wade,
Gronvold,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Galbraith,	Strutz,
Hare,	Johnson,	Watts,

Messrs. Axvig, Galbraith and Strutz being excused.

So the bill as amended passed and the title was agreed to.

Mr. Cassell moved,

That the vote by which house bill No. 43 was passed be reconsidered and the motion to reconsider be laid on the table,

Which motion was lost.

Mr. Hare gave notice that he would move to reconsider the vote by which

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

Was passed.

House bill No. 19,

A bill for an act entitled "An act to amend section 345 of the Code of Civil Procedure, being section 5541 of the Revised Codes North Dakota, 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays 0, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Allshouse,	Hill,	Ramsett,
Anderson,	Hjelmstad,	Reade,
Bacon,	Keeler,	Restemayer,
Bennett,	Leech,	Rose,
Bjornson,	Lemke,	Sargeant,
Brisbin,	Lerom,	Severson,
Cassell,	Mallough,	Stafne,
Chacey,	McClure,	Swarthout
Chaffee,	McLean,	Thomas,
Chevalier,	Michels,	Thordarson,
Davis,	Miller,	Tubbs,
Dickson,	Morgan,	Tufte,
Dwire,	Nelson,	Wade,
Gronvold,	Nevin,	Watts,
Gulack,	Nicholson,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Winslow,
Hare,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker,
Heath,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.
Axvig,	Galbraith,	Strutz,
Johnson,		

Messrs. Axvig, Galbraith and Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Cassell asked unanimous consent to amend

House bill No. 21,

A bill for an act entitled "An act for the examination of parties and persons interested in an action or proceeding under the rules of cross-examination when called to testify by an adverse party and providing that the party calling for such examination shall not be concluded thereby."

Which consent was granted, and

Mr. Cassell moved

That House Bill No. 21 be amended by inserting in the emergency clause the words "Section 3, Emergency."

Which motion prevailed, and

The bill was so amended.

House bill No. 21,

A bill for an act entitled "An act for the examination of parties and persons interested in an action or proceeding under the rules of cross-examination when called to testify by an adverse party and providing that the party calling for such examination shall not be concluded thereby."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hjelmstad,	Reade,
Anderson,	Keeler,	Restemayer,
Bacon,	Leech,	Rose,
Bennett,	Lemke,	Sargeant,
Bjornson,	Lerom,	Severson,
Brisbin,	Mallough,	Stafne,
Cassell,	McClure,	Swarthout,
Chacey,	McLean,	Thomas,
Chaffee,	Michels,	Thordarson,
Chevalier,	Miller,	Tubbs,
Davis,	Morgan,	Tufte,
Dickson,	Nelson,	Wade,
Dwire,	Nicholson,	Watts,
Gronvold,	Nevin,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Winslow,
Hare,	Parr,	Young,
Heath,	Phifer,	Mr. Speaker,
Hill,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Johnson,	Strutz,
Galbraith,		

Messrs. Axvig, Galbraith, Johnson and Strutz, being excused.

So the bill passed and the title was agreed to.

Mr. Thomas asked unanimous consent to amend,

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Which was granted, and

Mr. Thomas moved

That House Bill No. 6 be amended

By striking out the word "general" in the emergency clause and inserting in lieu thereof the word "legislative."

Which motion prevailed, and

The bill was so amended.

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays 6, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Restemayer,
Anderson,	Hjelmstad,	Rose,
Bacon,	Keeler,	Sargeant,
Bennett,	Leech,	Severson,
Bjornson,	Lemke,	Stafne,
Brisbin,	Lerom,	Swarthout,
Cassell,	Mallough,	Thomas,
Chacey,	McClure,	Thorvarson,
Chaffee,	McLean,	Tubbs,
Chevalier,	Miller,	Tuftte,
Dickson,	Morgan,	Wafts,
Dwire,	Nelson,	Watson,
Gulack,	Nevin,	Willison,
Gullikson,	Palmer,	Winslow,
Hall,	Parr,	Young,
Hare,	Phifer,	Mr. Speaker,
Hammond,	Ramsett,	
Heath,	Reade,	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.
Davis,	Michels,	Packard,
Gronvold,	Nicholson,	Wade,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.
Axvig,	Johnson,	Strutz,
Galbraith,		

Messrs. Axvig, Galbraith and Strutz being excused.

So the bill as amended passed and the title was agreed to.

Mr. Thomas moved

That the vote by which house bill No. 6 passed, be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

Mr. Young moved

That the house take a recess for five minutes,

Which motion prevailed.

The house reassembled.

Mr. Leech asked unanimous consent to amend

House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Re-

vised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

Which consent was granted and

Mr. Leech moved

That House Bill No. 4 be amended

By striking out words in line 6 "Ancient Order United Workmen" and inserting in line 7 after the word associations (not organized for fraternal insurance.)

Which motion prevailed, and

The bill was so amended.

House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

Was read the third time.

The question being upon the final passage of the bill;

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevallier,
Davis,
Lickson,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Axvig,
Dwire,

Messrs.—

Galbraith,
Johnson,

Messrs.—

Strutz,

Messrs. Axvig, Galbraith and Strutz being excused.

So the bill as amended passed and the title was agreed to.

House bill No. 5,

A bill for an act entitled an act to provide for directors and officers of religious corporations.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Phifer,
Anderson,	Hjelmstad,	Kamsett,
Bacon,	Johnson,	Reade,
Bennett,	Keeler,	Restemayer,
Bjornson,	Leech,	Rose,
Brisbin,	Lemke,	Sargeant,
Cassell,	Lerom,	Severson,
Chacey,	Mallough,	Swarthout,
Chaffee,	McClure,	Thomas,
Chevalier,	McLean,	Thordarson,
Davis,	Michels,	Tubbs,
Dickson,	Miller,	Tufte,
Dwire,	Morgan,	Wade,
Gronvold,	Nelson,	Watts,
Gullikson,	Nicholson,	Watson,
Hall,	Nevin,	Willison,
Hare,	Packard,	Winslow,
Hammond,	Palmer,	Young,
Heath,	Parr,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Gulack,	Strutz,
Galbraith,	Stafne,	

Messrs. Axvig, Galbraith, Johnson and Strutz being excused.
So the bill passed and the title was agreed to.

Mr. Morgan moved that

House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

Be referred to general orders.

Which motion prevailed, and

House Bill No. 18, was referred to general orders.

Mr. Bacon moved, that

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

Be recommitted to the committee on judiciary

Which motion prevailed, and

House bill No. 12 was recommitted to the committee on judiciary.

Mr. Hare moved, that

House bill No. 20,

A bill for an act to amend section 403 of the Revised Codes, relating to the boundaries and terms of court in and for the First judicial district of the state of North Dakota.

Be recommitted to the judiciary committee

Which motion prevailed, and

House bill No. 20 was recommitted to the judiciary committee

Mr. Cassell moved

That the bill be amended

By striking out the word "taking" in sub-division 17, section 1, and inserting in lieu thereof the word "entering."

Which motion prevailed, and

The bill was so amended.

Mr. Cassell asked unanimous consent to amend

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

Which consent was granted, and

Mr. Cassell moved

That the bill be amended

By striking out the word "taking" in sub-division 17, section 1, and inserting in lieu thereof the word "entering."

Which motion prevailed, and

The bill was so amended.

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

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,

Messrs.—

Davis,
Dickson,
Dwire,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,

Messrs.—

Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,

Messrs.—

Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Axvig,
Chevalier,

Messrs.—

Galbraith,
Johnson,

Messrs.—

Strutz,
Watts,

Messrs. Axvig, Galbraith, Johnson and Strutz being excused.

So the bill as amended passed and the title was agreed to.

The speaker reported that he administered the oath to John Larson as janitor of committee room on January 16, 1901.

Mr. Tufte moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 25, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Packard and Axvig, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the seventeenth day and recommend the following corrections:

Page 2, line 7, change initial letter "M" to "C."

Page 2, line 19, correct spelling of word "learning."

Page 4, line 43, correct spelling of name "Nevin."

Page 5, line 44, insert word "as" after word "whereas."

Page 7, line 24, change word "issued" to "used."
 Page 8, line 17, change word "at" to "a."
 Page 9, line 39, change word "school" to "public."
 Page 11, line 18, correct spelling of name "Nevin."
 Page 11, line 53, correct spelling of name "Nevin."
 Page 12, line 42, correct spelling of name "Nevin."
 Page 13, line 11, correct spelling of name "Cassell."
 Page 13, line 13, correct spelling of word "emergency."
 Page 13, line 41, correct spelling of name "Nevin."
 Page 14, line 39, correct spelling of name "Nevin"
 Page 15, line 48, correct spelling of name "Nevin."
 Page 16, strike out line 12.
 Page 16, line 37, correct spelling of name "Nevin."
 Page 17, line 10, change word "referred" to "recommitted."
 Page 17, line 12, change word "referred" to "recommitted."
 Page 17, line 20, change figures "12" to "20."
 Page 17, strike out lines 21 to 31 inclusive and insert the following:
 Mr. Cassell asked unanimous consent to amend
 House bill No. 38,
 A bill for an act to amend section 5 of chapter 64 of the session laws of
 1899, relating to fees of the clerks of the district courts.
 Which consent was granted, and
 Mr. Cassell moved
 That the bill be amended
 By striking out the word "taking" in sub-division 17, section 1, and in-
 serting in lieu thereof the word "entering."
 Which motion prevailed, and
 The bill was so amended.
 Page 18, line 7, correct spelling of name "Nevin."
 Page 12, insert after line 17, "Mr. Hare gave notice that he would move
 to reconsider the vote by which
 House bill No. 43,
 A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Re-
 vised Codes, 1899, relating to education.
 Was passed.

And as so corrected recommend that the journal be approved.

Respectfully submitted,

C. WINSLOW,

Chairman.

Mr. Winslow moved
 The adoption of the report as read
 Which motion prevailed, and
 The report was adopted.

PRESENTATION OF PETITIONS AND MEMORIALS.

The following communication was received:

Grand Forks, North Dakota,
 January 8th, 1901.

To Hon. Robert M. Pollock,
 Bismarck, N. Dak.

Dear Sir:—

The committee of the Bar Association appointed to provide for the

celebration of John Marshall Day, have decided that the celebration should be held at the Capitol in Bismarck, and we recommend and advise that the Governor of the State be requested to preside, and that an address be delivered by Judge Bartholomew and that such other exercises be held as the legislature by its proper committees shall provide.

Trusting that you will co-operate with us in this matter, I am,

Yours respectfully,

J. H. BOSARD.

REPORTS OF STANDING COMMITTEES.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House bill No. 48,

A bill for an act entitled an act to amend section 1050 of the Revised Codes of North Dakota.

Which had been recommitted to them for further action,

Have had the same under consideration, and recommend that the same be indefinitely postponed.

E. SEVERSON,
Chairman.

Mr. Severson moved

That the report as read be adopted,

Which motion prevailed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 15,

A bill for an act to amend section 960 of the Revised Codes of North Dakota relating to residents entitled to education free.

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

By striking out the title of said bill and inserting in lieu thereof the following:

"For an act to amend section 960 of the Revised Codes of North Dakota, relating to the deaf and dumb entitled to education free."

By inserting in "line 1" of the printed bill before the word "that" in said line the words and figure "Section 1. Amendment.)"

By inserting in "line 3" of said printed bill before the word "all" in said line the words and figures "Section 960." What residents entitled to education free. Who entitled to diploma."

By inserting in "line 7, of said printed bill after the word "school" in said line the words "at the expense of the state."

And when so amended recommend that the same do pass.

C. A. HALL,
Chairman.

The committee on taxes and tax laws made the following report:
Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
 House bill No. 25,

A bill for an act to amend sections 5 and 7 of chapter 126 of laws passed at the fifth session of the legislative assembly of the state of North Dakota in 1897, which act is entitled an act prescribing the mode of making assessments of property the equalization of and the levy and collection of taxes and for all other purposes relative thereto, and the repealing of sections 1176 to 1198 inclusive, 1200 to 1229 inclusive, 1231, 1234, 1237 to 1240 inclusive, 1242 to 1247 inclusive, 1250 to 1253 inclusive, 1255 to 1290 inclusive, 1294, 1296, 1309, 1325 to 1330 inclusive, 1336 to 1339 inclusive, and 1346 of the Revised Codes of North Dakota of 1895, and all other sections and parts of sections of said codes, and of all acts and parts of acts inconsistent with the provisions of this act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. NELSON.

Chairman.

Mr. Nelson moved

The adoption of the report as read

Which motion prevailed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 House bill No. 28,

A bill for an act to provide for the cancellation of judgments, in the offices of clerks of the district courts by filing therein "discharges" in bankruptcy.

Have had the same under consideration and recommend that the consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Michels moved

That the report as read be adopted,

Which motion prevailed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 House bill No. 50,

A bill for an act to amend section 3605 of the Revised Codes of North Dakota, which said section defines and exempts the homestead.

Have had the same under consideration and recommend that the consideration of the same be indefinitely postponed.

GEORGE M. YOUNG.

Chairman.

Mr. Young moved
The adoption of the report as read,
Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 25, 1901.

Mr. Speaker:

The senate has passed the following concurrent resolution:

Be it resolved by the senate, the house concurring, that when we adjourn we adjourn until Jan. 30th.

And your concurrence in the same is respectfully requested.

Very respectfully,

I. J. MOE,
Assistant Secretary.

Mr. Cassell moved

That B. W. Shaw be relieved from the enrolling and engrossing force and elected to the position of 2nd assistant chief clerk and that the speaker fill the place made vacant by Mr. Shaw.

Which motion prevailed.

Mr. McLean requested that the privileges of the floor be extended to John McGoveran and Peter Reid of Cavalier county.

There being no objection the request was granted.

Mr. Young asked the courtesies of the floor be extended to E. T. Burke and A. H. Hanson of Barnes county.

Mr. Leach asked the courtesies of the floor be extended to James Kennedy of Fargo.

Mr. Bacon asked that the courtesies of the floor be extended to Mr. O. A. Webster of Grand Forks.

Mr. Michels asked that the courtesies of the floor be extended to Mrs. Nora O'Conner of Burleigh county.

There being no objections, the courtesies of the floor were so extended.

Mr. Cassell nominated

B. W. Shaw for assistant chief clerk.

The roll being called there were 59 votes cast of which Mr. Shaw received 59 votes and was declared the duly elected assistant chief clerk.

Those who voted for Mr. Shaw were:

Messrs.—

Allshouse,
Bacon,
Bennett,

Messrs.—

Hill,
Hjelmstad,
Johnson,

Messrs.—

Reade,
Restemayer,
Rose,

Messrs.—

Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Palmer,
Phifer,
Ramsett,

Messrs.—

Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Anderson,

Messrs.—

Axvig,

Messrs.—

Packard,

Messrs. Axvig and Packard being excused.

Mr. Reade offered the following resolution and moved its adoption:

Resolved, That we proceed to the election of filling the positions as provided for in Senate Bill No. 12 just become a law. In the order named under such law.

Which motion prevailed.

Mr. Nicholson nominated John C. Adamson for assistant stenographer.

The roll being called there were 59 votes cast of which Mr. Adamson received 59 votes and was declared the duly elected assistant stenographer.

Those who voted for Mr. Adamson were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Lemke,
Leech,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Palmer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,

Messrs.— Hare, Hammond,	Messrs.— Parr, Phifer,	Messrs.— Mr. Speaker,
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Absent and not voting:

Messrs.— Axvig,	Messrs.— Packard,	Messrs.— Sargeant,
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Messrs. Axvig and Packard being excused.

Mr. McLean nominated

Peter Reid for assistant doorkeeper.

The roll being called there were 59 votes cast of which Mr. Reid received 59 votes and was declared the duly elected assistant doorkeeper.

Those who voted for Mr. Reid were:

Messrs.— Allshouse, Anderson, Bacon, Bennett, Bjornson, Brisbdn, Cassell, Chacey, Chaffee, Chevalier, Davis, Dickson, Dwire, Galbraith, Gronvold, Gulack, Gulakson, Hall, Hare, Hammond,	Messrs.— Heath, Hill, Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Nicholson, Nevin, Palmer, Parr, Phifer,	Messrs.— Ramsett, Reade, Restemayer, Rose, Severson, Stafne, Strutz, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker,
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Absent and not voting:

Messrs.— Axvig,	Messrs.— Packard,	Messrs.— Sargeant,
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Messrs. Axvig and Packard being excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER.
BISMARCK, NORTH DAKOTA,
January 25, 1901.

Mr. Speaker:

The senate has had under consideration the amendments made by the house to

Senate Bill No. 37.

A bill for an act to amend section 338d of the revised codes of 1899, relating to vouchers and warrants.

And declines to concur in said amendments and a conference committee consisting of Messrs Little and Murphy was appointed to meet a committee of three members of the house to confer on said amendments.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Hare nominated for pages Roy Johnson and Arthur O'Connor.

The roll being called there were 59 votes cast of which Roy Johnson and Arthur O'Connor received 59 votes and were declared the duly elected pages:

Those who voted for Roy Johnson and Arthur O'Connor were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordanson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willson,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Axvig,

Messrs.—

Packard,

Messrs.—

Sargeant,

Messrs. Axvig and Packard being excused.

Mr. Chaffee nominated Thos. Doughty for clerk in the bill room.

Mr. Miller nominated Mr. Gagnor for clerk in the bill room.

Mr. Reade moved

That a vote be taken on the names presented by Mr. Miller and Mr. Chaffee,

Which motion prevailed.

The roll being called there were 59 votes cast of which Mr. Doughty and Mr. Gagnor received 59 votes and they were declared the duly elected clerks of the bill room.

Those voting for Messrs. Doughty and Gagnor were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Leaom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Axvig,

Messrs.—

Packard,

Messrs.—

Sargeant,

Messrs. Axvig and Packard being excused.

Mr. Strutz nominated A. R. Kennedy for attendant in the cloak room.

Mr. Leech nominated A. E. Wood for attendant in the cloak room.

The roll being called there were 59 votes cast of which Messrs. Kennedy and Wood received 59 votes and were declared the duly elected attendants in cloak room.

Those who voted for Messrs. Kennedy and Wood were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keller,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.— Axvig, Messrs.— Packard, Messrs.— Sargeant,

Messrs. Axvig and Packard being excused.

Mr. Brisbin nominated W. F. Gaulke for assistant journal clerk. The roll being called there were 58 votes cast of which Mr. Gaulke received 58 votes and was declared the duly elected assistant journal clerk.

Those who voted for Mr. Gaulke were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Reade,
Anderson,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Rose,
Bennett,	Keller,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	Lerom,	Strutz,
Chaffee,	McClure,	Swarthout,
Chevalier,	McLean,	Thomas,
Davis,	Michels,	Thordarson,
Dickson,	Müller,	Tubbs,
Dwire,	Morgan,	Tufte,
Gallbraith,	Nelson,	Wade,
Gronvold,	Nicholson,	Watts,
Gulack,	Nevin,	Watson,
Gullikson,	Palmer,	Willison,
Hall,	Parr,	Winslow,
Hare,	Phifer,	Young,
Hammond,	Ramsett,	Mr. Speaker,
Heath,		

Mr. Bjornson voting in the negative.

Absent and not voting:

Messrs.— Axvig, Messrs.— Mallough, Messrs.— Packard,

Messrs. Axvig and Packard being excused.

Mr. Allshouse offered the following resolution and moved its adoption.

Resolved that it is deemed necessary by this house that an addition of seven clerks is necessary on the enrolling and engrossing force to be assigned to duty when necessary as clerks on the following committees:

Apportionment, appropriation, corporations other than municipal, warehouses, grain and grain grading, printing, school and public lands and railroads.

Roll call demanded.

The roll being called there were ayes 35, nays 24, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hare,	Reade,
Bacon,	Heath,	Rose,
Bennett,	Leech,	Severson,

Messrs.—

Brisbin,
Chacey,
Chaffee,
Chevalier,
Davis,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

McClure,
McLean,
Michels,
Miller,
Morgan,
Nevin,
Nicholson,
Palmer,
Parr,

Messrs.—

Stafne,
Strutz,
Swarthout,
Thomas,
Wade,
Watts,
Winslow,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Bjornson,
Cassell,
Dickson,
Dwire,
Galbraith,
Hammond,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Lemke,
Keeler,
Lerom,
Nelson,
Phifer,
Ramsett,

Messrs.—

Restemayer,
Sargeant,
Thordarson,
Tubbs,
Tufte,
Watson,
Willison,
Young,

Absent and not voting:

Messrs.—

Axvig,

Messrs.—

Mallough,

Messrs.

Packard.

Messrs. Axvig and Packard being excused.

Mr. Rose moved

That the rules be suspended and the house proceed to order of business No. 13, consideration of messages from the senate,

Which motion prevailed, and

The house proceeded to the consideration of the following messages from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 25, 1901.

Mr. Speaker:

The senate has had under consideration the amendments made by the house to

Senate bill No. 37,

A bill for an act to amend Sec. 338d of the Revised Codes of 1899 relating to vouchers and warrants,

And decline to concur in said amendments and a conference committee consisting of Messrs. Little and Murphy were appointed to meet a committee of three members of the house to confer on said amendments.

Very respectfully,
GEORGE L. TOWNES,
Secretary.

Mr. Rose moved

That the house concur in the request of the senate and that a conference committee be appointed on senate bill No. 37,

Which motion prevailed, and

The speaker appointed as such house members of the conference committee Messrs. Rose, Thomas and Young.

Mr. Bacon moved

That the house concur in the senate concurrent resolution in regard to adjournment.

Which motion prevailed, and

The resolution was concurred in.

MOTIONS AND RESOLUTIONS.

Mr. Keeler offered the following resolution and moved its adoption.

Whereas, Ex-Governor Devine and our present Governor White have each called the attention of the legislative assembly by their messages to the fact that there is a deficit in the revenues of the state to meet the appropriations made by the last legislative assembly and urging upon the present legislative assembly that the appropriations to be made by it be based upon the estimated revenues to be received during the coming biennial period, and

Whereas, It is advisable before any appropriations be made that information shall be furnished the members as to the amount of expenses to be incurred for clerk hire and otherwise by the various departments of the administration; therefore, be it

Resolved, that the speaker appoint a committee of three persons whose duty it shall be to investigate and report to the house, evidence taken by them together with their conclusions of the necessary appropriation needed to be made for clerk hire and other expenses in the conducting of the business of the several departments of the state. Said committee is authorized to take sworn testimony, send for persons and papers and examine any and all of the books and accounts necessary to make a complete report in the premises and shall report their conclusions together with the testimony on which the same is based, on or before the tenth day of February, 1901.

Which motion prevailed, and

The resolution was adopted.

Mr. McClure moved

That the vote by which

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

Passed, be reconsidered.

Mr. Allshouse demanded a call of the house,

The roll being called the following members were absent: Messrs. Bacon, Dwire, Rose and Watts.

Mr. Young moved

That all further proceedings under the call be suspended,

Which motion prevailed.

The question being upon the reconsideration of

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

The motion was lost.

Mr. Davis moved that
House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

Which was given to the committee on county and county boundaries be recalled and given to the committee on elections and privileges,

Which motion prevailed.

Mr. Bacon moved

That the house take a recess of five minutes,

Which motion was lost.

Mr. Davis asked

That the privileges of the floor be extended to Mr. Henry O. Hall and Mrs. R. L. Bennett.

There being no objections, the courtesies of the floor were so extended.

SECOND READING OF BILLS AND MEMORIALS.

House bill No. 66,

A bill for an act to amend section 441 of the Revised Codes of North Dakota, relating to jurors.

Which was read the second time, and
Referred to the committee on judiciary.

House bill No. 68,

A bill for an act entitled "An act to require fire, lightning or tornado insurance agents within the state, to pay license fees."

Which was read the second time, and
Referred to the committee on insurance.

House bill No. 69,

A bill for an act to abolish the provisions of section 1549 in townships and in counties not organized into townships by a vote of the electors and prescribing the manner of conducting the elections therein for that purpose.

Which was read the second time, and
Referred to the committee on agriculture.

House bill No. 70,

A bill for an act entitled "An act to create and establish the office of state veterinarian, prescribing his qualifications, duties, power, authority and compensation and repealing article 7 of chapter 22 of the Political Code and all acts in conflict with this act."

Which was read the second time, and
Referred to the committee on agriculture.

House bill No. 76,

A bill for an act providing that deeds and mortgages shall not be recorded unless the post office address of grantor and grantee shall appear therein.

Which was read the second time, and
Referred to the committee on judiciary.

House bill No. 81,

A bill for an act to amend section 527 of the Revised Codes of North Dakota, relating to abstract of votes. Certificate of election. Publication of returns.

Which was read the second time, and
Referred to the committee on elections and privileges.

House bill No. 82,

A bill for an act to define and reapportion the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Which was read the second time, and
Referred to the committee on apportionment.

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Which was read the second time, and
Referred to the committee on railroads.

House bill No. 84,

A bill for an act defining the duties of county judges in courts of limited jurisdiction.

Which was read the second time, and
Referred to the committee on judiciary.

House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

Which was read the second time, and
Referred to the committee on education.

House bill No. 87,

A bill for an act to amend section 1030 of the Revised Codes of 1899, as relating to fuel for public schools.

Which was read the second time, and
Referred to the committee on education.

House bill No. 88,

Substitute for house bill No. 33,

A bill for an act to create a state farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Which was read the second time, and
Referred to the committee on agriculture.

FIRST READING OF SENATE BILLS AND MEMORIALS.

Senate bill No. 46.

A bill for an act to cure defective acknowledgments.

Was read the first time.

Senate bill No. 34,

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

Was read the first time.

The conference committee made the following report:

Mr. Speaker:

The conference committee appointed to consider the amendment made by the house to Senate Bill No. 37 recommend that the house recede from said amendments.

C. B. LITTLE,

M. F. MURPHY,

For the Senate.

GEO. ROSE,

A. W. THOMAS,

GEO. M. YOUNG,

For the House.

Mr. Rose moved

The adoption of the report as read

Which motion prevailed, and

The report was adopted.

Senate bill No. 36.

A bill for an act entitled an act to provide for the settlement of estates of decedents.

Was read the first time.

Also,

Senate bill No. 33,

A bill for an act to secure from loss persons who furnish materials or labor in the alteration, repair, erection or betterment of public buildings.

Was read the first time.

Mr. Reade asked unanimous consent to introduce a bill; there being no objection the request was granted.

Mr. Reade introduced

House bill No. 89,

A bill for an act to amend section 2073, chapter 27 of the Revised Codes of 1899 of the state of North Dakota, relating to the salaries of county auditors.

Which was read the first time.

Mr. Bacon moved

That the rules be suspended and

Senate bill No. 40,

A bill for an act in relation to the transaction of business by fire insurance companies or associations otherwise than through resident agents.

Be placed on its first and second reading and
Referred to the committee on insurance.

Which motion prevailed, and

Senate bill No. 40,

A bill for an act in relation to the transaction of business by fire insurance companies or associations otherwise than through resident agents.

Was read the first and second times, and
Referred to the committee on insurance.

GENERAL ORDERS.

Mr. Young moved

That the house resolve itself into a committee of the whole for the consideration of general orders,

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Winslow to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration
House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

And recommend that the same be amended as follows:

Subdivision 5, Section 1. By adding after the second word or on line 18 "or by the use of any point boat, sneak boat or other method of water conveyance to catch, kill, wound, or destroy, or to pursue after, with intent to catch, kill, wound, or destroy, upon any of the waters, bays, rivers, marshes, mud flats, or any cover to which wild fowl resort, any wild fowl protected by this bill."

Amend by striking out in subdivision 3, section 1 of the bill the words "the twentieth day of August" and inserting in lieu thereof the words "the first day of September."

Also, and by making the same change in subdivision 4 of section 1.

Also, and in line 25, subdivision 8, strike out the word "tenth" and insert in lieu thereof the word "first."

In line 26, subdivision 8, strike out the words "tenth day of October," and insert in lieu thereof "first day of November."

Also, amend by striking out in subdivision 1, section 1 the word "first" and inserting in lieu thereof the word "fifteenth."

And when so amended recommend that the same do pass.

Also,

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts,

encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

And recommend that the same be amended as follows:

Amend section 12 by adding thereto the words "Provided, that this shall not be construed as applying to the properties or paraphernalia used in the initiatory or degree work of such lodge, chapter, post, encampment, council, commandery, consistory, or other similar organization, or to the rituals and other books pertaining to the written or unwritten work."

Amend section 16 by adding thereto the words "Provided, that all rituals, books, properties and paraphernalia relating to, or used in the secretwork of such lodge, chapter, post, encampment, council, commandery, consistory, or other similar organization, shall be delivered by said directors or trustees to the supreme, sovereign, or grand lodge, or other superior body, to which such lodge, chapter, post, encampment, council, commandery, consistory, or other similar organization is subordinate."

And when so amended recommend that the same do pass.

Also, recommend that

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Be referred back to committee on municipal corporations, and
The House arose.

C. WINSLOW,
Chairman.

Mr. Hare moved

That the report of the committee of the whole be adopted.

Which motion prevailed, and

The report was adopted.

The clerk announced that the speaker was about to sign
Senate bill No. 37,

A bill for an act to amend section 338d of the Revised Codes of 1899, relating to vouchers and warrants.

And the speaker signed Senate bill No. 37 in the presence of the house.

The Speaker, under resolution passed by the house, appointed to be assigned to duty at the desk, W. F. Cushing, and on the enrolling and engrossing force.

Angus Frazer to be assigned when necessary as clerk for the apportionment committee.

Edward Church to be assigned when necessary to the committee on appropriations.

Viola Michels to be assigned when necessary to the committee on corporations other than municipal.

J. A. Delaney to be assigned when necessary to the committee on schools and public lands.

John Abrahamson to be assigned when necessary to the committee on railroads.

Ole Bolstad to be assigned when necessary to the committee on printing.

J. M. Patterson to be assigned when necessary to the committee on warehouses, grain and grain grading.

Mr. Speaker administered the oath of office to the following:

Peter Rude, Thos. Doty, Thos. Gagnor, A. R. Kennedy, A. E. Wood, W. F. Cushing, Angus Frazer, Edward Church, Viola Michels, J. A. Delaney, John Abrahamson, Ole Bolstad, J. M. Patterson.

Mr. Morgan moved that the house do now adjourn which motion prevailed

And the house adjourned.

J. D. SCANLAN,
Chief Clerk.

TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 30, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Gulack, Hammond, Davis, Miller, Parr, Restemayer, Severson and Tubbs, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the eighteenth day, and recommend the following corrections:

Page 6, line 3, correct spelling of name "Keeler."

Page 6, line 14, correct spelling of name "Nevin."

Page 7, line 20, correct spelling of name "Keeler."

Page 8, line 20, correct spelling of name "Keeler."

Page 8, lines 40, 46 and 50, correct spelling of the name "Doughty."
 Page 8, lines 46 and 47, change "58" to "59."
 Page 9, line 10, correct spelling of name "Lerom."
 Page 9, line 40, correct spelling of name "Keeler."
 Page 10, line 7, change figures "58" to "59."
 Page 10, line 8, change figures "57" to "58."
 Page 11, line 17, correct spelling of name "Keeler."
 Page 12, line 43, correct spelling of word "reconsidered."
 Page 15, line 37, correct spelling of word "consent."
 Page 18, line 11, correct spelling of name "Doughty."
 Page 12, line 44, insert Gulack instead of Allshouse.
 Page 18, lines 4 and 13, strike out "John Abrahamson" and insert "A. Anderson."

And when so amended recommend that Journal of the eighteenth day be approved.

Respectfully submitted,
 C. WINSLOW,
 Chairman.

Mr. Rose moved
 That the report be amended to read E. R. Kennedy instead of
 A. R. Kennedy

Which motion prevailed.

Mr. Winslow moved
 The adoption of the report as amended.
 Which motion prevailed, and
 The report was adopted.

Mr. Packard asked that the courtesies of the floor be extended to Louis Connolly and Wm. Mackin of Mandan.

There being no objections, the courtesies of the floor were so extended.

Mr. Chaffee requested the privileges of the floor be extended to Geo. D. Palmer.

There being no objections the privileges were so extended.

MOTIONS AND RESOLUTIONS.

Mr. Stafne presented the following petition:

To the Honorable Members of the Legislative Assembly from Richland County, North Dakota.

Gentlemen:—We respectfully request you and each of you to use your best efforts to secure an appropriation of two thousand dollars for the erection and maintenance of a library and museum building as a memorial of the old fort at Abercrombie. Said building to be built in the village of Abercrombie, near the site of the old fort. Fort Abercrombie was among the first of the military posts established in this state and the settlers in this vicinity were among the first permanently located pioneers, and it is fitting that this great commonwealth should mark the spot by a suitable memorial.

A. P. TWETO,
 And 51 Others.

The speaker presented the following communication:

CROOKSTON, Minn., January 19, 1901.

We, the representatives from the counties of Pembina, Walsh, Grand Forks, Traill, Cass and Richland, of North Dakota, and the counties of Kittson, Marshall, Polk, Norman, Clay, Wilkins, Traverse, Big Stone, Lac Qui Parle, Swift and Chippewa, Minnesota, and the counties of Grant and Robert of South Dakota, in convention assembled at Crookston, Minnesota, January 18 and 19, 1901, for the purpose of promoting the development of the natural resources of the Red River valley of the North, which embraces within the United States nine million acres of the most fertile agricultural land in North America, pass the following resolutions:

Whereas, There exists certain federal surveys organized under the department of the interior of the United States for the purpose of pursuing geological, agricultural, economic and scientific surveys; and,

Whereas, These surveys are of prime importance in the economic development of young or partially developed states; and,

Whereas, These federal surveys are secured by co-operation on the part of the states interested; therefore, be it

Resolved, That this convention heartily endorse any legislation which favors the co-operation of the states with the United States in securing and pursuing these surveys; and,

Resolved, That this convention also urge upon the legislative assemblies of these federal states represented to establish state highway funds and to provide state officers to bring about the co-operation between counties and districts, and to provide for the building and maintenance of our public highways.

Resolved, That copies of these resolutions be sent to each of the legislative assemblies of the state represented at this convention.

N. CAMPBELL,

Chairman of Committee.

JOHN P. MATTSON,

Secretary of Convention.

Mr. Packard presented the following petition:

NEW SALEM, N. D., Jan. 24, 1901.

Hon. A. M. Packard, House of Representatives, Bismarck, N. D.:

Dear Sir:—Whereas, an effort is now being made to secure the passage of a bill amending the exemption laws of this state and fixing the amount of such exemption at \$500.00 instead of \$1,500.00 as at present. Believing this reduction will not only be beneficial to the commercial advancement of the state, but will improve the credit of the state and all individuals engaged in business, and feeling the necessity of such reduction and realizing the benefits to be derived therefrom, we, the undersigned citizens, do hereby petition you to give this measure your support and use your efforts to secure the passage of the same.

CHAS. F. PETERSON,

And 23 Others.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 65,

A bill for an act to amend section 5276 of the Code of Civil Procedure relating to sham answers.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

GEO. M. YOUNG,

Chairman.

Mr. Young moved,
That the report as read be adopted.
Which motion prevailed, and
The report was adopted.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of
North Dakota.

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

Strike out lines 1 and 2 of the printed bill after the enacting clause and
insert the following: "Section 1. Amendment.) That section 717 of
chapter 75 of the Session Laws of 1897, being the same as section 717 of
the Revised Codes of 1899," be amended so as to read as follows: and that
the following shall be supplied as the title to said bill, "For an act to
amend section 717 of chapter 75 of the Session Laws of 1897, being the
same as section 717 of the Revised Codes of 1899, relating to education."

And when so amended recommend that the same do pass.

Also,

House bill No. 54,

A bill for an act to amend section 686 of the Revised Codes.

Have had the same under consideration and recommend that the
same be indefinitely postponed.

C. A. HALL,
Chairman.

Mr. Cassell moved
That the report as read be adopted,
Which motion prevailed, and
The report was adopted.

The committee on military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred
House bill No. 53,

A bill for an act to repeal section 1817 and section 1818 of
article 2 of chapter 24 of the political code relating to the ap-
pointment of honorably discharged union soldiers and sailors
upon public works and in public departments.

Have had the same under consideration and recommend that the
same be indefinitely postponed.

FRED LEMKE,
Chairman.

Mr. Lemke moved
That the report as read be adopted,
Which motion prevailed, and
The report was adopted.

INTRODUCTION OF HOUSE BILLS AND MEMORIALS.

Mr. Young asked consent to make committee report which request was granted and the following report was made.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

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

By striking out all after the enacting clause and inserting in lieu thereof;

Section 1. Amendment.) That section 278 of the political code of the State of North Dakota be amended so as to read as follows:

Section 278. License to be Recorded.) The person receiving a license shall file the same for record in the office of the register of deeds of the county wherein he resides, and the register of deeds shall record the same in like manner as other instruments required to be recorded.

And that the title to the printed bill be stricken out and the following substituted:

A bill for an act to amend section 278 of the political code of North Dakota, relating to licenses of physicians, surgeons and obstetricians.

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Stafne introduced

House bill No. 90,

A bill for an act entitled an act to provide for the building of a library and a museum upon the site of old Fort Abercrombie, in Richland county, N. D., and providing an appropriation therefor.

Which was read the first time.

Mr. Packard introduced

House bill No. 91,

A bill for an act making railway corporations liable for the injury or killing of stock, where they fail to fence and maintain a lawful fence along their railroad.

Which was read the first time.

Mr. Chaffee introduced

House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Which was read the first time.

Mr. Rose introduced
House bill No. 93,
A bill for an act to amend section 5442 of the Revised Codes of
North Dakota, 1899.
Which was read the first time.

Mr. Michels introduced
House bill No. 94,
A bill for an act entitled "An act to regulate common carriers,
to define the duties of commissioners of railroads, and to provide
for the control of railroads, bridge corporations and ferry com-
panies, within the state.
Which was read the first time.

Mr. Leech introduced by request
House bill No. 95,
A bill for an act to amend section 5454a, of the Revised Codes.
Which was read the first time.

Also,
House bill No. 96,
A bill for an act to repeal section 5454a, of the Revised Codes.
Which was read the first time.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 30, 1901.

Mr. Speaker:

I have the honor to transmit herewith your

CONCURRENT RESOLUTION.

Whereas, the state bar association of this state is to observe "John
Marshal Day" with appropriate ceremonies, February 4th, 1901;

Resolved, by the house of representatives, the senate concurring,
that a committee of three members of this house be appointed by the
speaker, and two members of the senate be appointed by the president of
the senate as a committee to act with a committee of said bar association
in arranging for the suitable observance of said day.

Which the senate has amended to read as follows:

CONCURRENT RESOLUTION.

Whereas, The state bar association of this state is to observe "John
Marshal Day" with appropriate ceremonies, Feb. 4, 1901.

Resolved by the house of representatives, the senate concurring, that a
committee consisting of the governor, the lieutenant governor and the
speaker of the house be appointed to arrange for the suitable observance
of said day.

Also,

Senate bill No. 61,

A bill for an act entitled an act to amend section 6633 of Revised Codes of 1899, relating to commencement of actions in justice court.

Also,

Senate bill No. 41,

A bill for an act entitled "An act amending section six (6) of chapter 163 of the laws of 1899, as to the rules and regulations under which the product of the twine and cordage plant at the state penitentiary by the board of trustees thereof."

Also,

Senate bill No. 23,

A bill for an act to amend section 5526, Revised Codes of North Dakota, relating to exemptions.

Also,

Senate bill No. 57,

A bill for an act to provide for the drawing of warrants by the state auditor upon the state treasurer.

Also,

Senate bill No. 70,

A bill for an act to create a state auditing board for the state of North Dakota.

Also,

Senate bill No. 72,

A bill for an act entitled "An act to repeal sections 1681 and 1682 of the Revised Codes of 1899, relating to bounty on starch."

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

INTRODUCTION OF HOUSE BILLS.

Mr. Leech introduced

House bill No. 97,

A bill for an act to amend chapter 21 of the Revised Codes, governing the location, establishment and construction of drains, and relating to the allowance and taxation of costs and attorneys fees against the defendants in actions to enjoin drainage proceedings or the levy and collection of taxes and assessments therefor.

Which was read the first time.

Mr. Bacon introduced

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Which was read the first time.

Mr. Ramsett introduced
House bill No. 99,

A bill for an act to amend section 220, chapter 4 of the Revised Codes of 1899, relating to advertisements for leasing of school lands.

Which was read the first time.

Mr. Young introduced
House bill No. 100,

A bill for an act defining slander of females and making the same a misdemeanor.

Which was read the first time.

Mr. Chacey asked the privileges of the floor be extended to P. G. Crenshaw.

There being no objections, the courtesies of the floor were so extended.

Mr. Chaffee moved
That the rules be suspended and
House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Be read the second time

Which motion prevailed, and

House Bill No. 92 was read the second time and

Referred to the committee on taxes and tax laws.

Mr. Hare moved

That the rules be suspended and

Senate bill No. 41,

A bill for an act entitled "An act amending section six (6) of chapter 163 of the laws of 1899, as to the rules and regulations under which the product of the twine and cordage plant at the state penitentiary by the board of trustees thereof."

Receive its first and second reading,

Which motion prevailed, and

Senate bill No. 41

Was read the first and second times, and

Referred to the committee on ways and means.

THIRD READING OF HOUSE BILLS.

Mr. Reade moved

That consideration of

House bill No. 16,

A concurrent resolution amending subdivision 5, section 215 of article 19 of the constitution of the state of North Dakota.

Be deferred,

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 30, 1901.

Mr Speaker:

I have the honor to transmit herewith

CONCURRENT RESOLUTION

Whereas, the state bar association of this state is to observe "John Marshall Day" with appropriate ceremonies February 4, 1901.

Resolved, by the house of representatives, the senate concurring that a committee of three members of this house be appointed by the speaker and two members of the senate be appointed by the president of the senate as a committee to act with a committee of said bar association in arranging for the suitable observance of said day.

Which the senate has amended to read as follows:

CONCURRENT RESOLUTION.

Whereas, the state bar association of this state is to observe "John Marshall day" with appropriate ceremonies February 4, 1901.

Resolved by the house of representatives, the senate concurring, that a committee consisting of the governor, the lieutenant governor and the speaker of the house be appointed to arrange for the suitable observance of said day.

Very respectfully,
GEORGE L. TOWNES,
Secretary.

Mr. Hare moved

That the house concur in the amendments as made by the senate,

Which motion prevailed, and
The house did so concur.

FIRST READING OF SENATE BILLS.

Senate bill No. 61,

A bill for an act entitled an act to amend section 6633 of Revised Codes of 1899, relating to commencement of actions in justice court.

Was read the first time.

Also,

Senate bill No. 23,

A bill for an act to amend section 5526, Revised Codes of North Dakota, relating to exemptions.

Was read the first time.

Also,

Senate bill No. 70,

A bill for an act to create a state auditing board for the state of North Dakota.

Was read the first time.

Also,

Senate bill No. 72,

A bill for an act entitled "An act to repeal sections 1681 and 1682 of the Revised Codes of 1899, relating to bounty on starch."

Was read the first time.

Also,

Senate bill No. 57.

A bill for an act to provide for the drawing of warrants by the state auditor upon the state treasurer.

Was read the first time.

SECOND READING OF SENATE BILLS AND MEMORIALS.

Senate bill No. 46.

A bill for an act to cure defective acknowledgments.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate bill No. 36,

A bill for an act entitled an act to provide for the settlement of estates of decedents.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate bill No. 33,

A bill for an act to secure from loss persons who furnish materials or labor in the alteration, repair, erection or betterment of public buildings.

Was read the second time, and

Referred to the committee on state affairs.

Also,

Senate bill No. 34,

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

Was read the second time and

Referred to the committee on judiciary.

Also,

Senate bill No. 2,

A bill for an act entitled an act to provide a time at which claims against the estates of decedents shall be barred.

Was read the second time and

Referred to the committee on judiciary.

Also,

Senate bill No. 3,

A bill for an act entitled an act to amend section 5256, Revised Codes, relating to mailing summons and complaint.

Was read the second time and

Referred to the committee on judiciary.

The Speaker administered the oath of office to Ray Joslin as page and Edward Church, assistant enrolling and engrossing clerk; Thos. Gagnor, assigned to bill room and J. A. Delany, assistant enrolling and engrossing clerk.

Under the resolution adopted on the 18th day, offered by Mr. Keeler, the speaker appointed the following committee: Messrs. Keeler, Sargeant and Winslow.

GENERAL ORDERS.

Mr. Morgan moved

That the house resolve itself into a committee of the whole for the consideration of general orders,

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called

Mr. Thomas to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

Your committee of the whole have had under consideration

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

And recommend that the same be amended as follows:

After the word "to" insert the words "the clerk," in lieu of the words "one of the supervisors"

And when so amended recommend that the same do pass.

Also,

Amend by substituting the word "road-overseers" for the word "supervisors" in section 1 of the bill, line 4.

And when so amended recommend that the same do pass.

Also,

House bill No. 15,

A bill for an act to amend section 960 of the Revised Codes of North Dakota relating to residents entitled to education free.

And recommend that the same be amended as follows:

By striking out the title of said bill and inserting the lieu thereof the following:

"For an act to amend section 960 of the Revised Codes of North Dakota, relating to the deaf and dumb entitled to education free."

By inserting in line 1 of the printed bill before the word "that" in said line the words and figure "Section 1. Amendment.)"

By inserting in line 3 of said printed bill before the word "all" in said line the words and figures "Section 960. What residents entitled to education free. Who entitled to diploma."

By inserting in line 7, of said printed bill after the word "school" in said line the words "at the expense of the state."

And when so amended recommend that the same do pass.

Also,

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

And recommend that action on same be deferred.

Also,

House bill No. 27,

A bill for an act to amend subdivision 3 of section 7110, chapter 20 of the Revised Codes of 1899, relating to the punishment for kidnapping.

And recommend that the same be amended as follows:

By striking out all after the enacting clause and inserting the following:

Section 1. That section 7110 of the Revised Codes be and the same is hereby amended to read as follows:

Sec. 7110. Kidnapping defined. Defense. Exception.) Every person who, without lawful authority, forcibly seizes and confines another, or inveigles or kidnaps another with intent either:

1. To cause such other person to be secretly confined or imprisoned in this state against his will; or,

2. To cause such other person to be sent out of this state against his will; or,

3. To cause such other person to be sold as a slave, or in any way held to service against his will, is punishable by imprisonment in the penitentiary not less than ten and not exceeding twenty years. Upon any trial for a violation of this section, the consent thereto of the person kidnapped or confined, shall not be a defense unless it appears satisfactory to the jury that such person was above the age of sixteen years, and that such consent was not extorted by threat or by duress.

That the title to the printed bill be stricken out and the following substituted:

A bill for an act to amend section 7110 of the Revised Codes, relating to kidnapping.

And when so amended recommend that the same do pass as amended.

A. W. THOMAS,
Chairman.

Mr. Hare moved

That the report of the committee be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Bennett moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA.
January 31, 1901.

The house assembled at 2 p. m., pursuant to adjournment.
The speaker presiding.
Prayer by the chaplain.
Roll call.
All members present except Mr. Gulack who was excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal for the twenty-third day, and finding the same to be correct, recommend its approval.

Respectfully submitted,
C. WINSLOW,
Chairman.

Mr. Winslow moved
That the report as read be adopted,
Which motion prevailed, and
The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Brisbin offered the following petition:

THOMPSON, N. D., Jan. 28, 1901.

The Honorable Charles H. Brisbin,

We, the undersigned citizens of the seventh legislative district do earnestly urge you to use your best efforts to secure the passage of house bill No. — reducing the exemptions to five hundred dollars, believing it will be for the best interests of the individual and the state.

W. M. PALMER and 21 others.

Mr. Watt offered the following petition:

To Honorable Wm. J. Watt and Honorable I. J. Chevalier, State Representatives for the First District of the State of North Dakota:

Sirs: Your petitioners, insurance agents of the district which you represent, beg leave to call your attention to the bill which has been introduced in the legislature for the purpose of forcing insurance offices of this state to pay for the privilege of doing business.

Your petitioners humbly pray that you will use your utmost endeavor to defeat the bill mentioned for the following reasons:

First—If passed, it will be class legislation pure and simple, productive of naught but litigation and tending to discourage the business interests of this state.

Second—The passage of such a bill would be destructive of home interests to the advantage of those of sister states, since North Dakota insurance could under such legislation be written almost exclusively by foreign agents.

Affirming their belief that the passage of the bill mentioned would be fraught with disaster to an important business in our state and, save to foreign agents, can be productive of no benefit whatever.

Your petitioners will ever pray.

T. D. STACK,
J. H. ANDERSON,
Wahalla, N. D.

Mr. Watt offered the following petition.

To Hon. Wm. J. Watt and Hon. I. J. Chevalier, State Representatives for the First District of the State of North Dakota.

Sir:—Your petitioners, insurance agents of the district which you represent, beg leave to call your attention to the bill which has been introduced in the legislature for the purpose of forcing insurance offices in this state to pay for the privilege of doing business.

Your petitioners humbly pray that you will use your utmost endeavor to defeat the bill mentioned, for the following reasons:

First. If passed, it will be class legislation pure and simple, productive of naught but litigation and tending to discourage the business interests of this state.

Second. The passage of such a bill would be destructive of home interests to the advantage of those in sister states, since North Dakota insurance could under such legislation, be written almost exclusively by foreign agents.

Affirming their belief that the passage of the bill mentioned would be fraught with disaster to an important business in our state and, save to foreign agents, can be productive of no benefit whatever.

Your petitioners will ever pray.

F. P. HOLMES,
L. P. STRONG,
C. MURPHY,

Mr. Speaker presented the following communication.

FARGO, NORTH DAKOTA, Jan. 30, 1901.

R. M. Pollock, Speaker House of Representatives.

Dear Sir:—I wish to call your attention to two of the educational bills now before the legislature.

The bill on state certification of teachers will do much to professionalize the teacher's calling, and will thus be of benefit to the teachers themselves as well as to the educational interests generally. As the law now stands the certificates are valid in the county in which they are issued only. Every change to another county calls forth an extra expense to the teacher in securing a certificate in that county, which could be obviated by a single, fixed standard of marking papers, instead of one for each county. This bill involves no additional expense to the state.

The high school bill will increase the number of high schools, thus bringing the means for good education within the reach of all children. This is an inducement to the small towns to provide and equip a good school and no tuition can be charged to pupils who have finished the common school

course. This system of state aid and inspection of high schools is highly recommended in our neighboring states.

Hoping that you will give this matter your careful consideration and that you will use your influence toward passing these bills if you feel that they are deserving, I am,

Respectfully,

MATTIE M. DAVIS,
Supt. of Schools, Cass Co.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 31, 1901.

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 32,

A bill for an act taxing the occupation of hawkers and peddlers regulating the licensing of persons engaged in such occupation, and increasing the ordinary county revenue by such taxation.

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

Very respectfully yours,

GEORGE L. TOWNES,
Secretary.

Mr. Wade presented the following petition:

GLEN ULLIN, Jan. 21, 1901.

Hon. W. V. Wade, Bismarck, N. D.;

Dear Sir:—We, the undersigned constituents of the thirtieth legislative district of the state of North Dakota, which district you are representing, respectfully and earnestly ask you to give your full support to passing a bill to amend the exemption laws to such an extent as to read (\$500) five hundred dollars instead of (\$1,500) one thousand five hundred dollars, and use all reasonable means in your power to secure the passage of such a bill.

J. T. NELSON,
And 21 others.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

House bill No. 70,

A bill for an act entitled "An act to create and establish the office of state veterinarian, prescribing his qualifications, duties, power, authority and compensation and repealing article 7 of chapter 22 of the Political Code and all acts in conflict with this act."

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. P. CHACEY,
Chairman.

Mr. Reade moved

That the report as read be adopted,

Which motion prevailed, and

House bill No. 70 was indefinitely postponed.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

House bill No. 88,

A bill for an act to create a state farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

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

Sec. 2, line 3, the words "twenty-five" be stricken out and "fifteen" be inserted in lieu thereof.

Sec. 4, line 2, the words "five thousand" be stricken out and "three thousand" substituted in lieu thereof.

And when so amended recommend that the same do pass.

P. P. CHACEY,
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House bill No. 74,

A bill for an act to appropriate money to meet a deficiency in the salary and expenses of the office of assistant dairy and food commissioner.

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

JOSEPH HARE,
Chairman.

Mr. Bennett moved

The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 51,

A bill for an act to amend section 1645 of the Revised Codes of the state of North Dakota, relating to permits.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 9,

A bill for an act providing for an appropriation to pay expense of construction of drains through school lands situated in Pembina county.

Have had the same under consideration and recommend that the same be reported back to the house with the recommendation that it be referred to the committee on appropriations.

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
House bill No. 9 was referred to the committee on appropriations.

The committee on state affairs made the following report:

Mr. President:

Your committee on state affairs to whom was referred
House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

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

After the word "any" in line 2 of printed bill insert the words "of the lakes, streams, or other public waters of this state, or any"—

And when so amended recommend that the same do pass.

F. T. GRONVOLD,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 29,

Concurrent resolution, proposed amendment to the constitution of the state of North Dakota.

Have had the same under consideration and recommend that the following concurrent resolution be substituted therefor:

CONCURRENT RESOLUTION.

Be it Resolved, by the house of representatives of the state of North Dakota, the senate concurring: That the following amendment to the constitution of the state of North Dakota, agreed to by the sixth legislative assembly of the state of North Dakota, be and the same is hereby agreed to, and said amendment shall be submitted to the people at the next general election.

AMENDMENT.

Section 1. Section 158 of the constitution of the state of North Dakota is amended to read as follows:

Section 158. No lands other than those granted for the use and benefit of the common schools shall be sold for less than appraised value and in no case for less than \$5.00 per acre. The purchaser shall pay one-fifth of the price in cash and the remaining four-fifths as follows: one-fifth in five years and the remaining four-fifths at the option of the purchaser in not more than twenty years, with interest at the rate of not less than six per centum, payable annually in advance. All sales shall be held at the county seat of the county in which the land to be sold is situated and shall be at public auction and to the highest bidder after sixty days' advertisement of the same in a newspaper of general circulation in the vicinity of the lands to be sold, and one at the seat of government. Such lands as shall not have been specially subdivided shall be offered in tracts of one-quarter section, and those so subdivided in the smallest subdivisions. All lands designated for sale and not sold within two years after appraisal shall be reappraised before they are sold. No grant or patent for any such lands shall issue until payment is made for the same; provided, that the lands contracted to be sold by the state shall be subject to taxation from the date of such contract. In case the taxes assessed against any of said lands for any year remain unpaid until the first Monday in October of the following year, then and thereupon the contract of sale for such lands shall become null and void; provided, further, that sections 16 and 36 or any indemnity lands selected in lieu of losses thereof, appropriated for the common schools of the state shall not be sold for less than \$10.00 per acre.

And recommend that the same do pass.

Mr. Reade asked that the courtesies of the floor be extended to Mr. J. A. Johnson.

Mr. Bacon asked the courtesies of the floor for N. G. Larimore.

Mr. Cassell asked the courtesies of the floor for B. C. Shaw.

Mr. Chacey requested the privilege of the floor for C. B. Wade, of Fargo.

Mr. Hare asked the privileges of the floor for Jacob Radlacker, George Resnig, William Resnig, Daniel Resnig.

There being no objection the courtesies of the floor were so extended.

Mr. Gronvold moved

That the concurrent resolution for the amendment of the constitution be submitted to the attorney general of this state and request him to answer the following questions:

First—Are the concurrent resolutions in proper form for passage by this legislative assembly?

Second—How shall the constitutional amendments now being submitted be voted upon in case this house shall vote to submit them to the people at the next general election?

Third—That the attorney general be requested to return in writing to this house his opinion at the earliest possible convenience.

Mr. Gronvold moved

The adoption of the resolution,
Which motion prevailed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 63,

A bill for an act to regulate the hearing and determination of cases by the supreme court, and to provide for amendments so as to obviate errors of practice.

Have had the same under consideration and recommend that further consideration thereof be indefinitely postponed.

GEO. M. YOUNG,
Chairman.

Mr. Young moved

That the report as read be adopted

Which motion prevailed, and

House Bill No. 63 was indefinitely postponed.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 41,

A bill for an act to "Amend Section 8567 of the Revised Codes of 1899, relating to product of the plant, how disposed of.

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

W. B. CASSELL,
Chairman.

Mr. Reade moved
That the report as read be adopted
Which motion prevailed.

The committee on judiciary made the following report,

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 73,

A bill for an act to amend sections 450, 453, 456 and 457 of the Revised Codes of North Dakota, relating to jurors and the manner of drawing same.

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

By striking out lines 24 to 34 inclusive of the printed bill, and insert in lieu thereof:

Section 456. Court may Order Jury Forthwith.) If all persons summoned as grand or petit jurors do not appear before the court or if for any cause the panel of the grand or petit jurors is not complete, or if no jury is drawn as above provided, the judge of the district court shall issue an order to the clerk of such court requiring a sufficient number of persons to be summoned to serve as jurors on the regular panel of grand or petit jurors, and in such order shall specify the number of jurors necessary to complete such panel, and the time and place where they shall appear. Such clerk or his deputy, shall forthwith convene the county board to select jurors being the officers named in section 449 of the political code, and such board shall forthwith proceed to select the names of the number of persons possessing the qualifications of jurors directed to be summoned, which jurors may be selected by a majority of the members of said board present at the meeting to be convened as aforesaid, and thereupon a venire for the persons whose names shall have been so selected shall be issued by the clerk or his deputy, and shall be served in like manner as provided for the service of the venire for the jurors of the regular panel.

And when so amended recommend that the same do pass.

GEO. M. YOUNG,
Chairman.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

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

T. E. NELSON,
Chairman.

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

Mr. Hare moved

That the rules be suspended and

Senate bill No. 41,

A bill for an act to amend section 8567 of the Revised Codes 1899 relating to, product of the plant, how disposed of.

Be placed on its third reading and final passage,

Which motion prevailed, and

Senate bill No. 41,

A bill for an act to amend section 8567 of the Revised Codes 1899 relating to, product of the plant, how disposed of.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 60, nays none, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting Messrs. Davis and Gulack.

Mr. Gulack being excused.

So the bill passed and the title was agreed to.

Mr. Hare moved

That the vote by which Senate bill No. 41 passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

Mr. Rose moved

That the rules be suspended and

House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Be placed on its third reading and final passage,

Which motion prevailed, and
House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Anderson,	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Rose,
Bennett,	Keeler,	Sargeant,
Bjornson,	Leech,	Severson,
Brisbin,	Lemke,	Stafne,
Cassell,	Lerom,	Strutz,
Chacey,	Mailough,	Swarthout,
Chaffee,	McLean,	Thomas,
Chevalier,	Michels,	Thordarson,
Davis,	Miller,	Tubbs,
Dickson,	Morgan,	Tufte,
Dwire,	Nelson,	Wade,
Galbraith,	Nicholson,	Watts,
Gronvold,	Nevin,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Winslow,
Hare,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker,
Heath,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Gulack,	McClure,

Mr. Gulack being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved

That the rules be suspended and

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Be put upon its third reading and final passage.

Which motion prevailed, and

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 61, nays none, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Ramsett,
Anderson,	Hjelmstad,	Reade,
Axvig,	Johnson,	Restemayer,
Bacon,	Keeler,	Rose,
Bennett,	Leech,	Sargeant,
Bjornson,	Lemke,	Severson,
Brisbin,	Lerom,	Stafne,
Cassell,	Mallough,	Strutz,
Chacey,	McClure,	Swarthout,
Chaffee,	McLean,	Thomas,
Chevalier,	Michels,	Thordarson,
Davis,	Miller,	Tubbs,
Lickson,	Morgan,	Tufte,
Dwire,	Nelson,	Wade,
Galbraith,	Nevin,	Watts,
Gronvold,	Nicholson,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Winslow,
Hare,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker,
Heath,		

Absent and not voting, Mr. Gulack.

So the bill as amended passed and the title was agreed to.

Mr. Packard asked that the privileges of the floor be extended to Mr. Paul Jacobson and Mr. Nels Ellison of Mandan.

There being no objection the privileges were so extended.

Mr. Cassell moved

That the rules be suspended and

House bill No. 74,

A bill for an act to appropriate money to meet a deficiency in the salary and expenses of the office of assistant dairy and food commissioner.

Be placed on its third reading and final passage,

Which motion prevailed, and

House bill No. 74,

A bill for act to appropriate money to meet a deficiency in the salary and expenses of the office of assistant dairy and food commissioner.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays 4, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,
Reade,

Messrs.—

Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those who voted in the negative were:

Messrs.—

Allshouse,
Axvig,

Messrs.—

Lemke,

Messrs.—

Strutz,

Mr. Gulack being excused.

So the bill passed and the title was agreed to.

Mr. Bacon explained his vote.

Mr. Chacey explained his vote.

Mr. Packard explained his vote.

Mr. Chaffee moved

That the vote by which house bill No. 92 passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

INTRODUCTION OF BILLS AND MEMORIALS.

Mr. Swarthout introduced

House bill No. 101,

A bill for an act entitled an act to amend section 163 of the Revised Codes so as to provide for special tax for two agricul-

tural fairs in counties containing over twenty-four townships and where two fair associations have already been organized.

Which was read the first time.

Mr. Strutz introduced

House bill No. 102,

A bill for an act to amend section 1322, chapter 18, Revised Codes, 1899.

Which was read the first time.

Mr. Thomas introduced

House bill No. 103,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, and charging the states attorney with the enforcement hereof.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House bill No. 85,

A bill for an act defining the duties of attorneys at law.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 89,

A bill for an act to amend section 2073, chapter 27, of the Revised Codes of 1899 of the state of North Dakota relating to the salaries of county auditors.

Was read the second time and

Referred to the committee on counties and county boundaries.

Also,

House bill No. 90,

A bill for an act entitled an act to provide for the building of a library and a museum upon the site of old Fort Abercrombie, in Richland county, N. D., and providing an appropriation therefor.

Was read the second time and

Referred to the committee on appropriations.

Also,

House bill No. 91,

A bill for an act making railway corporations liable for the injury or killing of stock, where they fail to fence and maintain a lawful fence along their railroad.

Was read the second time and

Referred to the committee on railroads.

Also,

House bill No. 93,

A bill for an act to amend section 5442 of the Revised Codes of North Dakota, 1899.

Was read the second time, and
Referred to the committee on judiciary.

Also,

House bill No. 95,

A bill for an act to amend section 5454a, of the Revised Codes.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 96,

A bill for an act to repeal section 5454a, of the Revised Codes.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 97,

A bill for an act to amend chapter 21 of the Revised Codes, governing the location, establishment and construction of drains, and relating to the allowance and taxation of costs and attorneys fees against the defendants in actions to enjoin drainage proceedings or the levy and collection of taxes and assessments therefor.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Was read the second time and

Referred to the committee on state affairs.

Also,

House bill No. 99,

A bill for an act to amend section 220, chapter 4 of the Revised Codes of 1899, relating to advertisements for leasing of school lands.

Was read the second time and

Referred to the committee on schools and public lands.

Also,

House bill No. 100,

A bill for an act defining slander of females and making the same a misdemeanor.

Was read the second time and

Referred to the committee on woman suffrage.

Mr. Galbraith moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,

Chief Clerk.

TWENTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 1, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Gulack, Michels and Rose, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr Speaker:

Your committee on revision and correction of the Journal of the twenty-fourth day, have carefully examined the time and recommend that the same be corrected as follows:

Page 8, line 20, change "W." to "M."

Page 13, after line 10, insert: "Mr. Bacon gave notice that he would move to reconsider the vote by which house bill No. 74 was passed."

Line 26, page 7, "Winslow" be substituted for "Cassell."

And when so amended recommend that the same approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

The adoption of the report as read,

Which motion prevailed, and

The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICA-
TIONS.

Mr. Hall presented the following petition:

ANETA, N. D., Jan. 28, 1901.

To Hon. Clarkson A. Hall, Bismarck, N. D.;

Dear Sir:—We the undersigned request that you use every honorable effort to defeat senate bill No. 24 introduced by Mr. Hale, providing for a

lien upon threshing engines or separators for the repairing of same as we firmly believe that same will prove a detriment to dealers and operators of threshing machinery.

WALHOOD BROS.
And 26 Others.

Mr. Bjornson presented the following petition:

LAMOURE, N. D., Jan. 17, 1901.

To Hon. James B. Sharpe and Hon. J. A. T. Bjornson, Members of the Seventh Legislative Assembly of the State of North Dakota.

Gentlemen:—The board of county commissioners of LaMoure county in said state, respectfully request that article 8 of chapter 26 of the Revised Codes be immediately amended so that the county commissioners may have authority to reject all bids and so order the deposit of the county funds as to secure the largest possible safe income on such funds or that said article be so amended as to fix the minimum rate of interest on such funds deposited in accordance therewith; and we request your earnest effort to secure such amendment.

H. J. HANSON,
J. W. JOHNSTON,
J. N. JORDAN,
J. A. WHITE,
M. ROSCOE,

County commissioners of LaMoure county, N. D.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

Also,

House bill No. 15,

A bill for an act to amend section 960 of the Revised Codes of North Dakota relating to residents entitled to education free.

Also,

House bill No. 27,

A bill for an act to amend subdivision 3 of section 7110, chapter 20 of the Revised Codes of 1899, relating to the punishment for kidnapping.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

A majority of the committee on railroads made the following report:

Mr. Speaker:

A majority of your committee on railroads to whom was referred

House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of

1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

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

J. D. BACON,
Chairman.

A minority of the committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads beg leave to present a minority report on

House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

And ask to have said bill referred to general orders.

W. F. LEECH,
W. J. WATTS,
J. THORDARSON,
H. L. READE,
Committee.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 8,

A bill for an act entitled an act to amend section 6219 of the Revised Codes.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section

5519 of the Revised Codes of said state, all of said sections relating to exemptions.

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

By striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That sections 324, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, are hereby amended so as to read as follows:

Sec. 5518. Additional Exemptions.) In addition to the property mentioned in the preceding section, the head of the family may, by himself or his agent, select from all other of his personal property not absolutely exempt, goods, chattels, merchandise, money or other personal property, not to exceed in the aggregate five hundred dollars in value, which is also exempt and must be chosen and appraised as hereinafter provided.

Sec. 5522. Oath and Duties of Appraisers.) The three appraisers so selected must take and subscribe an oath before the sheriff or other officer, to be attached to the inventory of appraisement, that they will truly, honestly and impartially appraise the property of the debtor. The property must be appraised at the actual value of the several articles at the place where they are situated as near as can be determined, and must be set down in an inventory by articles or by lots, when definitely descriptive, with the value opposite. From the appraisement so made, if over the amount of five hundred dollars, the debtor, his agent or attorney, may select the amount in value of five hundred dollars, or the alternative amount in value of each class, leaving the remainder, if any, subject to legal process.

Sec. 5528. Partnership Can Claim but One Exemption.) A partnership firm can claim but one exemption of five hundred dollars in value, or alternative property, when so applicable, instead thereof, out of the partnership property. All partnership property claimed as exempt shall constitute a part of the exemptions of the several partners, the same being divided in proportion to the interests of the partners in the firm assets, and in no case shall the aggregate exemptions of the several partners exceed the amount which would have been allowed to them if the partnership had not existed.

Sec. 2. Provided, however, that the provisions of this act shall not apply to or effect any debt contracted prior to the passage and approval of this act.

And that the title of said bill be amended so as to read as follows:

For an act entitled an act to amend sections 324, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota relating to exemptions.

And when so amended recommend that the same do pass.

Also,

House bill No. 66,

A bill for an act to amend section 441 of the Revised Codes of North Dakota, relating to jurors.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report as read be adopted
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 61,

A bill for an act requiring district judges to give a reason for their decisions.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report as read
Which motion prevailed, and

House bill No. 61,

A bill for an act requiring district judges to give a reason for their decisions.

Was indefinitely postponed.

The committee on judiciary made the following report;

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 84,

A bill for an act defining the duties of county judges in courts of limited jurisdiction.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Mallory moved
The adoption of the report,
Which motion prevailed, and
House bill No. 84,

A bill for an act defining the duties of county judges in courts of limited jurisdiction.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 62,

A bill for an act to regulate and limit motions to dismiss and motions tending to defeat appeals to the supreme court.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report as read be adopted,

Which motion prevailed, and

House bill No. 62,

A bill for an act to regulate and limit motions to dismiss and motions tending to defeat appeals to the supreme court.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 71,

A bill for an act to amend section 5958 of the Revised Codes, enumerating what property may be taken in the exercise of the right of eminent domain.

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

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

The adoption of the report,

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 85,

A bill for an act defining the duties of attorneys at law.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted,

Which motion prevailed, and

House bill No. 85;

A bill for an act defining the duties of attorneys at law.

Was indefinitely postponed.

The majority of the committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House bill No. 68,

A bill for an act entitled "An act to require fire, lightning or tornado insurance agents within the state, to pay license fees."

Have had the same under consideration, and recommend that the consideration of same be indefinitely postponed.

E. H. RESTEMAYER,
Chairman.

A minority of the committee on insurance made the following report:

Mr. Speaker:

A minority of your committee on insurance to whom was referred

House bill No. 68,

A bill for an act entitled "An act to require fire, lightning or tornado insurance agents within the state, to pay license fees."

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

W. A. M'CLURE,
ASA SARGEANT,
F. N. CHAFFEE,

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 87,

A bill for an act to amend section 1030 of the Revised Codes of 1899, as relating to fuel for public schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. A. HALL,
Chairman.

Mr. Hall moved

That the report be adopted,
Which motion prevailed, and

House bill No. 87,

A bill for an act to amend section 1030 of the Revised Codes of 1899, as relating to fuel for public schools.

Was indefinitely postponed.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

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

In section 1, line 4 of printed bill, after the word "other" insert the word "incorporated;" and in line 5, same section of printed bill after the word "other" insert the word "incorporated;" and in line 7 same section of printed bill after the word "other" insert the word "incorporated."

In section 2, line 1, after the word "other" insert the word "incorporated."

And when so amended recommend that the same do pass.

HENRY READE,

Chairman.

The committee on sheep and sheep industry made the following report:

Mr. Speaker:

Your committee on sheep and sheep industry to whom was referred

Senate bill No. 11,

A bill to amend sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of the state of North Dakota, relating to the recording of marks and brands.

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

That the title of said bill read as follows:

An act to amend sections 1536, 1537, 1538, 1542 and 1543 of Revised Codes of North Dakota relating to the recording of marks and brands and for the transferring of all record of marks and brands now in the secretary of state's office to the commissioner of agriculture and labor.

And after line 6, page 1,

Section 1. Amendment.) That sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes be amended to and re-enacted to read as follows.

And that the following be inserted after line 24, page 3,

Section 2. Secretary of state to turn over to the commissioner of agriculture and labor all records of marks and brands.) After the passage and approval of this act the secretary of state shall turn over to the commissioner of agriculture and labor all records of marks and brands now in his office pertaining to domestic animals.

And when so amended recommend that the same do pass.

G. B. PHIFER,

Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Watson offered the following resolution:

Be it Resolved by the House of Representatives, that in the death of the late ex-Lieutenant Governor Alfred Dickey of Jamestown, North Dakota, the state has lost a patriotic, able and valuable citizen, and the House takes this opportunity to express their heartfelt sympathy for the family and friends of the departed.

Resolved, that a copy of these resolutions be transmitted to the bereaved family.

Mr. Chaffee moved
The adoption of the resolution.
Which motion prevailed.

Mr. Young asked that the courtesies of the floor be extended to S. M. Lockerby and John Simons of Barnes county.

Mr. Cassell requested the privileges of the floor for S. A. Amklove and T. E. Warner of Cooperstown.

There being no objections the privileges were so extended.

Mr. Watts moved to recall
House bill No. 49,

A bill for an act to amend section 5848, chapter 29 of the Codes of Civil Procedure of the Revised Codes of the state of North Dakota, relating to foreclosure by advertisement of real estate mortgages.

And have same referred to the committee on public printing,
Which motion prevailed, and

House bill No. 49,

A bill for an act to amend section 5848, chapter 29 of the Codes of Civil Procedure of the Revised Codes of the state of North Dakota, relating to foreclosure by advertisement of real estate mortgages.

Was referred to committee on public printing.

INTRODUCTION OF HOUSE BILLS.

Mr. Brisbin introduced

House bill No. 104,

A bill for an act entitled an act regulating the liability of railroad corporations.

Which was read the first time.

Mr. Hjelmstad introduced

House bill No. 105,

A bill for an act to amend section 4827 of the Revised Codes of North Dakota, relating to farm laborer's lien. How the same may be obtained, and extending the time for filing affidavit and notice.

Which was read the first time.

Mr. Bjornson introduced

House bill No. 106,

A bill for an act to amend section 1944 of the Revised Codes of 1899, relating to duty of board in designating depositories.

Which was read the first time.

Mr. Leech introduced

House bill No. 107,

A bill for an act defining senatorial and representative dis-

tricts of North Dakota and describing the number of senators and representatives therein.

Which was read the first time.

Mr. Bennett introduced

House bill No. 108,

A bill for an act entitled an act prohibiting the sale of cigarettes and cigarette paper.

Which was read the first time.

Also,

House bill No. 109,

A bill for an act to amend section 1786 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mills.

Which was read the first time.

Also,

House bill No. 110,

A bill for an act to amend sections 1181, 1182, 1189, 1199, 1203, 1208 and 1211, and repeal section 1200 of the Revised Codes of the state of North Dakota, edition of 1899, relating to the time and mode of listing, assessing and taxing property, including grain in elevators, warehouses and grain houses.

Which was read the first time.

Mr. Hjelmstad introduced

House bill No. 111,

A bill for an act entitled "An act to require railroad companies to furnish free transportation to shippers of stock in certain cases and providing a remedy in case of failure or refusal on the part of the railroad company to comply with the provisions of this act.

Which was read the first time.

Mr. Cassell introduced

House bill No. 112,

A bill for an act to amend section 343a, of the Revised Codes of 1899, being the same as section 1 of chapter 116 of the session laws of 1899, relating to official bonds of county treasurers.

Which was read the first time.

Mr. Chaffee introduced

House bill No. 113,

Concurrent resolution.

Which was read the first time.

Mr. Leech introduced

House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were

defective, and upon which property taxes for the year 1896 and prior years are unpaid.

Which was read the first time.

Mr. Gronvold introduced

House bill No. 115,

A bill for an act to amend section 704 of the Revised Codes as amended by chapter 81 of the session laws of 1899, relating to education.

Which was read the first time.

Mr. Keeler introduced

House bill No. 116,

A bill for an act to provide for greater efficiency in the transmission and delivery of messages and telegrams and providing penalty for violation thereof.

Which was read the first time.

Mr. Ramsett introduced

House bill No. 117,

A bill for an act to amend section 5577 of chapter 13 of the Codes of Civil Procedure of the Revised Codes of North Dakota of 1899, relating to costs on foreclosure of liens.

Which was read the first time.

THIRD READING OF HOUSE BILLS.

House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Ramsett,
Axvig,	Hill,	Reade,
Anderson,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Sargeant,
Bennett,	Keeler,	Severson,
Bjornson,	Leech,	Stafne,
Brisbin,	Lemke,	Strutz,
Cassell,	Lerom,	Swarthout,
Chacey,	Mallough,	Thomas,
Chaffee,	McClure,	Thorvarson,
Chevalier,	McLean,	Tubbs,
Davis,	Miller,	Tufte,
Dickson,	Morgan,	Wade,
Dwire,	Nelson,	Watts,
Galbraith,	Nicholson,	Watson,
Gronvold,	Nevin,	Willison,
Gullikson,	Palmer,	Winslow,
Hall,	Packard,	Young,

Messrs.—
Hare,
Hammond,

Messrs.—
Parr,
Phifer,

Messrs.—
Mr. Speaker,

Absent and not voting:

Messrs.—
Gulack,

Messrs.—
Michels,

Messrs.
Rose,

Messrs. Gulack and Michels being excused.

So the bill passed and the title was agreed to.

Mr. Morgan moved

That the vote by which House bill No. 18, passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

Mr. Winslow asked unanimous consent to offer an amendment to House bill No. 27,

A bill for an act to amend subdivision 3 of section 7110, chapter 20 of the Revised Codes of 1899, relating to the punishment for kidnaping.

Which consent was granted, and

Mr. Winslow offered the following amendment and moved its adoption:

Amend by striking out in line 5, sub-division 2 of section 1, the word "ten" and inserting in lieu thereof the word "one."

Which motion prevailed, and

The amendment was adopted.

House bill No. 27,

A bill for an act to amend subdivision 3 of section 7110, chapter 20 of the Revised Codes of 1899, relating to the punishment for kidnaping.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—
Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,

Messrs.—
Heath,
Hill,
Hjelmstad,
Johnson,
Keller,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nicholson,

Messrs.—
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,

Messrs.—	Messrs.—	Messrs.—
Gronvold,	Nevin,	Willison,
Gullikson,	Packard,	Winslow,
Hall,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond,	Phifer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack,	Michels,	Rose,

Messrs. Gulack and Michels being excused.

So the bill as amended passed and the title was agreed to.

Mr. Young moved

That we take a recess for five minutes.

Which motion was lost.

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays 1, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Anderson,	Hill,	Ramsett,
Axvig,	Hjelmstad,	Reade,
Bacon,	Johnson,	Restemayer,
Bennett,	Keeler,	Sargeant,
Bjornson,	Leech,	Severson,
Brisbin,	Lemke,	Stafne,
Cassell,	Lerom,	Strutz,
Chacey,	Mallough,	Swarthout
Chaffee,	McClure,	Thomas,
Chevalier,	McLean,	Thordarson,
Davis,	Miller,	Tubbs,
Dickson,	Morgan,	Tufte,
Dwire,	Nelson,	Wade,
Galbraith,	Nicholson,	Watts,
Gronvold,	Nevin,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Winslow,
Hammond,	Parr,	Young,
Heath,	Phifer,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.
Allshouse,	Gulack,	Michels,
Rose,		

Mr. Hare voting in the negative.

Messrs. Gulack and Michels being excused.

So the bill passed and the title was agreed to.

Mr. Morgan moved.

That the vote by which House bill No. 11 passed, be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

Mr. Bacon moved
House bill No. 15,

A bill for an act to amend section 960 of the Revised Codes of North Dakota relating to residents entitled to education free.

Be referred to the committee on engrossment for correction,
Which motion prevailed.

Mr. Young moved

That the house go into committee of the whole on general orders
Which motion was lost.

Mr. Nelson moved that action on
House bill No. 16,

A concurrent resolution amending subdivision 5, section 215 of article 19 of the constitution of the state of North Dakota.

Be deferred until Wednesday, February 5, at 3 o'clock, p. m.,
Which motion prevailed.

FIRST READING OF SENATE BILLS.

Senate bill No. 32,

A bill for an act taxing the occupation of hawkers and peddlers regulating the licensing of persons engaged in such occupation, and increasing the ordinary county revenue by such taxation.

Which was read the first time.

GENERAL ORDERS.

Mr. Young moved

That the house resolve itself into a committee of the whole for the consideration of general orders,

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Hall to the chair.

When the committee arose the following report was submitted:

Mr. Speaker:

Your committee of the whole have had under consideration

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

And recommend that the same be amended as follows:

Amend by inserting after the word "any" in line 2, sub-division 1 of section 1, the words "of the lakes, streams or other public waters of this state in any"

And when so amended recommend that the same do pass.

Also,

House bill No. 88,

A bill for an act to create a state farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

And recommend that the same be amended as follows:

Sec. 2, line 5, the words "twenty-five" be stricken out and "fifteen" be inserted in lieu thereof.

Sec. 4, line 2, the words "five thousand" be stricken out and "three thousand" substituted in lieu thereof.

And when so amended recommend that the same do pass.

Also,

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

And recommend that the same be amended as follows:

That section 1 be amended to read "section 1566 of the revised codes of 1899 of the state of North Dakota," etc., instead of "section 1566 of the political code of North Dakota," etc.

And when so amended recommend that the same do pass.

Also,

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

And recommend that the same be amended as follows:

Strike out lines 1 and 2 of the printed bill after the enacting clause and insert the following: "Section 1. Amendment.) That section 717 of chapter 75 of the Session Laws of 1897, being the same as section 717 of the Revised Codes of 1899," be amended so as to read as follows: and that the following shall be supplied as the title to said bill, "For an act to amend section 717 of chapter 75 of the Session Laws of 1897, being the same as section 717 of the Revised Codes of 1899, relating to education."

Also,

Amend by inserting in line 19, of section 717 after the word "year" the words "in a newspaper of the county nearest said school district."

And when so amended recommend that the same do pass.

Also,

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

And recommend that the same be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof;

Section 1. Amendment.) That section 278 of the political code of the State of North Dakota be amended so as to read as follows:

Section 278. License to be Recorded.) The person receiving a license shall file the same for record in the office of the register of deeds of the county wherein he resides, and the register of deeds shall record the same in like manner as other instruments required to be recorded.

And that the title to the printed bill be stricken out and the following substituted:

A bill for an act to amend section 278 of the political code of North Dakota, relating to licenses of physicians, surgeons and obstetricians.

And when so amended recommend that the same do pass.

Also,

House bill No. 29,

Concurrent resolution, proposed amendment to the constitution of the state of North Dakota.

And report progress and ask to set again.

C. A. HALL,
Chairman.

Mr. Tufte moved

That the report of the committee be adopted,

Which motion prevailed.

Mr. Allshouse moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 2, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the Rev. Mr. Kratz, of Mandan.

Roll call.

All members present except Messrs. Gulack, Rose and Stafne, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal

of the twenty-fifth day have carefully examined the same and recommend that the same be corrected as follows:

Page 6, line 8, strike out "Mallory" and insert in lieu thereof "Mallough."

Page 9, line 4, strike out word "to" after word "amended."

Page 12, line 5, change figure "4" to "3."

Page 16, line 1, after the word "bill" insert the word "and," and strike out the word "and" after the word "clause."

And when so amended recommend that Journal of the twenty-fifth day be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved
That the report as read be adopted,
Which motion prevailed, and
The report was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:
Mr. Speaker:

Your committee on engrossed bills have examined
House bill No. 51,
A bill for an act to amend section 1645 of the Revised Codes of the state of North Dakota, relating to permits.
And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The committee on appropriations made the following report:
Mr. Speaker:

Your committee on appropriations to whom was referred
House bill No. 9,
A bill for an act providing for an appropriation to pay expense of construction of drains through school lands situated in Pembina county.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOSEPH HARE,
Chairman.

Mr. Bennett moved
That the report be adopted,
Which motion prevailed, and
House bill No. 9,
A bill for an act providing for an appropriation to pay expense of construction of drains through school lands situated in Pembina county.

Was indefinitely postponed.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOSEPH HARE,
Chairman.

Mr. Hare moved

That the report be adopted,

Which motion prevailed, and

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

Was indefinitely postponed.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House bill No. 33,

A bill for an act to make an appropriation for conducting farmer's institutes and to amend section 1703 of the Revised Codes of North Dakota for 1899.

Have had the same under consideration, and recommend that the same be indefinitely postponed with the understanding that House bill No. 88 is a substitute

JOSEPH HARE,
Chairman.

Mr. Hare moved

That the report as read be adopted.

Which motion prevailed, and

The report was adopted.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

Senate bill No. 40,

A bill for an act in relation to the transaction of business by fire insurance companies or associations otherwise than through resident agents.

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

That the enacting clause be amended by striking out the word legisla-

ture where it appears therein and insert in lieu thereof the words "legislative assembly."

And when so amended recommend that the same do pass.

E. H. RESTEMAYER,
Chairman.

Mr. Tufte moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred
House bill No. 13,

A bill for an act to amend section 1891, article 6 of chapter 26 of the Revised Codes of 1899.

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

In line 4 of printed bill after word "court" insert "judge of probate, state's attorney and county superintendent of schools." And that the title of the bill be amended to read as follows: "For an act to amend section 1891, article 6 of chapter 26 of the Revised Codes of North Dakota, relating to terms of office for county officers."

And when so amended recommend that the same do pass.

Also

House bill No. 81,

A bill for an act to amend section 527 of the Revised Codes of North Dakota, relating to abstract of votes. Certificate of election. Publication of returns.

Have had the same under consideration and recommend that further consideration of the same be indefinitely postponed.

J. THORDARSON,
Chairman.

Mr. Thordarson moved
That the report be adopted,
Which motion prevailed, and
House bill No. 81,

A bill for an act to amend section 527 of the Revised Codes of North Dakota, relating to abstract of votes. Certificate of election. Publication of returns.

Was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 98,

A bill for an act requiring notaries public to endorse on

acknowledgments the date of the expiration of their commissions.

Have had the same under consideration and recommend that the same be indefinitely postponed

F. T. GRONVOLD,
Chairman.

Mr. Bacon moved that

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Be referred to the committee on judiciary

Which motion prevailed, and

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Was referred to the committee on judiciary.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 44,

A bill for an act to amend section 4719 of the Revised of North Dakota, 1899, relating to the discharge of real estate mortgages.

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

By inserting in line 1, of the printed bill before the word "amendment" the words and figure "section 1."

By striking out all of said bill after line 12 of printed bill.

By inserting in line 4 of the printed bill after the word "his" the words "executors, administrators, guardians, trustees."

Also,

Senate bill No. 3,

A bill for an act entitled an act to amend section 5256, Revised Codes, relating to mailing summons and complaint.

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

By striking out the words "return registry" in line 18 of the engrossed bill and inserting in lieu thereof the words "registry return."

Also,

House bill No. 42,

A bill for an act to amend section 2079 of the Revised Codes of 1899 of the state of North Dakota with reference to the fees to be charged by registers of deeds.

Have had the same under consideration, and recommend that the further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
House bill No. 42,

A bill for an act to amend section 2079 of the Revised Codes of 1899 of the state of North Dakota with reference to the fees to be charged by registers of deeds.

Was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 2, 1901.

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 25,

A bill for an act granting a right-of-way for public highway across the military encampment grounds at Rock Island, Ramsey county, N. D.

Also,
Senate bill No. 58,

A bill for an act to amend section 6435 of the Revised Codes of 1899, the same being section 27 of chapter 111 of the laws of 1897, relating to sales of real estate by executors and administrators.

Also,
Senate bill No. 73,

A bill for an act entitled "An act to amend sections 2737 and 2743 of the Revised Codes of 1899, relating to dissolution of marriage."

Also,
Senate bill No. 76,

A bill to amend section 7110, chapter 20 of the Revised Codes of 1899, relating to the crime of kidnapping.

Also,
Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899 relating to compensation of county commissioners.

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

Very respectfully,

I. J. MOE,
Acting Secretary.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

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

Section 2. Whereas, an emergency exists in that there is now no law providing for foreclosure of mortgages and assignments of same mentioned herein, and there being mortgages of this class in default, this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on woman's suffrage made the following report:

Mr. Speaker:

Your committee on woman's suffrage to whom was referred House bill No. 100,

A bill for an act defining slander of females and making the same a misdemeanor.

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

B. H. MALLOWGH,
Chairman.

Mr. Mallough moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

REPORT OF SELECT COMMITTEE.

To the Senate and House of Representatives:

Your committee appointed by concurrent resolution of your honorable body to make arrangements for the proper observance of John Marshall day, respectfully report and recommend, that the senate and house adjourn Monday, February 4th, at 3 o'clock p. m., and meet in the chamber of the house in an informal joint session, Governor White presiding.

The program will be as follows:

- First—Ladies' Quartette.
- Second—Invocation, Rev. A. Durrie.
- Third—Solo, Miss Bartholomew.

Fourth—Introductory remarks, Gov. White.
 Fifth—Oration, Hon. J. M. Bartholomew.
 Sixth—America, by the audience.

DAVID BARTLETT,
 President of the Senate.
 ROBERT M. POLLOCK,
 Speaker of the House.

Mr. Cassell moved
 The adoption of the report
 Which motion prevailed, and
 The report was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Packard offered the following concurrent resolution:

Resolved by the house of representatives, the senate concurring;

1. That in dividing the state into senatorial districts the ratio of apportionment shall be a population of 10,000, or major fraction thereof, for each district, and be entitled to one member of the senate.

2. That each senatorial district shall be entitled to one or more representatives on the following basis, to-wit: One representative for each 5,000 of population, or major fraction thereof, of such senatorial districts.

3. That so far as practicable in conformity with the foregoing each county shall constitute one senatorial district.

INTRODUCTION OF HOUSE BILLS AND MEMORIALS.

Mr. Cassell introduced

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

Which was read the first time.

Also,

House bill No. 119,

A bill for an act to amend sections 5, 6 and 7 of chapter 82 of the session laws of 1897, being section 6676e of the Revised Codes of 1899, relating to garnishee procedure in justice court.

Which was read the first time.

Mr. Leech introduced by request

House bill No. 120,

A bill for an act entitled "An act to provide for the punishment for the abandonment of minor children."

Which was read the first time.

Also,

House bill No. 121. (By request.)

A bill for an act entitled "An act to amend section 2790 of the Revised Codes, relating to the support of step children."

Which was read the first time.

Mr. Watson introduced

House bill No. 122,
A bill for an act to provide for submitting the question of conferring additional jurisdiction upon county courts.

Which was read the first time.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 2, 1901.

Mr. Speaker:

I have the honor to transmit herewith a concurrent resolution relating to appointment of a committee to examine the penitentiary twine plant.

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

Very respectfully,

I. J. MOE,
Assistant Secretary.

The following resolution was read:

CONCURRENT RESOLUTION.

Be it resolved by the senate, the house concurring, that a committee of five consisting of two from the senate and three from the house, be appointed to examine the penitentiary twine plant and report a proposition for maintenance of the same.

Mr. Hare moved

That the house concur in the concurrent resolution.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Hare, Cassell and Dwire.

The chief clerk announced that the speaker was about to sign Senate bill No. 41,

A bill for an act to amend section 8567 of the Revised Codes, 1899, relating to, product of the plant, how disposed of.

And the speaker signed the bill in the presence of the house.

Mr. Thomas introduced

House bill No. 123,

A bill for an act amending section 6670 of the Justices' Code of the state of North Dakota, relating to title to real estate.

Which was read the first time.

Mr. Morgan introduced

House bill No. 124,

A bill for an act to amend section 51 of chapter 126 of the Session Laws of 1897, being section 1229 of the Political Code, relating to the rate of state and county tax, prescribing the man-

ner in which township taxes may be levied, fixing the rates of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases.

Which was read the first time.

Mr. Palmer introduced

House bill No. 125,

A bill for an act regulating water rights for irrigation purposes.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House bill No. 94,

A bill for an act entitled "An act to regulate common carriers, to define the duties of commissioners of railroads, and to provide for the control of railroads, bridge corporations and ferry companies, within the state.

Was read the second time, and

Referred to the committee on railroads.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 2, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 65,

A bill for an act to amend sections 72, 83, 84, 85, 94, chapter 126 of the laws of 1897, and chapter 136 of the laws of 1899, being sections 1257, 1267 and 1277 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

House bill No. 101,

A bill for an act entitled an act to amend section 163 of the Revised Codes so as to provide for special tax for two agricultural fairs in counties containing over twenty-four townships and where two fair associations have already been organized.

Was read the second time and

Referred to the committee on state affairs.

House bill No. 102,

A bill for an act to amend section 1322, chapter 18, Revised Codes, 1899.

Was read the second time, and

Referred to the committee on sheep industry.

House bill No. 103,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, and charging the states attorney with the enforcement hereof.

Was read the second time and

Referred to the committee on state affairs.

Also,

House bill No. 108,

A bill for an act entitled an act prohibiting the sale of cigarettes and cigarette paper.

Was read the second time and

Referred to the committee on public health.

Also,

House bill No. 109,

A bill for an act to amend section 1786 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mill.

Was read the second time and

Referred to the committee on warehouses, grain and grain grading.

Also,

House bill No. 111,

A bill for an act entitled "An act to require railroad companies to furnish free transportation to shippers of stock in certain cases and providing a remedy in case of failure or refusal on the part of the railroad company to comply with the provisions of this act.

Was read the second time, and

Referred to the committee on railroads.

Also,

House bill No. 112,

A bill for an act to amend section 343a, of the Revised Codes of 1899, being the same as section 1 of chapter 116 of the session laws of 1899, relating to official bonds of county treasurers.

Was read the second time and

Referred to the committee on counties and county boundaries.

Also,

House bill No. 116,

A bill for an act to provide for greater efficiency in the transmission and delivery of messages and telegrams and providing penalty for violation thereof.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House bill No. 117,

A bill for an act to amend section 5577 of chapter 13 of the Codes of Civil Procedure of the Revised Codes of North Dakota of 1899, relating to costs on foreclosure of liens.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 106,

A bill for an act to amend section 1944 of the Revised Codes of 1899, relating to duty of board in designating depositories.

Was read the second time and

Referred to the committee on banking.

Also,

House bill No. 107,

A bill for an act defining senatorial and representative districts of North Dakota and describing the number of senators and representatives therein.

Was read the second time and

Referred to the committee on apportionment.

On request of Mr. Ramsett the courtesies of the floor were extended to Hon. A. G. Johnson.

Mr. Reade moved

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Be taken from general orders and

Referred to the committee on municipal corporations.

Which motion prevailed, and

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Was so referred.

THIRD READING OF HOUSE BILLS.

House bill No. 15,

A bill for an act to amend section 960 of the Revised Codes of North Dakota relating to residents entitled to education free.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,

Messrs.—

Heath,
Hill,
Hjelmstad,

Messrs.—

Phifer,
Ramsett,
Reade,

Messrs.—

Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Restemayer,
Sargeant,
Severson,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Gulack,

Messrs.—

Rose,

Messrs.—

Stafne,

Messrs. Gulack, Rose and Stafne being excused.

So the bill passed and the title was agreed to.

House bill No. 51,

A bill for an act to amend section 1645 of the Revised Codes of the state of North Dakota, relating to permits.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 41, nays 18, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,

Messrs.—

Hare,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Leech,
Lerom,
Mallough,
McClure,
McLean,
Miller,
Morgan,
Nelson,

Messrs.—

Packard,
Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Swarthout,
Thomas,
Tubbs,
Wade,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Chevalier,
Keeler,
Lemke,

Messrs.—

Michels,
Nicholson,
Nevin,
Restemayer,
Sargeant,
Severson,

Messrs.—

Strutz,
Thordarson,
Tufte,
Watts,
Watson,
Willison,

Absent and not voting:

Messrs.— Gulack, Messrs.— Rose, Messrs.— Stafne,

Messrs. Gulack, Rose and Stafne being excused.

So the bill passed and the title was agreed to.

FIRST READING OF SENATE BILLS.

Senate bill No. 76,

A bill to amend section 7110, chapter 20 of the Revised Codes of 1899, relating to the crime of kidnapping.

Was read the first time.

Mr. Tufte moved

That the rules be suspended and Senate bill No. 76 be read the second time.

Which motion prevailed, and

Senate bill No. 76,

A bill to amend section 7110, chapter 20 of the Revised Codes of 1899, relating to the crime of kidnapping.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate bill No. 25,

A bill for an act granting a right-of-way for a public highway across the military encampment grounds at Rock Island, Ramsey county, N. D.

Was read the first time.

Also,

Senate bill No. 73,

A bill for an act entitled "An act to amend sections 2737 and 2743 of the Revised Codes of 1899, relating to dissolution of marriage."

Was read the first time.

Also,

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899 relating to compensation of county commissioners.

Was read the first time.

Also,

Senate bill No. 58,

A bill for an act to amend section 6435 of the Revised Codes of 1899, the same being section 27 of chapter 111 of the laws of 1897, relating to sales of real estate by executors and administrators.

Was read the first time.

Also,

Senate bill No. 65,

A bill for an act to amend sections 72, 83, 84, 85, 94, chapter

126 of the laws of 1897, and chapter 136 of the laws of 1899, being sections 1257, 1267 and 1277 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation.

Was read the first time.

SECOND READING OF SENATE BILLS.

Senate bill No. 23,

A bill for an act to amend section 5526, Revised Codes of North Dakota, relating to exemptions.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate bill No. 57,

A bill for an act to provide for the drawing of warrants by the state auditor upon the state treasurer.

Was read the second time, and

Referred to the committee on ways and means.

Also,

Senate bill No. 72,

A bill for an act entitled "An act to repeal sections 1681 and 1682 of the Revised Codes of 1899, relating to bounty on starch."

Was read the second time, and

Referred to the committee on state affairs.

Also,

Senate bill No. 61,

A bill for an act entitled an act to amend section 6633 of Revised Codes of 1899, relating to commencement of actions in justice court.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate bill No. 70,

A bill for an act to create a state auditing board for the state of North Dakota.

Was read the second time, and

Referred to the committee on state affairs.

Also,

Senate bill No. 32,

A bill for an act taxing the occupation of hawkers and peddlers regulating the licensing of persons engaged in such occupation, and increasing the ordinary county revenue by such taxation.

Was read the second time, and

Referred to the committee on ways and means.

THIRD READING OF SENATE BILLS.

Senate bill No. 8,

A bill for an act entitled an act to amend section 6219 of the Revised Codes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hjelmstad,
Johnson,
Keller,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Gulack,
Rose,

Messrs.—

Hill,
Stafne,

Messrs.—

Miller,

Messrs. Gulack, Rose and Stafne being excused.

So the bill passed and the title was agreed to.

Mr. Thomas moved

That the house do now adjourn

Which motion prevailed, and

The house adjourned

J. D. SCANLAN,
Chief Clerk.

TWENTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 4, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Gulack, Rose and Stafne, who were excused.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 26th day, have carefully examined the same and recommend that the same be corrected as follows:

Page 3, line 42, change word "lien" to "lieu."

Page 4, line 11, correct spelling of word "bill."

Page 5, line 18, insert word "Codes" after word "Revised."

Page 12, lines 24 and 30, change word "Code" to "Codes."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Thomas moved the following amendment to the report of the committee:

I move to amend the report of the committee on the correction and revision of the Journal for the 26th day, by inserting in the proper place the following:

On page 2 strike out all beginning with the third line from the bottom of the page to and including the fourteenth line on page 3, the same being the following words, to-wit:

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOSEPH HARE,
Chairman.

Mr. Hare moved

That the report be adopted.

Which motion prevailed, and

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

Was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 4, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 99,

A bill for an act to amend section 1219 of the 1899 Revised Codes of North Dakota relating to assessor's statement and return to auditor.

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

Also,

House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

Also,

House bill No. 5,

A bill for an act entitled an act to provide for directors and officers of religious corporations.

Which the senate has passed unchanged.

Also,

Senate bill No. 48,

A bill for an act to amend section 6153 of the Revised Codes of 1899 relating to liability of owner for trespassing animals.

Also,

Substitute for Senate bill No. 4,

A bill for an act repealing section 410 of the Revised Codes of 1899, relating to chambers of the district judge of the Seventh judicial district.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The amendment offered by Mr. Thomas was adopted.

Mr. Young moved

That the report of the committee on revision and correction of the journal be amended as follows:

After the words "administrators, guardians, trustees" on page 5, add the words "have had the same under consideration and recommend that the same be adopted."

GEORGE M. YOUNG,

Chairman.

The motion to amend prevailed.

The report of the committee as amended was then adopted.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred
Senate bill No. 3,

A bill for an act entitled an act to amend section 5256, Revised Codes, relating to mailing summons and complaint.

And recommend that the same be amended to read as follows:

That the words "return registry" in line 6 of the printed bill be stricken out, and inserting in lieu thereof the words "registry return."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Young presented the following communication:

VALLEY CITY, N. D., Jan. 29, 1901.

Hon. Geo. M. Young, Bismarck, N. D.:

Dear Sir: Inclose herewith a bill that by reading it I think you will see it is a good one (a bill for an act to establish assembly districts for the promotion of general public discussion and action upon measures submitted to or affecting the interests of the people and providing for the holding of public meetings therein for such purposes, being a copy of bill recently introduced in the legislature of Minnesota by John A. Keyes.) I think we need something like it. Please consider it.

At a meeting of our township board we considered House bills 77 and 79 and voted as follows:

House bill 79 by Davis changes date of holding township meetings from second to last Tuesday in March. No.

House bill 77 by Mr. Davis provides that township supervisors shall hold regular meetings on Tuesdays next preceding annual town meeting. Yes.

Respectfully,
LOUIS NOLTMIER.

The following petition was presented by Mr. Wade:

NEW SALEM, N. D., Jan. 24, 1901.

Hon. W. V. Wade, House of Representatives, Bismarck, N. D.:

Dear Sir: Whereas, An effort is now being made to secure the passage of a bill amending the exemption laws of the state and fixing the amount of such exemption at \$500 instead of \$1,500 as at present. Believing this reduction will not only be beneficial to the commercial advancement of the state, but will improve the credit of the state and all individuals engaged in business, and feeling the necessity of such a reduction and realizing the benefits to be derived therefrom, we the undersigned citizens, do hereby petition you to give this measure your support and use your efforts to secure the passage of the same.

CHAS. F. PETERSON,
And 22 others.

Mr. Mallough requested the privileges of the floor for Mrs. J. A. Hill, also S. G. More of Cass.

Mr. Michels asked the same for Mrs. O. D. Comstock.

Mr. Packard for Wm. Simpson and J. O. Sullivan.

Mr. Reade for C. D. Edick.

Mr. Leech for James Kennedy and H. E. Payne.

Mr. Hall for A. J. Gronna and C. H. Frich.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

Also,

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

Also,

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

Mr. Watson moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 88,

A bill for an act to create a state farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Also,

House bill No. 66,

A bill for an act to amend section 441 of the Revised Codes of North Dakota, relating to jurors.

Also,

House bill No. 71,

A bill for an act to amend section 5958 of the Revised Codes,

enumerating what property may be taken in the exercise of the right of eminent domain.

And find the same correctly engrossed.

J. M. WATSON,
Chairman

Mr. Watson moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
House bill No. 56,

A bill for an act to repeal section 1811 of the Revised Codes of 1899 of the state of North Dakota, being chapter 51 of the session laws of the state of North Dakota.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr. Cassell moved
The adoption of the report.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 76.

A bill for an act to amend section 7110, chapter 20 of the Revised Codes of 1899, relating to the crime of kidnapping.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report
Which motion prevailed, and
The report was adopted.

The committee on public printing made the following report:

Mr. Speaker:

Your committee on public printing to whom was referred
House bill No. 49,

A bill for an act to amend section 5848, chapter 29 of the Codes of Civil Procedure of the Revised Codes of the state of North

Dakota, relating to foreclosure by advertisement of real estate mortgages.

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

V. MORGAN,
Chairman.

Mr. Morgan moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 47,

A bill for an act to amend section 4064 of the Revised Codes of the state of North Dakota, 1895, in regard to usury, and providing that a contract or agreement providing for a greater rate of interest after than before maturity shall be deemed usurious.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 97,

A bill for an act to amend chapter 21 of the Revised Codes, governing the location, establishment and construction of drains, and relating to the allowance and taxation of costs and attorneys fees against the defendants in actions to enjoin drainage proceedings or the levy and collection of taxes and assessments therefor.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report
Which motion prevailed, and
The report was adopted.
Mr. Reade moved

That when the hour of three is reached this house take a recess until 4:15 p. m.

Which motion prevailed.

Mr. Thomas moved to recall

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

From the committee on agriculture and that it be referred to the committee on state affairs.

Mr. Bacon moved as a substitute that

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

Be referred to the committee on judiciary,

Which motion was lost.

The question being on the original motion,

The motion prevailed, and

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

Referred to the committee on state affairs.

Also,

House bill No. 121,

A bill for an act entitled "An act to amend section 2790 of the Revised Codes, relating to the support of step children."

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were defective, and upon which property taxes for the year 1896 and prior years are unpaid.

Was read the second time, and

Referred to the committee on taxes and tax laws.

Also,

House bill No. 122,

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon county courts.

Was read the second time and

Referred to the committee on judiciary.

Also,

House bill No. 123,

A bill for an act amending section 6670 of the Justices' Code of the state of North Dakota, relating to title to real estate.

Was read the second time, and
Referred to the committee on judiciary.

Also,
House bill No. 105,

A bill for an act to amend section 4827 of the Revised Codes of North Dakota, relating to farm laborer's lien. How the same may be obtained, and extending the time for filing affidavit and notice.

Was read the second time and
Referred to the committee on agriculture.

Also,
House bill No. 120,

A bill for an act entitled "An act to provide for the punishment for the abandonment of minor children."

Was read the second time and
Referred to the committee on judiciary.

Also,
House bill No. 119,

A bill for an act to amend sections 5, 6 and 7 of chapter 82 of the session laws of 1897, being section 6676e of the Revised Codes of 1899, relating to garnishee procedure in justice court.

Was read the second time and
Referred to the committee on judiciary.

Also,
House bill No. 124,

A bill for an act to amend section 51 of chapter 126 of the Session Laws of 1897, being section 1229 of the Political Code, relating to the rate of state and county tax, prescribing the manner in which township taxes may be levied, fixing the rates of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases.

Was read the second time and
Referred to the committee on taxes and tax laws.

Also,
House bill No. 104,

A bill for an act entitled an act regulating the liability of railroad corporations.

Was read the second time and
Referred to the committee on railroads.

Also,
House bill No. 110,

A bill for an act to amend sections 1181, 1182, 1189, 1199, 1203, 1208 and 1211, and repeal section 1200 of the Revised Codes of the state of North Dakota, edition of 1899, relating to the time and mode of listing, assessing and taxing property, including grain in elevators, warehouses and grain houses.

Was read the second time and
 Referred to committee on warehouses, grain and grain grading.

Also,

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

Was read the second time and
 Referred to the committee on education.

Also,

House bill No. 113,

That the following amendment to the constitution of the state of North Dakota be adopted by the seventh legislative assembly of the state of North Dakota and by it submitted to the eighth legislative assembly of said state for approval.

Was read the second time and
 Referred to the committee on taxes and tax laws.

THIRD READING OF HOUSE BILLS.

House bill No. 71,

A bill for an act to amend section 5958 of the Revised Codes, enumerating what property may be taken in the exercise of the right of eminent domain.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
 Anderson,
 Axvig,
 Bacon,
 Bennett,
 Bjornson,
 Brisbin,
 Cassell,
 Chacey,
 Chaffee,
 Chevalier,
 Davis,
 Dickson,
 Dwire,
 Galbraith,
 Gronvold,
 Gullikson,
 Hall,
 Hare,
 Hammond,

Messrs.—

Heath,
 Hill,
 Hjelmstad,
 Johnson,
 Keeler,
 Leech,
 Lemke,
 Lerom,
 Mallough,
 McClure,
 McLean,
 Michels,
 Miller,
 Morgan,
 Nelson,
 Nicholson,
 Nevin,
 Packard,
 Palmer,
 Parr,

Messrs.—

Phifer,
 Ramsett,
 Reade,
 Restemayer,
 Sargeant,
 Severson,
 Strutz,
 Swarthout,
 Thordarson,
 Tubbs,
 Tufte,
 Wade,
 Watts,
 Watson,
 Willison,
 Winslow,
 Young,
 Mr. Speaker,

Mr. Thomas voting in the negative.

Absent and not voting:

Messrs.—

Gulack,

Messrs.—

Rose,

Messrs.—

Stafne,

Messrs. Gulack, Rose and Stafne being excused.

So the bill passed and the title was agreed to.

Mr. Bacon moved

That a recess be taken until 4:15 p. m.

Which motion prevailed.

At the conclusion of the joint session and upon reconvening of the house, on motion of Mr. Michels the house adjourned.

J. D. SCANLAN;

Chief Clerk.

TWENTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 5, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Gulack and Rose who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal asked for further time which was granted.

The speaker administered the oath of office to Mr. Doughty, February 4th.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 23,

A bill for an act to amend section 5526, Revised Codes of North Dakota, relating to exemptions.

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

By inserting after the last word "or" in line 8 of the printed bill the words "in an action."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Your committee on judiciary to whom was referred

Mr. Speaker:

The committee on judiciary made the following report:

House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

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

By striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. It shall be unlawful for any person to follow the occupation of barber in this state unless he shall have first obtained a certificate of registration as provided in this act; provided, however, that nothing in this act contained shall apply to or affect any person who is now actually engaged in such occupation, except as hereinafter provided.

Sec. 2. A board of examiners to consist of three (3) persons is hereby created to carry out the purposes and enforce the provisions of this act. Said board shall be appointed by the governor, and each person appointed to act on said board must be a practical barber who has been practicing his profession in the state of North Dakota for the past five (5) years. Each member of the board shall serve for a term of two (2) years and

until his successor is appointed and qualified, except in the case of the first board, whose members shall serve one (1), two (2) and three (3) years respectively, as specified in their appointment. Each member of said board shall give a bond of five thousand (\$5,000) dollars with sureties to be approved by the secretary of state, conditioned for the faithful performance of his duties, and shall take the oath provided by law for public officers. Vacancies on said board caused by death, resignation or expiration of the term of any member thereof shall be filled by appointment from the same class of persons to which the deceased or retiring member belonged.

Sec. 3. Said board shall elect a president, secretary and treasurer and shall have its headquarters at the state capital; shall have a common seal, and the secretary and president shall have power to administer oaths.

Sec. 4. Each member of said board shall receive a compensation of three (\$3) dollars per day for actual service and ten (10) cents per mile for each mile actually traveled in attending the meetings of said board, which compensation shall be paid out of any moneys in the hands of the treasurer of said board; provided, that the said compensation and mileage shall in no event be paid out of the state treasury.

Sec. 5. Said board shall make a biennial report to the governor, which report shall contain a statement of its receipts and disbursements during the preceding two years; also a full statement of its doings and proceedings and such recommendations as to it may seem proper looking to the better carrying out of the intents and purposes of this act, which report shall not be printed except at the expense of the fund herein provided for. Any moneys in the hands of the treasurer of the said board at the time of making such report shall be kept by him for the future maintenance of the board, and to be disbursed by him upon warrants signed by the president and secretary of the said board.

Sec. 6. Said board shall hold public examinations at least four (4) times in each year in at least four (4) different cities in this state at such times and places as it may determine, notice of such meetings to be given by a publication thereof at least ten (10) days before such meetings in a newspaper published in the county where such meeting is to be held.

Sec. 7. Every person now engaged in the occupation of barber in this state shall, within ninety (90) days after the taking effect of this act, file with the secretary of said board an affidavit setting forth his name, residence and length of time during which, and the place where he has practiced such occupation, and shall pay the treasurer of said board two (\$2) dollars and a certificate of registration entitling him to practice said occupation shall thereupon be issued to him.

Sec. 8. Any person desiring to obtain a certificate of registration under this act shall make application to said board therefor and shall pay to the treasurer of said board an examination fee of five (\$5) dollars, and shall present himself at the next regular meeting of the board for the examination of applicants, whereupon said board shall proceed to examine such person under such rules and regulations as may be by said board prescribed, which rules and regulations, shall require that said applicant shall present to said board a certificate from some reputable physician designated by said board to the effect that said applicant is free from any contagious or infectious disease and being satisfied that he is above the age of nineteen (19) years, of good moral character, free from contagious or infectious diseases, has either (a) studied the trade for three years as an apprentice under a qualified and practicing barber, or (b) studied the trade for at least three years in a properly appointed and conducted barber school under the instructions of a competent barber, or (c) practiced the trade in another state for at least three years, and is possessed of the requisite skill in said trade to properly perform all the duties thereof, including his ability in the preparation of tools, shaving, hair-cutting, and all the duties and services incident thereto, and is possessed of suf-

ficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said trade; his name shall be entered by the board in the register hereafter provided for, and a certificate of registration shall be issued to him, authorizing him to practice said trade in this state; provided, that whenever it appears that applicant has acquired his knowledge of said trade in a barber school, the board shall be judges of whether said barber school is properly appointed and conducted and competent to give sufficient training in such trade. All persons making application for examination under the provisions of this act shall be allowed to practice the occupation of barbering until the next regular meeting of said board. Certificates of registration provided for in this act, shall be valid for one year from the date thereof, but shall be renewed by said board upon application within thirty days after the expiration thereof, and the payment of one dollar to the treasurer of said board, which application shall be accompanied by a certificate from a physician approved by said board, stating that said applicant is free from contagious or infectious diseases.

Sec. 9. Nothing in this act shall prohibit any person from serving as an apprentice in said trade under a barber authorized to practice the same under this act, nor from serving as a student in any school for the teaching of such trade under the instructions of a qualified barber; provided, that in shops where there are two or more barbers there shall not be more than one apprentice to two barbers authorized under this act to practice said occupation.

Sec. 10. Said board shall furnish to each person to whom a certificate of registration is issued a card or insignia bearing the seal of the board and the signatures of its president and secretary, certifying that the holder thereof is entitled to practice the occupation of barber in this state for a period of one year from the date thereof, and it shall be the duty of the holder of such card or insignia to post the same in a conspicuous place in front of his working chair, where it may readily be seen by all persons whom he may serve.

Sec. 11. Said board shall keep a register in which shall be entered names of all persons to whom certificates are issued under this act, and said register shall be at all times open to public inspection.

Sec. 12. Said board shall have power to revoke any certificate of registration granted by it under this act, for (a) conviction of crime, (b) habitual drunkenness for six (6) months, immediately preceding the time of receiving notice of a charge thereof duly made, as hereinafter provided, (c) gross incompetency, or (d) contagious or infectious diseases; provided, that before any certificate shall be revoked the holder thereof shall have notice in writing of the charge or charges against him, and shall at a day specified in said notice, at least five (5) days after the service thereof, be given a public hearing and full opportunity to produce testimony in his behalf and to confront the witnesses against him. Any person whose certificate has been so revoked may, after the expiration of ninety (90) days apply to have the same re-granted, and the same shall be re-granted to him upon a satisfactory showing that the disqualification has ceased.

Sec. 13. To shave or trim the beard or cut the hair of any person for hire or reward received by the person performing such service, or any other person shall be construed as practicing the occupation of barber within the meaning of this act.

Sec. 14. Any person practicing the occupation of barber without having obtained a certificate of registration, as provided by this act, or willfully employing a barber who has not such a certificate, or falsely pretending to be qualified to practice such occupation under this act, or violation of any of the provisions of this act, is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, or by imprisonment in the county jail not less than ten (10) days nor more than ninety (90) days.

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Thomas moved

That the rules be suspended and the further reading of the report be dispensed with and the report be adopted.

Which motion prevailed, and

The report was adopted,

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 117,

A bill for an act to amend section 5577 of chapter 13 of the Codes of Civil Procedure of the Revised Codes of North Dakota of 1899, relating to costs on foreclosure of liens.

Have had the same under consideration, and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

The adoption of the report as read.

Which motion prevailed, and

House bill No. 117

A bill for an act to amend section 5577 of chapter 13 of the Codes of Civil Procedure of the Revised Codes of North Dakota of 1899, relating to costs on foreclosure of liens.

Was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 5, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 104,

A bill for an act to amend section 662, Revised Codes, 1899, relating to division of school districts.

Also,

Senate bill No. 86,

A bill for an act to amend section 8494 of the Revised Codes of 1899, relating to the governor demanding the return of fugitives from justice in this state of the executive authority of any other state or territory, within the United States, providing

for the appointment of agents to receive and return such fugitives and providing for payment of such agents.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Sargeant moved that

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Be sent to general orders.

Which motion prevailed.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House bill No. 64,

A bill for an act to provide for the appointment of a tax commissioner and to prescribe his duties and his salary.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. NELSON,

Chairman.

Mr. Nelson moved

That the report be adopted.

Which motion prevailed, and

House bill No. 64,

A bill for an act to provide for the appointment of a tax commissioner and to prescribe his duties and his salary.

Was indefinitely postponed.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House bill No. 80,

A bill for an act to amend section 1233 of the Revised Codes of the state of North Dakota, relating to notice of. Rates of taxation and terms for payment. Deputy treasurer.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. NELSON,
Chairman.

Mr. Nelson moved

That the report be adopted,
Which motion prevailed, and

House bill No. 80,

A bill for an act to amend section 1233 of the Revised Codes of the state of North Dakota, relating to notice of. Rates of taxation and terms for payment. Deputy treasurer.

Was indefinitely postponed.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were defective, and upon which property taxes for the year 1896 and prior years are unpaid.

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

Section 27, line 6, strike out the figures "75" in printed bill, and insert the words, "not exceeding twenty-five."

After the word "for" in line six, section 27, insert the words "each of."

Also strike out the word, "insertion" and insert in lieu thereof the word "publications."

And when so amended recommend that the same do pass.

T. E. NELSON,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate bill No. 70,

A bill for an act to create a state auditing board for the state of North Dakota.

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

F. T. GROŃVOLD,
Chairman.

Mr. Gronvold moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate bill No. 72,

A bill for an act entitled "An act to repeal sections 1681 and
1682 of the Revised Codes of 1899, relating to bounty on starch."

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
The adoption of the report
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate bill No. 33,

A bill for an act to secure from loss persons who furnish
materials or labor in the alteration, repair, erection or better-
ment of public buildings.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
The adoption of the report.
Which motion prevailed, and
The report was adopted.

The committee on sheep industry made the following report:

Mr. Speaker:

Your committee on sheep industry to whom was referred
House bill No. 102,

A bill for an act to amend section 1322, chapter 18, Revised
Codes, 1899.

Have had the same under consideration and recommend that
the same be amended by substituting the following bill.

And when so amended recommend that the same do pass.

G. B. PHIFER,
Chairman.

A Bill for an Act to Amend Section 1322, Chapter 18, Revised Codes 1899.
Be it Enacted by the Legislative Assembly of the State of North Dakota.
Section 1. Gopher Tax. Strike out "two" in third line and insert in
lieu thereof "four"

When so amended the section will read as follows:

Section 1322. Gopher Tax.) The board of county commissioners of any county in this state may at any time fixed by law for the levy and assessment of taxes levy, a tax not exceeding four mills on the dollar of the assessed valuation upon all real estate in such county. The proceeds of which shall be used solely for the purpose of promoting the destruction of gophers in such county. The fund provided to be raised in accordance with this section shall be denominated the "gopher destruction fund" and shall be kept separate and distinct by the county treasurer and shall be expended by and under the direction and control of the board of county commissioners at such time and in such manner as is by such board deemed best to secure the abatement and extermination of the gopher pest.

COMMUNICATION FROM BOARD OF TRUSTEES OF PUBLIC PROPERTY.

The following communication was received from the board of trustees of public property.

BISMARCK, NORTH DAKOTA,
February 5, 1901.

To the House of Representatives:

Gentlemen:—In compliance with section 155 of the Revised Codes we beg leave to submit the following estimate of the appropriation necessary under this section for the ensuing two years:

Capitol maintenance, \$32,000.00.

FRANK WHITE,
Governor.

E. F. PORTER,
Secretary of State.

A. N. CARLBLOM,
State Auditor.

Board of Trustees of Public Property.

Mr. Keeler requested the courtesies of the floor for B. S. Russell and Frank Eddy of Jamestown.

Mr. Chaffee requested the courtesies of the floor for L. C. Green.

Mr. Leech requested the courtesies of the floor for D. M. Mal-
lough and Mrs. B. Mallough.

Mr. Chaffee requested the courtesies of the floor for Major F. O. Getchell.

There being no objections, the courtesies of the floor were so extended.

MOTIONS AND RESOLUTIONS.

Mr. McLean moved that

House bill No. 39,

A bill for an act to repeal section 161 of the Revised Codes of

1899, relating to the appropriation to the Morton county fair association.

Be recalled from the committee on appropriations and referred to the committee on state affairs.

Which motion prevailed and

House bill No. 39.

A bill for an act to repeal section 161 of the Revised Codes of 1899, relating to the appropriation to the Morton county fair association.

Was referred to committee on state affairs.

INTRODUCTION OF HOUSE BILLS.

Mr. Winslow requested that the house return to the seventh order of business.

There being no objections the request was granted.

Mr. Winslow offered the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring;

1. That in dividing the state into senatorial districts, the ratio of apportionment shall be a population of 10,000 or major fraction thereof, for each district, and be entitled to one member of the senate.

2. That the number of representatives to which such districts shall be entitled shall be determined by deducting five thousand from the total population to represent the senator, and on the remainder allow a representative for each twenty-five hundred or major fraction thereof, provided, that each district shall be entitled to at least one representative.

3. That so far as practicable in conformity with the foregoing, each county shall constitute one senatorial district.

Mr. Winslow asked that action on the above concurrent resolution be deferred until Thursday, which request was granted.

Mr. Hall introduced

House bill No. 126,

A bill for an act providing stables and hitching posts on school sites in rural school districts.

Which was read the first time.

The chief clerk announced that the speaker was about to sign Senate bill No. 8,

A bill for an act to amend section 6219 of the Revised Codes.

And the speaker signed the bill in the presence of the house.

Mr. Lerom introduced

House bill No. 127,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota, of 1899, relating to the state board of equalization, providing for its membership and their compensation.

Which was read the first time.

Mr. Dwire introduced

House bill No. 128,

A bill for an act to provide for the disposition of the estates of persons dying intestate, while inmates of any of the penal or

charitable institutions of this state, and who are without heirs at law.

Which was read the first time.

Mr. Young introduced (by request)

House bill No. 130,

A bill for an act making it incompetent for a party to an action or interested in the event thereof, to give evidence concerning conversation had with deceased or insane persons:

Which was read the first time.

Mr. McClure introduced

House bill No. 131,

A bill for an act entitled an act to require fire, lightning or tornado insurance agents within the state to pay license fees.

Which was read the first time.

Mr. Gronvold introduced

House bill No. 132,

A bill for an act to amend section 1733 of the Revised Codes of North Dakota, relating to establishing public scales in counties.

Which was read the first time.

Mr. Watson introduced

House bill No. 133,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Which was read the first time.

Mr. Watson moved

That the rules be suspended and

House bill No. 133,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Be read the second time and referred to the committee on railroads.

Which motion prevailed, and

House bill No. 133,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Was read the second time, and

Referred to the committee on railroads.

Mr. Hare moved

That the house resolve itself into a committee of the whole for the consideration of general orders,

Which motion was lost.

The committee on sheep industry introduced

House bill No. 129,

A bill for an act to amend section 1322, chapter 18, Revised Codes, 1899.

As a substitute for house bill 102.

Which was read the first time

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 5, 1901.

Mr. Speaker:

I have the honor to transmit herewith

A concurrent resolution relating to the printing of reports of the experimental department of the North Dakota agricultural college,

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

SECOND READING OF HOUSE BILLS.

House bill No. 115,

A bill for an act to amend section 704 of the Revised Codes as amended by chapter 81 of the session laws of 1899, relating to education.

Was read the second time, and

Referred to the committee on education.

GENERAL ORDERS.

Mr. Leech moved

That the house resolve itself into a committee of the whole for the further consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Packard to the chair.

When the committee arose they made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration

House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

And recommend that the same do pass.

Also,

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North

Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions.

And recommend that the same be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That sections 324, 328 and 333 of the code of civil procedure of the state of North Dakota, being sections 5518, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota are hereby amended so as to read as follows:

Sec. 5518. Additional Exemptions.) In addition to the property mentioned in the preceding section the head of the family may, by himself or his agent, select from all other of his personal property, not absolutely exempt, goods, chattels, merchandise, money or other personal property not to exceed in the aggregate five hundred dollars in value, which is also exempt and must be chosen and appraised as hereinafter provided.

Sec. 5522. Oaths and Duties of Appraisers.) The three appraisers so selected must take and subscribe an oath before the sheriff or other officer, to be attached to the inventory of appraisement, that they will truly, honestly and impartially appraise the property of the debtor. The property must be appraised at the actual value of the several articles at the place where they are situated as near as can be determined, and must be set down in an inventory by articles or by lots, when definitely descriptive, with the value opposite. From the appraisement so made if over the amount of five hundred dollars, the debtor, his agent or attorney may select the amount in value of five hundred dollars, or the alternative amount in value of each class, leaving the remainder, if any, subject to legal process.

Sec. 5528. Partnership Can Claim but One Exemption.) A partnership firm can claim but one exemption of five hundred dollars in value, or alternative property, when so applicable, instead thereof, out of the partnership property. All partnership property claimed as exempt shall constitute a part of the exemptions of the several partners, the same being divided in proportion to the interests of the partners in the firm assets, and in no case shall the aggregate exemptions of the several partners exceed the amount which would have been allowed to them if the partnership had not existed.

Sec. 2. Provided, however, that the provisions of this act shall not apply to or effect any debt contracted prior to the passage and approval of this act.

And that the title of said bill be amended so as to read as follows:

For an act entitled an act to amend sections 324, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota relating to exemptions.

And when so amended recommend that the same do pass.

Also,

Amend by substituting seven hundred and fifty dollars for five hundred dollars wherever it may occur in the report of the committee.

And when so amended recommend that the same do pass.

Also,

Senate bill No. 11,

A bill to amend sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of the state of North Dakota, relating to the recording of marks and brands.

And recommend that the same be amended as follows:

After line 6, page 1:

Section 1. Amendment.) That sections 1536, 1537, 1538, 1542 and 1543 of the Revised Code be amended and re-enacted to read as follows:

And that the following be inserted after line 24, page 3:

Sec. 2. Secretary of State to Turn Over to the Commissioner of Agriculture and Labor All Records of Marks and Brands.) After the passage and approval of this act the secretary of state shall turn over to the commissioner of agriculture and labor all records of marks and brands now in his office pertaining to domestic animals.

Amend by striking out in line 13, section 1537 the word "previously" and inserting in lieu thereof the words "previously recorded."

Amend section 1543 of the bill by inserting after the word "purpose" the words and figures "for which he shall charge and collect a fee of two (2) dollars."

Amend by inserting in the emergency clause of the bill before the word "whereas" the words and figures "section 3, emergency."

And when so amended recommend that the same do pass.

Mr. Cassell moved

That the report of the committee be amended where it relates to Senate bill No. 11,

A bill to amend sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of the state of North Dakota, relating to the recording of marks and brands.

By adding "in sections 1538 and 1543, strike out the word 'two' where it refers to fee to be charged, and inserting in lieu thereof the word 'three'."

Which motion was lost.

Mr Bennett moved

That the report of the committee be adopted

Which motion prevailed, and

The report was adopted.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the 28th day and recommend that the same be corrected as follows:

Page 3, after line 22, insert:

The motion to amend prevailed.

The report of the committee as amended was then adopted.

Page 3, after line 28, insert:

And recommend that the same be amended to read as follows: That the words "return registry" in line 6 of the printed bill be stricken out and inserting in lieu thereof the words "registry return."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Page 6, line 17, change word "Codes" to "Code."

Page 6, strike out lines 24 to 27 inclusive and insert in lieu thereof

Mr. Morgan moved that

House bill No. 49

Be referred to general orders.

Which motion prevailed.

Page 7, line 26, change word "fairs" to "affairs."

Page 7, line 38, insert at beginning of line the word "was."

Page 9, line 20, correct spelling of word "grading."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

That the report as read be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Mallough moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

THIRTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 6, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Mallough and Rose, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 29th day, have carefully examined the same and recommend that the same be corrected as follows:

Page 1, line 16, correct spelling of name "Doughty."

Page 2, line 14, correct spelling of word "report."

Page 4, strike out line 29.

Page 4, line 42, correct spelling of word "confront."

Page 5, lines 15 and 26, change the first word "Codes" to "code."

Page 2, strike out line 25, and insert in lieu thereof:

"GEORGE M. YOUNG,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred"

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

The adoption of the report as read.

Which motion prevailed, and

The report was adopted.

Mr. Dwire presented a petition as follows.

To the House of Representatives of the State of North Dakota:

We, the undersigned, citizens of Lisbon do most respectfully petition your honorable body to pass Senate bill 109, prohibiting the sale of cigarettes.

[Signed.]

H. K. ADAMS,
And 56 Others.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 6, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 93,

A bill for an act repealing sections 1675, 1676, 1677 and 1678, Revised Codes, 1899, relating to bounties for the manufacture of spinning fibres.

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

Very respectfully,
GEORGE L. TOWNES,
Secretary.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House bill No. 100,

A bill for an act defining slander of females and making the same a misdemeanor.

Also,

House bill No 71,

A bill for an act to amend section 5958 of the Revised Codes, enumerating what property may be taken in the exercise of the right of eminent domain.

Also,

House bill No. 66,

A bill for an act to amend section 441 of the Revised Codes of North Dakota, relating to jurors.

Also,

House bill No. 97,

A bill for an act to amend chapter 21 of the Revised Codes, governing the location, establishment and construction of drains, and relating to the allowance and taxation of costs and attorneys fees against the defendants in actions to enjoin drainage proceedings or the levy and collection of taxes and assessments therefor.

Also,

House bill No. 47,

A bill for an act to amend section 4064 of the Revised Codes of the state of North Dakota, 1895, in regard to usury, and providing that a contract or agreement providing for a greater rate of interest after than before maturity shall be deemed usurious.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

Also,

House bill No. 5,

A bill for an act entitled an act to provide for directors and officers of religious corporations.

And find the same correctly enrolled.

ASA SARGEANT,

Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

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

C. A. HALL,
Chairman.

Mr. Bennett moved that report on

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

Be adopted,

Which motion prevailed, and

The report was adopted.

The committee on warehouses, grain grading and dealing made the following report:

Mr. Speaker:

Your committee on warehouses, grain grading and dealing to whom was referred

House bill No. 110,

A bill for an act to amend sections 1181, 1182, 1189, 1199, 1203, 1208 and 1211, and repeal section 1200 of the Revised Codes of the state of North Dakota, edition of 1899, relating to the time and mode of listing, assessing and taxing property, including grain in elevators, warehouses and grain houses.

Have had the same under consideration and beg leave to offer the following substitute bill in lieu thereof.

T. W. ALLSHOUSE,
Chairman.

House bill No. 137, substitute for House bill No. 110,

Being an act to amend section 1199 and to repeal section 1200 of the revised codes of the State of North Dakota, edition of 1899, relating to the mode of listing, assessing and taxing property including grain in elevators, warehouses and grain houses.

Was given its first and second reading.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

House bill No. 105,

A bill for an act to amend section 4827 of the Revised Codes of North Dakota, relating to farm laborer's lien. How the

same may be obtained, and extending the time for filing affidavit and notice.

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

“But in no case shall any lien attach on any crops on which any prior lien exists for a greater amount than the value of the actual labor performed thereon.”

And when so amended recommend that the same do pass.

P. P. CHACEY,
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

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

By inserting after the word “year” in line 5 of the printed bill the following: “And such board may by resolution require that.”

And when so amended recommend that the same do pass.

C. A. HALL,
Chairman.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

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

J. D. BACON,
Chairman.

Mr. Tufte moved

That the report of the committee be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 23,

A bill for an act entitled “An act to amend section 135 of the Probate Code of North Dakota, being section 6391 of the Revised Codes of North Dakota for 1895, relating to exemptions.”

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

By striking out the word "was" in line 6 of the printed bill and insert in lieu thereof the word "were."

By striking out the words "one thousand" in line 8 of the printed bill and insert in lieu thereof the words "seven hundred and fifty."

And insert in line 11 after the word "charges" the following: "Provided, that nothing herein shall be construed to deprive the surviving wife or husband or minor children of the specific alternative exemptions as provided in section 5519 of the Revised Codes."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 34,

A bill for an act to amend sections 4063 and 4064 of the Revised Codes of 1895.

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

By striking out the "enacting clause" and inserting in lieu thereof "Be it enacted by the legislative assembly of the state of North Dakota."

By inserting in line 1 before the word "that" the words and figures "Section 1. Amendment."

By striking out in the second line numbered 1 the figure "1" after the word section, and insert the words and figures "4063, legal rate, seven per cent;" also in said line strike out the word "six" and insert in lieu thereof the word "seven."

By striking out in lines 3 and 4 all after the word "before."

By striking out in third line numbered 1 the word and figure "Section 2" and insert in lieu thereof the words and figures "Section 4064. Usury defined."

By inserting in the second line numbered 4 after the word "annum" "nor a greater rate of interest after than before maturity of any debt or promise, except where said contract or agreement bears no interest before maturity."

And that the same be reported to the house without further recommendation.

M. B. CASSELL,
Chairman, pro tem.

Mr. Young moved

The courtesies of the floor be extended to Mr. John Russell. Mr. Reade asked the same for Mr. John Wilder. Mr. Watts asked same for Mr. W. J. Burke. Mr. Keeler asked same for Mr. John Masters. Which courtesies were so extended.

Mr. Chaffee offered the following resolution:

Resolved, that B. W. Shaw and W. D. Austin, assistant chief clerks be and the same are hereby authorized to sign all documents and bills re-

quired to be signed by the chief clerk during the temporary absence of the chief clerk.

And moved its adoption,
Which motion prevailed, and
The resolution was adopted.

FIRST READING OF HOUSE BILLS.

Mr. Nevin (by request) introduced
House bill No. 134,

A bill for an act to amend section 6172 of the Revised Codes of North Dakota, defining the duties of county judges.

Which was read the first time.

Mr. Brisbin introduced
House bill No. 135,

A bill for an act entitled an act to declare certain weeds common nuisances and to provide for their destruction.

Which was read the first time.

Mr. Michels introduced
House bill No. 136,

A bill for an act to repeal chapter 14 of the session laws of 1899, relating to an annual appropriation for the maintenance of the state university.

Which was read the first time.

The committee on warehouses, grain grading and dealing introduced

House bill No. 137, being a substitute for House bill No. 110,

A bill for an act to amend section 1199 and to repeal section 1200 of the Revised Codes of the state of North Dakota, edition of 1899, relating to the mode of listing, assessing and taxing property, including grain in elevators, warehouses and grain houses.

Which was read the first time.

Upon motion of Mr. Bennett
House bill No. 137,

A bill for an act to amend section 1199 and to repeal section 1200 of the Revised Codes of the state of North Dakota, edition of 1899, relating to the mode of listing, assessing and taxing property, including grain in elevators, warehouses and grain houses.

Was read the second time.

The chief clerk announced that the speaker was about to sign
House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

And the speaker signed the bill in the presence of the house.

The chief clerk announced that the speaker was about to sign

House bill No. 5,

A bill for an act entitled an act to provide for directors and officers of religious corporations.

And the speaker signed the bill in the presence of the house.

SECOND READING OF HOUSE BILLS.

House bill No. 126,

A bill for an act providing stables and hitching posts on school sites in rural school districts.

Was read the second time and

Referred to the committee on education.

House bill No. 127,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota, of 1899, relating to the state board of equalization, providing for its membership and their compensation.

Was read the second time and

Referred to the committee on taxes and tax laws.

House bill No. 128,

A bill for an act to provide for the disposition of the estates of persons dying intestate, while inmates of any of the penal or charitable institutions of this state, and who are without heirs at law.

Was read the second time, and

Referred to the committee on judiciary.

House bill No. 129, substitute for House bill No. 102,

A bill to amend chapter 18, section 1322, Code 1899.

Was read the second time, and

Referred to committee on taxes and tax laws.

House bill No. 130,

A bill for an act making it incompetent for a party to an action, or interested in the event thereof, to give evidence concerning conversations had with deceased or insane persons.

Was read the second time, and

Referred to the committee on judiciary.

House bill No. 131,

A bill for an act entitled an act to require fire, lightning or tornado insurance agents within the state to pay license fees.

Was read the second time and

Referred to the committee on insurance.

House bill No. 132,

A bill for an act to amend section 1733 of the Revised Codes of North Dakota, relating to establishing public scales in counties.

Was read the second time, and

Referred to the committee on counties and county boundaries.

THIRD READING OF HOUSE BILLS.

House bill No. 47,

A bill for an act to amend section 4064 of the Revised Codes of the state of North Dakota, 1895, in regard to usury, and providing that a contract or agreement providing for a greater rate of interest after than before maturity shall be deemed usurious.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 43, nays 14, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Sargeant,
Axvig,	Hill,	Stafne,
Bacon,	Hjelmstad,	Strutz,
Bennett,	Johnson,	Thomas,
Bjornson,	Keeler,	Thordarson,
Brisbin,	Lemke,	Tubbs,
Cassell,	Lerom,	Tufte,
Chacey,	McLean,	Watts,
Chaffee,	Michels,	Watson,
Chevalier,	Miller,	Willison,
Davis,	Nelson,	Winslow,
Dickson,	Nevin,	Young,
Galbraith,	Nicholson,	Mr. Speaker,
Gullikson,	Parr,	
Hall,	Ramsett,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gronvold,	Morgan,	Restemayer,
Hare,	Packard,	Severson,
Hammond,	Palmer,	Swarthout,
Leech,	Phifer,	Wade,
McClure,	Reade,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.
Allshouse,	Gulack,	Rose,
Dwire,	Mallough,	

Messrs. Rose and Mallough being excused.

Mr. Leech explained his vote.

So the bill passed and the title was agreed to.

House bill No. 66,

A bill for an act to amend section 441 of the Revised Codes of North Dakota, relating to jurors.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays 1, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,

Messrs.

Ramssett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Rose,

Messrs.—

Gulack,

Messrs.—

Mallough,

Mr. Bennett voted in the negative.

Messrs Rose and Mallough being excused.

Mr. Young explained his vote by reading extract from the Pickwick papers.

So the bill passed and the title was agreed to.

Mr. Davis moved to amend

House bill No. 16,

Concurrent resolution amending the constitution of the state of North Dakota.

By inserting after the word "Deaf" in line 16 the words "and Dumb."

Which motion prevailed, and

The amendment was adopted.

House bill No. 16,

Concurrent resolution amending the constitution of the state of North Dakota.

Was read the third time.

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

The roll was called and there were ayes 58, nays 2, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,

Messrs.—

Phifer,
Ramssett,
Reade,
Restemayer,
Sargeant,
Severson,

Messrs.—

Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Stafne,
Strutz,
Swarthout,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were Messrs. Leech and Thomas.

Absent and not voting, Messrs. Mallough and Rose, who were excused.

So the bill as amended passed and the title was agreed to.

House bill No. 100,

A bill for an act defining slander of females and making the same a misdemeanor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 60, nays none, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Messrs. Mallough and Rose being excused.

So the bill passed and the title was agreed to.

House bill No. 97,

A bill for an act to amend chapter 21 of the Revised Codes, governing the location, establishment and construction of drains,

and relating to the allowance and taxation of costs and attorneys fees against the defendants in actions to enjoin drainage proceedings or the levy and collection of taxes and assessments therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Hare,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,

Messrs.

Phifer,
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willson,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Lemke,
Mallough,

Messrs.—

Palmer,
Rose,

Messrs.—

Stafne,

Messrs. Mallough and Rose being excused.

Mr. Cassell moved

That the title to House bill No. 97 be amended by striking out all thereof and substituting therefor the following;

For an act to provide for the allowance and taxation of costs and additional attorneys fees against the defendants in actions to enjoin drainage proceedings or the levy and collection of taxes and assessments therefor.

Which motion prevailed, and

The amendment was adopted.

So the bill passed as amended and the title was agreed to.

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Allshouse,	Heath,	Ramsett,
Anderson,	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Sargeant,
Bennett,	Keeler,	Severson,
Bjornson,	Leech,	Stafne,
Brisbin,	Lemke,	Strutz,
Cassell,	Lerom,	Swarthout,
Chacey,	McClure,	Thomas,
Chaffee,	McLean,	Thordarson,
Chevalier,	Michels,	Tubbs,
Davis,	Miller,	Tufte,
Dwire,	Morgan,	Wade,
Galbraitb,	Nelson,	Watts,
Gronvold,	Nicholson,	Watson,
Gulack,	Nevin,	Willison,
Gullikson,	Packard,	Winslow,
Hall,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond,	Phifer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dickson,	Mallough,	Rose,

Messrs. Mallough and Rose being excused.

So the bill passed and the title was agreed to.

House bill No. 88,

A bill for an act to create at state farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays 4, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hill,	Reade,
Bacon,	Hjelmstad,	Restemayer,
Bennett,	Johnson,	Sargeant,
Bjornson,	Keeler,	Severson,
Brisbin,	Leech,	Stafne,
Cassell,	Lemke,	Strutz,
Chacey,	Lerom,	Swarthout,
Chaffee,	McClure,	Thomas,
Davis,	McLean,	Thordarson,
Dickson,	Michels,	Tubbs,
Dwire,	Morgan,	Tufte,
Galbraitb,	Nelson,	Wade,
Gronvold,	Nicholson,	Watson,
Gulack,	Nevin,	Willison,
Gullikson,	Packard,	Winslow,

Hall,
Hare,
Hammond,
Heath,

Palmer,
Parr,
Phifer,
Ramsett,

Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Axvig,
Chevalier,

Messrs.—

Miller,

Messrs.—

Watts,

Absent and not voting:

Messrs.—

Allshouse,

Messrs.—

Mallough,

Messrs.—

Rose,

Messrs. Mallough and Rose being excused.

So the bill passed and the title was agreed to.

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Galbraith,

Messrs.—

Mallough,

Messrs.—

Rose,

Messrs. Mallough and Rose being excused.

So the bill passed and the title was agreed to.

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 37, nays 21, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Hill,	Restemayer,
Bennett,	Jonanson,	Severson,
Bjornson,	Lemke,	Stafne,
Brisbin,	Lerom,	Strutz,
Cassell,	Miller,	Swarthout,
Chacey,	Morgan,	Thomas,
Davis,	Nelson,	Thordarson,
Dickson,	Nicholson,	Tufte,
Dwire,	Palmer,	Wade,
Galbraith,	Parr,	Willison,
Gullikson,	Phifer,	Winslow,
Hall,	Ramsett,	Young,
Heath,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hammond,	Packard,
Anderson,	Hjelmstad,	Reade,
Axvig,	Keeler,	Tubbs,
Chaffee,	Leech,	Watts,
Chevalier,	McClure,	Watson,
Gulack,	McLean,	Mr. Speaker,
Gronvold,	Michels,	
Hare,	Nevin,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Mallough,	Rose,	Sargeant,

Messrs. Mallough and Rose being excused.

There not being the necessary two-thirds majority in favor of the emergency, the emergency clause was lost.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

Be reconsidered, and that the motion to reconsider be laid upon the table,

Which motion prevailed.

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Gallbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,

Messrs.—

Mallough,

Messrs.—

Rose,

Messrs. Mallough and Rose being excused.

So the bill passed and the title was agreed to.

FIRST READING OF SENATE BILLS.

Senate bill No. 99,

A bill for an act to amend section 1219 of the 1899 Revised Codes of North Dakota relating to assessor's statement and return to auditor.

Was read the first time.

Senate bill No. 48,

A bill for an act to amend section 6153 of the Revised Codes of 1899 relating to liability of owner for trespass of animals.

Was read the first time.

Substitute for senate bill No. 4,

A bill for an act repealing section 410 of the Revised Codes of 1899, relating to chambers of the district judges of the Seventh judicial district.

Was read the first time.

Senate bill No. 86,

A bill for an act to amend section 8494 of the Revised Codes of 1899, relating to the governor demanding the return of fugi-

tives from justice in this state of the executive authority of any other state or territory, within the United States, providing for the appointment of agents to receive and return such fugitives and providing for payment of such agents.

Was read the first time.

Senate bill No. 104,

A bill for an act to amend section 662, Revised Codes, 1899, relating to division of school districts.

Was read the first time.

SECOND READING OF SENATE BILLS.

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899 relating to compensation of county commissioners.

Was read the second time, and

Referred to the committee on counties and county boundaries.

Senate bill No. 25,

A bill for an act granting a right-of-way for public highway across the military encampment grounds at Rock Island, Ramsey county, N. D.

Was read the second time, and

Referred to the committee on highways, bridges and ferries.

Senate bill No. 65,

A bill for an act to amend sections 72, 83, 84, 85, 94, chapter 126 of the laws of 1897, and chapter 136 of the laws of 1899, being sections 1257, 1267 and 1277 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation.

Was read the second time and

Referred to the committee on taxes and tax laws.

Senate bill No. 73,

A bill for an act entitled "An act to amend sections 2737 and 2743 of the Revised Codes of 1899, relating to dissolution of marriage."

Was read the second time, and

Referred to the committee on judiciary.

Senate bill No. 58,

A bill for an act to amend section 6435 of the Revised Codes of 1899, the same being section 27 of chapter 111 of the laws of 1897, relating to sales of real estate by executors and administrators.

Was read the second time, and

Referred to the committee on judiciary.

THIRD READING OF SENATE BILLS.

Senate bill No. 40,

A bill for an act in relation to the transaction of business by fire insurance companies or associations otherwise than through resident agents.

Was read the third time.

Mr. Johnson moved

By unanimous consent to amend the bill

By striking out in line 2, section 1, after the word "herein" the words "shall be made," and insert in lieu thereof the words "shall make."

Which motion prevailed.

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

The roll was called and there were ayes 55, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tuftte,
Wade,
Watson,
Willison,
Wipslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Axvig,
Leech,

Messrs.—

Mallough,
Nicholson,

Messrs.—

Rose,
Tubbs,

Mr. Watts voting in the negative.

Messrs. Mallough and Rose being excused.

So the bill as amended passed and the title was agreed to.

Senate bill No. 76,

A bill to amend section 7110, chapter 20 of the Revised Codes of 1899, relating to the crime of kidnapping.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays 3, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,

Messrs.—

Hall,
Hare,
Heath,
Hill,
Hjelmstad,

Messrs.—

Phifer,
Ramsett,
Restemayer,
Sargeant,
Severson,

Messrs.—

Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Palmer,
Parr,

Messrs.—

Stafne,
Strutz,
Swarthout,
Thordarson,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Reade,

Messrs.—

Thomas,

Messrs.—

Watts,

Absent and not voting:

Messrs.—

Hammond,
Miller,
Mallough,

Messrs.—

Nicholson,
Packard,

Messrs.—

Rose,
Tubbs,

Messrs. Mallough and Rose being excused.

So the bill passed and the title was agreed to.

Senate bill No. 70,

A bill for an act to create a state auditing board for the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Reade,
Ramsett,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.— Mallough, Messrs.— Miller, Messrs. Rose,

Messrs. Mallough and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Johnson moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 7, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Rose, who was excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the thirtieth day and recommend that the same be corrected as follows:

Page 2, after line 7, insert:

“Mr. Winslow moved

The adoption of the report as read.

Which motion prevailed, and

The report was adopted.”

Page 4, change line 5 to read as follows:

“The committee on warehouses, grain and grain grading.”

Page 11, insert in affirmative vote on House bill No. 97 the names "Axvig and Packard."

Page 12, line 11, change second word "bill" to "title."

Page 12, line 48, change word "at" to "a."

Page 15, strike out lines 8 to 13 inclusive, and insert in lieu thereof:

"House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves."

Page 15, change line 20 to read:

"Was read the third time."

Page 17, after line 28, insert:

"The roll was called and there were ayes 55, nays 1, absent and not voting 6."

Page 7, insert after line 23 the following:

The chief clerk announced that the speaker was about to sign

"House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions."

And the speaker signed the bill in the presence of the house.

The chief clerk announced that the speaker was about to sign

"House bill No. 5,

A bill for an act to provide for directors and officers of religious corporations."

And the speaker signed the bill in the presence of the house."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

The adoption of the report as read.

Which motion prevailed, and

The report was adopted.

PRESENTATION OF PETITIONS AND MEMORIALS.

The following petition was received and read:

To the House of Representatives of the State of North Dakota;

We, the undersigned citizens of Mayville, N. D., do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

W. H. ROBINSON,
And 91 others.

The following communication to Speaker Pollock from George A. Bangs was read:

GRAND FORKS, N. D., Jan. 30th, 1901.

Hon. R. M. Pollock, Bismarck, N. D.;

Dear Sir:—You will remember that just before you left Fargo for Bismarck to attend this session of the legislature, I telephoned you with respect to a bill which I would like to see become a law at this session. I enclose you herewith a copy of the proposed bill. It is modeled after the employers' liability act. It may possibly need some amendments to accomplish its full intent, perhaps too, the title should be made more complete.

This bill has been submitted to a number of the prominent railroad employes and meets with their approval, in fact it is chiefly at their request that the bill is drawn.

In connection with this bill perhaps it would be well to outline briefly the changes sought to be accomplished by it as well as to give a short history of kindred legislation.

In some respects the bill is but declaratory of the law as it now exists, while in other respects it may change the existing law in order to accomplish its purpose.

The relationship existing between the railroad corporations and their employes is that which is known in law as the relationship of master and servant. The liability of the master to the servant in all ordinary cases is defined by sections 4095-6 and 7 of the Code.

It is too patent to require argument that the business of operating a railroad is one that is peculiarly hazardous and this being so it would seem to follow as a natural result that those employes engaged in that business should have peculiar and greater protection than the employes engaged in other businesses and upon this theory laws such as the one enclosed have been sustained as constitutional and not as class legislation.

The laws of this state with respect to the liability of railroad companies continued the same as the liability of all other masters until the session of 1899 although prior to that session at different times bills were introduced more in accordance with the present trend of legislation upon the subject. The present law with respect to the liability of the railroad companies to their employes is defined by section 3072 of the 1899 Code and it changes the law as announced by section 4095 et seq. in that it makes the master liable to the servant for injuries received while in the operation of trains by reason of the negligence of any fellow servant.

A careful reading of the section will disclose the fact that it attempts to protect no one except those actually engaged in the operation of a train at the time of receiving the injury complained of and then only where the injury occurs through the negligence of a fellow servant.

This as you will see, goes but a portion of the way to the end desired, while the risk of a negligent fellow servant are among the greatest of employment, still there are risks which are almost if not quite equally as great and against which the servant is entitled to protection. For instance, there are the risks attendant upon defective trackway or machinery which may be furnished; a broken brake rod or wheel, an injured axle, a defective rail or defects such as these and against them the first subdivision of the first section of the proposed bill enclosed, is directed. The second and third subdivisions provide for injuries caused by reason of the negligence of superintendents or those acting as such. The fourth subdivision provides for injuries resulting from obedience to the rules, while the fifth is aimed directly at the negligence of fellow servants or those who might be construed as such.

The second section of the act provides for the damages and by whom the action may be maintained. The third section provides that the amount recovered shall be exempt. The fourth section provides that the action shall not abate through death; and the fifth section provides that where a citizen of this state shall be injured in another state and an action brought in this state, that the laws of the state where the injury occurred shall not be pleaded to bar the right of action.

Section six provides that all contracts made releasing or relieving the railroad company from their liability of this act shall be null and void.

By the reading of the bill you will readily see that all grades of employes of the railroad company are protected or aimed to be protected where the injury results from any of the causes set forth in the bill.

It is possible that the title to the bill might be amended to be made more explicit so that it will cover sections 2, 3 and 4.

Laws such as this are directly in accord with the trend of recent legislative action. The first law along this line was drafted by Hon. W. E. Gladstone and passed English parliament and became a law in 1880 and since that time it has been adopted in almost all of the colonies of Great

Britain, including Canada, New Zealand, New South Wales and others. In our own country, old and conservative states such as Indiana, Massachusetts and Alabama have adopted statutes very similar to and modeled after the English statutes.

Minnesota, Iowa, Kansas, Montana, Wisconsin, Texas, Ohio and Georgia have adopted statutes to the same import although not quite so complete. Mississippi has made its provisions with respect to this subject a part of its constitution, being section 193 of the 1890 constitution.

I have also given some thought to the matter of the reduction of exemptions. It seems to me as though it would be wise to make this reduction apply only to debts which were incurred subsequent to the date of the going into effect of the law, for all debts which exist now were incurred and the credit was extended by the creditor with full knowledge of the amount of exemption allowed to the debtor. At this particular time it should also be remembered that this is a period of financial stringency for the people of this state. If the exemptions are reduced it will place a large amount of property subject to levy and sale at a time when it would be most extremely difficult for the debtors to obtain the means to prevent the sale or to redeem after the same was made

Respectfully,

GEO. A. BANGS.

ELLIOTT, N. D., Feb. 3, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Elliott, do most respectfully petition your honorable body to pass Senate bill No. 109 prohibiting the sale of cigarettes.

N. B. CHAMBERLIN
And 50 Others.

HUNTER, N. D., Feb. 3, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Hunter, do most respectfully petition your honorable body to pass Senate bill No. 109 prohibiting the sale of cigarettes.

J. H. GALE
And 98 Others.

Mr. Michelson moved

That the rules be suspended and that
House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

Be taken from the committee on state affairs and given to the committee on sheep industry,

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

Also,

House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

Also,

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

The majority of the committee on ways and means made the following report:

Mr. Speaker:

The majority of the committee on ways and means to whom was referred

Senate bill No. 32,

A bill for an act taxing the occupation of hawkers and peddlers regulating the licensing of persons engaged in such occupation, and increasing the ordinary county revenue by such taxation.

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

M. B. CASSELL,

Chairman.

The minority of your committee on ways and means made the following report:

Mr. Speaker:

The minority of your committee on ways and means to whom was referred

Senate bill No. 32,

A bill for an act taxing the occupation of hawkers and peddlers regulating the licensing of persons engaged in such occupation, and increasing the ordinary county revenue by such taxation.

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

In line 11 of section 3 strike out "thirty dollars" and insert "ten dollars."

And when so amended recommend the same do pass.

A. M. PACKARD,

J. MICHELS,

J. A. T. BJORNSON,

P. P. CHACEY,

H. McLEAN,

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
Senate bill No. 57,

A bill for an act to provide for the drawing of warrants by the
state auditor upon the state treasurer.

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

M. B. CASSELL,
Chairman.

Mr. Michels moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 7, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard
of the state of North Dakota.

Also,

Senate bill No. 103,

A bill for an act entitled an act authorizing the requirement
of an additional bond to be furnished by city treasurers, and
declaring the office vacant upon neglect or refusal so to do.

Also,

Substitute for Senate bill No. 51,

A bill for an act amending sections 1392 and 1393, Revised
Codes of North Dakota, relating to state military boards.

Also,

Senate bill No. 106,

A bill for an act to amend section 4820 of the Revised Codes of
1899, providing for a lien for grain to be used for seed.

Also,

Senate bill No. 113,

A bill for an act authorizing counties to issue bonds to procure
seed grain for needy farmers resident therein.

Also,

Senate bill No. 108,

A bill for an act to amend section 3139 of the Revised Codes
of 1899 relating to county mutual insurance companies.

Also,
Senate bill No. 114,
Concurrent resolution.

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

Very respectfully,
GEORGE L. TOWNES,
Secretary.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 55,

A bill for an act to amend sections 2464 and 2465 of the Revised Codes of 1899, relating to volunteer firemen's association.

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

That section 3 be stricken out and the following be substituted: Section 3. Emergency.) Whereas, the 2 per cent premium is apportioned by the state auditor on the first day of June; therefore, an emergency exists, and this act shall take effect from and after its passage and approval.

And when so amended recommend that the same do pass.

F. T. GRONVOLD,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

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

That all after the enacting clause be stricken out and in lieu thereof the following be inserted:

Section 1. Mechanics' Lien.) Every mechanic or other person who shall do any labor upon or furnish any materials, machinery or fixtures for any threshing engine or separator at the request of the owner or legal possessor of said property shall have a lien upon the same from the date of said repairing, or furnishing of said materials, machinery or fixtures for his or their reasonable charges.

Sec. 2. Priority of Lien.) Said lien shall have priority over all other liens or encumbrances upon said threshing engine or separator if filed within ten days from the day upon which said labor was performed, or materials, repairs or fixtures were furnished; provided, however, that such priority of lien shall not extend to or cover any such engines or separators excepting those which have been in use for three falls or threshing seasons.

Sec. 3. Statement of Account to be Filed.) Any person entitled to a lien under this act shall make an account in writing stating the kind of engine or separator so repaired, the amount of labor or materials, machinery or fixtures so made or furnished, and the name of the person or persons for whom the said labor was performed, or materials, machinery or

fixtures furnished, and after making oath to the correctness of the account shall file the same in the office of the register of deeds of the county in which said threshing machine or separator was repaired, except when said labor was performed in an unorganized county then in such cash such statement shall be filed in the county to which said unorganized county is attached for judicial purposes.

Section 4. Filing to Operate as Notice.) It shall be the duty of the register of deeds to file and enter said statements in the manner required by law for the filing and entry of chattel mortgages, and he shall be entitled to a fee of ten (10) cents therefor; and the filing of said statement shall operate as notice to all purchasers and encumbrancers of said property prior or subsequent to the date of said filing.

Sec. 5. How Lien May be Foreclosed.) The said lien may be foreclosed by a sale of the mortgaged property embraced in said lien upon the notice and in the manner provided by law for the foreclosure of chattel mortgages.

Sec. 6. All acts or parts of acts in conflict with this act are hereby repealed.

And when so amended recommend that the same do pass.

F. T. GRONVOLD,
Chairman.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred
House bill No. 31,

A bill for an act to amend section 248 of the Revised Codes,
relating to the powers and duties of county boards of health.

OLE AXVIG,
Chairman.

Mr. Reade moved

The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred
House bill No. 108,

A bill for an act entitled an act prohibiting the sale of cigar-
ettes and cigarette paper.

Have had the same under consideration and recommend that
further consideration thereof be indefinitely postponed.

OLE AXVIG,
Chairman.

Mr. Leech moved

The adoption of the report,
Which motion prevailed, and
The report was adopted and
House bill No. 108,

A bill for an act entitled an act prohibiting the sale of cigar-
ettes and cigarette paper.

Was indefinitely postponed.

Mr. Leech moved

That the vote by which the report on

House bill No. 108,

A bill for an act entitled an act prohibiting the sale of cigarettes and cigarette paper.

Was adopted be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

The committee on irrigation made the following report:

Mr. Speaker:

Your committee on irrigation to whom was referred

House bill No. 125,

A bill for an act regulating water rights for irrigation purposes.

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

T. J. DWIRE,
Chairman.

Mr. Dwire moved

The adoption of the report,

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 120,

A bill for an act entitled "An act to provide for the punishment for the abandonment of minor children."

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

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amendment.) That section 7172 of the Revised Codes is hereby amended to read as follows:

Section 7172. Abandoning Children Under Twelve Years of Age.) Every parent of any child under the age of twelve years, and every person to whom such child has been confided for nurture or education, who deserts or abandons such child, with intent wholly to abandon it, shall be deemed guilty of a felony, and shall be punishable by imprisonment in the penitentiary not less than one and not more than seven years, or in a county jail not exceeding one year.

And when so amended recommend that the same do pass.

Also,

House bill No. 76,

A bill for an act providing that deeds and mortgages shall not be recorded unless the post office address of grantor and grantee shall appear therein.

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

By striking out section 2.

And when so amended recommend that the same do pass.

Also.

House bill No. 121,

A bill for an act entitled "An act to amend section 2790 of the Revised Codes, relating to the support of step children."

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

The adoption of the report

Which motion prevailed, and

House bill No. 121,

A bill for an act entitled "An act to amend section 2790 of the Revised Codes, relating to the support of step children."

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 46,

A bill for an act to cure defective acknowledgments.

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

GEO. M. YOUNG,
Chairman.

Mr. Young moved

The adoption of the report,

Which motion prevailed, and

The report was adopted.

Mr. Reade offered the following resolution:

Mr. Speaker: Your select committee on the securing of necessary committee rooms beg leave to report further, that owing to the fact that the rooms now in use are not sufficient for the proper dispatch of business, that we have secured additional rooms to be assigned as follows: Two rooms in the Donnelly building at \$40.00 to be assigned to the committee on state affairs and tax and taxation. One room in the Harris building to be assigned to the committee on county and county boundaries, at \$20. Rooms in the Giffin building to be assigned to the committee on public highways, bridges and ferries at \$25.00. And we further recommend that Thomas Conroy, C. Peterson, Pat Kennedy and Wm. Gleason be appointed as janitors of the same.

Respectfully submitted,
H. L. READE,
T. W. ALLSHOUSE,
W. A. McCLURE,
Committee.

Mr. Young moved

The postponement of the resolution until tomorrow,

Which motion prevailed, and

The further consideration of the resolution was postponed until tomorrow.

Mr. Nichols requested the privileges of the floor for W. F. Crewe.

Mr. Leech asked the same for P. F. Sloan.

Mr. Bacon asked the same for F. W. Schlaberg.

Mr. Young asked the same for Maj. J. D. Black.

Mr. Packard asked the same for Mrs. F. P. Roby and Percy Goodwin.

Mr. Gullikson asked the same for H. S. Haussamen.

Mr. Reade asked the same for A. G. Shier.

Mr. Packard moved to recommit

House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

To the committee on railroads.

Which motion prevailed, and

The bill was recommitted to committee on railroads.

Mr. Ramsett moved

That the committee on railroads be instructed to report

House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

Not later than one week from today.

Mr. Packard moved

As a substitute that

House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

Be recalled from the railroad committee and referred to the committee on judiciary.

Which motion was lost.

The vote being on Mr. Ramsett's motion.

So the motion prevailed.

FIRST READING OF HOUSE BILLS.

Mr. Hjelmstad introduced

House bill No. 138,

A bill for an act entitled "An act amending section 1089 of the Revised Codes, relating to bridges."

Was read the first time.

Mr. Galbraith introduced

House bill No. 140,

A bill for an act to amend section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.

Was read the first time.

Mr. Gulack introduced

House bill No. 141,

A bill for an act to amend section 2092 of the Political Code of the Revised Codes of the state of North Dakota, relating to fees of justices of the peace.

Was read the first time.

Mr. Allshouse introduced

House bill No. 142,

A bill for an act to amend section 4066 of the Revised Codes of the state of North Dakota, relating to the penalty for usury.

Was read the first time.

House bill No. 143,

A bill for an act to repeal sections 1573 and 1574 of the Revised Codes of 1899, relating to official estray paper of the state.

Was read the first time.

SECOND READING OF HOUSE BILLS.

House bill No. 134,

A bill for an act to amend section 6172 of the Revised Codes of North Dakota, defining the duties of county judges.

Was read the second time, and

Referred to the committee on judiciary.

House bill No. 135,

A bill for an act entitled an act to declare certain weeds common nuisances and to provide for their destruction.

Was read the second time and

Referred to the committee on state affairs.

House bill No. 136,

A bill for an act to repeal chapter 14 of the session laws of 1899, relating to an annual appropriation for the maintenance of the state university.

Was read the second time and

Referred to the committee on appropriations.

THIRD READING OF HOUSE BILLS.

House bill No. 137,

A bill for an act to amend section 1199 and to repeal section

1200 of the Revised Codes of the state of North Dakota, edition of 1899, relating to the mode of listing, assessing and taxing property, including grain in elevators, warehouses and grain houses.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 42, nays 9, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Nevin,
Anderson,	Hill,	Packard,
Axvig,	Hjelmstad,	Parr,
Bacon,	Johnson,	Ramsett,
Bennett,	Leech,	Reade,
Bjornson,	Lemke,	Sargeant,
Brisbin,	Lerom,	Stafne,
Cassell,	Mallough,	Strutz,
Chacey,	McClure,	Tubbs,
Davis,	McLean,	Wade,
Dickson,	Michels,	Watts,
Gulack,	Miller,	Willison,
Gullikson,	Morgan,	Young,
Hall,	Nicholson,	Mr. Speaker,
Hare,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Galbraith,	Keeler,	Thomas,
Gronvold,	Restemayer,	Thordarson,
Hammond,	Severson,	Watson,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chaffee,	Palmer,	Swarthout,
Chevalier,	Phifer,	Tufte,
Dwire,	Rose,	Winslow,
Nelson,		

Mr. Rose being excused.

Mr. Thordarson explained his vote.

So the bill passed and the title was agreed to.

House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 48, nays 10, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Cassell,
Davis,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
Michels,
Morgan,
Nelson,
Nicholson,
Nevin,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Tubbs,
Tufte,
Wade,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Chacey,
Chaffee,
Keeler,
McLean,

Messrs.—

Miller,
Packard,
Restemayer,

Messrs.—

Thordarson,
Watson,
Watts,

Absent and not voting:

Messrs.—

Bacon,
Chevalier,

Messrs.—

Dickson,

Messrs.—

Rose,

Mr. Rose being excused.

So the bill passed and the title was agreed to.

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 46, nays 15, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Bacon,
Bennett,
Brisbin,
Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Gulack.

Messrs.—

Johnson,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
Michels,
Miller,
Morgan,
Nelson.

Messrs.—

Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Wade.

Messrs.—
 Gullikson,
 Hall,
 Hare,
 Heath,
 Hill,
 Hjelmstad,

Messrs.—
 Nicholson,
 Nevin,
 Packard,
 Palmer,
 Parr,
 Phifer,

Messrs.—
 Watson,
 Willison,
 Winslow,
 Mr. Speaker,

Those voting in the negative were:

Messrs.—
 Anderson,
 Axvig,
 Bjornson,
 Chevallier,
 Dwire,

Messrs.—
 Galbraith,
 Gronvold,
 Hammond,
 Keeler,
 McLean,

Messrs.—
 Strutz,
 Tubbs,
 Tuftte,
 Watts,
 Young,

Absent and not voting Mr. Rose, who was excused.

Messrs. Galbraith and Keeler explained their votes.

So the bill passed and the title was agreed to.

Mr. Bacon moved

That the vote by which

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions.

Was passed, be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE.

The following resolution was read:

CONCURRENT RESOLUTION.

Whereas, The law only provides for the printing of five hundred copies of the report of the experimental department of the North Dakota Agricultural college, and

Whereas, Under the law a copy has to be furnished to each member of the senate and house of representatives and to each state official, and also to each institution doing the same kind of work in the United States; also to the department at Washington; and,

Whereas, This distribution will practically exhaust the number printed; and,

Whereas, This report contains the results of all experiments of practical use and benefit to the agricultural interests of the state;

Resolved, By the senate, the house of representatives concurring, that three thousand extra copies be printed and furnished to the North Dakota Agricultural college for distribution among the farmers of this state.

Mr. Hare moved

That the house concur in the resolution,

Which motion prevailed, and

The resolution was concurred in.

Mr. Galbraith moved

That the rules be suspended and that

Senate bill No. 11,

A bill to amend sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of the state of North Dakota, relating to the recording of marks and brands.

Be read the third time.

Which motion prevailed, and

Senate bill No. 11 was placed upon its final passage.

Senate bill No. 11,

A bill to amend sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of the state of North Dakota, relating to the recording of marks and brands.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,

Messrs.—

Miller,

Messrs.—

Rose,

Mr. Rose being excused.

So the bill passed and the title was agreed to.

GENERAL ORDERS.

Mr. Thomas moved

That the house resolve itself into a committee of the whole for the consideration of general orders,

Which motion prevailed, and
The house resolved itself into a committee of the whole.
The speaker called Mr. Nelson to the chair.

When the committee rose the following report was submitted:

Mr. Speaker:

Your committee of the whole have had under consideration
House bill No. 73,

A bill for an act to amend sections 450, 453, 456 and 457 of the Revised Codes of North Dakota, relating to jurors and the manner of drawing same.

And recommend that the same be amended as follows:

By striking out lines 24 to 34 inclusive of the printed bill, and insert in lieu thereof:

Section 456. Court may Order Jury Forthwith.) If all persons summoned as grand or petit jurors do not appear before the court or if for any cause the panel of the grand or petit jurors is not complete, or if no jury is drawn as above provided, the judge of the district court shall issue an order to the clerk of such court requiring a sufficient number of persons to be summoned to serve as jurors on the regular panel of grand or petit-jurors, and in such order shall specify the number of jurors necessary to complete such panel, and the time and place where they shall appear. Such clerk or his deputy, shall forthwith convene the county board to select jurors being the officers named in section 449 of the political code, and such board shall forthwith proceed to select the names of the number of persons possessing the qualifications of jurors directed to be summoned, which jurors may be selected by a majority of the members of said board present at the meeting to be convened as aforesaid, and thereupon a venire for the persons whose names shall have been so selected shall be issued by the clerk or his deputy, and shall be served in like manner as provided for the service of the venire for the jurors of the regular panel.

And when so amended recommend that the same do pass.

Also,
Senate bill No. 3,

A bill for an act entitled an act to amend section 5256, Revised Codes, relating to mailing summons and complaint.

And recommend that the same be amended as follows:

By striking out the words "return registry" in line 18 of the engrossed bill and inserting in lieu thereof the words "registry return."

And when so amended recommend that the same do pass.

Also,
House bill No. 44,

A bill for an act to amend section 4719 of the Revised Codes of North Dakota, 1899, relating to the discharge of real estate mortgages.

And recommend that the same be amended as follows:

By inserting in line one of the printed bill before the word "amendment" the word and figure "section 1."

By striking out all of said bill after line 12 of printed bill.

By inserting in line 4 of the printed bill after the word "his" the words "executors, administrators, guardians, trustees."

And when so amended recommend that the same do pass.

Also,

House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were defective, and upon which property taxes for the year 1896 and prior years are unpaid.

And recommend that the same be amended as follows:

Section 27, line 6, strike out the figures "75" in printed bill, and insert the words "not exceeding twenty-five."

After the word "for" in line 6, section 27, insert the words "each of."

Also strike out the word "insertion" and insert in lieu thereof the word "publications."

And when so amended recommend that the same do pass.

Also,

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

And recommend that the same do pass.

Also,

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

And recommend that the same be amended as follows:

Section 2. Whereas, an emergency exists in that there is now no law providing for foreclosure of mortgages and assignments of same mentioned herein, and there being mortgages of this class in default this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend that the same do pass.

Also,

House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

And recommend that the same be amended as follows:

By inserting after the word "year" in line 5 of the printed bill the following: "And such board may by resolution require that."

And when so amended recommend that the same do pass.

Also,

House bill No. 23,

A bill for an act entitled "An act to amend section 135 of the Probate Code of North Dakota, being section 6391 of the Revised Codes of North Dakota for 1895, relating to exemptions."

And recommend that the same be amended as follows:

By striking out the word "was" in line 6 of the printed bill and inserting in lieu thereof the word "were."

By striking out the words "one thousand" in line 8 of the printed bill and insert in lieu thereof the words "seven hundred and fifty."

And insert in line 11 after the word "charges" the following: "Provided, that nothing herein shall be construed to deprive the surviving wife or husband or minor children of the specific alternative exemptions as provided in section 5519 of the Revised Codes."

And when so amended recommend that the same do pass.

Also,

House bill No. 34,

A bill for an act to amend sections 4063 and 4064 of the Revised Codes of 1895.

And recommend that the same be amended as follows:

By striking out the "enacting clause" and inserting in lieu thereof, "be it enacted by the legislative assembly of the state of North Dakota."

By inserting in "line 1" before the word "that" the words and figures "section 1. Amendment."

By striking out in the second line numbered 1 the figure "1" after the word section, and insert the words and figures "4063, legal rate seven per cent." also in said line strike out the word "six" and insert in lieu thereof the word "seven."

By striking out in "lines 3 and 4" all after the word "before."

By striking out in third line numbered 1 the word and figure "Sec. 2" and insert in lieu thereof the words and figures "section 4064. Usury defined."

By inserting in the second line numbered 4 after the word "annum," "nor a greater rate of interest after than before maturity of any debt or promise, except where said contract or agreement bears no interest before maturity."

And when so amended recommend that the same do pass.

Also,

House bill No. 105,

A bill for an act to amend section 4827 of the Revised Codes of North Dakota, relating to farm laborer's lien. How the same may be obtained, and extending the time for filing affidavit and notice.

And recommend that the same be amended as follows:

Insert in section 1, after the word "same" the following: "But in no case shall any lien attach on any crops, on which any prior lien exists for a greater amount than the value of the actual labor performed thereon."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 23,

A bill for an act to amend section 5526, Revised Codes of North Dakota, relating to exemptions.

And recommend that the same be amended as follows:

By inserting after the last word "or" in line 8 of the printed bill the words "in an action."

And when so amended recommend that the same do pass.

Also,

House bill No. 49,

A bill for an act to amend section 5848, chapter 29 of the Codes of Civil Procedure of the Revised Codes of the state of North Dakota, relating to foreclosure by advertisement of real estate mortgages.

And recommend that the same be referred back to the committee on judiciary.

T. E. NELSON;

Chairman.

Mr. Johnson moved

That the report of the committee be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Nelson moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

W. D. AUSTIN,

Assistant Chief Clerk.

THIRTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 8, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following communication from Joseph Thompson was read:

DEVILS LAKE, N. D., Jan. 26, 1901.

Friend Nicholson—I notice in the paper D. C. Tufte was getting indorsement from the senators for the appointment of a North Dakota man as one of the Minnesota grain inspectors. This is a good scheme; but North Dakota should have two—one in Minneapolis and one in Duluth. These should be reinspectors, so they would have a chance to look over the grading of all other inspectors on the track. In other words they should be chief deputy assistants. Then, if you or any other North Dakota shipper was not satisfied with the inspection on your grain when you

called reinspection it would be a North Dakota man who would have to decide. If he was simply one of the inspectors you might ship 100 cars and he would not have a chance to see them, as there are a great number of inspectors on the tracks during the busy season. I presume Mr. Tufte don't quite understand the situation at terminal points.

Yours truly,

JOSEPH THOMPSON.

Mr. Nicholson moved

That the communication of Joseph Thompson be referred to the committee on warehouses, grain and grain grading.

Which motion prevailed, and

The communication was so referred.

The following petitions were received and read:

HILLSBORO, N. D., Jan. 26, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Hillsboro, do most respectfully petition your honorable body to pass Senate bill No. 109 prohibiting the sale of cigarettes.

E. L. WHITNEY

And 73 Others.

ENDERLIN, N. D., Feb. 1, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned, citizens of Enderlin do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

C. M. ENGLE,

And 20 Others.

CASSELTON, N. D., Feb. 1, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Casselton, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

S. B. BARTLETT,

And 84 Others.

BOWESMONT, N. D., Feb. 6, 1901.

Hon. W. J. Watt, Bismarck, N. D.:

Dear Sir:—Will you use your vote and influence to make Senate bill No. 109, become a law. As you will see by the signers of the inclosed petition it is the wish of the people of Bowesmont and vicinity that this bill may be passed.

Yours truly,

JOHN HALCROW,

BOWESMONT, N. D., Feb. 4, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned, citizens of Bowesmont, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

JOHN HALCROW,

And 50 Others.

THOMPSON, N. D., Feb. 6, 1901.

Hon. Chas. H. Brisbin, Bismarck, N. D.:

Dear Sir:—We the undersigned members of Thompson Woman's Christian Temperance Union urgently request that you, as our representative do all in your power, both by your vote and influence to help pass Senate bill No. 109, being the anti-cigarette law.

MARY E. SLATER,

And 80 Others.

ERIE, N. D., Feb. 6, 1901.

To the Honorable Representatives of the Eleventh District:

We, the undersigned residents of the town of Erie, Cass county, re-

spectfully petition your honorable body to remedy by appropriate legislation the inconvenience to which we are subjected by the insufficient train service supplied by the Great Northern railroad on which our town is located. We have already petitioned the superintendent and president of said railroad, but without result. Our chief grievances are:

1. The loss and inconvenience arising from complete stoppage of telegraphic communication.
2. The loss and inconvenience produced by insufficient passenger service.
3. The loss and inconvenience resulting from inadequate freight service.

Your honorable body may well imagine the isolation, social inconvenience and business loss caused by this policy of intrenchment, which, we believe, is not demanded by the state of business. The amount of business was, no doubt, less than that of last year, but surely a year's business of \$30,000 for a number of years previous to this one may well justify our petition.

G. H. HILL,
And 48 Others.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 8, 1901.

To the House of Representatives;

Gentlemen—I have the honor to inform you that I have approved and filed with the Honorable Secretary of state,

House bill No. 4,

A bill for an act to amend sections 3183 and 3184 of the Revised Codes of North Dakota, relating to the incorporation of certain classes of benevolent, charitable and social institutions.

Also,

House bill No. 5,

A bill for an act entitled an act to provide for directors and officers of religious corporations.

Very respectfully,

FRANK WHITE,

Governor.

REPORTS OF STANDING COMMITTEES.

The committee on sheep industry made the following report:

Mr. Speaker:

Your committee on sheep industry to whom was referred

House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

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

In line 1 of printed bill insert after the words "section 1. Amend-

ment" in line 8 of printed bill strike out the words "Foster, Eddy and Wells." Also in line 8 after the word "Pierce" add the words "Foster, Eddy and Wells."

And when so amended recommend that the same do pass.

G. B. PHIFER,
Chairman.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Also,

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills respectfully report that at the hour of 3:55 p. m., on February 6, 1901, House bills Nos. 4 and 5 were delivered to his excellency the governor.

ASA SARGEANT,
Chairman.

Mr. Davis moved

That the rules be suspended and the report of the committee be adopted, and that

House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

Be passed to its third reading and final passage as amended

Which motion prevailed, and

The rules were suspended, and

House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 43, nays 19, absent and not voting none.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Bacon,
Bennett,
Brisbin,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Johnson,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
Michels,
Miller,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Stafne,
Strutz,
Swarthout
Thordarson,
Tufte,
Wade,
Watts,
Watson,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Bjornson,
Cassell,
Chacey,
Heath,
Hill,

Messrs.—

Hjelmstad,
Keeler,
McLean,
Morgan
Nelson,
Sargeant,

Messrs.

Severson,
Thomas,
Tubbs,
Willison,
Winslow,
Young,

Messrs. Thomas, Morgan, Nicholson and Tufte explained their votes.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 95,

A bill for an act prescribing the duties of county auditor in reference to the certification of abstracts of titles to real estate.

Also

Senate bill No. 101,

A bill for an act to amend section 7464 of the Revised Codes of North Dakota, 1899, relating to embezzlement.

Also,

Senate bill No. 117,

A bill for an act to amend section 1015 and article 2 of chapter 10 of the Revised Codes of the state of North Dakota, 1899.

Also,

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

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

Very respectfully,
GEORGE L. TOWNES,
 Secretary.

Mr. Davis moved

That the vote by which
 House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

Was passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
 House bill No. 115,

A bill for an act to amend section 704 of the Revised Codes as amended by chapter 81 of the session laws of 1899, relating to education.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

C. A. HALL,
 Chairman.

Mr. Hall moved

That the report be adopted,
 Which motion prevailed, and
 House bill No. 115,

A bill for an act to amend section 704 of the Revised Codes as amended by chapter 81 of the session laws of 1899, relating to education.

Was indefinitely postponed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
 House bill No. 126,

A bill for an act providing stables and hitching posts on school sites in rural school districts.

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

C. A. HALL,
 Chairman.

Mr. Hare moved

The adoption of the report,
 Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 73,

A bill for an act entitled "An act to amend sections 2737 and 2743 of the Revised Codes of 1899, relating to dissolution of marriage."

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 119,

A bill for an act to amend sections 5, 6 and 7 of chapter 82 of the session laws of 1897, being section 6676e of the Revised Codes of 1899, relating to garnishee procedure in justice court.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

Mr. Hare, from the special committee to ascertain the needs of the twine plant at the penitentiary, made the following report:

To the Senate and House of Representatives of the Legislative Assembly of the State of North Dakota:

Gentlemen—The undersigned, composing the joint committee appointed to visit the penitentiary and report as to the twine factory located thereat and as to its needs, would respectfully report that we have visited the said penitentiary and examined into all the matters pertaining to the said twine factory and its operation, and after doing so we are of the opinion that it is to the best interest of the institution and the state as well as an act of humanity towards the inmates that such action should be taken by the legislature as will make it possible to keep the said factory in continuous operation, and with this end in view we submit herewith a

bill containing the provisions which, in our judgment, are necessary to accomplish that purpose, and which we will introduce, trusting that it will meet with your approval, receive your support and become a law.

All of which is respectfully submitted.

J. B. SHARPE,
M. JACOBSON,
JOSEPH HARE,
M. B. CASSELL,
T. J. DWIRE,

Committee.

Dated February 7, 1901.

Mr. Hare moved

The adoption of the report.

Which motion prevailed, and

The report was adopted.

Mr. McClure moved that

House bill No. 75,

A bill for an act to amend and to re-enact section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

Be recalled from the committee on ways and means, and that it be referred to the committee on counties and county boundaries.

Mr. Hare moved its adoption

Which motion prevailed, and

House bill No. 75,

A bill for an act to amend and to re-enact section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

Was referred to the committee on counties and county boundaries.

Mr. Hall moved that the vote by which

House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

Was referred to the committee on railroads be reconsidered.

Roll call demanded.

The roll was called and there were ayes 33, nays 29, absent and not voting none.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Chaffee,
Chevalier,

Messrs.—

Heath,
Hill,
Johnson,
Keller,
Lemke,

Messrs.—

Palmer,
Parr,
Phifer,
Ramsett,
Severson,

Messrs.—

Dickson,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hammond,

Messrs.—

Lerom,
Mallough,
Michels,
Morgan,
Nelson,
Nevin,

Messrs.—

Stafne,
Strutz,
Tufte,
Watson,
Willison,
Young,

Those voting in the negative were:

Messrs.—

Allshouse,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Davis,
Dwire,
Gulack,
Hare,

Messrs.—

Hjelmstad,
Leech,
McClure,
McLean,
Miller,
Nicholson,
Packard,
Reade,
Restemayer,
Rose,

Messrs.—

Sargeant,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Wade,
Watts,
Winslow,
Mr. Speaker,

So the motion to reconsider prevailed.

The chief clerk announced that the speaker was about to sign Senate bills Nos. 70, 71 and 40, and the speaker signed Senate bills Nos. 70, 71 and 40 in the presence of the house.

The question recurring upon the original motion to recommit House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

To the committee on railroads.

Mr. Nevin moved

As a substitute motion that the rules be suspended and House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

Be placed upon its third reading and final passage.

Roll^o call demanded.

The roll was called and there were ayes 36, nays 26, absent and not voting none.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Brisbin,
Chaffee,
Davis,
Dickson,
Galbraith,

Messrs.—

Hammond,
Johnson,
Keeler,
Lemke,
Lerom,
Mallough,
Michels,
Morgan,

Messrs.—

Phifer,
Ramsett,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Tubbs,

Messrs.—

Gullikson,
Hall,
Heath,
Hill,

Messrs.—

Nelson,
Nicholson,
Nevin,
Parr,

Messrs.—

Tufte,
Watson,
Willison,
Young,

Those voting in the negative were:

Messrs.—

Allshouse,
Bacon,
Bjornson,
Cassell,
Chacey,
Chevalier,
Dwire,
Gronvold,
Gulack,

Messrs.—

Hare,
Hjelmstad,
Leech,
McClure,
McLean,
Miller,
Packard,
Palmer,
Reade,

Messrs.—

Restemayer,
Swarthout,
Thomas,
Thordarson,
Wade,
Watts,
Winslow,
Mr. Speaker,

So the motion was lost.

The question being upon the original motion to recommit House bill No. 17.

A bill for an act to repeal section 3072a, section 3072b,^o and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

To the committee on railroads.

Roll call demanded.

The roll was called and there were ayes 31, nays 31, absent and not voting none.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Davis,
Dwire,
Gronvold,
Gulack,
Gullikson,

Messrs.—

Hare,
Hammond,
Hjelmstad,
Leech,
McClure,
McLean,
Miller,
Packard,
Palmer,
Phifer,

Messrs.—

Reade,
Restemayer,
Rose,
Swarthout,
Thomas,
Thoruarson,
Wade,
Watts,
Winslow,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Chaffee,
Chevalier,
Dickson,
Galbraith,
Hall,
Heath,
Hill,
Johnson,

Messrs.—

Keeler,
Lemke,
Lerom,
Mallough,
Michels,
Morgan,
Nelson,
Nicholson,
Nevin,
Parr,

Messrs.—

Ramsett,
Sargeant,
Severson,
Stafne,
Strutz,
Tubbs,
Tufte,
Watson,
Willison,
Young,

Messrs. Hare, Severson and Tufte explained their votes.
So the motion was lost.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 31st day, have carefully examined the same and recommend that the same be corrected as follows:

Page 5, line 19, change word "your" to "the."

Page 8, strike out lines 23 to 26 inclusive.

Page 8, strike out line 33, and insert the following:

Have had the same under consideration and recommend that further consideration thereof be indefinitely postponed.

OLE AXVIG,
Chairman.

Mr. Reade moved

The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred

Page 10, strike out line 2 and insert as follows:

GEO. M. YOUNG,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Page 10, line 34, correct spelling of the word "sufficient."

Page 10, line 39, correct spelling of name "Griffin."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

The adoption of the report.
Which motion prevailed, and
The report was adopted.

Mr. Winslow moved that

The house resolved itself into a committee of the whole.

Which motion was lost.

Mr. Keeler offered the following:

Mr. Speaker:

Your committee appointed under resolution of Mr. Keeler beg leave for an extension of five days time, which would make date for submitting final report February 15th.

F. H. KEELER,
Chairman.

Mr. Bennett moved

That the request be granted,
Which motion prevailed, and
The request was granted.

Mr. Leech requested the privileges of the floor for Col. E. C. Geary.

Mr. Allshouse requested the same for Mr. John Norman.

Mr. Nevin requested the same for Miss Hanson.

Mr. Packard requested the same for W. H. Seitz.

Mr. Young requested the same for Hon. H. C. Stenshore.

There being no objections, the courtesies of the floor were so extended.

INTRODUCTION OF HOUSE BILLS AND MEMORIALS.

Mr. Stafne introduced

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Was read the first time.

Mr. Stafne moved that the rules be suspended and

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Was read the second time and referred to its proper committee,
Which motion prevailed, and

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Was read the second time, and

Referred to the committee on state affairs.

Special committee to visit twine plant introduced

House bill No. 145,

A bill for an act entitled "An act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same."

Was read the first time.

Mr. Hammond introduced

House bill No. 146,

A bill for an act entitled "An act relating to the distribution of the Revised Codes of 1899, Session Laws, House and Senate journals of each legislative session, to the editors of the state of North Dakota.

Was read the first time.

SECOND READING OF HOUSE BILLS.

House bill No. 138,

A bill for an act entitled "An act amending section 1089 of the Revised Codes; relating to bridges."

Was read the second time and

Referred to the committee on highways, bridges and ferries.

House bill No. 139,

A bill for an act to amend section 7671 of the Revised Codes of 1899, relating to unlawful obligations.

Was read the second time, and

Referred to the committee on judiciary.

House bill No. 140,

A bill for an act to amend section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.

Was read the second time, and

Referred to the committee on taxes and tax laws.

House bill No. 141,

A bill for an act to amend section 2092 of the Political Code of the Revised Codes of the state of North Dakota, relating to fees of justices of the peace.

Was read the second time and

Referred to the committee on judiciary.

House bill No. 142,

A bill for an act to amend section 4066 of the Revised Codes of the state of North Dakota, relating to the penalty for usury.

Was read the second time and

Referred to the committee on judiciary.

House bill No. 143,

A bill for an act to repeal sections 1573 and 1574 of the Revised Codes of 1899, relating to official estray paper of the state.

Was read the second time and

Referred to the committee on public printing.

THIRD READING OF HOUSE BILLS.

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 45, nays 6, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hill,	Reade,
Bacon,	Hjelmstad,	Severson,
Bennett,	Johnson,	Stafne,
Bjornson,	Keeler,	Strutz,
Brisbin,	Leech,	Swarthout,
Chacey,	Lemke,	Thomas,
Chaffee,	Mallough,	Thordarson,
Davis,	Michels,	Tubbs,
Dickson,	Morgan,	Tufte,
Galbraith,	Nelson,	Wade,
Gronvold,	Nicholson,	Watson,
Gulack,	Nevin,	Willson,
Hall,	Packard,	Winslow,
Hammond,	Phifer,	Young,
Heath,	Ramsett,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Hare,	McLean,
Gullikson,	McClure,	Parr,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Lerom,	Rose,
Cassell,	Miller,	Sargeant,
Chevalier,	Palmer,	Watts,
Dwire,	Restemayer,	

Mr. Reade explained his vote.

So the bill passed and the title was agreed to.

Mr. Hall moved

That the vote by which

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Was passed be reconsidered, and that the motion to reconsider be laid upon the table.

Which motion prevailed.

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hammond,	Phifer,
Axvig,	Heath,	Ramsett,
Bacon,	Hill,	Reade,
Bennett,	Hjelmstad,	Restemayer,
Bjornson,	Johnson,	Rose,

Messrs.—

Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Keeler,

Messrs.—

Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Parr,
Packard,

Messrs.—

Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Tubbs,
Tufté,
Wade,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allhouse,
Thordarson,

Messrs.—

Palmer,

Messrs.—

Watson,

So the bill passed and the title was agreed to.

Mr. Cassell moved

That the vote by which

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

Was passed be reconsidered, and that the motion to reconsider be laid upon the table.

Which motion prevailed.

House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains, and authorizing trainmen to arrest and prosecute offenders.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 45, nays 16, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,

Messrs.—

Gullikson,
Hall,
Hammond,
Heath,
Hill,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
Michels,
Morgan,

Messrs.—

Nicholson,
Phifer,
Ramsett,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Tubbs,
Tufté,
Watson,
Willison,
Winslow,

Messrs.—
Gronvold,
Gulack,

Messrs.—
Nelson,
Nevin,

Messrs.—
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—
Allshouse,
Bjornson,
Hare,
Hjelmstad,
McClure,
McLean,

Messrs.—
Miller,
Packard,
Parr,
Reade,
Restemayer,

Messrs.—
Swarthout,
Thomas,
Thordarson,
Wade,
Watts,

Absent and not voting, Mr. Palmer.

Messrs. Davis, Gullikson, Hall and Packard explained their votes.

So the bill passed and the title was agreed to.

Mr. Nevin moved
That the vote by which
House bill No. 17,

A bill for an act to repeal section 3072a, section 3072b, and section 3072c of article 7 of chapter 12 of the Revised Codes of 1899, relating to stealing rides upon cars, engines and trains and authorizing trainmen to arrest and prosecute offenders.

Was passed be reconsidered, and the motion to reconsider be laid upon the table.

Which motion prevailed.

FIRST READING OF SENATE BILLS.

Senate bill No. 93,

A bill for an act repealing sections 1675, 1676, 1677 and 1678, Revised Codes, 1899, relating to bounties for the manufacture of spinning fibres.

Was read the first time.

Senate bill No. 52.

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

Was read the first time.

Senate bill No. 103,

A bill for an act entitled an act authorizing the requirement of an additional bond to be furnished by city treasurers, and declaring the office vacant upon neglect or refusal so to do.

Was read the first time.

Substitute for Senate bill No. 51,

A bill for an act amending sections 1392 and 1393, Revised Codes of North Dakota, relating to state military boards.

Was read the first time.

Senate bill No. 106,

A bill for an act to amend section 4820 of the Revised Codes of 1899, providing for a lien for grain to be used for seed.

Was read the first time.

Senate bill No. 108,

A bill for an act to amend section 3139 of the Revised Codes of 1899 relating to county mutual insurance companies.

Was read the first time.

Senate bill No. 113,

A bill for an act authorizing counties to issue bonds to procure seed grain for needy farmers resident therein.

Which was read the first time.

Mr. Hare moved

That the rules be suspended and that

Senate bill No. 113,

A bill for an act authorizing counties to issue bonds to procure seed grain for needy farmers resident therein.

Be read the second time

Which motion prevailed, and

Senate bill No. 113.

A bill for an act authorizing counties to issue bonds to procure seed grain for needy farmers resident therein.

Was read the second time, and

Referred to the committee on counties and county boundaries.

Senate bill No. 114,

Concurrent resolution.

Which was read the second time.

Senate bill No. 95,

A bill for an act prescribing the duties of county auditors in reference to the certification of abstracts of titles to real estate.

Was read the first time.

Senate bill No. 101,

A bill for an act to amend section 7464 of the Revised Codes of North Dakota, 1899, relating to embezzlement.

Was read the first time.

Senate bill No. 117,

A bill for an act to amend section 1015 and article 2 of chapter 10 of the Revised Codes of the state of North Dakota.

Was read the first time.

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

Was read the first time.

Mr. Hill moved
That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

W. D. AUSTIN,
Asst. Chief Clerk.

THIRTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 9, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Sargeant and Gullikson,
who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal
asked for fusther time

Which was granted.

PETITIONS AND COMMUNICATIONS.

The following communication was received from the Attorney
General

BISMARCK, N. D., Feb. 9, 1901.

B. W. Shaw, Assistant Chief Clerk:

Dear Sir:—In reply to yours of this date referring House bill No. 29,
together with motion of Mr. Gronvold relating thereto, to this office, and

requesting an opinion in reference to the same, I would say, that I would recommend: that the following words "be agreed to and" be added after the words "school lands" in section one of said bill as being the language of the constitution and that the words "in case the congress of the United States amends the enabling act to like effect" be added to said section; as the resolution would be of no effect unless the congress of the United States ammended the enabling act, being in conflict with that act.

The vote must be taken by "yea and nay" and that the same must be entered at length upon the Journal.

Respectfully,
O. D. COMSTOCK,
Attorney General.

Mr. Gronvold moved that
House bill No. 29,

Concurrent resolution, proposed amendment to the constitution of the state of North Dakota.

Be referred to the committee on state affairs.

Which motion prevailed.

The following petitions were received and read:

VALLEY CITY, N. D., Feb. 5, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Valley City, N. D., do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

GEORGE A. MCFARLAND
And 190 others.

DAWSON, N. D., Feb. 5, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Dawson, do most respectfully petition your honorable body to pass Senate bill No. 109 prohibiting the sale of cigarettes.

GEO. S. ROBERTS
And 81 Others.

COGSWELL, N. D., Feb. 5, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Cogswell, do most respectfully petition your honorable body to pass Senate bill No. 109 prohibiting the sale of cigarettes.

G. W. MCWILLIAMS
And 36 Others.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
February, 9, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Also,

Senate bill No. 92,

A bill for an act to prevent the extermination of antelope.

Also,

Senate bill No. 94,

A bill for an act repealing sections 1679 and 1680, Revised Codes, 1899, relating to bounties for the manufacture of binding twine.

Also,

Senate bill No. 131,

A bill for an act to amend section 277 and section 280 of chapter 4, of article 6 of the Revised Codes, relating to the practice of medicine, surgery and obstetrics.

Also,

Substitute for Senate bill No. 19,

A bill for an act to amend section 1941 of the Revised Codes of 1899, relating to depositories of county funds.

Also,

Senate bill No. 116,

A bill for an act to amend section 6670, of the Revised Codes and to repeal section 6671 of the Revised Codes.

Also,

Senate bill No. 79,

A bill for an act entitled an act to amend section 5046 of the Revised Codes of 1899 relating to injunctions.

Also,

Senate bill No. 123,

A bill for an act to amend section 1942 of the Revised Codes of 1899, relating to depositories for county funds.

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

Very respectfully,

I. J. MOE,

Acting Secretary.

REPORTS OF STANDING COMMITTEES.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 72,

A bill for an act to give publicity to the affairs of school districts, and the accounts of treasurers thereof.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

C. A. HALL,

Chairman.

Mr. Nelson moved

That the report as read be adopted

Which motion prevailed, and

House bill No. 72,

A bill for an act to give publicity to the affairs of school districts, and the accounts of treasurers thereof.

Was indefinitely postponed.

The committee on banking made the following report:

Mr. Speaker:

Your committee on banking to whom was referred

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota, relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

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

By striking out all after the word "shall" in line 11 of the printed bill, and inserting in lieu thereof the following: "Be signed by not less than five freeholders of the county as sureties, such bond to be in the sum required by the board, but in no case less than double the probable amount of funds to be deposited in such bank. If at any time the amount of funds on deposit in any of such depositories shall exceed one-half of the amount named in such bond it shall be the duty of the board at its next regular meeting thereafter to require from such depository an additional bond in the sum of not less than twice the amount of such excess. Such bond shall be approved by the board and the approval thereof endorsed thereon by the chairman of the board and by him deposited with the county auditor, and any bank whose bond shall have been so approved shall thereupon be designated by the board as a county depository and shall continue as such until such time as the board shall advertise for bids as aforesaid. If the board fails or refuses to approve any such bond, the same may be presented to the judge of the district court, upon three days' notice to the county auditor, who shall proceed to hear and determine the sufficiency of such bond and may, approve or disapprove the same as the facts warrant. If he approves such bond, said bank shall be declared a public depository as aforesaid. The sureties on such bond shall be required to justify as required by law in arrest and bail proceedings, provided, however, that in lieu of such personal bond, the board of county commissioners may require such bank or banks to file a surety company bond for a sum equal to the amount of funds such bank may receive according to this law. If at any time the amount of funds or deposits in any such depositories shall exceed the amount named in such surety company bond it shall be the duty of the board at its next regular meeting thereafter to require from such depositories an additional surety bond in the sum of not less than the amount of such excess. Such surety company bond shall be approved as provided by law."

And when so amended recommend that the same do pass.

H. C. JOHNSON,

Chairman.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 44.

A bill for an act to amend section 4719 of the Revised Codes of

North Dakota, 1899, relating to the discharge of real estate mortgages.

Also,

House bill No. 73,

A bill for an act to amend sections 450, 453 and 457 of the Revised Codes of North Dakota, relating to jurors and the manner of drawing same.

Also,

House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1895, relating to veterinarian districts.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 58,

A bill for an act to amend section 6435 of the Revised Codes of 1899, the same being section 27 of chapter 111 of the laws of 1897, relating to sales of real estate by executors and administrators.

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

GEORGE M. YOUNG,
Chairman.

Mr. Cassell moved

The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 134,

A bill for an act to amend section 6172 of the Revised Codes of North Dakota, defining the duties of county judges.

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

GEORGE M. YOUNG,
Chairman.

Mr. Mallough moved

The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
House bill No. 124,

A bill for an act to amend section 51 of chapter 126 of the Session Laws of 1897, being section 1229 of the Political Code, relating to the rate of state and county tax, prescribing the manner in which township taxes may be levied, fixing the rates of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases.

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

In line 1 of printed bill, after the figures "1897" insert the following: "Same being section 1229 of the Political Code." Also strike out all after the word "follows" in line two, and all of line three. Also by striking out the word "eight" in line seven of printed bill and insert in lieu thereof the word "five." Also strike out the word "eight" in line 13 of printed bill and insert the word "five."

And when so amended recommend that the same do pass.

T. E. NELSON,
Chairman.

Mr. Morgan moved that the report be adopted and the rules be suspended and House bill No. 124 be placed on its third reading and final passage,

Which motion prevailed, and

House bill No. 124,

A bill for an act to amend section 51 of chapter 126 of the Session Laws of 1897, being section 1229 of the Political Code, relating to the rate of state and county tax, prescribing the manner in which township taxes may be levied, fixing the rates of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,

Messrs.—

Dwire,
Galbraith,
Gronvold,
Gulack,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,

Messrs.

Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Bennett,
Gullikson,

Messrs.—

Rose,

Messrs.—

Sargeant,

Messrs. Gullikson and Sargeant being excused.

So the bill passed and the title was amended as follows:

After the last word in the title add the following: "And repealing subdivision eight of section 2542, and sections 2640 and 2670 of the Revised Codes."

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House bill No. 91,

A bill for an act making railway corporations liable for the injury or killing of stock, where they fail to fence and maintain a lawful fence along their railroad.

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

In section 1, line 8, after the word "within" strike out the word "thirty" and insert in lieu thereof the word "ninety."

And when so amended recommend that the same do pass.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House bill No. 111,

A bill for an act entitled "An act to require railroad companies to furnish free transportation to shippers of stock in certain cases and providing a remedy in case of failure or refusal on the part of the railroad company to comply with the provisions of this act.

Have had the same under consideration and recommend that the same be referred to general orders.

J. D. BACON,
Chairman.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate bill No. 65,

A bill for an act to amend sections 72, 83, 84, 85, 94, chapter

126 of the laws of 1897, and chapter 136 of the laws of 1899, being sections 1257, 1267 and 1277 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation.

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

T. E. NELSON,
Chairman.

Mr. Nelson moved
The adoption of the report.
Which motion prevailed, and
The report was adopted.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred House bill No. 99,

A bill for an act to amend section 220, chapter 4 of the Revised Codes of 1899, relating to advertisements for leasing of school lands.

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

W. J. WATTS,
Chairman.

Mr. Watts moved
The adoption of the report.
Which motion prevailed, and
The report was adopted.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

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

After the word "the" in line 9 of printed bill, strike out the first and all of line 10, and insert in lieu thereof "expense fund of the board of university and school lands."

And when so amended recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House bill No. 129, substitute for House bill No. 102,

A bill for an act to amend section 1322, chapter 18, Revised Codes, 1899.

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

Strike out all of section 1 and insert in lieu thereof the following:

"Section 1. That section 1322, chapter 18 of the Revised Codes of 1899, be amended to read as follows:"

Also, strike out all of line 3 in printed bill.

And when so amended recommend that the same do pass.

T. E. NELSON,
Chairman.

Mr. Hill requested the courtesies of the floor for Mrs. C. A. Tubbs.

Mr. Chacey requested the courtesies of the floor for Mrs. Thos. Heath, Mr. and Mrs. J. C. Gibson, Willow City.

Mr. Reade requested the courtesies of the floor for Miss Bogue, Miss Cochin, Miss Thomas, Miss Suttle, Miss Neelhur, Mrs. Sanderson, Miss Perry and Purdy, of Bismarck; Miss Winterer, of Valley City.

There being no objections, the courtesies of the floor were so extended.

Mr. Michaels moved

That he be allowed to withdraw

House bill No. 136,

A bill for an act to repeal chapter 14 of the session laws of 1899, relating to an annual appropriation for the maintenance of the state university.

Which motion prevailed.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 32nd day, have carefully examined the same and recommend that the same be corrected as follows:

Page 1, strike out lines 14 and 15.

Page 2, insert after line 5, the following:

"Mr. Nicholson moved"

"That the communication of Joseph Thompson be referred to the committee on warehouses, grain and grain grading."

"Which motion prevailed, and

"The communication was so referred."

Page 11, line 39, change word "resolved" to "resolve."

Page 15, in vote on House bill No. 118, change Packard from "absent and not voting" to the "affirmative vote."

Page 17, line 24, change word "second" to "first."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

The adoption of the report,

Which motion prevailed, and

The report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 9, 1901.

Mr. Speaker:

I have the honor to transmit herewith
House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Which the senate has amended as follows:

By striking out in lines 3 and 4 of section 1 in printed bill the figure "1890, 1891, 1892, 1893 and 1894" and by striking out in the title the figure "1899" and inserting in lieu thereof the figures "1895" and passed a amended.

I. J. MOE,
Acting Secretary.

There being no objections the house returned to the fifth order of business, and the following report was received:

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 122,

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon county courts.

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

By striking out all of section 1, and inserting in lieu thereof the following:

"Section 1. Submitted to Vote of People.) Whenever a petition is filed with the county auditor of any county in this state, signed by at least ten per cent of the qualified electors of the county, which number of electors shall be determined by taking the total number of votes cast therein for the candidates for governor at the last preceding general election, it shall be the duty of the board of county commissioners in such county having a population of two thousand or over to submit to a vote of the electors of said county at the next general election, the question of increasing the jurisdiction of the county court, and persons who desire to vote for said proposition shall have written or printed on their ballots "for increasing jurisdiction of county courts," and all persons desiring to vote against said proposition shall have written or printed on their ballots, "against increasing jurisdiction of county courts"

By striking out all of section "3" and inserting in lieu thereof the following:

"Section 3. Population, How determined.) The county commissioners shall determine the population of their respective counties by multiplying by five the total number of votes cast therein for the candidates for governor at the last preceding general election."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Hare moved

That the rules be suspended and

House bill No. 145,

A bill for an act entitled "An act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same."

Receive its second reading and be referred to its proper committee

Which motion prevailed, and

House bill No. 145,

A bill for an act entitled "An act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same."

Was read the second time, and

Referred to the committee on appropriations.

Mr. Allshouse moved

That the house proceed to the 14th order of business

Which motion prevailed.

FIRST READING OF SENATE BILLS.

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Was read the first time.

Also,

Senate bill No. 92,

A bill for an act to prevent the extermination of antelope.

Was read the first time.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 9, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

Which the senate has passed unchanged.

I. J. MOE,
Acting Secretary.

Senate bill No. 94,

A bill for an act repealing sections 1679 and 1680, Revised Codes, 1899, relating to bounties for the manufacture of binding twine.

Was read the first time.

Also,

Senate bill No. 131,

A bill for an act to amend section 277 and section 280 of chapter 4, of article 6 of the Revised Codes, relating to the practice of medicine, surgery and obstetrics.

Was read the first time.

Also,

Substitute for Senate bill No. 19,

A bill for an act to amend section 1941 of the Revised Codes of 1899, relating to depositories of county funds.

Was read the first time.

Also,

Senate bill No. 116,

A bill for an act to amend section 6670, of the Revised Codes and to repeal section 6671 of the Revised Codes.

Was read the first time.

Also,

Senate bill No. 79,

A bill for an act entitled an act to amend section 5046 of the Revised Codes of 1899 relating to injunctions.

Was read the first time.

Also,

Senate bill No. 123,

A bill for an act to amend section 1942 of the Revised Codes of 1899, relating to depositories for county funds.

Was read the first time.

Mr. Rose moved

That the house return to the 13th order of business.

Which motion prevailed

For the purpose of considering the amendments made by the senate to

House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Which motion prevailed.

Mr. Rose moved

That the house concur in the amendments made by the senate to

House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Which motion prevailed, and
The amendments were adopted.

House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

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

The roll was called and there were ayes 60, nays none, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting Messrs. Gullikson and Sargeant who were excused.

So the bill passed and the title was agreed to.

Mr. Lerom offered the following resolution:

Resolved that the speaker appoint 10 additional enrolling and engrossing clerks and that such number as is deemed necessary shall be assigned to the different committees to act as clerks so far as their needs may require.

Mr. Young moved as a substitute motion

That a special committee of five be appointed by the speaker to investigate as to the necessity of the appointment of additional enrolling and engrossing clerks and that such committee be directed to report.

First. The number of clerks actually employed in the work of enrolling and engrossing.

Second. The number who have been assigned to special work and the nature thereof.

Third. The number who are either not working or who are not competent to do the actual work of enrolling and engrossing.

Roll call demanded.

The roll being called on the substitute motion there were ayes 24, nays 34, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Lemke,	Thomas,
Bjornson,	McLean,	Thordarson,
Cassell,	Nelson,	Tubbs,
Chaffee,	Nicholson,	Tufte,
Davis,	Ramsett,	Watson,
Dickson,	Restemayer,	Willson,
Galbraith,	Rose,	Winslow,
Keeler,	Strutz,	Young.

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Packard,
Bacon,	Hill,	Palmer,
Brisbin,	Hjelmstad,	Parr,
Chacey,	Johnson,	Phifer,
Chevalier,	Leech,	Reade,
Dwire,	Lerom,	Severson,
Gronvold,	Mallough,	Stafne,
Gulack,	McClure,	Swarthout,
Hall,	Michels,	Wade,
Hare,	Morgan,	Watts,
Hammond,	Nevin	Mr. Speaker,
Miller,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Sargeant,	Bennett,
Gullikson,		

Messrs. Gullikson and Sargeant being excused.

So the substitute motion was lost.

Mr. Young moved

That the further consideration of this resolution be deferred until the fiftieth day of the session.

Roll call demanded.

The roll was called and there were ayes 26, nays 32, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Keeler,	Thomas,
Bennett,	Lemke,	Thordarson,
Bjornson,	McLean,	Tubbs,
Cassell,	Nelson,	Tufte,
Chaffee,	Nicholson,	Watson,
Davis,	Palmer,	Willison,
Dickson,	Ramsett,	Winslow,
Galbraith,	Restemayer,	Young,
Hjelmstad,	Strutz,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Parr,
Anderson,	Johnson,	Phifer,

Messrs.—

Bacon,
Brisbin,
Chacey,
Chevalier,
Dwire,
Gronvold,
Gulack,
Hall,
Hare,

Messrs.—

Leech,
Lerom,
Mallough,
McClure,
Michels,
Miller,
Morgan,
Nevin,
Packard,

Messrs.—

Reade,
Rose,
Severson,
Stafne,
Swarthout,
Wade,
Watts,
Mr. Speaker,

Absent and not voting:

Messrs.—

Gullikson,
Hammond,

Messrs.—

Heath,

Messrs.—

Sargeant,

Messrs. Gullickson and Sargeant being excused.

So the motion was lost.

The question being on the original motion.

Roll call demanded.

A call of the house being demanded the following were absent: Messrs. Hare and Hammond.

Mr. Severson moved

That further proceedings of the call be dispensed with.

Which motion prevailed.

Mr. Nelson moved

To defer action on the resolution until the 13th of this month,
Which motion was ruled out of order.

The roll being called on the original motion.

The roll was called and there were ayes 33, nays 27, absent and not voting 2.

Those who voted in the affirmative were.

Messrs.—

Allshouse,
Anderson,
Bacon,
Brisbin,
Chacey,
Chevalier,
Dwire,
Gronvold,
Gulack,
Hall,
Hare,

Messrs.—

Hammond,
Hill,
Johnson,
Leech,
Lerom,
Mallough,
McClure,
Michels,
Miller,
Morgan,
Nevin,

Messrs.—

Packard,
Parr,
Phifer,
Reade,
Rose,
Severson,
Stafne,
Swarthout,
Wade,
Tufte,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Axvig,
Bennett,
Bjornson,
Cassell,
Chaffee,
Davis,
Dickson,
Galbraith,
Heath,

Messrs.—

Hjelmstad,
Keeler,
Lemke,
McLean,
Nelson,
Nicholson,
Palmer,
Ramsett,
Restemayer,

Messrs.—

Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Watson,
Willison,
Winslow,
Young,

Absent and not voting, Messrs. Gullikson and Sargeant, who were excused.

So the motion prevailed.

Messrs. Chacey and Willison explained their votes.

Mr. Reade called up the following report:

Mr. Speaker: Your select committee on the securing of necessary committee rooms beg leave to report further, that owing to the fact that the rooms now in use are not sufficient for the proper dispatch of business, that we have secured additional rooms to be assigned as follows: Two rooms in the Donnelly building at \$40.00 to be assigned to the committee on state affairs and tax and taxation. One room in the Harris building to be assigned to the committee on county and county boundries, at \$20. Rooms in the Griffin building to be assigned to the committee on public highways, bridges and ferries at \$25.00. And we further recommend that Thomas Conroy, C. Peterson, Pat Kennedy and Wm. Gleason be appointed as janitors of the same.

Respectfully submitted,
H. L. READE,
T. W. ALLSHOUSE,
W. A. McCLURE,
Committee.

Mr. Reade moved

That the report of the committee be amended by striking out all of that part of the report of the committee which related to additional rooms and the compensation therefor.

Mr. Chaffee moved as a substitute

That the house assign four of the clerks from the engrossing and enrolling force and assign them to janitorships.

Mr. Ramsett moved

That the resolution be laid on the table.

The previous question was demanded.

The question being on the substitute motion

The motion was lost.

The question being on the original motion,

The same prevailed.

Mr. Cassell moved

That we take a recess for fifteen minutes,

Which motion prevailed.

AFTER RECESS.

Mr. Galbraith moved

That the rules be suspended and that the house proceed to the 15th order of business for the purpose of second reading of all bills on clerk's desk.

Which motion prevailed.

SECOND READING OF SENATE BILLS.

Substitute for Senate bill No. 4,

A bill for an act repealing section 410 of the Revised Codes of 1899, relating to chambers of the district judge of the Seventh judicial district.

Was read the second time and
Referred to the committee on judiciary.

Also,

Senate bill No. 48,

A bill for an act to amend section 6153 of the Revised Codes of 1891 relating to liability of owner for trespass of animals.

Was read the second time and

Referred to the committee on agriculture.

Also,

Senate bill No. 86,

A bill for an act to amend section 8494 of the Revised Codes of 1899, relating to the governor demanding the return of fugitives from justice in this state of the executive authority of any other state or territory, within the United States, providing for the appointment of agents to receive and return such fugitives and providing for payment of such agents.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate bill No. 99,

A bill for an act to amend section 1219 of the 1899 Revised Codes of North Dakota relating to assessor's statement and return to auditor.

Was read the second time, and

Referred to the committee on taxes and tax laws.

Also,

Senate bill No. 104,

A bill for an act to amend section 662, Revised Codes, 1899, relating to division of school districts.

Was read the second time, and

Referred to the committee on education.

Also,

Senate bill No. 108,

A bill for an act to amend section 3139 of the Revised Codes of 1899 relating to county mutual insurance companies.

Was read the second time, and

Referred to the committee on insurance.

Also,

Senate bill No. 101,

A bill for an act to amend section 7464 of the Revised Codes of North Dakota, 1899, relating to embezzlement.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

Was read the second time, and
Referred to the committee on agriculture.

Also,
Senate bill No. 114,
Concurrent resolution.

Was read the second time and
Referred to the committee on public buildings.

Also,
Senate bill No. 93,

A bill for an act repealing sections 1675, 1676, 1677 and 1678, Revised Codes, 1899, relating to bounties for the manufacture of spinning fibres.

Was read the second time and
Referred to the committee on ways and means.

Also,
Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

Was read the second time and
Referred to the committee on military affairs.

Also,
Substitute for Senate bill No. 51,

A bill for an act amending sections 1392 and 1393, Revised Codes of North Dakota, relating to state military boards.

Was read the second time and
Referred to the committee on military affairs.

Also,
Senate bill No. 103,

A bill for an act entitled an act authorizing the requirement of an additional bond to be furnished by city treasurers, and declaring the office vacant upon neglect or refusal so to do.

Was read the second time and
Referred to the committee on corporations other than municipal.

Also,
Senate bill No. 106,

A bill for an act to amend section 4820 of the Revised Codes of 1899, providing for a lien for grain to be used for seed.

Was read the second time and
Referred to the committee on ways and means.

Also,
Senate bill No. 114,
Concurrent resolution.

Was read the second time and
Referred to the committee on military affairs.

Also,
Senate bill No. 95,

A bill for an act prescribing the duties of county auditor in

reference to the certification of abstracts of titles to real estate.

Was read the second time and

Referred to the committee on judiciary.

Also,

Senate bill No. 131,

A bill for an act to amend section 277 and section 280 of chapter 4, of article 6 of the Revised Codes, relating to the practice of medicine, surgery and obstetrics.

Was read the second time and

Referred to the committee on public health.

Also,

Senate bill No. 123,

A bill for an act to amend section 1942 of the Revised Codes of 1899, relating to depositories for county funds.

Was read the second time, and

Referred to the committee on banks and banking.

Also,

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Was read the second time, and

Referred to the committee on apportionment.

Also,

Senate bill No. 116,

A bill for an act to amend section 6670, of the Revised Codes and to repeal section 6671 of the Revised Codes.

Was read the second time and

Referred to the committee on judiciary.

Also,

Senate bill No. 94,

A bill for an act repealing sections 1679 and 1680, Revised Codes, 1899, relating to bounties for the manufacture of binding twine.

Was read the second time, and

Referred to the committee on ways and means.

Also,

Senate bill No. 79,

A bill for an act entitled an act to amend section 5046 of the Revised Codes of 1899 relating to injunctions.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate bill No. 92,

A bill for an act to prevent the extermination of antelope.

Was read the second time and

Referred to the committee on state affairs.

Also,

Substitute for Senate bill No. 19,

A bill for an act to amend section 1941 of the Revised Codes of 1899, relating to depositories of county funds.

Was read the second time and

Referred to the committee on banking.

MOTIONS AND RESOLUTIONS.

Mr. Mallough offered the following resolution and moved its adoption:

I move that when this house adjourn that it do adjourn till Wednesday, the 13th of February.

Mr. Anderson moved,

That the resolution be laid on the table,

Which motion prevailed.

Mr. Rose moved

That the house return to the 16th order of business.

Which motion was lost.

Mr. Leech introduced (by request)

House bill No. 147,

A bill for an act to amend sections 7156, 7159, 7160, 7161 and 7162 of the Revised Codes, relating to the crime of rape, and punishment therefor.

Also,

House bill No. 148,

A bill for an act to amend section 2721 of the Revised Codes, relating to age of consent of marriage.

Mr. Reade introduced

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Mr. Thomas introduced

House bill No. 150,

A bill for an act to amend section 395 of the Revised Codes of 1899, the same being chapter 154 of the Session Laws of 1899, relating to the salary of the reporter of the supreme court.

Mr. Hill introduced

House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

The speaker administered the oath of office to the following clerks: W. A. Boughton and Clara Ullum, and the following janitors; P. W. Kennedy and Wm. Gleason.

Mr. Packard moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

THIRTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 11, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The chief clerk called the house to order.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Bacon, Brisbin, Chaffee, Hare, Leech, McClure, Watson and Mr. Speaker.

Messrs. Brisbin, Chaffee, Leech, McClure, Watson and Mr. Speaker being excused.

The chief clerk announced that the speaker had designated Hon. M. B. Cassell, of Steele county, to act as speaker for the day.

The announcement was made too late to be recorded in the journal of the previous day, and in order to avoid any question the house proceeded to vote for speaker pro tem for the day.

Mr. Packard moved

That Hon. M. B. Cassell, of Steele county, be elected as speaker pro tem for the day, and demanded a roll call which resulted as follows:

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hjelmstad,	Reade,
Anderson,	Johnson,	Restemayer,
Axvig,	Keeler,	Rose,
Bennett,	Lemke,	Sargeant,
Bjornson,	Lerom,	Severson,
Chacey,	Mallough,	Stafne,
Chevalier,	McLean,	Strutz,
Davis,	Michels,	Swarthout,
Dickson,	Miller,	Thomas,
Dwire,	Morgan,	Thordarson,
Galbraith,	Nelson,	Tubbs,
Gronvold,	Nicholson,	Tufte,
Gulack,	Nevin,	Wade,
Gullikson,	Packard,	Watts,
Hall,	Palmer,	Willison,
Hammond,	Parr,	Winslow,
Heath,	Phifer,	Young,
Hill,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Chaffee,	McClure,
Brisbin,	Hare,	Watson,
Cassell,	Leech,	Mr. Speaker,

Messrs. Brisbin, Chaffee, Leech, McClure, Watson and Mr. Speaker being excused.

Mr. Cassell having received a majority of all the votes cast was declared duly elected speaker pro tem for the day.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-third day, have carefully examined the same and recommend that the same be corrected as follows:

Page 1, line 15, correct spelling of word "further."
 Page 1 at end of line 22, insert the figures "29."
 Page 1 at beginning of line 23, insert letters "to."
 Page 5, line 28, correct spelling of name "Cassell."
 Page 7, after line 31, insert "J. D. Bacon, Chairman."
 Page 9, line 14, change "Harrison" to C. A. Tubbs."
 Page 9, line 36, change figure "2" to "1."
 Page 9 at bottom insert "and when so amended recommend that the same be approved."

C. WINSLOW,
 Chairman.

Mr. Winslow moved
 The adoption of the report,
 Which motion prevailed, and
 The report was adopted."

Page 10, line 40, correct spelling of word "jurisdiction."
 Page 12, line 40, correct spelling of word "various."
 Page 13, line 38, change first letter to "i" and correct spelling of word "number."
 Page 15, line 44, correct the name "Keeler."
 Page 15, after line 24, insert:
 "Mr. Nelson moved
 To defer action on the resolution until the 13th of this month,
 Which motion was ruled out of order."

Page 20, strike out lines 42 and 43 and insert "clerks W. A. Boughton and Clara Ullum, and the following janitors P. W. Kennedy and Wm. Gleason."

And when so amended recommend that the same be approved.

C. WINSLOW,
 Chairman.

Mr. Winslow moved
 That the report as read be adopted
 Which motion prevailed, and
 The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hill presented the following petition.

PAGE, N. D., Feb. 8, 1901.

Mr. Hill.

Dear Sir: We as a W. C. T. U. have secured these names who are in favor of Senate bill No. 109, prohibiting the sale of the deadly cigarettes. As citizens we ask you to do all in your power to support this bill.

Yours, to save the boys,

MRS. B. WOODWARD.

PAGE, N. D., Feb. 8, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Page, N. D., do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

W. R. PARSONS,
And 119 Others.

Mr. Cassell presented the following petition:

To the House of Representatives of the State of North Dakota:

We, the undersigned, citizens of Sherbrooke and Hope, Steele county, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

T. G. ANDERSON,
And 49 others.

Mr. Restemayer presented the following petition:

CASSELTON, N. D., Feb. 8, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Casselton, do most respectfully petition your honorable body to pass Senate bill No. 109 prohibiting the sale of cigarettes.

JAS. R. JOY,
And 38 Others.

Mr. Lemke presented the following petition:

ROLLA, N. D., Feb. 8, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Rolla, N. D., do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

W. J. HOSKINS
And 109 others.

Mr. Michels presented the following petition:

LEEDS, N. D., Feb. 8, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Leeds, do most respectfully petition your honorable body to pass Senate bill No. 109 prohibiting the sale of cigarettes.

ADDIE RIDENOUR,
And 40 Others.

Mr. Young presented the following petition:

LEAL, N. D., Feb. 8, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Leal, do most respectfully petition your honorable body to pass Senate bill No. 109 prohibiting the sale of cigarettes.

J. J. BASCOM,
And 110 Others.

Mr. Young presented the following petition:

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Sanborn, N. D., do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

IRA BARTON,
And 25 Others.

Mr. Stafne presented the following petition:

To the Legislative Assembly of the State of North Dakota:

The undersigned, residents, tax payers and republican voters of the county of Richland, in the state of North Dakota, understanding that some action is intended to be taken by the legislature for the re-districting of the state for legislative offices, by which re-districting the county of Richland is proposed to be divided into two (2) senatorial districts, respectfully protest against any such division by which the county of Richland shall in any way be divided into more than one senatorial district, and we respectfully request that if any reapportionment of members of the legislative assembly be made affecting Richland county, it be upon the basis of five (5) members of the house of representatives and one (1) senator from said county.

JOHN NUVEN,
And 52 others.

Mr. Palmer presented the following petition:

COAL HARBOR, N. D., Feb. 4, 1901.

Hon. E. C. Palmer, Representative Twenty-ninth District,

Dear Sir:—We, the undersigned citizens of Coal Harbor, ask your support of bill making exemption law \$500.00.

F. L. MACKEY,
And 11 Others.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Also,

House bill No. 119,

A bill for an act to amend sections 5, 6 and 7 of chapter 82 of the session laws of 1897, being section 6676e of the Revised Codes of 1899, relating to garnishee procedure in justice court.

Also,

House bill No. 23,

A bill for an act entitled "An act to amend section 135 of the Probate Code of North Dakota, being section 6391 of the Revised Codes of North Dakota for 1895, relating to exemptions."

Also,

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Also,

House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

Also,

House bill No. 126,

A bill for an act providing stables and hitching posts on school sites in rural school districts.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
February 11, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Also,

Senate bill No. 68,

A bill for an act entitled an act relating to the board of pardon and prescribing the powers and duties thereof.

Also,

Senate bill No. 16,

A bill for an act to repeal chapter 60 of the session laws of

1897 forbidding and preventing the practice of law by judges of county courts having increased jurisdiction.

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

Very respectfully,

I. J. MOE,
Acting Secretary.

The committee on public printing made the following report:
Mr. Speaker:

Your committee on public printing to whom was referred House bill No. 143,

A bill for an act to repeal sections 1573 and 1574 of the Revised Codes of 1899, relating to official estray paper of the state.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

V. MORGAN,
Chairman.

Mr. Bennett moved that House bill No. 143,

A bill for an act to repeal sections 1573 and 1574 of the Revised Codes of 1899, relating to official estray paper of the state.

Be referred to general orders.

Which motion prevailed, and

House bill No. 143,

A bill for an act to repeal sections 1573 and 1574 of the Revised Codes of 1899, relating to official estray paper of the state.

Was so referred.

Mr. Axvig asked the privileges of the floor for Charles McCarthy.

Mr. McLean for C. L. Lindstrom.

Mr. Chacey for L. P. Chacey.

Mr. Galbraith for M. De la Bere and E. E. Linstrum.

Mr. Thomas for John F. Fayette of Richland county.

Mr. Ramsett for M. M. Crawford.

Mr. Heath for Mr. and Mrs. Meredith and daughter.

Mr. Chacey for F. J. Prochaski and I. McCarty.

Mr. Galbraith for E. E. Roserald of Grand Forks.

Mr. Bjornson for Dr. M. W. Miracle of Edgeley and D. F. Stewart of LaMoure.

There being no objections such requests were granted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Substitute for House bill No. 29,

Concurrent resolution, proposed amendment to the constitution of the state of North Dakota.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report as read be adopted.
Which motion prevailed, and
The report was adopted.

Mr. Gronvold moved that the substitute for
House bill No. 29,
Concurrent resolution, proposed amendment to the constitution of the state of North Dakota.
Be printed.
Which motion prevailed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 39.

A bill for an act to repeal section 161 of the Revised Codes of 1899, relating to the appropriation to the Morton county fair association.

Have had the same under consideration and recommend that the same be reported back to the committee of the whole without recommendation.

F. T. GRONVOLD,
Chairman.

Mr. Thomas moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

The committee on state affairs to whom was referred
House bill No. 103,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, and charging the states attorney with the enforcement hereof.

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

F. T. GRONVOLD,
Chairman.

Mr. Thomas moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 139,

A bill for an act to amend section 7671 of the Revised Codes of 1899, relating to unlawful obligations.

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

By striking out "the" before the word "section" in line 10 of the printed bill and insert in lieu thereof the word "this."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the rules be suspended and the report be adopted,

Which motion prevailed, and

The report was adopted.

- MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 11, 1901.

Mr. Speaker:

I have the honor to inform the house of representatives that the senate desires to recal

Senate bill No. 131,

A bill for an act to amend section 277 and section 280 of chapter 4, of article 6 of the Revised Codes, relating to the practice of medicine, surgery and obstetrics.

For the purpose of reconsidering the same, and I hereby request the honorable house to return the same to the senate.

I. J. MOE,
Acting Secretary.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 123,

A bill for an act amending section 6670 of the Justices' Code of the state of North Dakota, relating to title to real estate.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

INTRODUCTION OF HOUSE BILLS.

Mr. Leech introduced
House bill No. 147,

A bill for an act to amend sections 7156, 7159, 7160, 7161 and 7162 of the Revised Codes, relating to the crime of rape, and punishment therefor.

Which was read the first time.

Also,

House bill No. 148,

A bill for an act to amend section 2721 of the Revised Codes, relating to age of consent of marriage.

Which was read the first time.

Mr. Reade introduced
House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Which was read the first time.

Mr. Thomas introduced
House bill No. 150,

A bill for an act to amend section 395 of the Revised Codes of 1899, the same being chapter 154 of the Session Laws of 1899, relating to the salary of the reporter of the supreme court.

Which was read the first time.

Mr. Hill introduced
House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

Which was read the first time.

Mr. Nelson introduced
House bill No. 152,

A bill for an act to amend chapter 135 of the Session Laws of 1899, being section 1278 of the Revised Codes of 1899, relating to auditors certificates of delinquent taxes paid on real property before deeds can be recorded.

Which was read the first time.

Mr. Rose introduced
House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

Which was read the first time.

Mr. Thordarson introduced

House bill No. 154,

A bill for an act to amend section 1896 of article 7 of chapter 26 of the Revised Codes, relating to the terms of office and the bonds to be furnished by county commissioners.

Which was read the first time.

Mr. Cassell introduced

House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes, 1899, defining the duties of the land commissioner.

Which was read the first time.

Mr. Keeler introduced

House bill No. 156,

A bill for an act to amend section 715 of the Revised Codes of 1899, requiring county superintendents of schools to report all school moneys to district treasurers.

Which was read the first time.

The chief clerk announced that the speaker was about to sign Senate bill No. 11,

A bill to amend sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of the state of North Dakota, relating to the recording of marks and brands.

And the speaker signed the bill in the presence of the house.

SECOND READING OF HOUSE BILLS.

House bill No. 146,

A bill for an act entitled "An act relating to the distribution of the Revised Codes of 1899, Session Laws, House and Senate journals of each legislative session, to the editors of the state of North Dakota.

Was read the second time, and

Referred to the committee on state affairs.

Mr. Allshouse asked that the house return to fifth order of business for the purpose of making a report, there being no objection.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 124,

A bill for an act to amend section 51 of chapter 126 of the Session Laws of 1897, being section 1229 of the Political Code, relating to the rate of state and county tax, prescribing the manner in which township taxes may be levied, fixing the rates of township road and bridge tax and directing the expenditure of

road and poll taxes in certain cases.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.
per Allshouse.

Mr. Hill moved

That the rules be suspended, and

House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

Be read the second time and referred to its proper committee,

Which motion prevailed, and

House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

Was read the second time, and

Referred to the committee on railroads.

Mr. Rose moved

That the rules be suspended and

House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

Be placed on second reading.

Which motion prevailed, and

House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

Was read the second time and

Referred to the committee on agriculture.

Mr. Thomas moved

That the rules be suspended and all bills be read the second time.

Which motion prevailed.

House bill No. 156,

A bill for an act to amend section 715 of the Revised Codes of 1899, requiring county superintendents of schools to report all school moneys to district treasurers.

Was read the second time, and

Referred to the committee on education.

Also,

House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes, 1899, defining the duties of the land commissioner.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Was read the second time, and

Referred to the committee on taxes and tax laws.

Also,

House bill No. 148,

A bill for an act to amend section 2721 of the Revised Codes, relating to age of consent of marriage.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 150,

A bill for an act to amend section 395 of the Revised Codes of 1899, the same being chapter 154 of the Session Laws of 1899, relating to the salary of the reporter of the supreme court.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 147,

A bill for an act to amend sections 7156, 7159, 7160, 7161 and 7162 of the Revised Codes, relating to the crime of rape, and punishment therefor.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House bill No. 154,

A bill for an act to amend section 1896 of article 7 of chapter 26 of the Revised Codes, relating to the terms of office and the bonds to be furnished by county commissioners.

Was read the second time, and

Referred to the committee on counties and county boundaries.

Also,

House bill No. 152,

A bill for an act to amend chapter 135 of the Session Laws of 1899, being section 1278 of the Revised Codes of 1899, relating to auditors certificates of delinquent taxes paid on real property before deeds can be recorded.

Was read the second time, and

Referred to the committee on taxes and tax laws.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 11, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 57.

A bill for an act to amend section 1596 of the Revised Codes of North Dakota 1899, the same being section 1596 of the Revised Codes of 1895 relating to veterinarian districts.

Which the senate has passed unchanged.

Very respectfully,

I. J. MOE,
Acting Secretary.

Mr. Young moved

That the house pass order of business No. 12.

Mr. Bennett moved

To amend by also passing the 16th order of business.

The question being on the amendment the same prevailed.

Mr. Allshouse asked consent to make a committee report.

There being no objection the request was granted and the following report was received:

The committee on warehouses, grain and grain grading made the following report:

Mr. Speaker:

Your committee on warehouses, grain and grain grading to whom was referred

House bill No. 109,

A bill for an act to amend section 1786 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mills.

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

Section 1. Line 2 of the printed bill after the word "warehouses" and before the word "in" insert "and all grist and flour mills doing a shipping business."

Insert after the word "to" in line 10 and before the word "grain" in line 11 "the persons offering such."

And when so amended recommend that the same do pass.

T. W. ALLSHOUSE,
Chairman.

Mr. Reade moved

That the request of the senate for the return of

Senate bill No. 131,

A bill for an act to amend section 277 and section 280 of chapter 4 of article 6 of the Revised Codes relating to the practice of medicine, surgery and obstetrics.

Be granted.

Which motion prevailed.

FIRST READING OF SENATE BILLS.

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Was read the first time.

Also,

Senate bill No. 68,

A bill for an act entitled an act relating to the board of pardons and prescribing the powers and duties thereof.

Was read the first time.

Also,

Senate bill No. 16,

A bill for an act to repeal chapter 60 of the session laws of 1897 forbidding and preventing the practice of law by judges of county courts having increased jurisdiction.

Was read the first time.

Mr. Bennett moved

That the rules be suspended and all senate bills have their second reading.

Which motion prevailed.

SECOND READING OF SENATE BILLS.

Senate bill No. 16,

A bill for an act to repeal chapter 60 of the session laws of 1897 forbidding and preventing the practice of law by judges of county courts having increased jurisdiction.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Was read the second time, and

Referred to the committee on agriculture.

Also,

Senate bill No. 68,

A bill for an act entitled an act relating to the board of pardons and prescribing the powers and duties thereof.

Was read the second time, and

Referred to the committee on judiciary.

GENERAL ORDERS.

The Speaker called Mr. Davis to the chair when the committee arose the following report was submitted.

Mr. Speaker:

Your committee of the whole have had under consideration

Senate bill No. 32,

A bill for an act taxing the occupation of hawkers and peddlers regulating the licensing of persons engaged in such occupation, and increasing the ordinary county revenue by such taxation.

And report progress and ask to sit again.

Also,

House bill No. 120,

A bill for an act entitled "An act to provide for the punishment for the abandonment of minor children."

And recommend that the same be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amendment.) That section 7172 of the Revised Codes, is hereby amended to read as follows:

Section 7172. Abandoning Children Under Twelve Years of Age.) Every parent of any child under the age of twelve years, and every person to whom such child has been confided for nurture or education, who deserts or abandons such child, with intent wholly to abandon it, shall be deemed guilty of a felony, and shall be punishable by imprisonment in the penitentiary not less than one and not more than seven years, or in a county jail not exceeding one year.

And when so amended recommend that the same do pass.

Also,

House bill No. 76,

A bill for an act providing that deeds and mortgages shall not be recorded unless the post office address of grantor and grantee shall appear therein.

And recommend that the same be amended as follows:

By striking out "section 2."

And when so amended recommend that the same do pass.

Also,

House bill No. 68,

A bill for an act entitled "An act to require fire, lightning or tornado insurance agents within the state, to pay license fees."

And report progress and ask to sit again.

Also,

House bill No. 55,

A bill for an act to amend sections 2464 and 2465 of the Revised Codes of 1899, relating to volunteer firemen's association.

And recommend the following amendment:

That section 3 be stricken out and the following be substituted:
 "Sec. 3. Emergency.) Whereas the two per cent premiums is apportioned by the state auditor on the 1st day of June, therefore an emergency exists and this act shall take effect from and after its passage and approval."

And when so amended recommend that the same do pass.

Also,

House bill No. 48,

A bill for an act to provide for a lien upon threshing engines or separators for repairing the same.

And recommend that the same be indefinitely postponed.

Also,

House bill No. 13,

A bill for an act to amend section 1891, article 6 of chapter 26 of the Revised Codes of 1899.

And recommend that the same be amended as follows:

In line 4 of printed bill after word "court" insert "judge of probate, states attorney and county superintendent of schools." And that the title of the bill be amended to read as follows: "For an act to amend section 1891, article 6, of chapter 26 of the Revised Codes of North Dakota, relating to terms of office for county officers."

And when so amended recommend that the same do pass.

Also,

House bill No. 122,

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon county courts.

And report progress and ask to sit again.

Also,

House bill No. 129,

A bill for an act to amend section 1322, chapter 18, Revised Codes, 1899.

And recommend that the same be amended as follows:

Strike out lines 1, 2 and 3 and insert the following: "Section 1. That section 1322, chapter 18 of the Revised Codes of 1899 be amended to read as follows:"

And when so amended recommend that the same do pass.

Also,

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota, relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

And report progress and ask to sit again.

G. W. H. DAVIS,
 Chairman.

Mr. Lerom moved
That the report of the committee be adopted,
Which motion prevailed, and
The report was adopted.
Mr. Gullikson moved
That the house do now adjourn,
Which motion was lost.
An informal recess was taken.
Mr. Sargeant moved.
That the house adjourn until Wednesday, at 2 o'clock,
Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

THIRTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 13, 1901.

The house assembled at 2 p. m., pursuant to adjournment.
The speaker presiding.
Prayer by the chaplain.
Roll call.
All members present except Mr. Dwire, who was excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal asked for further time, which request was granted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Thordarson presented the following petition:

TYNER, N. D., Feb. 9, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Tyner, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

D. D. GIBSON
And 15 Others.

Mr. Tufte presented the following petition:

NIAGARA, N. D., Feb. 9, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Niagara, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

MIKE POWELL
And 65 Others.

Mr. Restemayer presented the following petition:

TYNER, N. D., Feb. 9, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Tyner, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

D. D. GIBSON
And 15 Others.

Mr. Young presented the following petition:

VALLEY CITY, N. D., Feb. 9, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Valley City, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

J. R. GETCHELL
And 185 Others.

Also,

SANBORN, N. D., Feb. 9, 1891.

To the Honorable House of Representatives of North Dakota:

We, the undersigned citizens of Sanborn and vicinity, respectfully protest against the passage of Senate bill No. 131, so far as it militates against the practice of osteopathy and magnetic healing as practiced by Professors Shields and Cox, having seen the great benefits derived by patients treated by the latter.

H. V. CHURCH
And 48 Others.

Mr. Hjelmstad presented the following petition:

THOMPSON, N. D., Feb. 6, 1901.

Hon. L. P. Hjelmstad, Bismarck, N. D.:

Dear Sir—We, the undersigned members of Thompson Woman's Christian Temperance Union, urgently request you as our representative to do all in your power, both by your vote and influence to help pass Senate bill No. 109, being the anti-cigarette law.

Yours respectfully,

MARY E. SLATER
And 8 Others.

Mr. Young presented the following petition:

VALLEY CITY, N. D., Feb. 6, 1901.

Hon. George M. Young, Bismarck, N. D.:

My Dear Sir—Senate bill No. 38 requiring normal school students to be graduates of high schools would if it became a law kill all the normal schools in this state for twenty years. As my memory serves me there is but one state in the union that makes such a requirement—Massachusetts—and even there some of the schools are excepted. I hope that this bill will fail to pass. I enclose an address by Principal George A.

McFarland clipped from one of the school journals, which I think will be of interest to yourself and fellow members.

Yours very truly,
W. C. HELM.

THE VALUE OF UNIFORMITY BETWEEN ELEMENTARY AND SECONDARY SCHOOLS AND THE STATE NORMAL SCHOOLS.

He who makes two blades of grass grow where only one grew before is a creator. The adjustment of the parts of our educational system so that the student is educated as fully in fifteen years as he formerly was in sixteen and is enabled to pass from the primary grade to the university without break or shock, is creative work and valuable to the state. This is the problem engaging the best educational minds in North Dakota at the opening of the new century. "Time is money," cries the practical man. "Time is life," exclaims the reformer. "Time is fame," says the ambitious. The schools must respond by compacted courses of study and nicely adjusted parts.

I am invited by the editor of this department to point out the value of uniformity between the primary and secondary schools and the normal schools. I take the liberty of changing "primary" to "elementary" as having more conformity with the present day educational terminology.

By this subject I understand that I am to show how a nice adjustment of the courses of study of these various parts of the so called system is valuable.

In the first place let me say that uniformity is desirable because it results in system. By system we mean an assemblage of objects or things properly subordinated, or having a rational relation or interdependence, forming thus a complete or entire thing. A thing that is incomplete, incongruous, unorganized is neither successful nor valuable.

Section 148 of the constitution of the state reads: "The legislative assembly shall provide, * * * * * for a uniform system for free public schools throughout the state beginning with the primary and extending up through and including the normal and collegiate courses." Two things pertinent to this discussion appear plainly in this constitutional provision; first, that a uniform system was contemplated by the founders of the state, and, second, that the normal schools are explicitly a part of that system.

In obedience to this provision the legislature has from time to time passed laws looking to a system of education. Elementary and secondary schools are under control of local boards, the higher schools of special boards controlled more directly by the state. The management of the former as to course of study was at first with entire disregard of the latter. Local pride, jealousy, and independence has retarded the evolution of the

system. Under the leadership of President Merrifield the secondary schools and the university have been articulated. More recently something has been done to articulate the normal schools with the university and with the elementary and secondary schools.

Thus gradually a system is being evolved, but it is coming more by wise administration and cordial co-operation than by legislative enactment. System means strength in education as well as in the army, the postal department, or a railway system.

I want to observe in the second place that uniformity and system makes each of the related parts more valuable.

The sooner educators and the people at large learn this, the better for education in North Dakota. Rivalry and contention dwarf and destroy the value of contending parts. When each has its own place and function it becomes indispensable. Let it be understood that these various parts are each servants of the state and of society, and that the more largely they can serve the public, the more largely do they justify their right to existence. North Dakota employs 3,637 teachers, who instruct 67,375 pupils at an annual expense of \$1,288,031.

The wisdom of the constitution in providing normal schools to improve the work of teaching of this great force and assure the proper intellectual and normal growth of these young people is apparent. Any correlation which promotes the normal schools is, therefore, extremely valuable to the state.

High schools are also public servants. Many of their students will teach. Their value to the public is enhanced by such an adjustment as will allow their students to pass readily to the normal school as well as to the university. Hence their courses should be determined with a view to the normal school as well as to the university. They are designated to serve those who teach as well as those who wish to pursue a college course. Likewise elementary schools are public servants. Many of their students do not reside near a high school. Of this number many will teach and the articulation of their course of study to that of the normal school so that students may pass readily from one to the other, is important. At this point the necessity of special adjustment does not appear so prominently.

Thus the value of each form of school is greatly increased by uniformity of course of study.

But in the third place I wish to observe that the value of all these schools is relative to the progress of the student, for through him the development of society is promoted and the welfare of the state assured. Their value is much increased by such relations, the student can make the utmost use of them with the least expense to himself of time, energy, and money. If there is waste of any of these by needless examination and delay,

he may justly complain and the taxpayer must justly complain that the revenues are not economically expended.

Several groups of students are benefited by uniformity; first, those who aim at college graduation and must make their own way. More often than otherwise they make their way by teaching. Those whose homes are remote from high schools should enter the normal school at the completion of the elementary course. In the first year he will complete in a thorough and scientific manner the subjects he will have to teach. He will master the rudiments of singing and drawing and will be instructed in managing organizing and governing schools. He commands a second grade certificate and good wages. In his case the value of uniformity is in the fact that he is a better teacher than without normal school instructions, there will be more of his kind, the value of his training will follow him through the years of his college course and the students, the normal school and the college are benefited. Our state university by recent arrangement advances the normal school graduate to the sophomore class. This is his due. The time spent at the normal school should count for a college degree as well as prepare him to teach. He has studied the requisite number of years, has taught and has been a principal. He has mental discipline, and power and a large body of information. It is unjust to him to insist that his information should be along certain narrow preparatory lines. It is the uniform testimony of our large universities that normal school graduates are their strongest and most practical students. Wisconsin university admits them to junior standing in certain courses. I am informed by those who have watched the experiment from the professor's chair that results prove the wisdom of the plan.

The influence of home upon the life of the student should be continued as long as possible. Hence, if he resides near a high school he should complete that course before entering the normal school. Courses should be arranged so that credit can be given at the latter school for all work done at the high school. He completes the normal course, is more valuable to the state as a teacher and will ever be, and complete his college course as soon as though he entered these directly from the high school. In order that this class of students may economically use all the advantages the state provides, the high school course should be constructed with reference to both the normal school and the university.

There is a large body of students who become teachers and through lack of ambition or means, or through other circumstances do not have a college course in view. In many parts of the state a member of this class is found at the pupil's bench one term and at the teacher's desk the next. The normal school

should reach down to such as these and the elementary course should reach up to the normal school. Some hold that normal schools should admit only college graduates or high school graduates. The purpose of normal schools, as stated by our laws, is "to prepare teachers in the science of education and the art of teaching public schools." This is broad. But it is not too broad. It is a condition and not a theory that confronts us. All teachers are not graduates. Normal schools must take teachers as they find them. A majority of the teachers in many counties have little more than the common school education. Of such are most of the normal school students. Hence the value of adjustment between the normal school and the elementary schools.

I have tried in the brief space allotted me, to show that uniformity, is desirable among the institutions mentioned in my title, because it promotes the system as a whole, gives additional value to each of the parts of the system and is economical for the several classes of students interested and through them advances the purpose the state has providing for their education.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes 1899, relating to education.

Also,

House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Also,

House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

And find the same correctly enrolled.

ASA SARGEANT,

Chairman.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 99,

A bill for an act to amend section 220, chapter 4 of the Revised

Codes of 1899, relating to advertisements for leasing of school lands.

Also,

House bill No. 34,

A bill for an act to amend sections 4063 and 4064 of the Revised Codes of 1895.

Also,

House bill No. 134,

A bill for an act to amend section 6172 of the Revised Codes of North Dakota, defining the duties of county judges.

Also,

House bill No. 125,

A bill for an act regulating water rights for irrigation purposes.

Also,

House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were defective, and upon which property taxes for the year 1896 and prior years are unpaid.

And find the same correctly engrossed.

J. M. WATSON,

Chairman

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

Senate bill No. 113,

A bill for an act authorizing counties to issue bonds to procure seed grain for needy farmers resident therein.

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

Strike out the word "March" wherever it appears in said bill and insert in lieu thereof the word "April."

In line 25 of page 3, strike out the word "they" and insert in lieu thereof the word "it."

In line 9 of page 7, strike out the word "thereof" and insert in lieu thereof the word "therefor."

In line 30 of page 10 insert after the word "justice" the word "shall."

In line 2 of page 13, strike out the word "assessed" and insert in lieu thereof the word "levied."

Also in line 3, page 13, strike out the word "assessed" and insert in lieu thereof the word "levied."

And when so amended recommend that the same do pass.

A. M. PACKARD,

Chairman.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

Senate bill No. 25,

A bill for an act granting a right-of-way for public highway across the military encampment grounds at Rock Island, Ramsey county, N. D.

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

Mr. Severson moved

The adoption of the report as read

Which motion prevailed, and

The report was adopted.

ELLING SEVERSON,
Chairman.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House bill No. 138,

A bill for an act entitled "An act amending section 1089 of the Revised Codes, relating to bridges."

Have had the same under consideration and recommend that the same be indefinitely postponed.

ELLING SEVERSON,
Chairman.

Mr. Severson moved

The adoption of the report as read.

Which motion prevailed, and

House bill No. 138,

A bill for an act entitled "An act amending section 1089 of the Revised Codes, relating to bridges."

Was indefinitely postponed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate bill No. 104,

A bill for an act to amend section 662, Revised Codes, 1899, relating to division of school districts.

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

C. A. HALL,
Chairman.

Mr. Hall moved

That the report as read be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Reade requested the privileges of the floor for H. Moser and H. Stoddard.

Mr. Packard for B. W. Stevenson, of Mandan; L. L. Lang, of Aneta, and W. J. Price of Fargo.

Mr. Hill for Chas. K. Bassett and Mr. and Mrs. G. B. Vallandingham.

Mr. Keeler for Chester Hodge and Fred Brastrup of Jamestown.

Mr. Leech for Col. A. C. Morton and W. J. Clapp.

Mr. Nicholson for D. F. Bangs and E. M. Crary.

Mr. Bennett for W. J. Hoskins.

Mr. Cassell for Chas G. Boise and Percy Trubeshaw.

Mr. Lemke for Maj. J. H. Fraine of Grafton.

Mr. Gronvold for H. C. Hurd and P. O. Brayer.

Mr. Bacon for Mr. and Mrs. E. C. Carruth

Mr. Bennett for all the members of the press association.

Mr. Tufte for S. F. Mercer.

Mr. Leech for T. Optelie of Fargo.

Mr. Galbraith for Otto Tollefson of Grand Forks.

Mr. Mallough for Mrs Tallcott of Buffalo, Cass Co.

Mr. Nevin for C. C. Manning of Sheyenne, H. L. Price, W. F. Weiland and W. A. Stickley.

There being no objection such privileges were granted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 101,

A bill for an act to amend section 7464 of the Revised Codes of North Dakota, 1899, relating to embezzlement.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

The adoption of the report

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 141,

A bill for an act to amend section 2092 of the Political Code of the Revised Codes of the state of North Dakota, relating to fees of justices of the peace.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

Mr. Young moved
 The adoption of the report
 Which motion prevailed, and
 House bill No. 141,

A bill for an act to amend section 2092 of the Political Code of the Revised Codes of the state of North Dakota, relating to fees of justices of the peace.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 Substitute for Senate bill No. 4,

A bill for an act repealing section 410 of the Revised Codes of 1899, relating to chambers of the district judge of the Seventh judicial district.

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

GEORGE M. YOUNG,
 Chairman.

Mr. Young moved
 The adoption of the report
 Which motion prevailed, and
 The report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
 BISMARCK, NORTH DAKOTA,
 February 13, 1901.

Mr. Speaker:

I have the honor to transmit herewith
 Senate bill No. 64,

A bill for an act entitled an act to amend section 5260, Revised Codes of 1899, relating to the manner of commencing civil action.

Also,

Senate bill No. 71,

A bill for an act to amend section 497b of the Revised Codes, relating to the time of holding caucuses and the issuance of certificates of election of delegates.

Also,

Senate bill No. 74,

A bill for an act entitled "An act to amend sections 643, 681 and 682 of the Revised Codes of 1899, relating to education."

Also,

Senate bill No. 143,

A bill for an act entitled "an act to amend section 338 of the

Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, the executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building.”

Also,

Senate bill No. 121,

A bill for an act making an appropriation for repairing and furnishing the executive mansion.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

REPORTS OF STANDING COMMITTEES.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House bill No. 112,

A bill for an act to amend section 343a, of the Revised Codes of 1899, being the same as section 1 of chapter 116 of the session laws of 1899, relating to official bonds of county treasurers.

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

A. M. PACKARD,

Chairman.

Mr. Packard moved

The adoption of the report,

Which motion prevailed, and

The report was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House bill No. 127,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota, of 1899, relating to the state board of equalization, providing for its membership and their compensation.

Have had the same under consideration, and recommend that the same be referred to general orders.

T. E. NELSON,

Chairman.

Mr. Nelson moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

The committee on taxes and tax laws made the following report:
Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
House bill No. 113,
Concurrent resolution.

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

T. E. NELSON,
Chairman.

Mr. Nelson moved
The adoption of the report
Which motion prevailed, and
The report was adopted.

The committee on taxes and tax laws made the following report:
Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
Senate bill No. 99,

A bill for an act to amend section 1219 of the 1899 Revised Codes of North Dakota relating to assessor's statement and return to auditor.

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

T. E. NELSON,
Chairman.

Mr. Nelson moved
That the report be adopted
Which motion prevailed, and
The report was adopted.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the thirty-fifth day and recommend the same be corrected as follows:

Line 30, page 2, transpose the words "duly declared."

Line 29, page 3, strike out the word "senate" and insert in lieu thereof "house of representatives."

Line 16, page 4, strike out the word "Townes" and in lieu thereof insert "Young."

Line 32, page 8, strike out the word "leave" and insert in lieu thereof "house."

Page 12 strike out lines 36 to 39 inclusive and insert in lieu thereof House bill No. 152,

A bill for an act to amend chapter 135 of the session laws of 1899, being

section 1278 of the Revised Codes of 1899, relating to auditors certificates of delinquent taxes paid on real property before deeds can be procured.

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The chief clerk announced that the speaker was about to sign House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Also,

House bill No. 43.

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

And the speaker signed the same in the presence of the house.

FIRST READING OF HOUSE BILLS.

The committee on state affairs introduced

House bill No. 157

Concurrent resolution.

Which was read the first time.

Mr. Nicholson introduced

House bill No. 158,

A bill for an act to amend section 707 of article 6 of the Revised Codes of 1899, relating to education; providing for an enumeration each year of the deaf and dumb persons in each district in the state.

Which was read the first time.

Mr. Leech introduced

House bill No. 159

A bill for an act to provide for the licensing of architects and regulating the practice of architecture, as a profession.

Which was read the first time.

THIRD READING OF HOUSE BILLS.

House bill No. 126,

A bill for an act providing stables and hitching posts on school sites in rural school districts.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays 2, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Ramsett,
Anderson,	Hjelmstad,	Reade,
Bacon,	Johnson,	Restemayer,
Bennett,	Keeler,	Rose,
Bjornson,	Leech,	Sargeant,
Brisbin,	Lemke,	Severson,
Cassell,	Lerom,	Stafne,
Chacey,	Mallough,	Strutz,
Chaffee,	McClure,	Swarthout,
Chevalier,	McLean,	Thomas,
Davis,	Michels,	Thordarson,
Lickson,	Miller,	Tubbs,
Galbraith,	Morgan,	Tufte,
Gronvold,	Nelson,	Wade,
Gulack,	Nevin,	Watson,
Gullikson,	Nicholson,	Willison,
Hall,	Packard,	Winslow,
Hare,	Palmer,	Young,
Hammond,	Parr,	Mr. Speaker,
Heath,	Phifer,	

Messrs. Axvig and Watts voting in the negative.

Mr. Dwire being excused.

Mr. Cassell moved
To amend the title to
House bill No. 126,

A bill for an act providing stables and hitching posts on school sites in rural school districts.

By inserting the word "for" before the word "stables."

Which motion prevailed, and
The amendment was adopted.

So the bill as amended passed and the title was agreed to.

House bill No. 119,

A bill for an act to amend sections 5, 6 and 7 of chapter 82 of the session laws of 1897, being section 6676e of the Revised Codes of 1899, relating to garnishee procedure in justice court.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 60, nays none, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Phifer,
Anderson,	Hill,	Ramsett,
Axvig,	Hjelmstad,	Reade,
Bacon,	Johnson,	Restemayer,
Bennett,	Keeler,	Sargeant,
Bjornson,	Leech,	Rose,
Brisbin,	Lemke,	Severson,

Messrs.—

Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.

Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting, Messrs. Dwire and Swarthout.

Mr. Dwire being excused.

So the bill passed and the title was agreed to.

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Was read the third time.

Mr. Cassell asked unanimous consent to make an amendment to House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Which request was granted.

Mr. Cassell moved to amend

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

By striking out in line 5 of the printed bill the figure "0"

Which motion prevailed, and

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Was so amended.

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

The roll was called and there were ayes 57, nays 2, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,

Messrs.

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,

Messrs.—

Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Galbraith,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Chevalier,

Messrs.—

Dwire,

Messrs.

Swarthout

Messrs. Gronvold and Watts voting in the negative.

Mr. Dwire being excused.

So the bill passed as amended and the title was agreed to.

House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were defective, and upon which property taxes for the year 1896 and prior years are unpaid.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Michels,	Palmer,
Dwire,		

Mr. Dwire being excused.

So the bill passed and the title was agreed to.

The chief clerk announced that the speaker was about to sign House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895 relating to veterinarian districts.

And the speaker signed the bill in the presence of the house.

House bill No. 44,

A bill for an act to amend section 4719 of the Revised Codes of North Dakota, 1899, relating to the discharge of real estate mortgages.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Reade,
Anderson,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Sargeant,
Bennett,	Leech,	Severson,
Bjornson,	Lemke,	Stafne,
Brisbin,	Lerom,	Strutz,
Cassell,	Mahlough,	Swarthout,
Chacey,	McClure,	Thomas,
Chaffee,	McLean,	Tubbs,
Davis,	Michels,	Tufte,
Dickson,	Miller,	Thordarson,
Galbraith,	Morgan,	Wade,
Gronvold,	Nelson,	Watts,
Gulack,	Nevin,	Watson,
Gullikson,	Nicholson,	Willison,
Hall,	Packard,	Winslow,
Hare,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker,
Heath,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Dwire,	Palmer,
Chevalier,	Keeler,	

Mr. Dwire being excused.

So the bill passed and the title was agreed to.

Mr. Gullack moved that the vote by which

House bill No. 44.

A bill for an act to amend section 4719 of the Revised Codes of

North Dakota, 1899, relating to the discharge of real estate mortgages.

Passed be reconsidered and the motion to reconsider be laid on the table

Which motion prevailed.

House bill No. 105,

A bill for an act to amend section 4827 of the Revised Codes of North Dakota, relating to farm laborer's lien. How the same may be obtained, and extending the time for filing affidavit and notice.

Mr. Cassell asked unanimous consent to make an amendment there being no objection the request was granted.

Mr. Cassell moved

That the bill be amended by inserting after the enacting clause Section 1. Amendment.) Sec. 4827, of the Revised Codes of North Dakota be amended so as to read as follows:

Strike out in line 1 printed bill "Sec. 1. Amendment," and insert in lieu thereof, "Sec. 4827. How Lien Obtained.")

Which motion prevailed, and

The amendment was adopted.

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

The roll was called and there were ayes 60, nays none, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Thomas,
Strutz,
Thoruarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting, Messrs. Allshouse and Dwire

Mr. Dwire being excused.

So the bill as amended passed.

Mr. Cassell moved

To amend the title of said bill by striking out all after the word "lien" in said title.

Which motion prevailed, and
The title as amended was agreed to.

Mr. Morgan moved
That the house take a recess.

Which motion prevailed, and
The house took an informal recess.

After recess.

House bill No. 23,

A bill for an act entitled "An act to amend section 135 of the Probate Code of North Dakota, being section 6391 of the Revised Codes of North Dakota for 1895, relating to exemptions."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 47, nays 7, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Bacon,
Bennett,
Brisbin,
Cassell,
Chacey,
Chaffee,
Dickson,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,

Messrs.—

Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,
Reade,

Messrs.—

Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Bjornson,
Chevalier,

Messrs.—

Keeler,
Tubbs, *

Messrs.—

Watts,
Young,

Absent and not voting:

Messrs.—

Allshouse,
Axvig,
Davis,

Messrs.—

Dwire,
Galbraith,
Gulack,

Messrs.—

Nevin,
Nicholson,

Mr. Dwire being excused.

So the bill passed and the title was agreed to.

House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 41, nays 16, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hjelmstad,	Ramsett,
Anderson,	Keeler,	Reade,
Axvig,	Leech,	Severson,
Bacon,	Lerom,	Stafne,
Bennett,	Mallough,	Strutz,
Bjornson,	McClure,	Swarthout,
Brisbin,	McLean,	Thomas,
Cassell,	Michels,	Tubbs,
Chacey,	Miller,	Tufte,
Chaffee,	Morgan,	Wade,
Chevalier,	Nelson,	Watson,
Hall,	Nevin,	Willison,
Hare,	Nicholson,	Winslow,
Hill,	Packard,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davis,	Johnson,	Sargeant,
Dickson,	Lemke,	Thordarson,
Gullikson,	Parr,	Watts,
Hammond,	Phifer,	Young,
Heath,	Restemayer,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dwire,	Gronvold,	Rose,
Galbraith,	Gulack,	

Mr. Dwire being excused.

So the bill passed and the title was agreed to.

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Was read the third time.

Mr. Cassel asked unanimous consent to make an amendment
There being no objections
The request was granted.

Mr. Cassel moved that
House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of

same in certain cases.

Be amended as follows:

Amend by inserting before the word "it" in line 3 of the printed bill the word and figures, "section 175."

Which motion prevailed, and

The amendment was adopted.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays 3, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chaffee,
Davis,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,
Hill,
Hjelmstad,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Messrs. Chacey, Chevalier and Dickson voting in the negative.
Absent and not voting Messrs. Dwire and Gulack.

Mr. Chacey explained his vote.

Mr. Dwire being excused,

So the bill passed as amended and the title was agreed to.

House bill No. 125,

A bill for an act regulating water rights for irrigation purposes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays 1, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,

Messrs.—

Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Palmer,
Parr,

Messrs.—

Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Willison,
Winslow,
Mr. Speaker,

Absent and not voting:

Messrs.—

Dwire,
Miller,

Messrs.—

Packard,
Sargeant,

Messrs.—

Watson,

Mr. Young voted in the negative.

Mr. Dwire being excused.

So the bill passed and the title was agreed to.

Mr. Cassell moved

That the house proceed to the 16th order of business.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senate bill No. 73,

A bill for an act entitled "An act to amend sections 2737 and 2743 of the Revised Codes of 1899, relating to dissolution of marriage."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Dwire,	Ramsett,

Mr. Dwire being excused.

Mr. Michels explained his vote.

So the bill passed and the title was agreed to.

Senate bill No. 57,

A bill for an act to provide for the drawing of warrants by the state auditor upon the state treasurer.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Phifer,
Axvig,	Hill,	Reade,
Bacon,	Hjelmstad,	Restemayer,
Bennett,	Keeler,	Sargeant,
Bjornson,	Leech,	Severson,
Brisbin,	Lemke,	Stafne,
Cassell,	Lerom,	Strutz,
Chacey,	Mallough,	Swarthout,
Chaffee,	McClure,	Thomas,
Chevalier,	McLean,	Thordarson,
Davis,	Michels,	Tubbs,
Dickson,	Miller,	Tufte,
Galbraith,	Morgan,	Wade,
Gronvold,	Nelson,	Watts,
Gulack,	Nevin,	Watson,
Gullikson,	Nicholson,	Willison,
Hall,	Packard,	Winslow,
Hare,	Palmer,	Young,
Hammond,	Parr,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Johnson,	Rose,
Dwire,	Ramsett,	

Mr. Dwire being excused.

So the bill passed and the title was agreed to.

Senate bill No. 58,

A bill for an act to amend section 6435 of the Revised Codes of 1899, the same being section 27 of chapter 111 of the laws of 1897, relating to sales of real estate by executors and administrators.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays 2, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hammond,
Heath,
Hill,
Hjelmstad,

Messrs.—

Keeler,
Leech,
Lemke,
Lerom
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Chaffee,

Messrs.—

Dwire,
Hare,

Messrs.

Johnson,
Winslow,

Messrs. Axvig and Bennett voting in the negative.

Mr. Dwire being excused.

So the bill passed and the title was agreed to.

The speaker administered the oath of office to the following named clerks:

J. F. Faytle, Edward Tisdell, W. J. Staub, Geo. J. Longfellow
P. J. McLaren O. O. Golberg, W. W. Ohara and P. O. Brager.

Mr. Anderson moved

That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

THIRTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 14, 1901.

The house assembled at 2 p. m., pursuant to adjournment.
The speaker presiding.
Prayer by the chaplain.
Roll call.
All members present except Mr. Strutz, who was excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-seventh day, have carefully examined the same and recommend that the same be corrected as follows:

Page 6, line 8, change word "board" to "broad."
Page 8, line 18, change word "committee" to "chairman."
Page 9, change line 8 to read "Mr. Packard for B. W. Stevenson of Mandan; L. L. Lang of Aneta," and
Page 9, line 21, change "Moser" to "Mercer."
Page 10 at end of line 34, insert word "action."
Page 15, line 25, change figures "92" to "98."
Page 15, strike out lines 26, 27 and 28 and insert in lieu thereof:
"A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions."
Page 18 after line 49 insert "So the bill passed as amended."
Page 19, strike out line 4 and insert "which motion prevailed, and The title as amended was agreed to."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Johnson presented the following petition:

MILNOR, N. D., Feb. 14, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Milnor, N. D., do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

F. W. VAIL,
And 79 Others.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 120,

A bill for an act entitled "An act to provide for the punishment for the abandonment of minor children."

Also,

House bill No. 129,

A bill for an act to amend section 1322, chapter 18, Revised Codes, 1899.

Also,

House bill No. 55,

A bill for an act to amend sections 2464 and 2465 of the Revised Codes of 1899, relating to volunteer firemen's association.

Also,

House bill No. 123,

A bill for an act amending section 6670 of the Justices' Code of the state of North Dakota, relating to title to real estate.

Also,

House bill No. 139,

A bill for an act to amend section 7671 of the Revised Codes of 1899, relating to unlawful obligations.

Also,

House bill No. 13,

A bill for an act to amend section 1891, article 6 of chapter 26 of the Revised Codes of 1899.

Also,

House bill No. 76,

A bill for an act providing that deeds and mortgages shall not be recorded unless the post office address of grantor and grantee shall appear therein.

Also,

House bill No. 103,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, and charging the state attorney with the enforcement hereof.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 116,

A bill for an act to provide for greater efficiency in the transmission and delivery of messages and telegrams and providing for violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
House bill No. 116,

A bill for an act to provide for greater efficiency in the transmission and delivery of messages and telegrams and providing for violation thereof.

Was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate bill No. 92,

A bill for an act to prevent the extermination of antelope.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes, 1899, defining the duties of the land commissioner.

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

After the enacting clause insert the words:
"Section 1. Amendment). That sections 173 and 182, Revised Codes, 1899, be and the same are hereby amended to read as follows:"

Also, after the word "of" in line 1 of printed bill insert the word "and;" also, by adding the following emergency clause:

"Section 2. Whereas, an emergency exists in that there is now no provision for taking charge of the preparation of bonds and mortgages in the land commissioners office, this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend that the same do pass.

F. T. GRONVOLD,
Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899 relating to compensation of county commissioners.

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

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. Amendment.) That section 2095 of the Revised Codes of 1899 be amended and re-enacted to read as follows:

"Section 2095. Compensation allowed. Office hours.) County commissioners shall each be allowed for the time they are necessarily employed in the duties of their office the sum of five dollars per day, and five cents per mile for the distance actually traveled in attending the meetings of the board and when engaged in other official duties, to be paid out of the general fund of the county, and their office hours shall be not less than from nine to twelve a. m., and two to six p. m., during regular or special session, held by such board."

And when so amended recommend that the same do pass.

A. M. PACKARD,
Chairman.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

House bill No. 45,

A bill for an act to repeal section 1549 of the Revised Codes of North Dakota, making it lawful for stock to run at large from the first day of November until the first day of April each year.

Have had the same under consideration and recommend that further consideration of the same be indefinitely postponed.

P. P. CHACEY,
Chairman.

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

House bill No. 45,

A bill for an act to repeal section 1549 of the Revised Codes of North Dakota, making it lawful for stock to run at large from the first day of November until the first day of April each year.

Was indefinitely postponed.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

House bill No. 69,

A bill for an act to abolish the provisions of section 1549 in townships and in counties not organized into townships by a vote of the electors and prescribing the manner of conducting the elections therein for that purpose.

Have had the same under consideration and recommend that further consideration of the same be indefinitely postponed.

P. P. CHACEY,

Chairman.

Mr. Chacey moved

That the report be adopted

Which motion prevailed, and

House bill No. 69,

A bill for an act to abolish the provisions of section 1549 in townships and in counties not organized into townships by a vote of the electors and prescribing the manner of conducting the elections therein for that purpose.

Was indefinitely postponed.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

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

P. P. CHACEY,

Chairman.

Mr. Chacey moved

That the report be adopted.

Mr. Young moved as a substitute that

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

Be referred to general orders

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 14, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 56,

A bill for an act to amend section 885, chapter 10, of the Revised Codes, relating to object and departments of the university.

Also,

Senate bill No. 105,

A bill for an act to amend section 4680 of article 2, chapter 72 of the Revised Codes of the state of North Dakota, for the year 1899, entitled liens in general.

Also,

Senate bill No. 124,

A bill for an act to provide a fund for the purpose of retiring the principal of the bonded indebtedness of the state.

Also,

Senate bill No. 129,

A bill for an act relating to the manner of making and filing claims against the state, and prescribing forms to be used.

Also,

Senate bill No. 128,

A bill for an act entitled an act to amend section 338d of the Revised Codes, 1899, relating to vouchers filed to be consecutively numbered and paid.

Also,

Senate bill No. 122,

A bill for an act to empower the board of county commissioners to offset due or delinquent taxes, due from any person, corporation or society, in whose favor an indebtedness has accrued against such county.

Also,

Senate bill No. 140,

A bill for an act entitled an act to amend section 1880 of the Revised Codes of North Dakota of 1899, relating to the procedure for the location and removal of county seats.

Also,

Senate bill No. 138,

Concurrent resolution for an act to amend section 182 of the constitution of the state of North Dakota.

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

Very respectfully,

I. J. MOE,
Acting Secretary.

The committee on public buildings made the following report:

Mr. Speaker:

Your committee on public buildings to whom was referred
Senate bill No. 114,
Concurrent resolution.

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

G. A. WILLISON,
Chairman.

Mr. Miller moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred
House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

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

After the word "the" first appearing on line 3 of the printed bill strike out first Tuesday in April and insert in lieu thereof "fourth Tuesday in March."

And when so amended recommend that the same do pass.

J. THORDARSON,
Chairman.

Mr. Davis moved
That the rules be suspended, and
The report adopted, and

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

Be placed on its third reading and final passage.

Which motion prevailed, and

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of

1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 56, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Rose,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Strutz,

Messrs.—

Bennett,

Messrs.—

Sargeant,

Messrs. Anderson and Restemeyer voting in the negative.

Mr. Strutz being excused.

Mr. Davis moved to amend the title as follows:

By inserting the word "regular" before the word "meeting" where it occurs in the title of the bill.

Which motion prevailed, and

The amendment was adopted.

So the bill as amended passed and the title was agreed to.

Mr. Davis moved

That the vote by which

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

Passed, be reconsidered and the vote to reconsider be laid on the table,

Which motion prevailed.

Mr. Wade moved

That the rules be suspended and

Senate bill No. 113,

A bill for an act authorizing counties to issue bonds to procure seed grain for needy farmers resident therein.

Be taken from general orders and placed on its third reading and final passage,

Which motion prevailed.

Senate bill No. 113,

A bill for an act authorizing counties to issue bonds to procure seed grain for needy farmers resident therein.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 50, nays 10, absent and not voting 2.

Those who voted in the affirmative were.

Messrs.—

Allshouse,
Anderson,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Hare,
Hammond,
Heath,
Hill,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Packard.

Messrs.—

Palmer,
Parr,
Ramsett,
Reade,
Rose,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Tubbs,
Wade,
Watson,
Willison,
Winslow,
Young,

Those voting in the negative were:

Messrs.—

Axvig,
Bennett,
Johnson,
McLean,

Messrs.—

Nevin,
Phifer,
Restemayer,

Messrs.—

Thordarson,
Tufte,
Mr. Speaker,

Absent and not voting, Messrs. Strutz and Watts.

Mr. Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Wade moved

That the vote by which

Senate bill No. 113,

A bill for an act authorizing counties to issue bonds to procure seed grain for needy farmers resident therein.

Passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed,

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

House bill No. 78,

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Have had the same under consideration and recommend that further consideration of the same be indefinitely postponed.

J. THORDARSON,
Chairman.

Mr. Thordardson moved

The adoption of the report,
Which motion prevailed, and
House bill No. 78,

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Was indefinitely postponed.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

House bill No. 79,

A bill for an act to amend section 2540 of article 4 of the Revised Codes relating to the time of holding annual township meetings.

Have had the same under consideration and recommend that further consideration of the same be indefinitely postponed.

J. THORDARSON,
Chairman.

Mr. Thordarson moved

The adoption of the report,
Which motion prevailed, and
House bill No. 79,

A bill for an act to amend section 2540 of article 4 of the Revised Codes relating to the time of holding annual township meetings.

Was indefinitely postponed.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills respectfully report that at the hour of 3:04 p. m. on Feb. 12, 1901,

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

Also,

House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Was delivered to his excellency, the governor.

Also,

At the hour of 2:40 p. m. on Feb. 14, 1901,

House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

Was delivered to his excellency, the governor.

ASA SARGEANT,

Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Ramsett asked the courtesies of the floor for Geo. L. Robinson, Coal Harbor.

Mr. McClure for John F. Young, Mercer county.

Mr. Bacon for E. H. Kent, Mr. Blair and Maj. J. H. Fraine.

Mr. Severson for Mr. Hobberstall and Mr. Trongsrud of Cass county.

Mr. Thomas for Mr. Louis Press, Hankinson.

Mr. Wade for Mr. A. Thorberg, Mandan.

Mr. Nevin for P. M. Mattson, Eddy county.

Mr. Bjornson for Mrs. Chas. Pruetz and Buehler, Kulm.

Mr. Keeler for F. C. Chapman, Jamestown.

There being no objection such courtesies were granted.

Mr. Cassell moved

That the vote by which

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Be reconsidered

Which motion prevailed.

Also,

That the further consideration of

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes,

relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Be deferred until tomorrow at 3 o'clock, p. m.

Which motion prevailed, and

The further consideration of

House bill No. 58.

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Was so deferred.

FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Davis moved

That the house return to the seventh order of business,

Which motion prevailed.

Mr. Davis moved

That in order to expedite business all house and senate bills be given their first and second readings at the same time, it being understood that this action shall not be considered a bar to any other disposition members may wish to make of their bills by special motion,

Which motion prevailed.

Mr. Swarthout offered the following resolution and moved its adoption:

Whereas, Lyman Brandt, a clerk of the enrolling and engrossing force of the house is ill at his home in Walsh county,

Resolved, that the position to which said Lyman Brandt was appointed be and the same is declared vacant and the speaker is authorized to appoint another person to fill the position so made vacant.

Which motion prevailed.

Mr. Chaffee moved

That the house go to the 14th, 15th and 16th orders of business,

Which motion was lost.

INTRODUCTION OF HOUSE BILLS.

Mr. Cassell introduced

House bill No. 160,

A bill for an act to amend section 1936 of the Revised Codes of North Dakota, relating to the publication of proceedings of board of county commissioners.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. Packard introduced

House bill No. 161,
A bill for an act to require school district boards to publish their proceedings.

Which was read the first and second times, and
Referred to the committee on education.

Mr. Allshouse introduced

House bill No. 162,
A bill for an act to repeal sections 1199, 1200 and 1201 of the Revised Codes of 1899, relating to assessment of grain in warehouses, statement of ownership. Lien of agent or warehousemen for taxes. Penalty for failure to make true statements.

Which was read the first and second times, and
Referred to the committee on warehouses, grain and grain grading.

Mr. Davis introduced

House bill No. 163,
A bill for an act to amend section 2564 of article 8 of chapter 31 of the Revised Codes, relating to the time when township officers shall qualify.

Which was read the first and second times, and
Referred to the committee on elections and privileges.

Also,

House bill No. 164,
A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

Which was read the first and second times, and
Referred to the committee on state affairs.

SECOND READING OF HOUSE BILLS.

House bill No. 157
Concurrent resolution.
Was read the second time.

Also,

House bill No. 158,
A bill for an act to amend section 707 of article 6 of the Revised Codes of 1899, relating to education; providing for an enumeration each year of the deaf and dumb persons in each district in the state.

Was read the second time, and
Referred to the committee on education.

There being no objection, the house returned to the 10th order of business.

INTRODUCTION OF HOUSE BILLS.

Mr. Leech introduced

House bill No. 165,

A bill for an act to amend chapter 5 of the Civil Code of the state of North Dakota, relative to dissolution of marriage.

Which was read the first and second times, and

Referred to the committee on judiciary.

Also,

House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

Which was read the first and second times, and

Referred to the committee on judiciary.

THIRD READING OF HOUSE BILLS.

House bill No. 34,

A bill for an act to amend sections 4063 and 4064 of the Revised Codes of 1895.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 51, nays 4, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hammond,	Palmer,
Anderson,	Heath,	Parr,
Axvig,	Hill,	Phifer,
Bacon,	Hjelmstad,	Ramsett,
Bennett,	Keeler,	Reade,
Bjornson,	Leech,	Rose,
Brisbin,	Lemke,	Sargeant,
Cassell,	Lerom,	Severson,
Chacey,	Mallough,	Thomas,
Chevalier,	McClure,	Tubbs,
Davis,	McLean,	Tufte,
Dwire,	Michels,	Wade,
Gronyold,	Miller,	Watts,
Gulack,	Morgan,	Willison,
Gullikson,	Nelson,	Winslow,
Hall,	Nevin,	Young,
Hare,	Packard,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Chaffee,	Johnson,	Restemayer,
Galbraith,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dickson,	Strutz,	Thordarson,
Nicholson,	Swarthout,	Watson,
Stafne,		

Mr. Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Lemke moved
That the vote by which
House bill No. 34,

A bill for an act to amend sections 4063 and 4064 of the Revised Codes of 1895.

Passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 134,

A bill for an act to amend section 6172 of the Revised Codes of North Dakota, defining the duties of county judges.

Was read the third time.

The question being upon the final passage of the bill.

The roll being called there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lerom,
Lemke,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tufté,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Nicholson,

Messrs.—

Strutz,

Messrs.—

Tubbs,

Mr. Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Stafne moved

That the house take a recess for fifteen minutes.

Which motion prevailed.

After recess.

House bill No. 73,

A bill for an act to amend sections 450, 453, 456 and 457 of the

Revised Codes of North Dakota, relating to jurors and the manner of drawing same.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays 1, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Bacon,
Hare,

Messrs.—

Johnson,
Rose,

Messrs.

Strutz,

Mr. Allshouse voting in the negative.

Mr. Strutz being excused.

So the bill passed and the title was agreed to.

House bill No. 55,

A bill for an act to amend sections 2464 and 2465 of the Revised Codes of 1899, relating to volunteer firemen's association.

Was read the third time.

Mr. Reade asked unanimous consent to amend this bill

There being no objection the request was granted.

Mr. Reade moved

To amend by striking out all of Sec. 3, being the emergency clause.

Which motion prevailed, and

The amendment was adopted.

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

The roll was called and there were ayes 42, nays 15, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Chacey,
Chevalier,
Dickson,
Dwire,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond.
Heath,
Hill,
Hjelmstad,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nevin,

Messrs.—

Packard,
Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Rose,
Severson,
Stafne,
Swarthout,
Tubbs,
Watson,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Cassell,
Chaffee,
Galbraith,
Keeler,
Nelson,

Messrs.—

Nicholson,
Restemayer,
Sargeant,
Thomas,
Thordarson,

Messrs.—

Tufte,
Wade,
Watts,
Willison,
Winslow,

Absent and not voting:

Messrs.—

Bacon,
Davis,

Messrs.—

Gronvold,
Johnson,

Messrs.—

Strutz,

Mr. Strutz being excused.

Mr. Tufte explained his vote.

So the bill as amended passed and the title was agreed to.

Mr. Reade moved that the vote by which

House bill No. 55,

A bill for an act to amend sections 2464 and 2465 of the Revised Codes of 1899, relating to volunteer firemen's association.

Passed be reconsidered, and the motion to reconsider be laid on the table.

There being no objection, the house returned to the 5th order of business and the following reports were received:

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

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

J. D. BACON,
Chairman.

Mr. Lemke moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House bill No. 113,

Concurrent resolution.

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

J. D. BACON,
Chairman.

Mr. Tufte moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 133,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

THIRD READING OF HOUSE BILLS.

House bill No. 129,

A bill for an act to amend section 1322, chapter 18, Revised Codes, 1899.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 59, nays 1, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith.

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keller,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade.

Messrs.—

Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Mr. Axvig voted in the negative.

Absent and not voting: Messrs. Bacon and Strutz.

Mr. Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Nelson moved

To amend the title as follows by adding after 1899 the following words
“Relating to gopher tax.”

Which motion prevailed, and

The title was so amended.

House bill No. 120,

A bill for an act entitled “An act to provide for the punishment
for the abandonment of minor children.”

Was read the third time.

The question being upon the final passage of the title of the bill
as amended.

The roll was called and there were ayes 59, nays none, absent
and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse
Anderson
Axvig
Bjornson
Brisbin
Cassell
Chacey
Chaffee
Chevalier
Davis
Dickson
Dwire
Galbraith
Gronvold
Gulack
Gullikson
Hall
Hare
Hammond
Heath

Messrs.—

Hill
Hjelmstad
Johnson
Keeler
Leech
Lemke
Lerom
Mallough
McClure
McLean
Michels
Miller
Morgan
Nelson
Nevin
Nicholson
Packard
Palmer
Parr
Phifer

Messrs.—

Ramsett
Reade
Restemayer
Rose
Sargeant
Severson
Stafne
Swarthout
Thomas
Thordarson
Tubbs
Tuft
Wade
Watts
Watson
Willison
Winslow
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Bacon

Messrs.—

Bennett

Messrs.—

Strutz

Mr. Strutz being excused.

So the bill passed and the title as amended was agreed to.

Mr. Cassell moved to amend the title as follows:

By striking out all thereof and inserting the following:
 "A bill for an act to amend section 7172 of the Revised Codes relating to the punishment for the abandonment of minor children."

Which motion prevailed, and

The amendment was adopted.

So the bill passed as amended and the title was agreed to.

House bill No. 103,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, and charging the states attorney with the enforcement hereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 60, nays none, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Heath	Phifer
Anderson	Hill	Ramsett
Axvig	Hjelmstad	Reade
Bennett	Johnson	Restemeyer
Bjornson	Keeler	Rose
Brisbin	Leech	Sargeant
Cassell	Lemke	Severson
Chacey	Lerom	Stafne
Chaffee	Mallough	Swarthout
Chevalier	McClure	Thomas
Davis	McLean	Thordarson
Dickson	Michels	Tubbs
Dwire	Miller	Tufte
Galbraith	Morgan	Wade
Gronvold	Nelson	Watts
Gulack	Nicholson	Watson
Gullikson	Niven	Willison
Hall	Packard	Winslow
Hare	Palmer	Young
Hammond	Parr	Mr. Speaker

Absent and not voting: Messrs. Bacon and Strutz.

Mr. Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Thomas moved

That the vote by which

House bill No. 103,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, and charging the states attorney with the enforcement hereof.

Passed, be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

House bill No. 76,

A bill for an act providing that deeds and mortgages shall not be recorded unless the post office address of grantor and grantee shall appear therein.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,

Messrs.—

Parr,
Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tuftes,
Watts,
Watton,
Willison,
Winslow,
Young,

Absent and not voting:

Messrs.—

Bacon,
Hammond,

Messrs.—

Strutz,

Messrs.—

Wade,

Mr. Speaker voting in the negative.

Mr. Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Gulack moved that the vote be by which.

House bill No. 76,

A bill for an act providing that deeds and mortgages shall not be recorded unless the post office address of grantor and grantee shall appear therein.

Passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed

House bill No. 139,

A bill for an act to amend section 7671 of the Revised Codes of 1899, relating to unlawful obligations.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 60, nays none, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Hill	Ramsett
Anderson	Hjelmstad	Reade
Axvig	Johnson	Restemayer
Bennett	Keeler	Rose
Bjornson	Leech	Sargeant
Cassell	Lemke	Severson
Chacey	Lerom	Stafne
Chaffee	Mallough	Swarthout
Chevalier	McClure	Thomas
Davis	McLean	Thordarson
Dickson	Michels	Tubbs
Dwire	Miller	Tufte
Galbraith	Morgan	Wade
Gronvold	Nelson	Watts
Gulack	Nicholson	Watson
Gullikson	Nevin	Willison
Hall	Packard	Winslow
Hare	Palmer	Young
Hammond	Parr	Mr. Speaker
Heath	Phifer	

Absent and not voting Messrs. Bacon and Strutz.

Mr. Stutz being excused.

So the bill passed and the title was agreed to.

Mr. Reade moved

That the vote by which

House bill No. 139,

A bill for an act to amend section 7671 of the Revised Codes of 1899, relating to unlawful obligations.

Passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed, and

House bill No. 123,

A bill for an act amending section 6670 of the Justices' Code of the state of North Dakota, relating to title to real estate.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 56, nays 2, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig	Hjelmstad	Reade
Bennett	Johnson	Restemayer
Bjornson	Keeler	Rose
Brisbin	Leech	Sargeant
Cassell	Lemke	Severson

Messrs.—

Chacey
 Chaffee
 Chevalier
 Davis
 Dickson
 Dwire
 Galbraith
 Gronvold
 Gulack
 Gullikson
 Hall
 Hare
 Hammond
 Heath
 Hill

Messrs.—

Lerom
 Mallough
 McClure
 McLean
 Michels
 Miller
 Morgan
 Nelson
 Nicholson
 Packard
 Palmer
 Parr
 Phifer
 Ramsett

Messrs.

Stafne
 Strutz
 Swarthout
 Thomas
 Thordarson
 Tubbs
 Tufte
 Wade
 Watts
 Watson
 Willison
 Winslow
 Young
 Mr. Speaker

Messrs. Packard and Winslow voting in the negative.

Absent and not voting Messrs. Bacon, Allshouse, Anderson and Strutz

Mr. Strutz being excused.

Mr. Tufte moved,

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
 Chief Clerk.

THIRTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
 BISMARCK, NORTH DAKOTA,
 February 15, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Strutz, who was excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal

of the thirty-eighth day, and recommend that the same be corrected as follows:

Page 5, line 30, change word "far" to "for."

Page 8, line 27, strike out word "none" and insert in lieu thereof the figure "2."

Page 8, line 28, change figure "7" to "4."

Page 12, line 9, change name "Buehler" to Fred. "Buechler."

Page 15, line 37, after word "on" insert words "the table."

Page 17, strike out lines 13 and 14.

Page 19, line 42, strike out all after word "passed."

Page 20, strike out all of lines 3 and 4 after word "passage" and insert words "of the bill."

Page 20, strike out all of line 33 after word "passed."

Page 18, strike out lines 33 and 34 and insert in lieu thereof the following:

"House bill No. 133,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes."

Page 19, strike out lines 2, 3, 4 and 5 and insert in lieu thereof the following:

"House bill No. 113,
Concurrent resolution."

And when so amended recommend that the same be approved.

C. WINSLOW,

Chairman.

Mr. Winslow moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

PRESENTATION OF PETITIONS AND MEMORIALS.

The following petition was received:

NEW ROCKFORD, N. D., Feb. 12, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of New Rockford, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

R. M. KENNEDY,
And 120 Others.

Mr. Willison presented the following petition:

HILLSBORO, N. D., Feb. 12, 1901.

To the Honorable Members of the Legislative Assembly of the State of North Dakota.

We, the undersigned residents and taxpayers of the township of Hillsboro in the county of Traill and state of North Dakota, respectfully petition and urge your honorable body to pass Senate bill No. 42, introduced by the Hon. F. W. Ames, senator from Traill county.

C. C. DALRYMPLE,
And 34 Others.

REPORTS OF STANDING COMMITTEES.

A majority of the committee on apportionment made the following report:

Mr. Speaker:

A majority of your committee on apportionment to whom was referred

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

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

Amend 7th district in line 4 of printed bill after the word "Washington," to add "the 1st and 2nd wards of the city of Reynolds."

Amend 8th district by striking out in line one of printed bill, the words, "townships of" and insert the words "county of Trail;" also in line 4 of printed bill, strike out the word "two" and insert instead the word "four."

Amend 15th district to read "the county of Barnes and be entitled to one senator and four representatives."

Amend 18th district in the engrossed bill to read "the county of Cavalier and to be entitled to one senator and four representatives."

Amend 37th district by striking out the word "two" in line 4, of printed bill, and insert in lieu thereof the word "three."

Amend by striking out of the engrossed bill all provisions for districts 38, 39 and 40.

Amend 2nd district to include the townships of Avon and Liberty.

And when so amended recommend that the same do pass.

W. F. LEECH,

Chairman.

A minority of the committee on apportionment made the following report:

Mr. Speaker:

A minority of your committee on apportionment to whom was referred

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

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

By striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Until otherwise provided by law under the terms of the constitution of the senatorial and legislative districts in the state of North Dakota shall be formed and the senators and representatives shall be apportioned as follows:

The first district shall consist of the townships of Walhalla

including Walhalla city, St. Joseph, Neeche, Pembina, Bathgate, Carlisle, Joliet, Midland, Lincoln, Drayton, and the city of Pembina, and the village of Drayton, in the county of Pembina, and be entitled to one senator and two representatives.

The second district shall consist of the townships of St. Thomas, Hamilton, including the town of Hamilton, Cavalier, including the town of Cavalier, Akra, Avon, Beauleau, Liberty, Thingvalla, Gardar, Park, Crystal, Elora, Lodema and Canton, and the city of Crystal and town of St. Thomas, in the county of Pembina, and be entitled to one senator and two representatives.

The third district shall consist of the townships of Perth, Latonia, Adams, Silvesta, Cleveland, Norton, Vesta, Tiber, Medford, Vernon, Golden, Lampton, Eden, Rushford, Kensington, Dundee, Ops, Prairie Centre, Fertile, Sauter, Kinloss, Glenwood, and townships one hundred and fifty-six and one hundred fifty-seven, range fifty-nine, and the villages of Edinburg, Conway, Pisek and Hoople and Park River City, in the county of Walsh, and be entitled to one senator and three representatives.

The fourth district shall consist of the townships of Forest River, Walsh Center, Grafton, Farmington, Ardoch, Harrison, Oakwood, Martin, Walshville, Pulaski, Acton, and St. Andrews and the villages of Forest River, Ardoch and Minto, and the city of Grafton, in the county of Walsh, and be entitled to one senator and three representatives.

The fifth district shall consist of the townships of Gilby, Johnstown, Straban, Wheatland, Hegton, Arivilla, Avon, Northwood, Lind, Grace, Larimore, Elm Grove, Inskter, Agnes, Elkmount, Oakwood, Niagara, Moraine, Logan and Loretta, and the cities of Larimore and Northwood, in the county of Grand Forks, and be entitled to one senator and two representatives.

The sixth district shall consist of the third, fourth, fifth and sixth wards of the city of Grand Forks, as now constituted, and the townships of Falconer, Harvey, Turtle River, Ferry, Rye, Blooming, Mekinock, Lakeville and Levant, in the county of Grand Forks, and be entitled to one senator and two representatives.

The seventh district shall consist of the first and second wards of the city of Grand Forks, as now constituted, and the townships of Grand Forks, Oakville, Brenna, Chester, Pleasantview, Fairfield, Allendale, Walle, Bentru, Americus, Michigan, Union and Washington, and part of the city of Reynolds, in the county of Grand Forks, and be entitled to one senator and two representatives.

The eighth district shall consist of the county of Traill and be entitled to one senator and four representatives.

The ninth district shall consist of the township of Fargo and

the city of Fargo, in the county of Cass, and the fractional township of number one hundred and thirty-nine in range forty-eight, and be entitled to one senator and three representatives.

The tenth district shall consist of the townships of Noble, Wisner, Harwood, Reed, Barnes, Stanley, Pleasant, Kenyon, Gardner, Berlin, Raymond, Mapleton, Warren, Norman, Bell, Harmony, Durbin, Addison, Davenport, Casselton, and the city of Casselton, and the villages of Davenport and Mapleton, in the county of Cass, and be entitled to one senator and three representatives.

The eleventh district shall consist of the townships of Webster, Rush River, Hunter, including the villages of Hunter, Arthur, Amenia, Everest, Maple River, Leonard, Dows, Erie, Empire, Wheatland, Gill, Walburg, Watson, Page, Rich, Ayr, Buffalo, Howes, Eldrid, Highland, Rochester, Lake, Cornell, Tower, Hill, Clifton and Pontiac, and the village of Buffalo, in the county of Cass, and be entitled to one senator and two representatives.

The twelfth district shall consist of Eagle, Abercrombie, Dwight, Ibsen, Mooreton, Center, Belford, Summit, Brandenburg, Devillo, Fairmount, LeMars, Waldo, Greenfield, and the city of Wahpeton, and the village of Fairmount, in the county of Richland, and be entitled to one senator and two representatives.

The thirteenth district shall consist of the county of Sargent, and be entitled to one senator and one representative.

The fourteenth district shall consist of the county of Ransom, and be entitled to one senator and one representative.

The fifteenth district shall consist of the county of Barnes, and be entitled to one senator and four representatives.

The sixteenth district shall consist of the counties of Steele and Griggs, and be entitled to one senator and three representatives.

The seventeenth district shall consist of the county of Nelson, and be entitled to one senator and one representative.

The eighteenth district shall consist of the county of Cavalier, and be entitled to one senator and four representatives.

The nineteenth district shall consist of the county of Rolette, and be entitled to one senator and two representatives.

The twentieth district shall consist of the county of Benson, and be entitled to one senator and two representatives.

The twenty-first district shall consist of the county of Ramsey, and be entitled to one senator and two representatives.

The twenty-second district shall consist of the county of Towner, and be entitled to one senator and one representative.

The twenty-third district shall consist of the county of Stutsman, and be entitled to one senator and two representatives.

The twenty-fourth district shall consist of the county of LaMoire, and be entitled to one senator and one representative.

The twenty-fifth district shall consist of the county of Dickey, and be entitled to one senator and one representative.

The twenty-sixth district shall consist of the counties of Emons and Kidder, and be entitled to one senator and one representative.

The twenty-seventh district shall consist of the county of Burleigh, and be entitled to one senator and one representative.

The twenty-eighth district shall consist of the county of Bottineau, and be entitled to one senator and two representatives.

The twenty-ninth district shall consist of the counties of Ward and Williams, and be entitled to one senator and two representatives.

The thirtieth district shall consist of the counties of Morton and Oliver, and be entitled to one senator and two representatives.

The thirty-first district shall consist of the counties of Stark and Billings, and be entitled to one senator and two representatives.

The thirty-second district shall consist of the counties of Eddy and Foster, and be entitled to one senator and one representative.

The thirty-third district shall consist of the county of Wells, and be entitled to one senator and two representatives.

The thirty-fourth district shall consist of the counties of McHenry and Pierce, and be entitled to one senator and three representatives.

The thirty-fifth district shall consist of the counties of McLean and Mercer, and be entitled to one senator and one representative.

The thirty-sixth district shall consist of the counties of McIntosh and Logan, and be entitled to one senator and one representative.

The thirty-seventh district shall consist of the townships of Hellendale, Barrie, Walcott, Sheyenne, Viking, Colfax, Grafton, Freeman, Garborg, West End, Mellem, Homestead, Antelope, Wyndmere, Danton, Garfield, Dexter, Liberty, Grant, Park, Moran, Elma and Brightwood, and the villages of Hankinson and Lidgerwood, in the county of Richland, and be entitled to one senator and two representatives.

Sec. 2. Section 37 of the Revised Codes of 1899 and all acts

and parts of acts in conflict with the provisions of this act are hereby repealed.

And when so amended recommend the same do pass.

C. WINSLOW,
G. A. WILLISON,
T. E. TUFTE,
HENRY M'LEAN,
GEORGE M. YOUNG,
F. H. KEELER,
E. H. RESTEMAYER,
B. H. MALLOUGH,
P. P. CHACEY,
I. J. CHEVALIER.

Mr. Gulack moved

That the house take a recess for thirty minutes,

Which motion prevailed, and

The house took a recess.

After recess.

MESSAGE FROM THE GOVERNOR.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA.
February 14, 1901,

To the House of Representatives:

Gentlemen—I have the honor to inform you that I have this day approved and filed with the honorable secretary of state

House bill No. 43,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

Also,

House bill No. 92,

A bill for an act entitled an act legalizing the levy of taxes as made by the state, the various counties, townships and school districts for the years 1890 to 1900 inclusive.

Very respectfully yours,

FRANK WHITE,

Governor.

SPECIAL ORDER OF BUSINESS.

The question being upon the passage of

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Mr. Cassell asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Cassell moved to amend
House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

As follows:

By striking out in lines 9 and 10 of the printed bill the words "attorney general," and inserting in lieu thereof the following: "Board who shall place the matter in the hands of the attorney general for collection whenever they shall deem it to be for the best interest of the state so to do."

Which motion prevailed, and

The amendment was adopted.

A call of the house demanded.

Mr. Young moved

That further proceedings under the call be dispensed with.

Which motion prevailed.

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

The roll was called and there were ayes 61, nays none, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting, Mr. Strutz, who was excused.

So the bill as amended passed and the title was agreed to.

Mr. Bennett moved that the vote by which

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 15, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 96,

A bill for an act amending section 1278 of the Revised Codes of 1899, relating to "deed not to be recorded without auditor's certificate of taxes paid."

Also,

Senate bill No. 111,

A bill for an act entitled "An act to amend section 5631 of the Revised Codes of 1899, relating to the printing of briefs and abstracts upon appeals to the supreme court."

Also,

Senate bill No. 141,

A bill for an act entitled an act to provide when execution of judgment in civil actions may be stayed.

Also,

Senate bill No. 142,

A bill for an act entitled an act to amend section 5730, Revised Codes, relating to service of notices and papers.

Also,

Senate bill No. 130,

A bill for an act conferring jurisdiction as judges of conciliation upon the courts of Indian offenses.

Also,

Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the state university at Grand Forks, agricultural college at Fargo, state normal school at Valley City, state normal at Mayville, and the deaf and dumb asylum of Devils Lake, as a part of the system of public schools.

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

Very respectfully,

I. J. MOE,
Acting Secretary.

The chief clerk announced that the speaker was about to sign Senate bill No. 57,

A bill for an act to provide for the drawing of warrants by the state auditor upon the state treasurer.

Also,

Senate bill No. 58,

A bill for an act to amend section 6435 of the Revised Codes of 1899, the same being section 27 of chapter 111 of the laws of 1897, relating to sales of real estate by executors and administrators.

Also,

Senate bill No. 73,

A bill for an act entitled "An act to amend sections 2737 and 2743 of the Revised Codes of 1899, relating to dissolution of marriage.

And the speaker signed the same in the presence of the house.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

Also,

House bill No. 112,

A bill for an act to amend section 343a, of the Revised Codes of 1899, being the same as section 1 of chapter 116 of the session laws of 1899, relating to official bonds of county treasurers.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 156,

A bill for an act to amend section 715 of the Revised Codes of 1899, requiring county superintendents of schools to report all school moneys to district treasurers.

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

C. A. HALL,
Chairman.

Mr. Reade moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred House bill No. 106,
A bill for an act to amend section 1944 of the Revised Codes of 1899, relating to duty of board in designating depositories.

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

H. C. JOHNSON,
Chairman.

Mr. Johnson moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred Senate bill No. 123,
A bill for an act to amend section 1942 of the Revised Codes of 1899, relating to depositories for county funds.

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

H. C. JOHNSON,
Chairman.

Mr. Johnson moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House bill No. 132,

A bill for an act to amend section 1733 of the Revised Codes of North Dakota, relating to establishing public scales in counties.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

A. M. PACKARD,
Chairman.

Mr. Packard moved
That the report be adopted,

Mr. McClure moved as a substitute that
House bill No. 132,

A bill for an act to amend section 1733 of the Revised Codes of
North Dakota, relating to establishing public scales in counties.

Be recommitted,
Which motion was lost.

The question being on the original motion
The motion prevailed, and
House bill No. 132,

A bill for an act to amend section 1733 of the Revised Codes of
North Dakota, relating to establishing public scales in counties.
Was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Re-
vised Codes of the state of North Dakota of 1899, relating to the
procedure for redistricting county commissioners' districts.

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

In line 1 of printed bill after the figures "1894" add the words and
figures "and 1895."

In line 1 of section 1894 of printed bill, strike out the word "treasurer"
and insert in lieu thereof the words "county judge"

Strike out all of section 2 and substitute the following: "Section 1895.
Duty of redistricting board in redistricting any county. It shall be the
duty of the redistricting board to make the districts as regular and as
compact in form as practicable and as equal in population as possible as
shall be determined by the votes cast at the last preceding general elec-
tion; but no new district shall be so formed that any two of the then acting
commissioners shall reside in the same district, and no county shall be
redistricted oftener than once in five years.

And when so amended recommend that the same do pass.

F. T. GRONVOLD,
Chairman.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
House bill No. 152,

A bill for an act to amend chapter 135 of the Session Laws of
1899, being section 1278 of the Revised Codes of 1899, relating to
auditors certificates of delinquent taxes paid on real property
before deeds can be recorded.

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

T. E. NELSON,
Chairman.

Mr. Nelson moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
Senate bill No. 93,

A bill for an act repealing sections 1675, 1676, 1677 and 1678, Revised Codes, 1899, relating to bounties for the manufacture of spinning fibres.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
Senate bill No. 94,

A bill for an act repealing sections 1679 and 1680, Revised Codes, 1899, relating to bounties for the manufacture of binding twine.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
Senate bill No. 106,

A bill for an act to amend section 4820 of the Revised Codes of 1899, providing for a lien for grain to be used for seed.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

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

That all after the enacting clause of said bill, as heretofore amended be stricken out, and that there be inserted in lieu thereof the following:

"Section 1. That section 1260 of the Revised Codes of 1899 be amended so as to read as follows:"

"Section 1260. Penalty and Interest. How Disposed Of.) All penalty and interest collected on taxes shall belong to the county and become a part of the general fund, or such other fund as the county commissioners may direct, except the penalty and interest collected on taxes of any city, which shall belong to such city, and shall be paid by the county treasurer to the treasurer of such city."

"Sec. 2. Emergency.) Whereas an emergency exists in this: in cities of this state which are required to pay one per cent for the collection of their taxes to their respective counties, and such cities do not under existing laws receive interest or penalties on taxes due them, therefore this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend that the same do pass.

HENRY READE,
Chairman.

Mr. Reade moved
That the rules be suspended and the report be adopted,
Which motion was lost.

Mr. Packard moved
That the rules be suspended and that
Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Be taken from general orders for the purpose of making an amendment.

Roll call demanded.

The roll was called and there were ayes 38, nays 23, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hammond,	Packard,
Anderson,	Hjelmstad,	Palmer,
Axvig,	Johnson,	Parr,
Bacon,	Leech,	Phifer,
Bennett,	Lemke,	Ramsett,
Bjornson,	Lerom,	Reade,
Brisbin,	McClure,	Rose,
Davis,	McLean,	Sargeant,
Dwire,	Michels,	Stafne,
Gulack,	Miller,	Swarthout,
Gullikson,	Morgan,	Thomas,
Hall,	Nelson,	Wade,
Hare,	Nevin,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell,	Hill,	Tufte,
Chacey,	Keeler,	Watts,
Chaffee,	Mallough,	Watson,
Chevalier,	Nicholson,	Willison,
Dickson,	Restemayer,	Winslow,
Galbraith,	Severson,	Young,
Gronvold,	Thordarson,	Mr. Speaker,
Heath.	Tubbs,	

Mr. Strutz being excused.

So the motion was lost.

MOTIONS AND RESOLUTIONS.

Mr. Chaffee requested the courtesies of the floor for L. L. Walter.

Mr. Palmer requested the courtesies of the floor for Mrs. Senator Jacobson, Mrs. George Willison, and C. F. F. Abbott, St. Paul.

Mr. Allshouse requested the courtesies of the floor for W. L. Belden.

Mr. Young requested the courtesies of the floor for E. T. Burke and Herman Winkler.

Mr. Bennett requested the courtesies of the floor for R. W. Cranston, Minneapolis.

Mr. Keeler requested the courtesies of the floor for W. R. Kellogg, Jamestown.

Mr. Galbraith requested the courtesies of the floor for C. A. Hale, Grand Forks.

Mr. Chacey requested the courtesies of the floor for Mrs. F. Talcott, Mrs. Heath and Mrs. Chacey, Cass county.

There being no objections, the courtesies of the floor were so extended.

INTRODUCTION OF HOUSE BILLS AND MEMORIALS.

Mr. Bacon introduced

House bill No. 167,

A bill for an act to prohibit the sale of certain game birds and

animals within the state and providing a penalty for violation of the same.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Reade introduced

House bill No. 168,

A bill for an act to amend section 1497 of the Political Code, providing for the appointment of a county physician.

Which was read the first and second times, and
Referred to the committee on public health.

Also,

House bill No. 169,

A bill for an act to amend sections 2466 of the Revised Codes of 1899, relating to filing of certificates of fire departments of cities.

Which was read the first and second times, and
Referred to the committee on municipal corporations.

Mr. Leech introduced

House bill No. 170,

A bill for an act to enable towns, cities or villages of this state having a population of not less than four hundred inhabitants to use automatic ballot (voting) machines at all elections held therein, or one or more precincts thereof.

Which was read the first and second times, and
Referred to the committee on elections and privileges.

Also,

House bill No. 171,

A bill for an act entitled "An act to provide for the support of bastard children, and to regulate the jurisdiction of courts in relation to the same."

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Morgan introduced

House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain cases, and prescribing the manner of payment therefor and the use and care of the same.

Which was read the first and second times, and
Referred to the committee on highways, bridges and ferries.

Mr. Thomas introduced

House bill No. 173,

A bill for an act to amend section 502 of the Revised Codes of 1899, relating to certificates of nomination and prescribing the qualifications of persons participating in nomination at caucuses or in conventions, or by petition, and prescribing the duties of

the secretary of state in reference to the placing of nominees on the official ballot.

Which was read the first and second times, and
Referred to the committee on elections and privileges.

Mr. Bacon introduced
House bill No. 175,

A bill for an act relating to the transfer of cemetery lots by religious corporations.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Bacon introduced (By request)
House bill No. 174,

A bill for an act entitled "An act making it unlawful for any person to hold the office of city justice and county justice or township justice and county justice at the same time."

Which was read the first time.

THIRD READING OF HOUSE BILLS.

House bill No. 99,

A bill for an act to amend section 220, chapter 4 of the Revised Codes of 1899, relating to advertisements for leasing of school lands.

Was read the third time.

Mr. Packard moved that further consideration of House bill No. 99, be made a special order for tomorrow at 3 o'clock.

Which motion prevailed, and

House bill No. 99, was made a special order for tomorrow at 3 o'clock.

Mr. Packard moved that

House bill No. 113,
Concurrent resolution.

Be made a special order for tomorrow at 3:15 o'clock.

Which motion prevailed, and

House bill 113 was made a special order for tomorrow at 3:15.

Mr. Hare moved that the rules be suspended and that the house resolve itself into a committee of the whole for the consideration of general orders.

Roll call demanded.

The roll was called and there were ayes 37, nays 24, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Anderson,
Axvig,
Bacon,
Bennett,

Messrs.—

Hjelmstad,
Johnson,
Lemke,
Lerom,
McClure,

Messrs.—

Palmer,
Parr,
Phifer,
Ramsett,
Reade,

Messrs.—	Messrs.—	Messrs.
Bjornson,	McLean,	Rose
Brisbin,	Michels,	Sargeant,
Davis,	Miller,	Stafne,
Dwire,	Morgan,	Swarthout,
Gulack.	Nelson.	Thomas,
Hall,	Nevin,	Wade.
Hare,	Packard,	Watson,
Hammond,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell,	Heath,	Thordarson,
Chacey,	Hill,	Tubbs,
Chaffee,	Keeler,	Tufte,
Chevalier,	Leech,	Watts,
Dickson,	Mallough,	Willison,
Galbraith,	Nicholson,	Winslow,
Gronvold,	Restemayer,	Young,
Gullikson,	Severson,	Mr. Speaker,

Mr. Strutz being excused.

So the motion was lost.

Mr. Hare moved

That the consideration of
House bill No. 112,

A bill for an act to amend section 343a, of the Revised Codes of 1899, being the same as section 1 of chapter 116 of the session laws of 1899, relating to official bonds of county treasurers.

Be made a special order tomorrow at 5 o'clock.

Which motion prevailed, and

House bill No. 112,

A bill for an act to amend section 343a, of the Revised Codes of 1899, being the same as section 1 of chapter 116 of the session laws of 1899, relating to official bonds of county treasurers.

Was made a special order for tomorrow at 5 o'clock.

Mr. Thordarson moved

That the house do now adjourn,

Roll call demanded.

The roll was called and there were ayes 23, nays 37, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Gulack,	Tubbs,
Cassell,	Heath,	Tufte,
Chacey,	Hill,	Watts,
Chaffee,	Hjelmstad,	Willison,
Chevalier,	Nicholson,	Winslow,
Dickson,	Restemayer,	Young,
Galbraith,	Severson,	Mr. Speaker,
Gronvold,	Thordarson,	

Those voting in the negative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Davis,
Dwire,
Gullikson,
Hall,
Hare,
Hammond,
Johnson,

Messrs.—

Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,

Messrs.—

Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Rose,
Sargeant,
Stafne,
Swarthout,
Thomas,
Wade,
Watson,

Absent and not voting Messrs. Keeler and Strutz.

Mr. Strutz being excused.

So the motion was lost.

Mr. Packard moved that
House bill No. 157

Concurrent resolution.

Be made a special order for 4 o'clock tomorrow.

Roll call demanded.

The roll was called and there were ayes 32, nays 25, absent
and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bennett,
Bjornson,
Brisbin,
Davis,
Dwire,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Hjelmstad,
Johnson,
Lemke,
Lerom,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Packard,

Messrs.—

Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Rose,
Sargeant,
Swarthout,
Thomas,
Wade,

Those voting in the negative were:

Messrs.—

Axvig,
Cassell,
Chacey,
Chevalier,
Dickson,
Galbraith,
Gronvold,
Heath,
Hill,

Messrs.—

Keeler,
Leech,
Mallough,
McClure,
Nicholson,
Severson,
Restemayer,
Thoruarson,

Messrs.—

Tubbs,
Tufte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Bacon,
Chaffee,

Messrs.—

Miller,
Stafne,

Messrs.—

Strutz,

Mr. Strutz being excused.

So the motion prevailed.

And

House bill No. 157

Concurrent resolution.

Was made a special order for tomorrow at 4 o'clock.

Messrs. Leech and Packard explained their votes.

Mr. Hare moved

That the rules be suspended and that the house return to the 17th order of business.

Roll call demanded.

The roll was called and there were ayes 40, nays 21, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Chaffee,
Davis,
Dwire,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,

Messrs.

Packard,
Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Rose,
Sargeant,
Stafne,
Swarthout,
Thomas,
Wade,
Watson.

Those voting in the negative were:

Messrs.—

Cassell,
Chacey,
Chevalier,
Dickson,
Galbraith,
Gronvold,
Heath,

Messrs.—

Hill,
Keeler,
Mallough,
Nicholson,
Restemayer,
Severson,
Thordarson,

Messrs.

Tubbs,
Tuftte,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Mr. Strutz being excused.

Mr. Leech explained his vote.

So the motion was lost.

Mr. Rose moved

That further consideration of

House bill No. 13,

A bill for an act to amend section 1891, article 6 of chapter 26 of the Revised Codes of 1899.

Be made a special order for tomorrow afternoon at 5:15.

Roll call demanded.

The roll was called and there were ayes 37, nays 21, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Brisbin,
Davis,
Dwire,
Gulack,
Gullikson,
Hall,
Hare,
Hammond.

Messrs.—

Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,

Messrs.

Packard,
Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Rose,
Sargeant,
Swarthout,
Thomas,
Wade,
Watson,

Those voting in the negative were:

Messrs.—

Cassell,
Chacey,
Chevalier,
Dickson,
Galbraith,
Gronvold,
Heath,

Messrs.—

Hill,
Keeler,
Mallough,
Nicholson,
Restemayer,
Severson,
Thordarson,

Messrs.—

Tubbs,
Tufte,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Bjornson,
Chaffee,

Messrs.—

Stafne,

Messrs.—

Strutz,

Mr. Strutz being excused.

So the motion prevailed, and
House bill No. 13,

A bill for an act to amend section 1891, article 6 of chapter 26
of the Revised Codes of 1899.

Was made a special order for tomorrow afternoon at 5:15.

Mr. Winslow moved

That the house do now adjourn.

Roll call demanded.

The roll was called and there were ayes 21, nays 37, absent and
not voting 4.

Those who voted in the affirmative were.

Messrs.—

Cassell,
Chacey,
Chevalier,
Dickson,
Galbraith,
Gronvold,
Heath,

Messrs.—

Hill,
Keeler,
Mallough,
Nicholson,
Restemayer,
Severson,
Thordarson,

Messrs.—

Tubbs,
Tufte,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,

Messrs.—

Hammond,
Hjelmstad,
Lemke,
Lerom,

Messrs.—

Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Bennett,
Bjornson,
Brisbin,
Davis,
Dwire,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard.

Messrs.—

Reade,
Rose,
Sargeant,
Stafne,
Swarthout,
Thomas,
Wade,
Watson,

Absent and not voting:

Messrs.—

Chaffee,
Johnson,

Messrs.—

Leech,

Messrs.—

Strutz,

Mr. Strutz being excused.

So the motion was lost.

Mr. Hare moved

That the house take a recess for ten minutes

Which motion prevailed, and

The house took a recess.

After recess.

Mr. Hare moved

That the rules be suspended and the house return to the 17th order of business.

Roll call demanded.

The roll was called and there were ayes 40, nays 21, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Chaffee,
Davis,
Dwire,
Gulack,
Gullikson,
Hall,
Hare.

Messrs.—

Hammond,
Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,

Messrs.—

Packard,
Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Rose,
Sargeant,
Stafne,
Swarthout,
Thomas,
Wade,
Watson,

Those voting in the negative were:

Messrs.—

Cassell,
Chacey,
Chevalier,
Lickson,
Galbraith,
Gronvold,
Heath,

Messrs.—

Hill,
Keeler,
Mallough,
Nicholson,
Restemayer,
Severson,
Thordarson,

Messrs.—

Tubbs,
Tufte,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker.

Absent and not voting, Mr. Strutz, who was excused.

So the motion was lost.

Mr. Young moved

That the house take a recess for five minutes,

Which motion prevailed, and

The house took a recess.

After recess.

Mr. Hare moved that

Senate bill No. 64,

A bill for an act entitled an act to amend section 5260, Revised Codes of 1899, relating to the manner of commencing civil actions.

Be made a special order for tomorrow at 2:30 o'clock.

Roll call demanded.

The roll was called and there were ayes 39, nays 21, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Hammond,	Packard.
Anderson,	Hjelmstad,	Palmer,
Axvig,	Johnson,	Parr,
Bacon,	Leech,	Phifer,
Bennett,	Lemke,	Ramsett,
Bjornson,	Lerom,	Reade,
Brisbin,	McClure,	Rose,
Chaffee,	McLean,	Sargeant,
Davis,	Michels,	Stafne,
Dwire,	Miller,	Swarthout,
Gulack,	Morgan,	Thomas,
Gullikson,	Nelson,	Wade,
Hall,	Nevin,	Watson,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell,	Hill,	Tubbs,
Chacey,	Keeler,	Tufte,
Chevalier,	Mallough,	Watts,
Dickson,	Nicholson,	Willison,
Galbraith,	Restemayer,	Winslow,
Gronvold,	Severson,	Young,
Heath,	Thordarson,	Mr. Speaker,

Absent and not voting Messrs. Hare and Strutz.

Mr. Strutz being excused.

So the motion prevailed, and

Senate bill No. 64,

A bill for an act entitled an act to amend section 5260, Revised Codes of 1899, relating to the manner of commencing civil actions.

Was made a special order for tomorrow at 2:30 o'clock.

Mr. Hare moved that the rules be suspended and that the house return to the 17th order of business.

Roll call demanded.

The roll was called and there were ayes 40, nays 21, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hjelmstad,	Palmer,
Anderson,	Johnson,	Parr,
Bacon,	Leech,	Phifer,
Bjornson,	Lemke,	Ramsett,
Brisbin,	Lerom,	Reade,
Chaffee,	McClure,	Rose,
Davis,	McLean,	Sargeant,
Dwire,	Michels,	Stafne,
Gulack,	Miller,	Swarthout,
Gullikson,	Morgan,	Thomas,
Hall,	Nelson,	Wade,
Hare,	Nevin,	Watson,
Hammond,	Packard,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.
Cassell,	Hill,	Tubbs,
Chacey,	Keeler,	Tufte,
Chevalier,	Mallough,	Watts,
Dickson,	Nicholson,	Willison,
Galbraith,	Restemayer,	Winslow,
Gronvold,	Severson,	Young,
Heath,	Thordarson,	Mr. Speaker,

Mr. Strutz being excused:

So the motion was lost.

Mr. Winslow moved

That the house do now adjourn.

Roll call demanded.

The roll was called and there were ayes 19, nays 41, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cassell,	Hill,	Tubbs,
Chacey,	Keeler,	Tufte,
Chevalier,	Mallough,	Watts,
Dickson,	Nicholson,	Willison,
Galbraith,	Restemayer,	Winslow,
Gronvold,	Thordarson,	Mr. Speaker,
Heath,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hjelmstad,	Parr,
Anderson,	Johnson,	Phifer,
Axvig,	Leech,	Ramsett,
Bennett,	Lemke,	Reade,
Bjornson,	Lerom,	Rose,
Brisbin,	McClure,	Sargeant,
Chaffee,	McLean,	Severson,
Davis,	Michels,	Stafne,
Dwire,	Miller,	Swarthout,
Gulack,	Morgan,	Thomas,

Messrs.—

Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Nelson,
Nevin,
Packard,
Palmer,

Messrs.—

Wade,
Watson,
Young,

Absent and not voting Messrs. Bacon and Strutz.

Mr. Strutz being excused.

So the motion was lost.

Mr. Young explained his vote.

Mr. Hare moved

That the rules be suspended and that all senate bills be made a special order for tomorrow.

Roll call demanded.

The roll was called and there were ayes 40, nays 21, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Chaffee,
Davis,
Dwire,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,

Messrs.—

Packard,
Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Rose,
Sargeant,
Stafne,
Swarthout,
Thomas,
Wade,
Watson,

Those voting in the negative were:

Messrs.—

Cassell,
Chacey,
Chevalier,
Dickson,
Galbraith,
Gronvold,
Heath,

Messrs.—

Hill,
Keeler,
Mallough,
Nicholson,
Restemayer,
Severson,
Thordarson,

Messrs.—

Tubbs,
Tufte,
Wabts,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting, Mr. Strutz, who was excused.

So the motion was lost.

Mr. Packard moved

That the rules be suspended and the house return to the 17th order of business.

Roll call demanded.

The roll was called and there were ayes 41, nays 20, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,

Messrs.—

Hammond,
Hjelmstad,

Messrs.—

Palmer,
Parr,

Messrs.—

Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Chaffee,
Davis,
Dwire,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Johnson,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard.

Messrs.—

Phifer,
Ramsett,
Reade,
Rose,
Sargeant,
Stafne,
Swarthout,
Thomas,
Wade,
Watson,
Young

Those voting in the negative were:

Messrs.—

Cassell,
Chacey,
Chevalier,
Dickson,
Galbraith,
Gronvold,
Heath,

Messrs.—

Hill,
Keeler,
Mallough,
Nicholson,
Restemayer,
Severson,
Thordarson,

Messrs.—

Tubbs,
Tufte,
Watts,
Willison,
Winslow,
Mr. Speaker,

Absent and not voting Mr. Strutz, who was excused.

So the motion was lost.

Mr. Young explained his vote.

Mr. Packard moved that the rules be suspended and Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Be called from general orders and the following amendments made to the majority report of the committee on the bill:

After the words "be amended as follows," strike out all of the report except the following:

"Amend Seventh district in line 4 of printed bill after the word "Washington" to add the first and second wards of the city of Reynolds."

Amend the Thirty-seventh district by striking out the word "two" in line 4 of the printed bill and insert in lieu thereof the word "three."

And amend the Second district to include the "townships of Avon and Liberty."

And when so amended recommend that the same do pass.

Roll call demanded.

The roll was called and there were ayes 41, nays 20, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,

Messrs.—

Hammond,
Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,

Messrs.—

Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Rose.

Messrs.—

Brisbin,
Cha tee
Davis,
Dwire
Gulack
Gullikson,
Hall,
Hare,

Messrs.—

McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,

Messrs.—

Sargeant,
Stafne,
Swarthout,
Thomas,
Wade,
Watson,
Young,

Those voting in the negative were:

Messrs.—

Cassell,
Chaffee,
Chevalier
Dickson
Galbraith,
Gronvold,
Heath,

Messrs.—

Hill,
Keeler,
Mallough,
Nicholson,
Restemayer,
Severson,
Thordarson,

Messrs.—

Tubbs,
Tufte,
Watts,
Willison,
Winslow,
Mr. Speaker,

Absent and not voting, Mr. Strutz, who was excused.

So the motion was lost.

Mr. Packard moved that

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Be made a special order for 6:20 this afternoon.

Mr. Cassel moved as a substitute that the house do now adjourn.

Roll call demanded.

The question being upon the substitute motion.

The roll was called and there were ayes 20, nays 41, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Cassell
Chacey,
Chevalier
Dickson
Galbraith
Gronvold
Heath

Messrs.—

Hill
Keeler
Mallough
Nicholson
Restemayer
Severson
Thordarson

Messrs.—

Tubbs
Tufte
Watts
Willison
Winslow
Mr. Speaker

Those voting in the negative were:

Messrs.—

Allhouse
Anderson
Axvig
Bacon
Bjornson
Brisbin
Chaffee
Davis
Dwire
Gulack
Gullikson

Messrs.—

Hjelmstad
Johnson
Leech
Lemke
Lerom
McClure
McLean
Michels
Miller
Morgan
Nelson

Messrs.—

Palmer
Parr
Phifer
Ramsett
Reade
Rose
Sargeant
Stafne
Swarthout
Thomas
Wade

Messrs.—

Hall
Hare
Hammond

Messrs.—

Nevin
Packard

Messrs.—

Watson
Young

Absent and not voting Mr. Strutz, who was excused.

So the substitute motion was lost.

The question being upon the original motion.

Mr. Cassell raised to point of order, it being past 6:20 at this time, and the chair sustained the point of order.

Mr. Hare moved that the rules be suspended and Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Be made a special order for this afternoon at 6:45.

Mr. Packard moved as a substitute that the rules be suspended and

Senate Bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Be called from general orders.

Roll call demanded.

The question being on the substitute motion.

The roll was called and there were ayes 41, nays 20, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allshouse
Anderson
Axvig
Bacon
Bennett
Bjornson
Brisbin
Chaffee
Davis
Dwire
Gulack
Hall
Hare
Hammond

Messrs.—

Heath
Hill
Hjelmstad
Johnson
Leech
Lemke
Lerom
McClure
McLean
Michels
Miller
Morgan
Nelson
Nevin

Messrs.—

Packard
Palmer
Parr
Phifer
Ramsett
Reade
Rose
Sargeant
Swarthout
Thomas
Wade
Watson
Young

Those voting in the negative were:

Messrs.—

Cassell
Chacey
Chevalier
Dickson
Galbraith
Gronvold
Gullikson

Messrs.—

Keeler
Mallough
Nicholson
Restemayer
Severson
Stafne
Thordarson

Messrs.—

Tubbs
Tufte
Watts
Willison
Winslow
Mr. Speaker

Absent and not voting, Mr. Strutz, who was excused.

So the substitute motion was lost.

Mr. Chace explained his vote.

Mr. Nicholson explained his vote.

Mr. Winslow explained his vote.

Mr. Hare withdrew the original motion.

Mr. Hare moved

That the rules be suspended and the house return to the 17th order of business.

Mr. Cassell moved as a substitute

That the house do now adjourn.

Roll call demanded.

The question being upon the substitute motion.

The roll was called and there were ayes 22, nays 39, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Chacey
Cassell
Chevalier
Dickson
Galbraith
Gronvold
Heath

Messrs.—

Hill
Keeler
Mallough
Nicholson
Restemeyer
Severson
Stafne

Messrs.—

Thordarson
Tubbs
Tufte
Watts
Willison
Winslow
Mr. Speaker

Those voting in the negative were:

Messrs.—

Allshouse
Anderson
Axvig
Bennett
Bjornson
Brisbin
Chaffee
Davis
Dwire
Gulack
Gullikson
Hall
Hare

Messrs.—

Hammond
Hjelmstad
Johnson
Leech
Lemke
McClure
McLean
Michels
Miller
Morgan
Nelson
Nevin
Packard

Messrs.—

Palmer
Parr
Phifer
Ramsett
Reade
Rose
Sargeant
Swarthout
Thomas
Wade
Watson
Young

Absent and not voting, Mr. Strutz, who was excused.

So the substitute motion was lost.

Mr. Cassell moved as a substitute that we take a recess until 9 o'clock tomorrow morning.

Roll call demanded.

The question being upon the substitute motion.

The roll was called and there were ayes 20, nays 41, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Cassell
Chacey
Chevalier
Dickson
Galbraith
Gronvold
Heath

Messrs.—

Hill
Keeler
Mallough
Nicholson
Restemayer
Severson
Thordarson

Messrs.—

Tubbs
Tufte
Willison
Winslow
Young
Mr. Speaker

Those voting in the negative were:

Messrs.—

Allshouse
Anderson
Axvig
Bacon
Bennett
Bjornson
Brisbin
Chaffee
Davis
Dwire
Gulack
Gullikson
Hall
Hare

Messrs.—

Hammond
Hjelmstad
Johnson
Leech
Lemke
Lerom
McClure
McLean
Michels
Miller
Morgan
Nelson
Nevin
Packard

Messrs.—

Palmer
Parr
Phifer
Ramsett
Reade
Rose
Sargeant
Stafne
Swarthout
Thomas
Wade
Watts
Watson

Absent and not voting Mr. Strutz, who was excused.

So the substitute motion was lost.

The question being upon the original motion.

Roll call demanded.

The roll was called and there were ayes 42, nays 19, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Allshouse
Anderson
Axvig
Bacon
Bennett
Bjornson
Brisbin
Chaffee
Davis
Dwire
Gulack
Gullikson
Hall
Hare

Messrs.—

Hammond
Hjelmstad
Johnson
Leech
Lemke
Lerom
McClure
McLean
Michels
Miller
Morgan
Nelson
Nicholson
Nevin

Messrs.—

Packard
Palmer
Parr
Phifer
Ramsett
Reade
Rose
Sargeant
Stafne
Swarthout
Thomas
Wade
Watson
Young

Those voting in the negative were:

Messrs.—

Cassell
Chacey
Chevalier
Dickson
Galbraith
Gronvold
Heath

Messrs.—

Hill
Keeler
Mallough
Restemayer
Severson
Thordarson

Messrs.—

Tubbs
Tufte
Watts
Willison
Winslow
Mr. Speaker

Absent and not voting Mr. Strutz, who was excused.

So the original motion prevailed.

Mr. Cassell demanded a verification of the vote.

The question being on the verification of the previous vote.

The roll was called and there were ayes 42, nays, 19, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Hammond	Packard
Anderson	Hjelmstad	Palmer
Axvig	Johnson	Parr
Bacon	Leech	Phifer
Bennett	Lemke	Ramsett
Bjornson	Lerom	Reade
Brisbin	McClure	Rose
Chaffee	McLean	Sargeant
Davis	Michels	Stafne
Dwire	Miller	Swarthout
Gulack	Morgan	Thomas
Gullikson	Nelson	Wade
Hail	Nicholson	Watson
Hare	Nevin	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell	Hill	Tubbs
Chacey	Keeler	Tufte
Chevalier	Mallough	Watts
Dickson	Restemayer	Willison
Galbraith	Severson	Winslow
Gronvold	Thordarson	Mr. Speaker
Heath		

Absent and not voting Mr. Strutz, who was excused.

So the vote was verified.

GENERAL ORDERS.

Mr. Packard moved

That the house resolve itself into a committee of the whole for the purpose of considering Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Which motion prevailed, and

The house resolved itself into a committee of the whole for the consideration of Senate bill No. 60.

The speaker called Mr. Mallough to the chair.

When the committee arose they made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

And recommend that the majority report be amended as follows:

After the words "be amended as follows," strike out all of the report except the following:

"Amend Seventh district in line 4 of printed bill after the word "Washington" to add the "first and second wards of the city of Reynolds."

Amend the Thirty-seventh district by striking out the word "two" in line 4 of printed bill and insert in lieu thereof the word "three."

And amend the Second district to include "the townships of Avon and Liberty."

And when so amended recommend that the same do pass.

B. MALLOUGH,
Chairman.

Mr. Packard moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

Mr. Packard moved

That the vote by which the report of the committee of the whole was adopted

Be reconsidered and the vote to reconsider be laid on the table.

Which motion prevailed.

Mr. Winslow moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FORTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 16, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Strutz and Rose, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal asked for further time; there being no objection the request was granted.

PRESENTATION OF PETITIONS AND MEMORIALS.

Mr. Lemke presented the following petition:

To the House of Representatives of the State of North Dakota:

We, the undersigned, citizens of Towner county, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

ARCHIE McLARTY,
And 26 Others.

Mr. Tufte presented the following petition:

NORTHWOOD, Feb. 12, 1901.

We, the undersigned members of the Northwood fire department, do hereby earnestly request the Hon. T. E. Tufte to tender your support for House bill No. 55, which is a measure we consider a just and beneficial one to all concerned.

M. O. SIMENSTAD,
And 15 Others.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 133,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Also,

House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. NELSON,

Chairman.

Mr. Allshouse moved that

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Be referred to general orders.

Which motion prevailed, and

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Was so referred.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 68,

A bill for an act entitled an act relating to the board of pardons and prescribing the powers and duties thereof.

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

By striking out the words "board of pardons" wherever same appears in section 1, and insert in lieu thereof the words "board of pardons."

By striking out the words "other such" line 17, page 4, of the printed bill and inserting in lieu thereof the words "such other."

By striking out the word "stationary" in line 6, section 7, of the printed bill and inserting in lieu thereof the word "stationery."

By inserting after the word "all" in line 6, of section 4, of the printed bill the word "other."

And when so amended recommend that the same do pass.

Also,

House bill No. 147,

A bill for an act to amend sections 7156, 7159, 7160, 7161 and 7162 of the Revised Codes, relating to the crime of rape, and punishment therefor.

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

By striking out all after the enacting clause and inserting in lieu thereof

"Section 1. Amendment.) That sections 7159, 7160, 7161 and 7162 of the Revised Codes of North Dakota be, and the same are, hereby amended to read as follows:

"Sec. 7159. Rape in First Degree Defined.) Rape committed upon a female under the age of thirteen years, or incapable through lunacy or other unsoundness of mind, of giving legal consent, or accomplished by means of force or violence overcoming her resistance, or accomplished through the administration of intoxicating, narcotic or anesthetic agent, administered by or with the knowledge or privity of the accused, is rape in the first degree.

"Sec. 7160. Rape in Second Degree Defined.) In all other cases rape is of the second degree, but no conviction can be had in case the female is over the age of thirteen years and the male under the age of twenty years at the time of the act of intercourse and it appears to the satisfaction of the jury that the female was sufficiently matured and informed to understand the nature of the act and consented thereto.

"Sec. 7161. Punishment for Rape in First Degree.) Every person convicted of rape in the first degree shall suffer death or be imprisoned in the penitentiary for not less than ten years.

"Sec. 7162. Punishment for Rape in Second Degree.) Every person convicted of rape in the second degree shall be imprisoned in the penitentiary not less than five years nor more than twenty years.

And when so amended recommend that the same do pass.

Also,

Senate bill No. 34,

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

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

By inserting in line 4 of the printed bill before the word "ten" the word and figures "section 5200."

By striking out the word "of" in line 7 of the printed bill and inserting in lieu thereof the word "or."

By striking out all after line twelve of the printed bill.

And when so amended recommend that the same do pass.

Also,

House bill No. 142,

A bill for an act to amend section 4066 of the Revised Codes of the state of North Dakota, relating to the penalty for usury.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,

Mr. Allshouse moved as a substitute motion that

House bill No. 142,

A bill for an act to amend section 4066 of the Revised Codes of the state of North Dakota, relating to the penalty for usury.

Be referred to general orders

Which motion prevailed, and

House bill No. 142, was so referred.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 148,

A bill for an act to amend section 2721 of the Revised Codes, relating to age of consent of marriage.

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

By striking out the word "eighteen" in line 3 of the printed bill and inserting in lieu thereof the word "sixteen."

And by striking out the words "or refusing to issue such license" in line numbered 9 of the printed bill, and inserting in lieu thereof the words "to or refusing to consent to the issuance of such license."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,

Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 16, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 144,

A bill for an act to amend section 119 of the Revised Codes of 1899, relating to the duties of the attorney general.

Also,

Senate bill No. 135,

A bill for an act empowering the county commissioners to contract with the sheriff for the collection of personal property tax judgments, or personal property taxes delinquent more than one year.

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

Very respectfully,

I. J. MOE,

Acting Secretary.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means have, as directed in the resolution adopted by this house on the 14th day of this session, considered the matter of representation at the Pan-American Exposition, to be held in Buffalo during the present year, and believing we cannot afford to let pass the unequalled opportunity to advertise the resources of our state, and believing that representation at said exposition will result in a large measure of material good to the state, and for the purpose of placing the matter before this house, beg leave to present herewith a bill for a commission to prepare and have charge of an exhibit at said exposition, and a bill for an appropriation to meet the expenses thereof.

All of which is respectfully submitted.

M. B. CASSELL,
Chairman.

Mr. Bacon moved

That the report be received and the bill read in its regular order
Which motion prevailed.

COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 16, 1901.

To the House of Representatives:

Gentlemen—I have the honor to inform you that I have approved and filed with the honorable secretary of state

House bill No. 57,

A bill for an act to amend section 1596 of the Revised Codes of North Dakota, 1899, the same being section 1596 of the Revised Codes of 1895, relating to veterinarian districts.

Very respectfully yours,

FRANK WHITE,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Hare moved that the rules be suspended and
Senate bill No. 114,
Concurrent resolution.

Be placed on its third reading and final passage.
Which motion prevailed, and

Senate bill No. 114,
Concurrent resolution.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 55, nays 4, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Heath	Parr
Axvig	Hill	Phiifer
Bacon	Hjelmstad	Ramsett
Bennett	Johnson	Reade
Bjornson	Leech	Restemayer
Brisbin	Lemke	Sargeant
Cassell	Lerom	Severson
Chacey	Mallough	Stafne
Chaffee	McClure	Swarthout
Chevalier	McLean	Thordarson
Davis	Michels	Tufte
Dickson	Miller	Wade
Dwire	Morgan	Watts
Galbraith	Nelson	Watson
Gronvold	Nevin	Willison
Gullikson	Nicholson	Winslow
Hall	Packard	Young
Hare	Palmer	Mr. Speaker
Hammond		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Thomas	Tubbs
Keeler		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack	Rose	Strutz

Messrs. Rose and Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Reade requested the courtesies of the floor for Mrs. David Richards, Burleigh county.

Mr. Mallough for Mrs. W. F. Cushing, Fargo.

Mr. Packard for Mrs. Thos. Harrison, Blanchard.

There being no objection such courtesies were granted.

Mr. Gullikson moved that the vote by which

Senate bill No. 114,

Concurrent resolution.

Passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hare moved that all bills that were made a special order yesterday be returned to their regular order

Which motion prevailed.

Mr. Hare moved that the rules be suspended, and

Senate bill No. 60,

A bill for an act to define the senatorial and representative

districts of North Dakota and prescribe the number of senators and representatives therein.

Be placed on its third reading and final passage.

Roll call demanded.

The roll was called and there were ayes 40, nays 20, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse	Hare	Nevin
Anderson	Hammond	Packard
Axvig	Hjelmstad	Palmer
Bacon	Leech	Parr
Bennett	Lemke	Phifer
Bjornson	Lerom	Ramsett
Brisbin	McClure	Reade
Chaffee	McLean	Sargeant
Davis	Michels	Stafne
Dwire	Miller	Swarthout
Gronvold	Morgan	Thomas
Gulack	Nelson	Wade
Gullikson	Nicholson	Watson
Hall		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell	Johnson	Tufte
Chacey	Keeler	Watts
Chevalier	Mallough	Willison
Dickson	Restemayer	Winslow
Galbraith	Severson	Young
Heath	Thordarson	Mr. Speaker
Hill	Tubbs	

Absent and not voting Messrs. Rose and Strutz who were excused.

So the motion was lost.

Mr. Young explained his vote.

INTRODUCTION OF HOUSE BILLS AND MEMORIALS.

The committee on ways and means introduced

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Which was read the first and second times, and

Referred to the committee on ways and means.

Also,

House bill No. 177,

A bill for an act to make an appropriation for the collection,

arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Which was read the first and second times, and
Referred to the committee on ways and means.

Mr. Nelson introduced

House bill No. 178,

A bill for an act to amend section 2770 of the Revised Codes of North Dakota, relating to the liability of a husband or wife for the debt of the other, and to establish their joint and several liability for household supplies in certain cases.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Restemayer introduced

House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Leech introduced

House bill No. 180,

A bill for an act for the protection of manufacturers of soda water, mineral water and other like beverages.

Which was read the first and second times, and

Referred to the committee on judiciary.

Also,

House bill No. 181,

A bill for an act to amend section 7264 of the Penal Code of the state of North Dakota.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Bacon introduced

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Which was read the first and second times, and

Referred to the committee on warehouses, grain and grain grading.

SECOND READING OF HOUSE BILLS.

House bill No. 174,

A bill for an act entitled "An act making it unlawful for any person to hold the office of city justice and county justice or township justice and county justice at the same time."

Was read the second time and

Referred to the committee on judiciary.

THIRD READING OF HOUSE BILLS.

House bill No. 99,

A bill for an act to amend section 220, chapter 4 of the Revised Codes of 1899, relating to advertisements for leasing of school lands.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffer,
Chevalier,
Davis,
Dickson,

Messrs.—

Heath,
Hill,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,

Messrs.—

Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,

Those voting in the negative were:

Messrs.—

Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hammond,

Messrs.—

Nelson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Wattson,
Willison,
Winslow,
Young,
Mr. Speaker

Absent and not voting:

Messrs.—

Gulack,
Hare,

Messrs.—

Johnson,
Nicholson,

Messrs.—

Rose,
Strutz,

Messrs. Rose and Strutz being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 16, 1901.

Mr. Speaker:

I have the honor to transmit herewith a concurrent resolution relating to the death of the Hon. Gilbert A. Pierce, and your favorable consideration of the same is respectfully requested.

Very respectfully,
I. J. MOE,
Acting Secretary.

Mr. Keeler moved

That the concurrent resolution just received from the senate be taken up and read.

Which motion prevailed, and

The following concurrent resolution was read:

CONCURRENT RESOLUTION.

The press dispatches convey to the members of this assembly the sad intelligence of the death of the Honorable Gilbert A. Pierce at the Hotel Lexington, Chicago. Mr. Pierce was the first governor to occupy the executive chamber in this capitol building. He was governor of the Territory of Dakota at the time of the holding of the constitutional conventions looking to the division and admission of the sister states of North and South Dakota. His advice and influence was a great factor in the formative period of statehood and the framing of a state constitution. He was honored by being unanimously chosen one of the first United States senators from North Dakota, which position he held with great credit to the state and honor to himself. His services to the state were of inestimable value. He was a man possessed of exceedingly popular and loving traits of character. Author, soldier, newspaper man, statesman, friend. No man who has had to do with the affairs of this state wielded a better or more potent influence. The ship of state with whose launching he had so much to do sails proudly on, and in the flight of time the life and public services of Honorable Gilbert A. Pierce will stand out in bold relief as a bright and shining milestone in the history of North Dakota.

Resolved by the Senate and House of Representatives that as a mark of our respect and high regard for our deceased friend and former co-worker the flag on the capitol building be floated at half mast for the period of twenty-four hours, and that a copy of this resolution engrossed and signed by the respective officers of this legislative assembly be forwarded to the surviving widow and family of the deceased to whom we extend sincere and heartfelt condolence.

Mr. Keeler moved

That the house concur in the concurrent resolution just read from the desk.

Which motion prevailed, and

The house concurred in the concurrent resolution

House bill No. 113,
Concurrent resolution.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 58, nays 2, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Heath	Parr
Anderson	Hill	Phifer
Axvig	Hjelmstad	Ramsett
Bacon	Johnson	Reade
Bennett	Keeler	Restemeyer
Bjornson	Leech	Sargeant
Brisbin	Lemke	Severson
Cassell	Lerom	Stafne
Chaffee	Mallough	Swarthout
Chevalier	McClure	Thomas
Davis	McLean	Thordarson
Dickson	Michels	Tubbs
Dwire	Miller	Tufte
Galbraith	Morgan	Wade
Gronvold	Nelson	Watson
Gulack	Nicholson	Willison
Gullikson	Niven	Winslow
Hall	Packard	Young
Hare	Palmer	Mr. Speaker
Hammond		

Messrs. Chacey and Watts voting in the negative.

Absent and not voting Messrs. Palmer, Rose and Strutz.

Messrs. Rose and Strutz being excused.

So the bill passed and the title was agreed to.

House bill No. 13,

A bill for an act to amend section 1891, article 6 of chapter 26 of the Revised Codes of 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 21, nays 38, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig	Lemke	Sargeant
Bacon	Lerom	Stafne
Dickson	McLean	Swarthout
Galbraith	Miller	Thomas
Gronvold	Morgan	Tufte
Gulack	Nelson	Willison
Gullikson	Parr	Winslow

Those voting in the negative were:

Messrs.—

Allshouse
Anderson
Bennett
Bjornson
Brisbin
Cassell
Chacey
Chaffee
Chevalier
Davis
Dwire
Hall
Hare

Messrs.—

Hammond
Heath
Hill
Hjelmstad
Johnson
Keeler
Leech
Mallough
McClure
Michels
Nevin
Nicholson
Packard

Messrs.—

Phifer
Ramsett
Reade
Restemayer
Severson
Thordarson
Tubbs
Wade
Watts
Watson
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Palmer

Messrs.—

Rose

Messrs.—

Strutz

Messrs. Rose and Strutz being excused.

Messrs. Allshouse and Tufte explained their votes.

So the bill was lost.

House bill No. 112,

A bill for an act to amend section 343a, of the Revised Codes of 1899, being the same as section 1 of chapter 116 of the session laws of 1899, relating to official bonds of county treasurers.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvoid,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse, Palmer,	Rose,	Strutz,

Messrs. Rose and Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Bacon explained his vote.

House bill No. 157, substitute for House bill No. 29,

Concurrent resolution.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays 3, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse, Anderson, Axvig, Bacon, Bennett, Brisbin, Cassell, Chaffee, Chevalier, Davis, Dickson, Galbraith, Gronvold, Gulack, Gullikson, Hall, Hammond, Heath,	Hill, Hjelmstad, Johnson, Keeler, Leech, Lemke, Lerom, Mallough, McClure, McLean, Michels, Miller, Morgan, Nelson, Nevin, Nicholson, Palmer, Parr,	Phifer, Reade, Restemayer, Sargeant, Severson, Stafne, Swarthout, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Winslow, Young, Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson,	Chacey,	Ramsett,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dwire, Hare,	Packard, Rose,	Strutz,

Messrs. Rose and Strutz being excused.

House bill No. 133,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 45, nays 11, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Allshouse
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Dickson,
Galbraith,
Gronvold,
Hall,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Lemke,
Lerom,
Nicholson,
Nelson,
Nevin,
Michels,
Mallough,
McClure,
McLean,
Morgan,

Messrs.—

Packard,
Phifer,
Ramsett,
Reade,
Sargeant,
Severson,
Stafne,
Swarthout,
Tubbs,
Tufte,
Wade,
Watson,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Axvig,
Gulack,
Gullikson,
Miller,

Messrs.—

Palmer,
Parr,
Restemayer,
Thomas,

Messrs.—

Thordarson,
Watts,
Willison,

Absent and not voting:

Messrs.—

Davis,
Dwire,

Messrs.—

Hare,
Leech,

Messrs.

Rose,
Strutz,

Messrs. Rose and Strutz being excused.

So the bill passed and the title was agreed to.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the thirty-ninth day and recommend that the same be corrected as follows:

Page 3, line 46, strike out word "of" where it occurs the second time.

Page 4, line 28, correct spelling of name "Strabane;" also of name "Arvilla."

Page 14, change line 38 to read as follows: "Mr. Reade moved to suspend the rules and the report be adopted."

Page 16, line 18, change word "judiciary" to "municipal corporations."

Page 30, change "Young" from "affirmative" to "negative vote."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Packard moved that the vote by which

House bill No. 133,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

Was read the third time.

Mr. Cassell asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Cassell moved the following amendment:

Amend by inserting after the words and figures "section 1" the following amendment "that section 2985 of the Revised Codes of 1899 be amended so as to read as follows:"

Which motion prevailed, and

The amendment was adopted.

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays 11, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Dickson,
Galbraith,
Gronvold,
Hall,
Hare,
Hammond,
Heath,
Hill,
Hjelmstad,

Messrs.—

Johnson,
Keeler,
Leech,
Lerom,
Lemke,
Mallough,
McClure,
McLean,
Michels,
Miller,
Nelson,
Nevin,
Nicholson,
Packard,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Allshouse,
Bacon,
Brisbin,
Chevalier,

Messrs.—

Davis,
Gulack,
Gullikson,
Morgan,

Messrs.—

Palmer,
Parr,
Swarthout,

Absent and not voting:

Messrs.—

Dwire,

Messrs.—

Rose,

Messrs.—

Strutz,

Messrs. Rose and Strutz being excused.

So the bill passed and the title was agreed to.

Mr. Hare explained his vote.

Mr. Mallough moved that the vote by which

House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

Passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 64,

A bill for an act entitled an act to amend section 5260, Revised Codes of 1899, relating to the manner of commencing civil actions.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate bill No. 74,

A bill for an act entitled "An act to amend sections 643, 681 and 682 of the Revised Codes of 1899, relating to education."

Was read the first and second times, and

Referred to the committee on education.

Also,

Senate bill No. 71,

A bill for an act to amend section 497b of the Revised Codes, relating to the time of holding caucuses and the issuance of certificates of election of delegates.

Was read the first and second times, and

Referred to the committee on elections and privileges.

Also,

Senate bill No. 121,

A bill for an act making an appropriation for repairing and furnishing the executive mansion.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate bill No. 138,

Concurrent resolution for an act to amend section 182 of the constitution of the state of North Dakota.

Was read the first and second times, and

Referred to the committee on ways and means.

Also,

Senate bill No. 143,

A bill for an act entitled "an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, the executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building."

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate bill No. 140,

A bill for an act entitled an act to amend section 1880 of the Revised Codes of North Dakota of 1899, relating to the procedure for the location and removal of county seats.

Was read the first and second times, and

Referred to the committee on counties and county boundaries.

Also,

Senate bill No. 122,

A bill for an act to empower the board of county commissioners to offset due or delinquent taxes, due from any person, corporation or society, in whose favor an indebtedness has accrued against such county.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Also,

Senate bill No. 128,

A bill for an act entitled an act to amend section 338d of the Revised Codes, 1899, relating to vouchers filed to be consecutively numbered and paid.

Was read the first and second times, and

Referred to the committee on ways and means.

Also,

Senate bill No. 129,

A bill for an act relating to the manner of making and filing claims against the state, and prescribing forms to be used.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate bill No. 124,

A bill for an act to provide a fund for the purpose of retiring the principal of the bonded indebtedness of the state.

Was read the first and second times, and

Referred to the committee on ways and means.

Also,

Senate bill No. 105,

A bill for an act to amend section 4680 of article 2, chapter 72,

of the Revised Codes of the state of North Dakota, for the year 1899, entitled liens in general.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate bill No. 56,

A bill for an act to amend section 885, chapter 10, of the Revised Codes, relating to object and departments of the university.

Was read the first and second times, and
Referred to the committee on education.

Also,

Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the state university at Grand Forks, agricultural college at Fargo, state normal school at Valley City, state normal at Mayville, and the deaf and dumb asylum of Devils Lake, as a part of the system of public schools.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate bill No. 130,

A bill for an act conferring jurisdiction as judges of conciliation upon the courts of Indian offenses.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate bill No. 142,

A bill for an act entitled an act to amend section 5730, Revised Codes, relating to service of notices and papers.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate bill No. 141,

A bill for an act entitled an act to provide when execution of judgment in civil actions may be stayed.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate bill No. 111,

A bill for an act entitled "An act to amend section 5631 of the Revised Codes of 1899, relating to the printing of briefs and abstracts upon appeals to the supreme court."

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate bill No. 96,

A bill for an act amending section 1278 of the Revised Codes of 1899, relating to "deed not to be recorded without auditor's certificate of taxes paid."

Was read the first and second times, and
Referred to the committee on state affairs.

THIRD READING OF SENATE BILLS.

Mr. Packard moved that

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Be taken up and given its third reading and put upon its final passage.

Which motion prevailed, and

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Was read the third time.

Mr. Bennett asked unanimous consent to make an amendment at this time.

There being no objections the request was granted.

Mr. Bennett moved the following amendment:

By substituting the word "Wheatfield" for the word "Wheatland" in that portion of the line relating to the 5th district.

Which motion prevailed, and

The amendment was adopted.

Mr. Heath asked unanimous consent to make an amendment
There being no objection, the request was granted.

Mr. Heath offered the following amendment and moved its adoption:

Amend by inserting the word "Bell" in lieu of the words "Elm River" in that portion of the bill relating to the 10th district.

Which motion prevailed, and

The amendment was adopted.

Mr. Severson asked unanimous consent to make an amendment.
There being no objection the request was granted.

Mr. Severson offered the following amendment and moved its adoption:

Amend by adding after the word "Casselton" where it appears the second time in that portion after the bill relating to the 10th district the words "village of Mapleton and village of Davenport."

Which motion prevailed, and

The amendment was adopted.

Mr. Gullikson asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Gullikson offered the following amendment:

Amend by inserting in that portion of the bill relating to the 4th district after the word "Minto" the words "village of Minto" and after the words "Forest River" the words "village of Forest River."

Mr. Hill asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Hill offered the following amendment and moved its adoption:

Amend by inserting in that portion of the bill relating to the 11th district the words "village of Buffalo."

Which motion prevailed, and
The amendment was adopted.

Mr. Morgan asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Morgan offered the following amendment and moved its adoption:

Amend by substituting the word "Waldo" for the word "Waldon" in that portion of the bill relating to the 12th district.

Also,

Amend by striking out in that portion of the bill relating to the 12th district the word "Wahpeton, 1st district Wahpeton, 2nd district Wahpeton, 3rd district Wahpeton." and inserting in lieu thereof the words "city of Wahpeton."

Which motion prevailed, and
The amendment was adopted.

Mr. Young asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Young offered the following amendment and moved its adoption:

Amend by adding the words "the village of Wimbledon" to that portion of the bill relating to the 15th district.

Which motion prevailed, and
The amendment was adopted.

Mr. McLean asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. McLean offered the following amendment and moved its adoption:

Amend by changing the spelling of the word "Yleinla" to "Glenila" in that portion of the bill relating to the 18th district.

Which motion prevailed, and
The amendment was adopted.

Mr. Thomas asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Thomas offered the following amendment and moved its adoption:

Amend by inserting in that portion of the bill relating to the 37th district, after the words "west end" the word "Mellen" preceded by a hyphen:

Which motion prevailed, and
The amendment was adopted.

Mr. Nelson asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Nelson offered the following amendment and moved its adoption:

Amend that portion of the bill relating to the 39th district by substituting the word "city" in lieu of the word "town."

Which motion prevailed, and
The amendment was adopted.

Mr. Dickson asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Dickson offered the following amendment and moved its adoption:

Amend that portion of the bill relating to the 3rd district by adding after the words "Park River" the words "village of Edinburg, village of Conway, village of Hooper, village of Pisek," and by changing the word "Latonia" to "Latona."

Which motion prevailed, and
The amendment was adopted.

Mr. Restemayer asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Restemayer offered the following amendment and moved its adoption:

Add to the 2nd district "city of St. Thomas, city of Crystal, town of Hamilton, town of Cavalier, village of Canton," and correct spelling of "Joliette;" "Gardner" should be "Gardar;" correct spelling of "Beaulieu."

Which motion prevailed, and
The amendment was adopted.

Mr. Winslow asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Winslow offered the following amendment and moved its adoption:

Amend by substituting the word "Norton" for the word "Morton" in that portion of the bill relating to the 3rd district.

Which motion prevailed, and
The amendment was adopted.

Mr. Bacon asked unanimous consent to make an amendment. There being no objection the request was granted.

Mr. Bacon offered the following amendment and moved its adoption:

Amend that portion of the bill relating to the 6th district by changing the word "Meckinock" to "Mekinock."

Which motion prevailed, and
The amendment was adopted.

Mr. Young moved
That further consideration of
Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Be made a special order for 2:30 next Monday
Which motion was lost.

The question being upon the final passage of the bill

The roll was called and there were ayes 39, nays 21, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Hjelmstad,	Packard,
Anderson,	Johnson,	Palmer,
Axvig,	Leech,	Parr,
Bacon,	Lemke,	Phifer,
Bennett,	Lerom,	Ramsett,
Brisbin,	McClure,	Reade,
Chaffee,	McLean,	Sargeant,
Davis,	Michels,	Stafne,
Dwire,	Miller,	Swarthout,
Gulack,	Morgan,	Thomas,
Gullikson,	Nelson,	Thordarson,
Hall,	Nevin,	Wade,
Hare,	Nicholson,	Watson,
Hammond,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson,	Heath,	Tufte,
Cassell,	Hill,	Watts,
Chacey,	Keeler,	Willison,
Chevalier,	Mallough,	Winslow,
Dickson,	Restemayer,	Young,
Galbraith,	Severson,	Mr. Speaker,
Gronvold,	Tubbs,	

Absent and not voting Messrs. Rose and Strutz, who were excused.

So the bill passed and the title was agreed to.

Mr. Chacey explained his vote.

Mr. Winslow explained his vote.

Mr. Gulack moved

That the vote by which

Senate bill No. 60 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Mallough moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FORTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 18, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Rose, Strutz and Swarthout, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal asked for further time. There being no objection the request was granted.

PRESENTATION OF PETITIONS AND MEMORIALS.

PARK RIVER, N. D., Feb. 15, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Park River, do most respectfully petition your honorable body to pass Senate bill No. 109 prohibiting the sale of cigarettes.

JOHN FITZPATRICK
And 141 Others.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 106,

A bill for an act to amend section 1944 of the Revised Codes of 1899, relating to duty of board in designating depositories.

Also,

House bill No. 152,

A bill for an act to amend chapter 135 of the Session Laws of 1899, being section 1278 of the Revised Codes of 1899, relating to auditors certificates of delinquent taxes paid on real property before deeds can be recorded.

Also,

House bill No. 156,

A bill for an act to amend section 715 of the Revised Codes of 1899, requiring county superintendents of schools to report all school moneys to district treasurers.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The chief clerk announced that the speaker was about to sign

Senate bill No. 113,

A bill for an act authorizing counties to issue bonds to procure seed grain for needy farmers residents therein.

Also,

Senate bill No. 114,

Concurrent resolution.

And the speaker signed the same in the presence of the house.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain cases, and prescribing the manner of payment therefor and the use and care of the same.

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

“Strike 1115a, 1115c and 1115d out of the bill.”

And when so amended recommend that the same do pass.

E. SEVERSON,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 130,

A bill for an act making it incompetent for a party to an action, or interested in the event thereof, to give evidence concerning conversations had with deceased or insane persons.

Also,

House bill No. 150,

A bill for an act to amend section 395 of the Revised Codes of

1899, the same being chapter 154 of the Session Laws of 1899, relating to the salary of the reporter of the supreme court.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

The minority of the committee on judiciary submit a minority report on

House bill No. 150,

A bill for an act to amend section 395 of the Revised Codes of 1899, the same being chapter 154 of the Session Laws of 1899, relating to the salary of the reporter of the supreme court.

And recommend that the same do pass.

A. W. THOMAS,
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House bill No. 90,

A bill for an act entitled an act to provide for the building of a library and a museum upon the site of old Fort Abercrombie, in Richland county, N. D., and providing an appropriation therefor.

Have had the same under consideration and recommend that the same be reported to a committee of the whole without recommendation.

JOSEPH HARE,
Chairman.

Mr. Michels moved

The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

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

"In line 6 of printed bill that \$30,000 be inserted in place of \$40,000."
 "In line 12, printed bill to read Feb. 22, 1889, instead of 1899, and after "building" in line five. "Permanent buildings and necessary furnishings."

And when so amended recommend that the same do pass.

Also,

House bill No. 41,

A bill for an act entitled an act providing for an appropriation for the erection of buildings for the North Dakota school of forestry at Bottineau, and for the contingent expenses incident to the construction thereof.

Have had the same under consideration, and recommend that he same be referred to general orders without recommendation.

JOSEPH HARE,
 Chairman.

Mr. Sargeant moved
 That the report be adopted,
 Which motion prevailed, and
 The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

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

By inserting in line 7, section 1 before the word "such" the following "or that the person having power or authority refuses to satisfy the same."

By inserting in line 18 of section 1 after the word "record" the following "which notice shall be given in writing and be mailed by registered letter to the last known post office address of each of such persons and the registry receipts for such letters shall be filed with the other papers in the case."

By striking out in line 2 of section 2, the words "now in the code providing" and insert in lieu thereof the words "of law."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
 Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 18, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 21,

A bill for an act regulating fraternal beneficiary societies, orders or associations.

Also,

Senate bill No. 145,

A bill for an act to amend section 1979 of the Revised Codes of 1899, relating to duties of state's attorneys.

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

Also,

House bill No. 3,

A bill for an act entitled an act to provide for the exemption of property used exclusively for religious purposes from taxation.

Which the senate has passed unchanged.

Also

Memorial relating to Tri-State Drainage Association.

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

Very respectfully,
GEORGE L. TOWNES,
Secretary.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 167,

A bill for an act to prohibit the sale of certain game birds and animals within the state and providing a penalty for violation of the same.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 95,

A bill for an act prescribing the duties of county auditor in reference to the certification of abstracts of titles to real estate.

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

By striking out "section 2" of said bill.

By striking out the figure "3" before the first word "emergency" in section 3 of the printed bill and insert in lieu thereof the figure "2."

By inserting after the word "that" in line 1 of section 3 of the printed bill the words "a portion of."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The committee on military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred

Senate bill No. 117,

A bill for an act to amend section 1015 and article 2 of chapter 10 of the Revised Codes of the state of North Dakota, 1899.

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

Strike out all after the word "board" in line 15 of engrossed bill down to and including line 21. Also, in line 23, after the word "meetings" insert the words, "in each year."

And when so amended recommend that the same do pass.

Also,

Substitute for Senate bill No. 51,

A bill for an act amending sections 1392 and 1393, Revised Codes of North Dakota, relating to state military boards.

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

FRED LEMKE,
Chairman.

Mr. Little moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

Have had the same under consideration and recommend that the same be referred back without recommendation.

Also,

House bill No. 135,

A bill for an act entitled an act to declare certain weeds common nuisances and to provide for their destruction.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,
Chairman.

Mr. Michels moved that

House bill No. 135,

A bill for an act entitled an act to declare certain weeds common nuisances and to provide for their destruction.

Be referred to general orders.

Which motion prevailed.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

Senate bill No. 48,

A bill for an act to amend section 6153 of the Revised Codes of 1891 relating to liability of owner for trespass of animals.

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

By adding "provided that the provisions of this section shall not apply to counties in which such law is in force, during the season in which stock is permitted to run at large."

And when so amended recommend that the same do pass.

P. P. CHACEY,
Chairman.

REFERENCE OF THE JOURNAL.

Your committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the fortieth day, have carefully examined the same and recommend that the same be corrected as follows:

Page 3, line 10, change word "pardons" to "pardon."

Page 4, strike out "line 12," and insert in lieu thereof the following:

"GEORGE M. YOUNG,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred"

Page 9, change line 23 to read as follows: "was read the second time, and"

Page 14, change Watts from affirmative to negative.

Page 20, line 40, change word "Ylenila" to "Glenila."

Page 21, line 30, change "Cando" to "Canton."

Page 14 change Watson from negative to affirmative.

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Reade moved that

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Be taken from general orders and referred to the committee on taxes and tax laws,

Which motion prevailed, and

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Was so referred

Mr. Cassell moved that

House bill No. 177.

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Be called from the committee on ways and means and referred to the committee on appropriations.

Which motion prevailed, and

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Was so referred.

Bishop Edsall, of Fargo, was given the courtesies of the floor and invited by Mr. Pollock to a seat beside the speaker's chair.

Mr. Packard requested the courtesies of the floor for C. H. Michels, Benson county.

Mr. Tubbs requested the courtesies of the floor for Dr. Fish, of Wheatland.

Mr. Palmer requested the courtesies of the floor for John Harold, of Bismarck.

There being no objections, the courtesies of the floor were so extended

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Nicholson introduced

House bill No. 183,

A bill for an act to provide for notice to be given before cancellation, termination or forfeiture of or under any instrument for the future conveyance of lands, or of any equity therein, and to prohibit agreements for such cancellation, termination or forfeiture without such notice.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Nevin introduced

House bill No. 184,

A bill for an act to amend section 207 of the Revised Codes, relating to the taxation of school and institutional lands after the contract for the sale thereof has been made and prohibiting the issuance of tax deeds thereof and providing for dropping the same from the tax lists after the cancellation of said contract.

Which was read the first and second times, and

Referred to the committee on schools and public lands.

Mr. Mallough introduced

House bill No. 185,

A bill for an act to amend section 1030 of the Revised Codes of 1899, providing for the use of lignite coal in the various state institutions, county buildings and public schools of the state and for the purchase of the same from the lowest responsible bidder.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Tufte introduced

House bill No. 186,

A bill for an act declaring gophers a common nuisance and to provide for their extermination in certain instances.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Chaffee introduced

House bill No. 187,

A bill for an act to regulate and restrict the sale of cigarettes and cigarette paper and to prescribe penalties for a violation thereof.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Galbraith introduced

House bill No. 188

A bill for an act to amend section 3597 of the Revised Codes of the state of North Dakota in regard to the record of certain instruments and the admissability in evidence of instruments entitled to record, without further proof.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Galbraith introduced

House bill No. 189,

A bill for an act to amend section 3115 of the Revised Codes of the state of North Dakota of 1895, relating to fidelity insurance companies and providing that same shall give reasons for rejecting applications for suretyship, and prescribing penalty for failure to do so.

Which was read the first and second times, and
Referred to the committee on insurance.

Mr. Leech introduced (by request)

House bill No. 190,

A bill for an act to provide for the maintaining and operating of employment agencies, providing for licensing the same, and how licenses can be obtained.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Leech introduced (by request)

House bill No. 191,

A bill for an act entitled "An act to provide that all persons under the age of twenty-one years may be committed to the reform school, when they have pleaded guilty to or been convicted of the commission of a public offense.

Which was read the first and second times, and
Referred to the committee on judiciary.

Also,

House bill No. 192,

A bill for an act entitled "An act to amend section 8582 of the Revised Codes, relating to the conviction in an inferior court of minors under the age of eighteen years, and the proceedings to be had upon such conviction."

Which was read the first and second times, and
Referred to the committee on judiciary.

Also,

House bill No. 193,

A bill for an act entitled "An act to amend section 8583 of the Revised Codes, relating to the procedure in committing an incorrigible child to the reform school."

Which was read the first and second times, and
Referred to the committee on judiciary.

Also,

House bill No. 194,

A bill for an act to amend section 3576 of article 3 of the Revised Codes of North Dakota and to cure defective acknowledgments.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Tubbs introduced

House bill No. 195,

A bill for an act to amend section 2094 of the Revised Codes, relating to the fees of county surveyors.

Which was read the first and second times, and
Referred to the committee on state affairs.

Also,

House bill No. 196,

A bill for an act to amend section 2028 of the Revised Codes, relating to the duties of the county surveyor.

Which was read the first and second times, and
Referred to the committee on state affairs.

THIRD READING OF HOUSE BILLS.

House bill No. 156,

A bill for an act to amend section 715 of the Revised Codes of 1899, requiring county superintendents of schools to report all school moneys to district treasurers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,

Messrs.

Phifer,
Ramsett,
Reade,
Pestemayer,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,

Messrs.—	Messrs.—	Messrs.—
Davis,	Michels,	Tufte,
Galbraith,	Miller,	Wade,
Gronvold,	Morgan,	Watts,
Gulack,	Nelson,	Watson,
Gullikson,	Nicholson,	Willison,
Hall,	Nevin,	Winslow,
Hare,	Packard,	Young,
Hammond,	Palmer,	Mr. Speaker,
Heath,	Parr,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Dwire,	Strutz,
Dickson,	Rose,	Swarthout,

Messrs. Rose, Strutz and Swarthout being excused.

So the bill passed and the title was agreed to.

House bill No. 106,

A bill for an act to amend section 1944 of the Revised Codes of 1899, relating to duty of board in designating depositories.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes, 52, nays 5, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Heath,	Parr,
Anderson,	Hill,	Phifer,
Axvig,	Hjelmstad,	Ramsett,
Bacon,	Johnson,	Reade,
Bennett,	Keeler,	Restemayer,
Bjornson,	Leech,	Sargeant,
Cassell,	Lemke,	Severson,
Chacey,	Lerom,	Stafne,
Chaffee,	Mallough,	Thomas,
Chevalier,	McClure,	Tubbs,
Davis,	McLean,	Tufte,
Dwire,	Michels,	Watts,
Galbraith,	Morgan,	Watson,
Gulack,	Nelson,	Willison,
Gullikson,	Nevin,	Winslow,
Hall,	Nicholson,	Young,
Hare,	Palmer,	Mr. Speaker,
Hammond,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brisbin,	Packard,	Wade,
ronvold,	Thordarson,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dickson,	Rose,	Swarthout
Miller,	Strutz,	

Messrs. Rose, Strutz and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Packard explained his vote.

Mr. Bjornson moved

That the vote by which the bill was passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 152,

A bill for an act to amend chapter 135 of the Session Laws of 1899, being section 1278 of the Revised Codes of 1899, relating to auditors certificates of delinquent taxes paid on real property before deeds can be recorded.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were.

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Davis,
Hill,

Messrs.—

Johnson,
Rose,

Messrs.—

Swarthout,
Strutz,

Messrs. Rose, Strutz and Swarthout being excused.

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE SENATE

The following memorial from the senate was read.

MEMORIAL.

To the Honorable, the Senators and Representatives in Congress from the States of Minnesota, South Dakota and North Dakota:

Resolved by the Senate, the House of Representatives Concurring:

Whereas, The committee on resolutions appointed by the tri-state drainage association in mass convention held at Crookston, Minn., Jan. 17, 18 and 19, 1901, reported as follows:

Crookston, Minn., Jan. 19, 1901.

Mr. President and Gentlemen of the Tri-State Drainage Association:

Your committee on resolutions respectfully submit the following report:

Whereas, There now resides in the valley of the Red River of the North and its tributaries nearly one million of people, and the valuation of the property thereon approximates one billion of dollars; and

Whereas, Over twenty million of acres embraced in said area are not only assessed but subject to damage and overflow during the high water seasons, and the lives of the residents thereof endangered by fevers and kindred diseases resulting therefrom; and

Whereas, The loss, lives not considered as a result of said overflows and lack of proper drainage and flowage of water has for many years averaged approximately the sum of one-half million of dollars annually; and

Whereas, By the expenditure of the sum of one million dollars all necessary surveys could be made and a system of locks, dams and reservoirs be constructed, and in addition thereto over seven hundred miles of waterways be opened to navigation; and

Whereas, The section of the country to be benefited is capable of maintaining at least five millions of people if the improvements herein suggested could be made; therefore, be it

Resolved by the delegates in convention here assembled, representing each and every part of the territory embraced in the said Red River Valley of the North and its tributaries, which includes a part of North Dakota, South Dakota and Minnesota, that the congress of the United States, be, and hereby is petitioned and urgently requested to appoint a federal commission to consist of three persons, one each from the states of North Dakota, South Dakota and Minnesota, to investigate the work and matters above mentioned in conjunction with a committee from congress and to report at the next session of that body.

Resolution adopted.

J. ARBUTHNOT,
Chairman of Committee.

J. P. MATTSON,
Secretary of Convention.

Therefore, This state being deeply interested in the consummation of the improvements contemplated in this memorial; be it

Resolved by the legislative assembly of the state of North Dakota that it fully concurs in the foregoing, and respectfully re-

quests the representatives from this state in both branches of congress to co-operate with the senators and representatives from the states of Minnesota and South Dakota, they being interested with us in urging upon congress the necessity for appointing the federal commission prayed for in the foregoing resolution, and we further urge legislators of these states to take into consideration the recommendations of the drainage convention which appointed a committee to secure the co-operation of the interests of the people along the drainage streams and call a convention after congress adjourns to meet at Fargo or some other convenient or central point to which shall be invited the United States senators and congressmen from each of the three states to meet and confer with said drainage convention, with a view to a full and free discussion of the facts and necessities of the work congress is asked to direct, and bring the matter properly before the national authorities; and be it further

Resolved, That we invite these states to also concur in this memorial, and request their delegations in congress to co-operate with ours in seeking the speedy relief sought for.

The secretary of state is hereby instructed to send certified copies of this memorial without delay after its passage to the senators and representatives of these three states directly interested; also one copy each to the president of the senate of Minnesota and South Dakota.

Mr. Leech moved that the house concur in the senate memorial just read

Which motion prevailed, and
The house did concur in the memorial.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr. Speaker:

I have the honor to inform the house that the senate has declined to concur in the house amendments to Senate bill No. 60, relating to the third senatorial district, and a conference committee is requested, the president of the senate having appointed on behalf of the senate, Messrs. Sharpe, Little and Noble.

Very respectfully,
GEORGE L. TOWNES,
Secretary.

Mr. Hare moved

That a conference committee of three meet a similar committee from the senate,

Which motion prevailed, and

The speaker appointed as such committee Messrs. Hare, Cassell and Gulack.

Mr. Young moved

That the rules be suspended and the house proceed to the 17th order of business.

Which motion prevailed.

GENERAL ORDERS.

The speaker called Mr. Michels to the chair.

When the committee arose they made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration House bill No. 122,

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon county courts.

And recommend that the same be amended as follows:

By striking out all of section 1, and inserting in lieu thereof the following:

Section 1. Submitted to Vote of People.) Whenever a petition is filed with the county auditor of any county in this state, signed by at least ten per cent of the qualified electors of the county, which number of electors shall be determined by taking the total number of votes cast therein for the candidates for governor at the last preceding general election, it shall be the duty of the board of county commissioners in such county having a population of two thousand or over to submit to a vote of the electors of said county at the next general election, the question of increasing the jurisdiction of the county court, and persons who desire to vote for said proposition shall have written or printed on their ballots "for increasing jurisdiction of county courts," and all persons desiring to vote against said proposition shall have written or printed on their ballots, "against increasing jurisdiction of county courts."

By striking out all of "section 3" and inserting in lieu thereof the following:

Sec. 3. Population, How Determined.) The county commissioners shall determine the population of their respective counties by multiplying by five the total number of votes cast therein for the candidates for governor at the last preceding general election.

And when so amended recommend that the same do pass.

Also,

House bill No. 91,

A bill for an act making railway corporations liable for the injury or killing of stock, where they fail to fence and maintain a lawful fence along their railroad.

And recommend that the same be amended as follows:

In section 1, line 8, after the word "within" strike out the word "thirty" and insert in lieu thereof the word "ninety."

And when so amended recommend that the same do pass.

Also,

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

And recommend that the same be amended as follows:

After the word "the" in line 9 of printed bill strike out the word "fund" and all of line 10, and insert in lieu thereof "expense fund of the board of university and school lands."

And when so amended recommend that the same do pass.

Also,

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota, relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

And recommend that the same be amended as follows:

By striking out all after the word "shall" in line 11 of the printed bill, and inserting in lieu thereof the following:

"Be signed by not less than five freeholders of the county as sureties, such bond to be in the sum required by the board, but in no case less than double the probable amount of funds to be deposited in such bank. If at any time the amount of funds on deposit in any of such depositories shall exceed one-half of the amount named in such bond it shall be the duty of the board at its next regular meeting thereafter to require from such depository an additional bond in the sum of not less than twice the amount of such excess. Such bond shall be approved by the board and the approval thereof endorsed thereon by the chairman of the board and by him deposited with the county auditor, and any bank whose bond shall have been so approved shall thereupon be designated by the board as a county depository and shall continue as such until such time as the board shall readvertise for bids as aforesaid. If the board fails or refuses to approve any such bond, the same may be presented to the judge of the district court, upon three days' notice to the county auditor, who shall proceed to hear and determine the sufficiency of such bond and may approve or disapprove the same as the facts warrant. If he approves such bond, said bank shall be declared a public depository as aforesaid. The sureties on such bond shall be required to justify as required by law in arrest and bail proceedings, provided however, that in lieu of such personal bond, the board of county commissioners may require such bank or banks to file a surety company bond for a sum equal to the amount of funds such bank may receive according to this law. If at any time the amount of funds on deposit in any such depositories shall exceed the amount named in such surety company bond it shall be the duty of the board at its next regular meeting thereafter to require from such depositories an additional surety bond in the sum of not less than the amount of such excess. Such surety company bonds shall be approved as provided by law."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 34,

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

And recommend that the same be amended as follows:

By inserting in line 4 of the printed bill before the word "ten" the word and figures "section 5200."

By striking out the word "of" in line 7 of the printed bill and inserting in lieu thereof the word "or."

By striking out all after line 12 of the printed bill.

And when so amended recommend that the same do pass.

Also,

House bill No. 39,

A bill for an act to repeal section 161 of the Revised Codes of 1899, relating to the appropriation to the Morton county fair association.

And recommend that the same be indefinitely postponed.

Also,

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899 relating to compensation of county commissioners.

And recommend that the same be amended as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. Amendment.) That section 2095 of the Revised Codes of 1899 be amended and reenacted to read as follows:

"Section 2095. Compensation allowed. Office Hours.) County commissioners shall each be allowed for the time they are necessarily employed in the duties of their office, the sum of five dollars per day, and five cents per mile for the distance actually traveled in attending the meetings of the board and when engaged in other official duties, to be paid out of the general fund of the county, and their office hours shall be not less than from 9 to 12, a. m., and 2 to 6 p. m. during regular or special sessions held by such board."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 68,

A bill for an act entitled an act relating to the board of pardons and prescribing the powers and duties thereof.

And recommend that the same be amended as follows:

By striking out the words "board of pardon" wherever same appears in section 1, and insert in lieu thereof the words "board of pardons."

By striking out the words "other such" in line 17, page 4 of the printed bill and inserting in lieu thereof the words "such other."

By striking out the word "stationary" in line 6, section 7 of the printed bill and inserting in lieu thereof the word "stationery."

By inserting after the word "all" in line 6 of section 4 of the printed bill the word "other."

And when so amended recommend that the same do pass.

Also,

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

And recommend that the same do pass.

Also,

House bill No. 111,

A bill for an act entitled "An act to require railroad companies to furnish free transportation to shippers of stock in certain cases and providing a remedy in case of failure or refusal on the part of the railroad company to comply with the provisions of this act.

And recommend that the same be indefinitely postponed.

JAMES MICHELS,
Chairman.

Mr. Hare moved

That the report of the committee of the whole be adopted.

Mr. Thomas moved

To amend the report by striking out that part of the report "indefinitely postponing House bill No. 39," and inserting instead "that it do pass."

Which amendment was lost.

The question being on the adoption of the report. The same was adopted.

Mr. Packard moved

That the vote by which the report of the committee of the whole was adopted be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hare moved

That the rules be suspended and that the house return to the 6th order of business.

Which motion prevailed.

The following report was received.

Mr. Speaker:

Your conference committee on Senate bill No. 60, beg leave to report that an error in the description of the third district be corrected so as to read: "Township 157, range 59." instead of, "township 155, range 59."

J. B. SHARPE,
C. B. LITTLE,
V. B. NOBLE,
JOSEPH HARE,
G. O. GULACK,
W. W. CASSELL,
Conference Committee,

Mr. Hare moved
 The adoption of the report,
 Which motion prevailed, and
 The report was adopted.

Senate bill No. 60,

A bill for an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

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

The roll was called and there were ayes 40, nays 19, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
 Anderson,
 Axvig,
 Bacon,
 Bennett,
 Bjornson,
 Brisbin,
 Chaffee,
 Davis,
 Dickson,
 Dwire,
 Gulack,
 Gullikson,
 Hall,

Messrs.—

Hare,
 Hammond,
 Hjelmstad,
 Johnson,
 Leech,
 Lemke,
 Lerom,
 McClure,
 McLean,
 Michels,
 Miller,
 Morgan,
 Nelson,

Messrs.—

Nevin,
 Nicholson,
 Packard,
 Palmer
 Parr,
 Phifer,
 Ramsett,
 Reade,
 Sargeant,
 Stafne,
 Thomas,
 Wade,
 Watson,

Those voting in the negative were:

Messrs.—

Cassell,
 Chacey,
 Chevalier,
 Galbraith,
 Gronvold,
 Heath,
 Hill,

Messrs.—

Keeler,
 Mallough,
 Restemayer,
 Severson,
 Thordarson,
 Tubbs,

Messrs.—

Tufte,
 Watts,
 Willison,
 Winslow,
 Young,
 Mr. Speaker,

Absent and not voting:

Messrs.—

Rose,

Messrs.—

Strutz,

Messrs.—

Swarthout,

Messrs. Rose, Strutz and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Morgan moved

That the house do now adjourn,
 Which motion prevailed, and
 The house adjourned.

J. D. SCANLAN,
 Chief Clerk.

FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 19, 1901

The house assembled at 2 p. m., pursuant to adjournment

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Swarthout, Nelson, Strutz and Winslow, who were excused.

The speaker called Mr. Reade to preside.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the 42nd day, have carefully examined the same and recommend that the same be corrected as follows:

Page 4, line 46, correct spelling of word "registry."

Page 7, strike out lines 36 and 37.

Page 16, take out line 20 and place it between lines 34 and 35.

And when so corrected recommend that the same be approved.

F. H. KEELER,
Chairman pro tem.

Mr. Keeler moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Sargeant presented the following petition:

To the Honorable Members of the House of Representatives from the Eighth Legislative District of the State of North Dakota:

We, the undersigned officers and members of Company "L," First Regiment of Infantry of the National Guard of the state of North Dakota, believing that the welfare and interests of the said guard can be best subserved by keeping the management and control of same separate and apart so far as may be possible from any political influence whatsoever; and

Believing further that the provisions of Senate bill No. 52 seek to

attain results adverse to those above expressed, do hereby petition you and each of you to use all honorable means in opposing the passage of the said Senate bill No. 52.

We further represent and petition you that any legislation looking to the alteration of the present law fixing the appropriation of money for the maintenance of the office of adjutant general of the state be discouraged.

And thus your petitioners will ever pray.

Respectfully submitted,

C. W. MORGAN
And 28 Others.

REPORTS OF STANDING COMMITTEES.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
Senate bill No. 128,

A bill for an act entitled an act to amend section 338d of the Revised Codes, 1899, relating to vouchers filed to be consecutively numbered and paid.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
Senate bill No. 138,

Concurrent resolution for an act to amend section 182 of the constitution of the state of North Dakota.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 19, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 29,

A bill for an act entitled an act authorizing district courts and also the supreme court of the state to direct judgment to be entered in certain cases instead of granting a motion for a new trial.

Also,

Senate bill No. 139,

A bill for an act making the state of North Dakota a preferred creditor in the case of sales of binding twine upon time and in the case of other contracts with the state.

Also,

Senate bill No. 169,

A bill for an act entitled "An act authorizing and requiring the state board of equalization at its annual meeting in the year 1901 to levy a sinking fund tax to pay the amount due on bonds issued by the territory of Dakota on the first day of May, 1887, and due and payable the first day of May, 1902, for the construction of buildings for the hospital for the insane at Jamestown, and making an appropriation of the proceeds of such sinking fund tax."

Also,

Senate bill No. 170,

A bill for an act providing that certain records shall be kept in the office of the state treasurer.

Also,

Senate bill No. 173

A bill for an act entitled an act amending section 2084 of the Revised Codes, 1899, relating to fees for transportation of prisoners and patients.

Also,

Senate bill No. 127,

A bill for an act entitled an act to amend and re-enact section 2082 of the Revised Codes of the Revision of 1899, relating to fees and compensation of sheriffs.

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

Also,

House bill No. 2.

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Also,

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The committee on judiciary made the following report:

Mr Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 111,

A bill for an act entitled "An act to amend section 5631 of the Revised Codes of 1899, relating to the printing of briefs and abstracts upon appeals to the supreme court."

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

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

Senate bill No. 108,

A bill for an act to amend section 3139 of the Revised Codes of 1899 relating to county mutual insurance companies.

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

E. H. RESTEMAYER,

Chairman.

Mr. Restemayer moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 181,

A bill for an act to amend section 7264 of the Penal Code of the state of North Dakota.

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

By inserting in line 15 of the printed bill before the word "all" the word and figure "section 2."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the rules be suspended and the report adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 180,

A bill for an act for the protection of manufacturers of soda water, mineral water and other like beverages.

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

By inserting in line 7 of the printed bill on page 2, the word and figure "section 3" before word "all" in said line.

By inserting in line 8, page 2 of the printed bill before the word "whereas" the word and figure "section 4."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the rules be suspended, and the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 159

A bill for an act to provide for the licensing of architects and regulating the practice of architecture, as a profession.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,

Which motion prevailed, and

House bill No. 159

A bill for an act to provide for the licensing of architects and regulating the practice of architecture, as a profession.

Was indefinitely postponed.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred House bill No. 170,

A bill for an act to enable towns, cities or villages of this state having a population of not less than four hundred inhabitants to use automatic ballot (voting) machines at all elections held therein, or one or more precincts thereof.

Have had the same under consideration, and recommend that the same be referred to general orders without recommendation.

J. THORDARSON,
Chairman.

Mr. Thordarson moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred Senate bill No. 71,

A bill for an act to amend section 497b of the Revised Codes, relating to the time of holding caucuses and the issuance of certificates of election of delegates.

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

J. THORDARSON,
Chairman.

Mr. Thordarson moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred House bill No. 145,

A bill for an act entitled an act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
Senate bill No. 121,
A bill for an act making an appropriation for repairing and
furnishing the executive mansion.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House bill No. 60,
A bill for an act to provide for the maintenance of the indus-
trial school and school of manual training, located at Ellendale,
and for making necessary improvements, and making an appro-
priation therefor.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on elections and privileges made the following
report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred
House bill No. 173,
A bill for an act to amend section 502 of the Revised Codes of
1899, relating to certificates of nomination and prescribing the
qualifications of persons participating in nomination at caucuses
or in conventions, or by petition, and prescribing the duties of
the secretary of state in reference to the placing of nominees
on the official ballot.

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

J. THORDARSON,
Chairman.

Mr. Thordarson moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred House bill No. 163,

A bill for an act to amend section 2564 of article 8 of chapter 31 of the Revised Codes, relating to the time when township officers shall qualify.

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

By striking out "section 3" of the bill.

And when so amended recommend that the same do pass.

J. THORDARSON,
Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House bill No. 160,

A bill for an act to amend section 1936 of the Revised Codes of North Dakota, relating to the publication of proceedings of board of county commissioners.

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

A. M. PACKARD,
Chairman.

Mr. Packard moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

The committee on counties and county boundaries to whom was referred

House bill No. 154,

A bill for an act to amend section 1896 of article 7 of chapter

26 of the Revised Codes, relating to the terms of office and the bonds to be furnished by county commissioners.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. M. PACKARD,
Chairman.

Mr. Packard moved the adoption of the report.

Mr. Thordarson moved as a substitute that

House bill No. 154,

A bill for an act to amend section 1896 of article 7 of chapter 26 of the Revised Codes, relating to the terms of office and the bonds to be furnished by county commissioners.

Be referred to general orders, which substitute motion prevailed, and House bill 154, was so referred.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 161,

A bill for an act to require school district boards to publish their proceedings.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. A. HALL,
Chairman.

Mr. Hall moved

The adoption of the report.

Which motion prevailed, and

House bill No. 161,

A bill for an act to require school district boards to publish their proceedings.

Was indefinitely postponed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 158,

A bill for an act to amend section 707 of article 6 of the Revised Codes of 1899, relating to education; providing for an enumeration each year of the deaf and dumb persons in each district in the state.

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

Line 20, after the word "instruction" insert the word "upon."

Also, add the following after the word "official" in line 25. "Provided that special school districts, independent districts and districts organized for school purposes under special law, shall enumerate their children of school age on the first day of December, or within the next twenty days following, and such enumeration shall be reported to the county superintendent by the clerk.

Also, change emergency clause to read as follows:

Section 2. Emergency.) Whereas, an emergency exists in that there is no adequate provision for the enumeration of the deaf and dumb persons of school age in each district in the state, therefor this act shall take effect and be in force immediately upon its passage and approval."

And when so amended recommend that the same do pass.

C. A. HALL,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved

The adoption of the report,

Mr. Hare moved

As a substitute that the bill be referred to general orders.

Which motion prevailed, and

House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Was so referred.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 146,

A bill for an act entitled "An act relating to the distribution of the Revised Codes of 1899, Session Laws, House and Senate journals of each legislative session, to the editors of the state of North Dakota.

Have had the same under consideration and recommend that the same was indefinitely postponed.

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved the adoption of the report.

Mr. Hare moved as a substitute that
House bill No. 146,

A bill for an act entitled "An act relating to the distribution of the Revised Codes of 1899, Session Laws, House and Senate journals of each legislative session, to the editors of the state of North Dakota.

Be referred to general orders

Which motion was lost.

The question being on the original motion the same prevailed, and House bill 146, was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate bill No. 129,

A bill for an act relating to the manner of making and filing claims against the state, and prescribing forms to be used.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate bill No. 96,

A bill for an act amending section 1278 of the Revised Codes of 1899, relating to "deed not to be recorded without auditor's certificate of taxes paid."

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
Senate bill No. 124,

A bill for an act to provide a fund for the purpose of retiring
the principal of the bonded indebtedness of the state.

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

By inserting after the figures "1902" in section 1 the words "and annu-
ally thereafter."

And when so amended recommend that the same do pass.

M. B. CASSELL,
Chairman.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
Senate bill No. 122,

A bill for an act to empower the board of county commissioners
to offset due or delinquent taxes, due from any person, corpora-
tion or society, in whose favor an indebtedness has accrued
against such county.

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

T. E. NELSON,
Chairman.

Mr. Gronvold moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes
of the state of North Dakota, relating to the rights of purchasers
of lands at sale for the non-payment of taxes.

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

T. E. NELSON,
Chairman.

Mr. Allshouse moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on municipal corporations made the following
report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred House bill No. 169,

A bill for an act to amend sections 2466 of the Revised Codes of 1899, relating to filing of certificates of fire departments of cities.

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

H. L. READE,
Chairman.

Mr. Nevin moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

Mr. Young moved that the rules be suspended, and
House bill No. 169,

A bill for an act to amend sections 2466 of the Revised Codes of 1899, relating to filing of certificates of fire departments of cities.

Be put on its third reading and final passage,
Which motion prevailed, and
House bill No. 169,

A bill for an act to amend sections 2466 of the Revised Codes of 1899, relating to filing of certificates of fire departments of cities.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Hare,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nevin,
Packard,

Messrs.

Parr,
Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tuft,
Wade,
Watts,
Watson,
Willison,
Young,

Absent and not voting:

Messrs.—

Allshouse,
Nelson,
Nicholson,

Messrs.—

Palmer,
Strutz,
Swarthout,

Messrs.—

Winslow,
Mr. Speaker,

Messrs. Allshouse, Strutz, Swarthout, Winslow and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 19, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 134,

A bill for an act to amend section 6172 of the Revised Codes of North Dakota, defining the duties of county judges.

Which the senate has passed unchanged.

Very respectfully.

GEORGE L. TOWNES,
Secretary.

Mr. Packard moved

That the vote by which House bill No. 169 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Watts moved

That the rules be suspended and

Substitute for Senate bill No. 4,

A bill for an act repealing section 410 of the Revised Codes of 1899, relating to chambers of the district judge of the Seventh judicial district.

Be placed on its third reading and final passage.

Which motion prevailed.

Substitute for Senate bill No. 4,

A bill for an act repealing section 410 of the Revised Codes of 1899, relating to chambers of the district judge of the Seventh judicial district.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 47, nays 6, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Axvig,

Messrs.—

Hare,
Heath,

Messrs.—

Reade,
Restemayer,

Messrs.—

Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gulack,
Hall,

Messrs.—

Hill,
Johnson,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Morgan,
Nevin,
Packard,
Phifer,
Ramsett,

Messrs.—

Rose,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Young,

Those voting in the negative were:

Messrs.—

Dickson,
Gullikson,

Messrs.—

Hjelmstad,
Keeler,

Messrs.

Miller,
Parr,

Absent and not voting:

Messrs.—

Anderson,
Hammond,
Nelson,

Messrs.—

Nicholson,
Palmer,
Strutz,

Messrs.—

Swarthout,
Winslow,
Mr. Speaker,

Messrs. Strutz, Nelson, Swarthout, Winslow and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Mr. Watts moved that the vote by which Substitute for Senate bill No. 4, passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred Senate bill No. 103,

A bill for an act entitled an act authorizing the requirement of an additional bond to be furnished by city treasurers, and declaring the office vacant upon neglect or refusal so to do.

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

H. L. READE,
Chairman.

Mr. Bennett moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

A majority of the committee on judiciary made the following report:

Mr. Speaker:

A majority of your committee on judiciary to whom was referred
House bill No. 165,

A bill for an act to amend chapter 5 of the Civil Code of the state of North Dakota, relative to dissolution of marriage.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

The Minority of the committee on judiciary made the following report:

Mr. Speaker:

The undersigned minority of your committee on judiciary to whom was referred

House bill No. 165,

A bill for an act to amend chapter 5 of the Civil Code of the state of North Dakota, relative to dissolution of marriage.

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

W. F. LEECH,
JOSEPH HARE,
JOHN P. GALBRAITH,
G. O. GULACK.

Mr. Leech moved

That the rules be suspended, and

Senate bill No. 21,

A bill for an act regulating fraternal beneficiary societies, orders or associations.

Have its first and second reading and reference.

Which motion was lost.

Mr. Hare moved

That the house take a recess for five minutes,

Which motion prevailed, and

The house took a recess for five minutes.

After recess.

Immediately after recess the speaker resumed the chair.

FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Nevin introduced

House bill No. 197,

A bill or an act to amend section 187 of the Revised Codes relating to terms of sale of public lands.

Which was read the first and second times. and

Referred to the committee on schools and public lands.

Mr. Packard introduced

House bill No. 198.

A bill for an act fixing a penalty for any corporation, association, person or persons, for in any manner interfering with, or hindering, any persons in charge of any live stock being or about to be, transported over any railway in this state, in furnishing the feed or bedding in cars at any feeding station in this state.

Which was read the first and second times, and

Referred to the committee on railroads.

Mr. Bacon introduced

House bill No. 199,

A bill for an act to repeal sections 7594, 7596, 7597 and 7599 of the Revised Codes of the state of North Dakota, relating to druggists' permits.

Which was read the first and second times, and

Referred to the committee on temperance.

Mr. Hare introduced

House bill No. 200,

A bill for an act authorizing the county commissioners to build and equip dipping tanks at county expense.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. Tubbs introduced (by request)

House bill No. 201,

A bill for an act defining the qualifications of county surveyors.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. Ramsett introduced

House bill No. 202,

A bill for an act for the construction of an electric line from the penitentiary to the capitol building in the city of Bismarck.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Chacey introduced

House bill No. 203,

A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

Which was read the first and second times, and

Referred to the committee on ways and means.

Mr. Gulack introduced

House bill No. 204,

A concurrent resolution amending section 217 of the constitution of the state of North Dakota.

Which was read the first and second times, and
Referred to the committee on temperance.

Mr. Thomas moved that the house return to the seventeenth order of business

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Thomas made the following motion:

Mr. Speaker:

I move the adoption of the following addition to the rules of the house:

Rule 61. The chief clerk shall cause to be posted in the house, each day for the information of the members, a list of the bills on third reading for the day and also, a like list of all bills in general orders for the day. Such lists shall be revised, corrected and added to so often as the progress of business requires.

The same was referred to the committee on rules.

The following petition was received and read:

To the Honorable Speaker of the House of Representatives of the state of North Dakota:

We, the undersigned, members of the house of representatives hereby petition your honorable Speaker to reinstate Lyman Brandt of Walsh county, 3rd district, as a member of the enrolling force or janitor. He was excused on account of sickness and during his absence his name was stricken from the lists. He has now returned and is ready to resume his duties, not having been informed that he had been dropped from the force.

JOHN MILLER,
And 35 Others.

Mr. Gullikson moved

That the petition be granted, and the person named therein reinstated.

Mr. Young raised the point of order in that the petition does not state that more enrolling and engrossing clerks are needed.

The speaker sustained the point of order.

Mr. Hare asked the courtesies of the floor for Austin Logan of Bismarck.

Mr. Bacon for Eugene Fritz and C. A. Hale of Grand Forks.

Mr. McClure for Capt. C. E. Gregory of Dickinson.

There being no objections such requests were granted.

The chief clerk announced that the speaker was about to sign House bill No. 3,

A bill for an act entitled an act to provide for the exemption of property used exclusively for religious purposes from taxation.

And the speaker signed the same in the presence of the house.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 21,

A bill for an act regulating fraternal beneficiary societies, orders or associations.

Was read the first and second times, and
Referred to the committee on insurance.

Senate bill No. 145,

A bill for an act to amend section 1979 of the Revised Codes of 1899, relating to duties of state's attorneys.

Was read the first and second times, and
Referred to the committee on state affairs.

Senate bill No. 135,

A bill for an act empowering the county commissioners to contract with the sheriff for the collection of personal property tax judgments, or personal property taxes delinquent more than one year.

Was read the first and second times, and
Referred to the committee on state affairs.

Senate bill No. 144,

A bill for an act to amend section 119 of the Revised Codes of 1899, relating to the duties of the attorney general.

Was read the first and second times, and
Referred to the committee on state affairs.

Senate bill No. 29,

A bill for an act entitled an act authorizing district courts and also the supreme court of the state to direct judgment to be entered in certain cases instead of granting a motion for a new trial.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate bill No. 139,

A bill for an act making the state of North Dakota a preferred creditor in the case of sales of binding twine upon time and in the case of other contracts with the state.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate bill No. 169,

A bill for an act entitled "An act authorizing and requiring the state board of equalization at its annual meeting in the year 1901 to levy a sinking fund tax to pay the amount due on bonds issued by the territory of Dakota on the first day of May, 1887, and due and payable the first day of May, 1902, for the construction of buildings for the hospital for the insane at Jamestown, and making an appropriation of the proceeds of such sinking fund tax."

Was read the first and second times, and
Referred to the committee on ways and means.

Senate bill No. 170,

A bill for an act providing that certain records shall be kept in the office of the state treasurer.

Was read the first and second times, and
Referred to the committee on state affairs.

Senate bill No. 173

A bill for an act entitled an act amending section 2084 of the Revised Codes, 1899, relating to fees for transportation of prisoners and patients.

Was read the first and second times, and
Referred to the committee on ways and means.

Senate bill No. 125,

A bill for an act creating the office of superintendent of asylum and poor farm and providing for his election and to amend sections 1495 and 1496, article 2, Revised Codes of 1899.—(Asylum and Poor Farm.)

Was read the first and second times, and
Referred to the committee on judiciary.

THIRD READING OF SENATE BILLS.

Senate bill No. 34,

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes, 54, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Anderson,	Hammond,	Phifer,
Bacon,	Heath,	Ramsett,
Bennett,	Hill,	Reade,
Bjornson,	Johnson,	Restemayer,
Brisbin,	Keeler,	Rose,
Cassell,	Lemke,	Sargeant,
Chacey,	Lerom,	Severson,
Chaffee,	Mallough,	Stafne,
Chevalier,	McClure,	Thomas,
Davis,	McLean,	Thordarson,
Dickson,	Michels,	Tubbs,
Dwire,	Miller,	Tufte,
Galbraith,	Morgan,	Wade,
Gronvold,	Nevin,	Watts,
Gulack,	Nicholson,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Nelson,	Swarthout
Hjelmstad,	Strutz,	Winslow,
Leech,		

Mr. Axvig voted in the negative.

Messrs. Nelson, Strutz, Swarthout and Winslow being excused.

So the bill passed and the title was agreed to.

Senate bill No. 23,

A bill for an act to amend section 5526, Revised Codes of North Dakota, relating to exemptions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hare,	Parr,
Anderson,	Hammond,	Phifer,
Axvig,	Heath,	Ramsett,
Bacon,	Hill,	Reade,
Bennett,	Hjelmstad,	Restemayer,
Bjornson,	Johnson,	Rose,
Brisbin,	Keeler,	Sargeant,
Cassell,	Leech,	Severson,
Chacey,	Lemke,	Stafne,
Chaffee,	Lerom,	Thomas,
Chevalier,	Mallough,	Thordarson,
Davis,	McClure,	Tubbs,
Dickson,	McLean,	Tufte,
Dwire,	Michels,	Wade,
Galbraith,	Miller,	Watts,
Gronvold,	Nicholson,	Watson,
Gulack,	Nevin,	Willison,
Gullikson,	Packard,	Young,
Hall,	Palmer,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Morgan,	Strutz,	Winslow,
Nelson,	Swarthout,	

Messrs. Nelson, Strutz, Swarthout and Winslow being excused.

So the bill passed and the title was agreed to.

Senate bill No. 72,

A bill for an act entitled "An act to repeal sections 1681 and 1682 of the Revised Codes of 1899, relating to bounty on starch."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hare,	Parr,
Anderson,	Hammond,	Phifer,
Axvig,	Heath,	Ramsett,
Bacon,	Hill,	Reade,
Bennett,	Hjelmstad,	Restemayer,
Bjornson,	Johnson,	Rose,

Messrs.—

Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Nevin,
Nicholson,
Packard,
Palmer,

Messrs.—

Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Morgan,
Nelson,

Messrs.—

Strutz,
Swarthout,

Messrs.—

Winslow,

Messrs. Nelson, Strutz, Swarthout and Winslow being excused.

So the bill passed and the title was agreed to.

Senate bill No. 23,

A bill for an act to amend section 5526, Revised Codes of North Dakota, relating to exemptions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 48, nays 9, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Johnson,
Keeler,
Leech,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nicholson,
Nevin,
Packard,

Messrs.—

Palmer,
Parr,
Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Thomas,
Thordarson,
Tubbs,
Wade,
Watson,
Willison,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Bennett,
Chevalier,

Messrs.—

Hjelmstad,
Lemke,
Sargeant,

Messrs.—

Stafne,
Tufte,
Watts,

Absent and not voting:

Messrs.—

Chaffee,
Nelson,

Messrs.—

Strutz,
Swarthout,

Messrs.—

Winslow,

Messrs. Nelson, Strutz, Swarthout and Winslow being excused.

Mr. Davis moved to amend the title to read as follows:

"A bill for an act to amend section 5526 of the Revised Codes of North Dakota relating to absolute exemptions."

Mr. Cassell moved as a substitute the following:

Amend the title by adding thereto after the word "exemptions" the words "in certain cases."

Which substitute motion prevailed, and

The substitute was adopted.

So the bill as amended passed and the title was agreed to.

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899 relating to compensation of county commissioners.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 24, nays 32, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Bacon,
Chacey,
Chaffee,
Galbraith,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Keeler,
Mallough,
McClure,
Michels,
Miller,
Nevin,

Messrs.—

Packard,
Palmer,
Parr,
Reade,
Wade,
Watson,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chevalier,
Davis,
Dickson,
Dwire,
Gronvold,

Messrs.—

Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,
McLean,
Morgan,
Nicholson,
Phifer,
Ramsett,

Messrs.

Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tufte,
Watts,

Absent and not voting:

Messrs.—

Gulack,
Nelson,

Messrs.—

Strutz,
Swarthout,

Messrs.—

Willison,
Winslow,

Messrs. Nelson, Strutz, Swarthout and Winslow being excused.

So the bill was lost.

Mr. Leech explained his vote.

Mr. Bennett moved

That the vote by which Senate bill No. 88 was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion was lost.

Senate bill No. 65,

A bill for an act to amend sections 72, 83, 84, 85, 94, chapter 126 of the laws of 1897, and chapter 136 of the laws of 1899, being sections 1257, 1267 and 1277 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 28, nays 28, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Gullikson,	Nicholson,
Bacon,	Hall,	Phifer,
Bennett,	Hjelmstad,	Ramsett,
Bjornson,	Johnson,	Restemayer,
Chaffee,	Keeler,	Severson,
Chevalier,	Lemke,	Stafne,
Davis,	McLean,	Tubbs,
Lickson,	Morgan,	Tufte,
Dwire,	Nevin,	Watson,
Galbraith,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Rose,
Axvig,	Lerom,	Sargeant,
Brisbin,	McClure,	Thomas,
Cassell,	Michels,	Thordarson,
Chacey,	Miller,	Wade,
Gronvold,	Packard,	Watts
Gulack,	Palmer,	Willison,
Hare,	Parr,	Young,
Hammond,	Reade,	Mr. Speaker,
Heath,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Leech,	Nelson,	Swarthout,
Mallough,	Strutz,	Winslow,

Messrs. Nelson, Strutz, Swarthout and Winslow being excused.

Mr. Young explained his vote.

So the bill was lost.

Senate bill No. 99,

A bill for an act to amend section 1219 of the 1899 Revised Codes of North Dakota relating to assessor's statement and return to auditor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays 2, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Ramsett,
Anderson,	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Rose,
Bennett,	Keeler,	Sargeant,
Bjornson,	Lemke,	Severson,
Brisbin,	Lerom,	Stafne,
Cassell,	Mallough,	Thomas,
Chacey,	McClure,	Thordarson,
Chaffee,	McLean,	Tubbs,
Chevalier,	Michels,	Tufte,
Dickson,	Miller,	Wade,
Galbraith,	Morgan,	Watts,
Gronvold,	Nevin,	Watson,
Gulack,	Palmer,	Willison,
Gullikson,	Parr,	Young,
Hall,	Phifer,	Mr. Speaker,
Hammond.		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis,	Leech,	Swarthout,
Dwire,	Nelson,	Winslow,
Hare,	Strutz,	

Messrs. Nelson, Strutz, Swarthout and Winslow being excused.
So the bill passed and the title was agreed to.

Mr. Anderson moved
That the house do now adjourn.
Which motion was lost.

Mr. Miller moved
That the house return to the 7th order of business.
Which motion prevailed, and

Mr. Miller offered the following resolution and moved its adoption.

Resolved, that it is deemed necessary by the members of this house that one additional janitor be appointed by the speaker.

Which motion prevailed, and

The speaker appointed as such janitor Lyman Brandt.

Senate bill No. 25,

A bill for an act granting a right-of-way for public highway across the military encampment grounds at Rock Island, Ramsey county, N. D.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Thomas,
Thorarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Axvig,
Chaffee,
Dwire,

Messrs.—

Nelson,
Strutz,

Messrs.—

Swarthout,
Winslow,

Messrs. Nelson, Strutz, Swarthout and Winslow being excused.
So the bill passed and the title was agreed to.

Senate bill No. 3,

A bill for an act entitled an act to amend section 5256, Revised Codes, relating to mailing summons and complaint.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Morgan,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Dwire,
Michels,
Miller,

Messrs.—

Nelson,
Strutz,

Messrs.—

Swarthout,
Winslow,

Messrs. Nelson, Strutz, Swarthout and Winslow being excused.

So the bill passed and the title was agreed to.

Mr. Brisbin moved

To reconsider the vote by which Senate bill No. 65 was passed.

Mr. Young moved

To lay the motion on the table.

Which motion prevailed.

The speaker administered the oath of office to Lyman Brandt
as janitor.

Mr. Thomas moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

Very respectfully,

J. D. SCANLAN,

Chief Clerk.

FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 20, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Gulack, Nelson and Winslow, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal asked further time which was granted.

PETITIONS AND COMMUNICATIONS.

Mr. Chaffee offered the following communication:

CARRINGTON, N. D., February 18, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned women of Carrington, North Dakota, of all denominations, do hereby protest against being deprived of the right to vote on all school matters connected with the public schools of this state, and ask that the power which we have held heretofore may still be ours.

ADDIE P. HALE,
And 65 Others.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 20, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 84,

A bill for an act entitled an act to provide for making unknown persons parties defendant in certain civil actions and to amend section 5907 and repeal section 5907a, Revised Codes of 1899, relating to unknown parties defendant.

Also,

Senate bill No. 168,

A bill for an act entitled an act to amend section 7678 of the Revised Codes, 1899 of the state of North Dakota.

Also

Senate bill No. 163,

A bill for an act to amend section 3231, Revised Codes, relating to capital of banks.

Also,

Senate bill No. 153,

A bill for an act to amend section 1180 of the Revised Codes relating to property exempt from taxation.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

PRESENTATION OF PETITIONS AND MEMORIALS.

The following was presented by the speaker:

FARGO, NORTH DAKOTA, Feb. 16, 1901.

At the regular meeting of the board of trustees, of the North Dakota Children's Home society, held at Fargo, Feb. 14, 1901, the following resolution was unanimously adopted:

Resolved, that we earnestly request, all members of our state legislature, to vote for, and work for, the passage of the following bills:

First. The bill making it felony for a parent to fail to provide for a child, legitimate, or illegitimate, when able to do so. Senate bill No. 112.

Second. The bill making it lawful, to begin proceedings in case of a bastard child in the county where said child may be domiciled or liable to become a public charge. House bill No. 147.

Third. Raising age of consent to eighteen years. House bill No. 148.

Fourth. Bill making it lawful, to send children to reform school, up to twenty-one years, and keep them there till they are twenty-one years old. Bill not yet introduced.

Fifth. All bills intended for the suppression of vice, and the promotion of morality.

L. F. CROCKETT,
Secretary.
H. K. GEBHART,
President.
B. H. BRASTED,
Superintendent.

State of Minnesota, Thirty-second Session of the Legislature, Senate File No. 94.

A joint resolution of the senate and house of representatives of the state of Minnesota, making application to the Congress of the United States, under article five (5) of the constitution, for the submission of an amendment to said constitution, making United States senators elective in the several states, by popular vote.

Be it Enacted by the Legislature of the State of Minnesota:

Section 1. The legislature of the state of Minnesota hereby makes application to the Congress, under the provisions of article five (5) of the constitution of the United States, for the calling of a convention to propose an amendment to the constitution of the United States, making United States senators elective in the several states by direct vote of the people.

Sec. 2. The secretary of state is hereby directed to transmit copies of this application to the senate, house of representatives of the congress and copies to the members of the said senate and house of representatives from this state; also to transmit copies hereof to the presiding officers of each of the legislatures now in session in the several states, requesting their co-operation.

Approved February 9, 1901.

STATE OF MINNESOTA, }
DEPARTMENT OF STATE. }

I, P. E. Hanson, secretary of the state of Minnesota, do hereby certify that I have compared the annexed copy with the original resolution in my office of the joint resolution of the senate and house of representatives of the state of Minnesota, being Senate file No. 94, duly approved February 9, 1901, filed in this office February 9, 1901, and that said copy is a true and correct transcript of said resolution and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the state, at the capitol in Saint Paul, this thirteenth day of February, A. D., nineteen hundred and one.

[SEAL.]

P. E. HANSON,
Secretary of State.

Mr. Heath presented the following petition:

GRANDIN, N. D., Feb. 18, 1901.

Senators and Representatives of Cass County:

Dear Sir:—I should be very much pleased to have you support House bill No. 147, raising the age of consent for girls,

Yours,

MRS. R. SWARTWOOD.

Mr. Watts presented the following petitions:

DRAYTON, N. D., Feb. 18, 1901.

Hon. W. J. Watt, Bismarck, N. D.

Dear Sir:—In behalf of our W. C. T. U., of Drayton, N. D., which numbers some 70 members, I earnestly ask you to vote for House bill No. 147, for the better protection of our daughters.

MRS. L. M. WYLIE,
President.

BOWESMONT, N. D., Feb. 18, 1901.

Hon. W. J. Watts, Bismarck, N. D.

Dear Sir:—On behalf of the Pembina county W. C. T. U., I write you in the interest of House bill No. 147. We sincerely hope you will vote and influence in the interests of this measure.

Very respectfully,
BENA HALCROW,
Corresponding Secretary.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 134,

A bill for an act to amend section 6172 of the Revised Codes of North Dakota defining the duties of county judges.

Also,

House bill No. 3,

A bill for an act to provide for the exemption of property used exclusively for religious purposes from taxation.

Also,

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Also,

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota, relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

Also,

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

Also,

House bill No. 91,

A bill for an act making railway corporations liable for the injury or killing of stock, where they fail to fence and maintain a lawful fence along their railroad.

Also,

House bill No. 122,

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon county courts.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

Senate bill No. 21,

A bill for an act regulating fraternal beneficiary societies, orders as associations.

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

E. H. RESTEMAYER,
Chairman.

Mr. Restemayer moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The chief clerk announced that the speaker was about to sign

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Also,

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Also,

House bill No. 134,

A bill for an act to amend section 6172 of the Revised Codes of North Dakota, defining the duties of county judges.

And the speaker signed the above bills in the presence of the house.

REPORTS OF STANDING COMMITTEES.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

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

By striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. For the purpose of exhibiting the resources, products, and advantages of the state of North Dakota, at the Pan-American exposition a commission is hereby constituted, to be designated the Pan-American exposition commission, which commission shall be composed of the governor of the state, who shall be ex-officio chairman thereof, the commissioner of agriculture and labor, who shall be ex-officio secretary thereof, and a resident of the state of North Dakota, to be appointed by the governor within thirty days after the passage and approval of this act.

Sec. 2. The members of said commission shall meet at the call of the governor at such time and place as he may designate, and shall choose one of their number as manager, and such manager shall be authorized and required to assume and exercise, subject to the supervision of said board, all such executive powers and functions as may be necessary to secure a complete and creditable exhibit of the interests of the state at said exposition; and he shall have personal charge of the solicitation, collection, transportation, arrangement and exhibition of the products and resources of the state, whether the same be the property of the state or loaned by individual citizens, associations or public institutions of the state and placed in his charge. He shall make report to the commission monthly, or whenever required so to do.

Sec. 3. The members of the commission herein provided for, shall not be entitled to any compensation from the state for their services, except their actual and necessary expenses for transportation, and five dollars per day for subsistence for each day they are necessarily absent from their homes on the business of the said commission. Provided, that the

manager herein provided for, shall receive such compensation as may be allowed by said commission.

Sec. 4. The expenses incurred under the provisions of this act, shall be audited and paid in the manner as provided by law for the payment of expenses of state officers.

Sec. 5. Said commission shall make report of its proceedings and an itemized statement of its receipts and disbursements and transmit the same to the next session of the legislature.

Sec. 6. Emergency.) Whereas, an emergency exists in that the work of the commission herein provided for, must commence prior to July first next, therefore this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend that the same do pass.

M. B. CASSELL,
Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

Senate bill No. 140,

A bill for an act entitled an act to amend section 1880 of the Revised Codes of North Dakota of 1899, relating to the procedure for the location and removal of county seats.

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

A. M. PACKARD,
Chairman.

Mr. Packard moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

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

By adding after the words "speltz forty-eight pounds" the words "millet fifty pounds."

And when so amended recommend that the same do pass.

P. P. CHACEY,
Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate bill No. 169,

A bill for an act entitled "an act authorizing and requiring the state board of equalization at its annual meeting in the year 1901 to levy a sinking fund tax to pay the amount due on bonds issued by the territory of Dakota on the first day of May, 1887, and due and payable the first day of May, 1902, for the construction of buildings for the hospital for the insane at Jamestown, and making an appropriation of the proceeds of such sinking fund tax."

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
Senate bill No. 173,

A bill for an act entitled an act amending section 2084 of the Revised Codes, 1899, relating to fees for transportation of prisoners and patients.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred
Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. P. CHACEY,
Chairman.

Mr. Chacey moved
That the report be adopted,
Which motion prevailed, and
Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 188

A bill for an act to amend section 3597 of the Revised Codes of the state of North Dakota in regard to the record of certain instruments and the admissability in evidence of instruments entitled to record, without further proof.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate bill No. 135,

A bill for an act empowering the county commissioners to contract with the sheriff for the collection of personal property tax judgments, or personal property taxes delinquent more than one year.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate bill No. 170,

A bill for an act providing that certain records shall be kept in the office of the state treasurer.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved

That the report be adopted,
Which motion prevailed, and

The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 185,

A bill for an act to amend section 1030 of the Revised Codes of 1899, providing for the use of lignite coal in the various state institutions, county buildings and public schools of the state and for the purchase of the same from the lowest responsible bidder.

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

After the word "require" in line 12 of the original bill strike out the words "the lowest responsible bid must in all cases be accepted" and in lieu thereof insert as follows "said board shall reserve the right to reject any and all bids."

And when so amended recommend that the same do pass.

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 196,

A bill for an act to amend section 2028 of the Revised Codes, relating to the duties of the county surveyor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
House bill No. 196,
A bill for an act to amend section 2028 of the Revised Codes, relating to the duties of the county surveyor.
Was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 195,

A bill for an act to amend section 2094 of the Revised Codes, relating to the fees of county surveyors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
House bill No. 195,

A bill for an act to amend section 2094 of the Revised Codes, relating to the fees of county surveyors.

Was indefinitely postponed.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred
House bill No. 94,

A bill for an act entitled "An act to regulate common carriers, to define the duties of commissioners of railroads, and to provide for the control of railroads, bridge corporations and ferry companies, within the state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. D. BACON,
Chairman.

Mr. Bacon moved
That the report be adopted,
Which motion prevailed, and
House bill No. 94,

A bill for an act entitled "An act to regulate common carriers, to define the duties of commissioners of railroads, and to provide for the control of railroads, bridge corporations and ferry companies, within the state.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 93,

A bill for an act to amend section 5442 of the Revised Codes of North Dakota, 1899.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
House bill No. 93,

A bill for an act to amend section 5542 of the Revised Codes of North Dakota, 1899.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 174,

A bill for an act entitled "An act making it unlawful for any person to hold the office of city justice and county justice or township justice and county justice at the same time."

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr Young moved

That the report be adopted,

Which motion prevailed, and

House bill No. 174,

A bill for an act entitled "An act making it unlawful for any person to hold the office of city justice and county justice or township justice and county justice at the same time."

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 175,

A bill for an act relating to the transfer of cemetery lots by religious corporations.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 130,

A bill for an act conferring jurisdiction as judges of conciliation upon the courts of Indian offenses.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,

Which motion prevailed, and

House bill No. 171,

A bill for an act entitled "An act to provide for the support of bastard children, and to regulate the jurisdiction of courts in relation to the same."

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 171,

A bill for an act entitled "An act to provide for the support of bastard children, and to regulate the jurisdiction of courts in relation to the same."

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,

Which motion prevailed, and

House bill No. 171,

A bill for an act entitled "An act to provide for the support of bastard children, and to regulate the jurisdiction of courts in relation to the same."

Was indefinitely postponed.

The committee on warehouses, grain and grain grading made the following report:

Mr. Speaker:

Your committee on warehouses, grain and grain grading to whom was referred

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Have had the same under consideration and return the same without recommendation.

T. ALLSHOUSE,
Chairman.

Mr. Bacon moved

That the bill be referred to general orders,

Which motion prevailed, and

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Was referred to general orders.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

House bill No. 40,

A bill for an act to amend section 217 of the Revised Codes of North Dakota, 1899.

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

In line 8 of the printed bill, strike out the words "five dollars or less" and insert in lieu thereof the words "not to exceed three dollars."

And when so amended recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate bill No. 56,

A bill for an act to amend section 885, chapter 10, of the Revised Codes, relating to object and departments of the university.

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

C. A. HALL,
Chairman.

Mr. Young moved as a substitute

That the consideration of the bill be referred to general orders, Which motion was lost.

Mr. Young moved to recommit to the committee on education, Which motion prevailed.

The chief clerk announced that the speaker was about to sign Substitute for Senate bill No. 4,

A bill for an act repealing section 410 of the Revised Codes of 1899, relating to chambers of the district judge of the Seventh judicial district.

Which the speaker signed in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 20, 1901.

Mr. Speaker:

The senate has passed the following concurrent resolution:

Be it resolved by the senate, the house concurring that when we adjourn we take a recess until Tuesday, Feb. 26th.

And the favorable consideration of the same by the house of representatives is respectfully requested.

Very respectfully,
GEORGE L. TOWNES,
 Secretary.

Mr. Chaffee moved to concur in the senate concurrent resolution.

Mr. Rose moved to amend to make the resolution read so that when the adjournment be taken it be from Thursday.

The motion was lost.

Mr. Mallough moved an amendment that "when we adjourn tomorrow it be until Wednesday,"

Which motion prevailed.

The question being upon the passage of the concurrent resolution as amended.

The roll was called and there were ayes 16, nays 42, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	McLean,	Ramsett,
Axvig,	Michels,	Stafne,
Chacey,	Morgan,	Strutz,
Johnson,	Nicholson,	Thomas,
Lemke,	Phifer,	Young,
Mallough,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hall,	Palmer,
Bacon	Hare,	Reade,
Bennett,	Hammond,	Restemayer,
Bjornson,	Heath,	Rose,
Brisbin,	Hill,	Severson,
Cassell,	Hjelmstad,	Swarthout,
Chaffee,	Keeler,	Thordarson,
Chevalier,	Leech,	Tubbs,
Davis,	Lerom,	Tufte,
Dickson,	McClure,	Wade,
Dwire,	Miller,	Watts,
Galbraith,	Nevin,	Watson,
Gronvold,	Packard,	Willison,
Gullikson,	Parr,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack,	Sargeant,	Winslow,
Nelson,		

Messrs. Gulack, Nelson and Winslow being excused.

So the motion was lost.

Mr. Davis moved to reconsider the vote by which the amendment of Mr. Mallough was carried,

Which motion prevailed.

Mr. Mallough then withdrew his amendment to the resolution.

The question being upon the concurrence in the senate resolution,

The roll was called and there were ayes 33, nays 25, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Gullikson,	Parr,
Axvig,	Hall,	Phifer,
Bacon,	Hare,	Ramsett,
Brisbin,	Hammond,	Restemayer,
Chaffee,	Heaton,	Severson,
Chevalier,	Hjelmstad,	Strutz,
Davis,	Johnson,	Swarthout,
Dickson,	Leech,	Thordarson,
Dwire,	McLean,	Tubbs,
Galbraith,	Miller,	Watts,
Gronvold,	Palmer,	Willison,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Mallough,	Rose,
Bennett,	McClure,	Stafne,
Bjornson,	Michels,	Thomas,
Cassell,	Morgan,	Tufte,
Chacey,	Nicholson,	Wade,
Hill,	Nevin,	Watson,
Keeler,	Packard,	Young,
Lemke,	Reade,	Mr. Speaker,
Lerom,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Nelson,	Sargeant,	Winslow,
Gulack,		

Messrs. Gulack, Nelson and Winslow being excused.

So the resolution was concurred in.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
Senate bill No. 74,

A bill for an act entitled "An act to amend sections 643, 681 and 682 of the Revised Codes of 1899, relating to education."

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

C. A. HALL,
Chairman.

Mr. Hall moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 60,

A bill for an act to provide for the maintenance of the industrial school and school of manual training, located at Ellendale, and for making necessary improvements, and making an appropriation therefor.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The committee on rules made the following report:

Mr. Speaker:

Your committee on rules to whom was referred

Proposed House Rule 61,

Requiring the chief clerk to post a list of bills on third reading for the day and also a list of bills in general orders for the day and to revise and correct such lists as the business progresses.

Have had the same under consideration and recommend that the same be adopted as a special rule for the seventh session and be printed in the journal.

C. A. TUBBS,
Chairman.

Mr. Tubbs moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Following is the rule:

Rule 61. The chief clerk shall cause to be posted in the house each day, for the information of the members a list of the "bills on third reading for the day," and also, a like list of all "bills in general orders for the day." Such lists shall be revised, corrected and added to so often as the progress of business requires.

The special committee of the house offered the following report:

Mr. Speaker: On January 25th a resolution was adopted authorizing the speaker to appoint a special committee of three to investigate the various state departments to see if there could be any lessening of the state expenditures without affecting the service to the state, and to report its conclusions to the house.

We have complied as far as limited time will permit with the intent of the resolution, and transmit herewith for your consideration our recommendations.

We recommend the following allowance for clerk hire in the various departments for the ensuing biennial period:

Governor's department	\$ 5,200
Secretary of state	4,200
Treasurer	4,600
Auditor	4,600
Attorney general	3,000
Superintendent of public instruction	5,800

Commissioner of insurance	4,000
Commissioner of agriculture and labor	3,000
Secretary board R. R. commissioners	1,600
Clerk supreme court	2,400
Supreme court reporter	1,200
Examiner's department	5,600
Land department	5,040

The work of recording marks and brands has been taken from the office of the secretary of state and placed in the department of agriculture and labor, thus decreasing the work in the one office and increasing it in the other, therefore we have left the allowance for clerk hire in the commissioner of agriculture and labor's office the same as at present and reduced that of secretary of state.

We deem the amounts recommended as above necessary to provide for the proper transaction of the state's business. Heads of departments are elected to superintend the respective offices, decide matters requiring discretion, and to contract for all necessary expenses. If the duties as enumerated are diligently performed, and the items of general expense scrutinized by the heads of departments, a much larger and important saving can be accomplished. In our judgment the small amount that can be properly saved from clerk hire is insignificant as compared with the amount to be saved from the general expense, supplies and printing.

We recommend further the abolition of the following appropriations and offices:

Assistant dairy and food commissioner	\$ 1,200
Expense, dairy and food commissioner	2,000
Commissioner of forestry and irrigation	2,000
Expense, commissioner of forestry and irrigation	1,000
Geological survey	600
Circulating library	1,500
State fair	2,500
Weather bureau	1,000
Educational library	600

There was appropriated for the maintenance of the capitol for the years beginning January 1, 1899 and to December 31, 1900, \$40,000; there has been expended \$38,845.97; this includes an emergency expense of \$2,889.85 caused by the entire roof and cornice of the new wing of the capitol being taken off in the summer of 1899. Also much damage being done the senate chamber; the expense of this came out of the above appropriation. If this amount be deducted from the total amount expended it would leave an unexpended balance in the fund of \$4,043.88. For comparison we find that the amount expended

for the years beginning January 1, 1897 and ending December 31, 1898, was \$55,598.39 or \$16,752.42 in excess of the amount expended during the past two years including the amount expended in rebuilding the upper part of the new wing. The past administration is entitled to credit for this retrenchment. We find the steam plant as now installed has been there since the erection of the capitol. Its construction is obsolete, unsatisfactory and expensive to operate, and in the interest of economy, a new plant constructed on modern and economical plans be installed. If this is done we are convinced that the consumption of fuel will be materially lessened and better service given. We are of the opinion that the most satisfactory and practical way of lighting the capitol would be by meter system at a reasonable rate, until arrangements can be made by the capitol board for permanently lighting the capitol building from the plant at state penitentiary.

In a hasty examination (such as we are compelled to make) of vouchers for postage, telegrams, office supplies, etc., of the different departments paid out of the capitol maintenance, that there has not been enough care and attention given to the reduction of expense, and eliminating of unnecessary items. If the heads of departments will co-operate and lend their assistance to a reduction of these expenses, we deem an appropriation of \$16,000 annually sufficient, and we recommend that amount. We use the word "departments" in a general sense. We find in some of the departments that the strictest economy has been practiced and the financial interests of the state carefully guarded.

We find after a careful investigation into the matter of expense incurred in transportation of convicts to the penitentiary, patients to the asylum, and refractory children to the reform school, that during the biennial period ending June 30, 1900, there was paid the following amounts:

Transportation of patients to the hospital for the insane	\$	16,352.26
Transportation of convicts to the penitentiary		8,735.61
Transportation to reform school		597.61
		25,685.48
Total	\$	25,685.48

We can recommend no remedy to reduce the number of convicted parties. We have examined the statutes of a number of states on this point, and find in a large number of them that the expense of conviction and placing such parties in the different institutions paid by the counties. Inasmuch as the state provides for their care in the different institutions we can see but justice in thus dividing the expense. The states of Wisconsin and Iowa for example, adopt such a plan. In the state's present financial condition and in view of the large amount of money required to maintain the state institutions for such purposes we

recommend such a change in our laws as will relieve the state from this expense.

During the last biennial period the expense for the arrest and return of fugitives from justice has been \$2,386.22; this is the smallest expense on this account for a like period for a number of years. At present warrants for extradition are issued at the discretion of the governor, this should also be a proper charge to the respective counties; applications should be referred to the county commissioners for approval, they being in the vicinity where the crime is committed are more familiar with the motive and nature of the crime and would lessen the opportunity for abuse of the law for personal gain, and we recommend that the state be relieved from this responsibility.

As we understand it your committee was appointed to secure information on the subject of necessary expense for the present biennial period and in order to do this with any degree of accuracy we must become familiar with the past expenditures and the future needs of the different departments. Regarding the needs and expenses of the present legislative assembly, we assume the members are as familiar as we are and have no suggestion or recommendation to make.

The business conducted by the department of public instruction and the state land department is in the interests of the common schools of the state and a separate fund is created for their maintenance. No part of the money under the constitution can be diverted to pay the expenses in maintaining the state government and we can see no good reason why the schools of the state should not pay a part of the legitimate expense incurred in conducting this branch of our system. Legally, as a business proposition, we think the school system should collect its own revenue and pay its own debts, and we recommend the passage of a law providing for the payment of all or a part of the expenses of the two departments out of fines and the interest derived from the investment of the permanent school fund.

We recommend that section 302 of the Revised Codes should be amended to make the fiscal year for the state commence on the first day of January and end on the thirty-first day of December, and that the accounts of all departments, officers and institutions be closed to that date. This change will be the means of showing the transactions of each administration separate.

The biennial period for the purpose of completing and having printed reports to be presented to the legislature, should begin on the first day of July and end on the thirtieth day of June. The provision of a biennial period should be for this purpose only.

That the auditor be required to furnish to the legislature a statement of the expenses incurred in each department from

July first to January first prior to the session of the legislature; such statement to contain a list of all unpaid vouchers. He should also be required to make and furnish a list of all standing appropriations, referring to the section of the code authorizing said appropriations. Such statement should be in pamphlet form, six hundred copies should be printed, and statement should be presented not later than the tenth day of the session.

All state officers, departments, boards of trustees of all state institutions, and other state boards, should be required to furnish a written report to the governor for the fiscal year, showing their official acts during that period, and the report should contain such information as will exhibit the actual condition of such departments and institutions; these reports not to be printed.

The amount appropriated by the last legislature for public printing of all classes was \$30,000, the amount expended on this account has been \$52,000; this includes the printing of the Revised Codes of 1899. From our examination of vouchers charged to this account, we are forced to the opinion that the greatest of liberty has been taken with this fund and much needless printing has been ordered, and we are of the opinion that there is much room for saving on this account. We realize that it is a hard task to fix an appropriation for this class of work, and it is hard to say accurately just what the needs for the future will be in the way of printing, but we are convinced of one thing, and that is, that a large saving can be had over the amount expended during the last two years.

In order to bring about a reduction in the public printing account, we recommend that the same be so amended as to provide for the printing of biennial reports for the following departments, and the number of each: state auditor, state treasurer, superintendent of public instruction, and commissioner of agriculture and labor, seven hundred copies; two hundred of the seven hundred to be bound in cloth; commissioner of insurance, six hundred copies, two hundred of the six hundred to be bound in cloth; public examiner, five hundred copies, two hundred to be bound in cloth.

We would suggest that section 38 of the Revised Codes be amended to provide for the governor, secretary of state and auditor, as commissioners of public printing, and that the printing of biennial reports for any other state department or boards be ordered and approved by said board, and that in case of the printing of any report ordered by said commissioners, that the number be limited to five hundred copies. Reports can and should be reduced in size and changed in form and no report or parts of a report should be duplicated, and that the said printing commissioners be directed to approve the printing of so much of any reports required to be printed, as in their judgment is of

importance to the public, and in such form as they direct. Orders for all classes of printing should pass before the said commissioners for approval.

We would say that the appropriation of fifteen thousand dollars per annum should be ample to provide for the actual needs of the state for all classes of printing, and would recommend no increase for the next biennial period.

We are of the opinion that a specific appropriation be made to cover the entire deficiency for printing up to January first, 1901, and that the biennial appropriation be made for the current period only, 1901 and 1902.

It appears difficult to obtain specific information from the books in the auditor's office without much labor and the consuming of lots of time. We would suggest that a new system of keeping accounts be adopted, whereby an account is kept with each appropriation and with each department. The books should show at a glance just what each department of the state is costing to conduct it. Each department should keep an account of all receipts and all vouchers presented for approval and should be entered on the books of the department. All orders for supplies to be charged against the capitol maintenance fund should have the approval of the governor, and all orders for printing should have the approval of the secretary of state, said orders to be presented with the vouchers to the auditing board. Vouchers without these approvals should not be allowed. We think this method would reduce the purchases of supplies to the actual needs of the departments.

We recommend that a law be passed requiring each county to pay a fee of ten dollars for the examination by the public examiner, of each county office that is required to be examined by sections 137 and 140 of the Revised Codes.

We earnestly recommend that a new standing committee be provided for by the rules of the house, to be known as the investigating committee; that the committee consist of three members to be appointed as other committees are appointed; and said committee to be appointed not later than the tenth day of the session; such committee to report the expenditures and needs of the several departments of state, not later than the thirtieth day of the session.

All of which is respectfully submitted,

F. H. KEELER, Chairman.
C. WINSLOW,
ASA SARGENT.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal

of the 43rd day, have carefully examined the same and recommend that the same be corrected as follows:

Page 1, insert after line 12: "the speaker called Mr. Reade to preside."
Page 4, line 7, strike out the word "concurrence" and insert in lieu thereof the word "consideration."

Page 4, line 8, change word "therein" to "thereof."

Page 13, change line 4 to read "the report was adopted."

Page 16, line 19, change word "be" to "was."

Page 16, line 23, strike out first three words.

Page 23, line 35, insert before words "certain cases" the word "in."

Page 27, after line 36, insert:

"Mr. Brisbin moved

To reconsider the vote by which Senate bill No. 65 was passed.

Mr. Young moved

To lay the motion to reconsider on the table."

Page 17, "after recess" insert "immediately after recess the speaker resumed the chair."

And when so amended recommend that the same be approved.

F. H. KEELER,

Chairman pro tem.

Mr. Keeler moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA.

February 20, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 1,

A bill for an act entitled an act to provide for the trial of civil actions.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Brisbin moved

To reconsider the vote by which

Senate bill No. 65,

A bill for an act to amend sections 72, 83, 84, 85, 94, chapter 126 of the laws of 1897, and chapter 136 of the laws of 1899, being sections 1257, 1267 and 1277 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation.

Was lost yesterday.

Mr. Young moved to lay the motion on the table,

Which motion was lost.

Mr. Brisbin's motion prevailed, and the vote on Senate bill No. 65 was reconsidered.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 20, 1901.

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

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

Very respectfully,
GEORGE L. TOWNES,
Secretary.

The question being upon the final passage of
Senate bill No. 65,

A bill for an act to amend sections 72, 83, 84, 85, 94, chapter 126 of the laws of 1897, and chapter 136 of the laws of 1899, being sections 1257, 1267 and 1277 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation.

The roll was called and there were ayes 31, nays 26, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Gullikson,	Parr,
Bacon,	Hall,	Phifer,
Bennett,	Heath,	Sargeant,
Bjornson,	Hill,	Severson,
Brisbin,	Hjelmstad,	Stafne,
Chacey,	Lemke,	Strutz,
Chaffee,	Lerom,	Swarthout,
Chevalier,	Mallough,	Tubbs,
Dickson,	Morgan,	Tufte,
Dwire,	Nevin,	Watson,
Galbraith,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	McClure,	Rose
Axvig,	McLean,	Thomas,
Cassell,	Michels,	Thordarson,
Davis,	Miller,	Wade,
Gronvold,	Packard,	Watts,
Hare,	Palmer,	Willison,
Johnson,	Ramsett,	Young,
Keeler,	Reade,	Mr. Speaker,
Leech,	Restemayer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack.	Nicholson,	Winslow,
Hammond,	Nelson.	

Messrs. Gulack, Nelson and Winslow, being excused.
The bill not having a constitutional majority was lost.

Mr. Leech moved

To reconsider the vote by which

Senate bill 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

Was lost.

Mr. Anderson moved

That the motion to reconsider be laid on the table,

Which motion was lost.

The motion to reconsider the vote by which

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

Was lost then prevailed.

Mr. Leech asked unanimous consent to amend the bill.

Mr. Bennett objected.

Mr. Bacon moved

That the bill be sent to general orders,

Which motion prevailed.

Mr. Chacey moved that

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

And,

Senate bill No. 48,

A bill for an act to amend section 6153 of the Revised Codes of 1891 relating to liability of owner for trespass of animals.

Be recommitted to the committee on agriculture,

Which motion prevailed.

Mr. Leech moved that

House bill No. 165,

A bill for an act to amend chapter 5 of the Civil Code of the state of North Dakota, relative to dissolution of marriage.

Be taken from general orders and recommitted to the committee on judiciary,

Which motion was lost.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 20, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were defective, and upon which property taxes for the year 1896 and prior years are unpaid.

Which the senate has passed unchanged.

GEORGE L. TOWNES,
Secretary.

The speaker called Mr. Leech to the chair.

FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Stafne introduced
House bill No. 205,

A bill for an act to amend section 277 of the Revised Codes of 1899, repealing the examination of persons by the state board of medical examiners, in certain cases, before commencing the practice of medicine, and fixing requirements for granting certificates.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Strutz introduced
House bill No. 206,

A bill for an act to amend sections 2 and 3 of chapter 43 of the Session Laws of 1899, the same being section 1118b of the Revised Codes, relating to duties of overseers of highways, regarding coal mines and wells, which are not in common use.

Which was read the first and second times, and
Referred to the committee on highways and bridges.

Mr. Chaffee introduced
House bill No. 207,

A bill for an act to amend section 95 of the Revised Codes of 1899, relating to fees of the secretary of state.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Tubbs introduced
House bill No. 208,

A bill for an act to amend section 2736 of the Revised Codes of 1899, relating to the dissolution of marriage.

Which was read the first and second times, and
Referred to the committee on judiciary.

THIRD READING OF HOUSE BILLS.

House bill No. 60,

A bill for an act to provide for the maintenance of the industrial school and school of manual training, located at Ellendale,

and for making necessary improvements, and making an appropriation therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays 3, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Reade,
Bacon,	Hill,	Restemayer,
Bennett,	Johnson,	Rose,
Bjornson,	Keeler,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	Lerom,	Strutz,
Chaffee,	Mallough,	Swarthout,
Chevalier,	McClure,	Thordarson,
Davis,	Michels,	Tubbs,
Dwire,	Morgan,	Tufte,
Galbraith,	Nicholson,	Wade,
Gronvold,	Nevin,	Watts,
Gullikson,	Packard,	Watson,
Hall,	Parr,	Willison,
Hare,	Phifer,	Young,
Hammond,	Ramsett,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Hjelmstad,	McLean,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Miller,	Nelson,
Dickson,	Palmer,	Winslow,
Gulack,	Thomas,	

Messrs. Gulack, Nelson and Winslow being excused.

So the bill passed and the title was agreed to.

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota, relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Ramsett,
Anderson,	Hjelmstad,	Reade,
Axvig,	Johnson,	Restemayer,
Bacon,	Keeler,	Rose,
Bjornson,	Leech,	Sargeant,

Messrs.—

Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hammond,
Heath,

Messrs.—

Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nevin,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Bennett,
Gulack,
Hare,

Messrs.—

Nelson,
Nicholson,

Messrs.—

Severson,
Winslow,

Messrs. Gulack, Nelson and Winslow being excused.

So the bill passed and the title was agreed to.

Mr. Morgan requested the courtesies of the floor for C. Hope Morgan and A. L. Morgan, of Barrie, N. D.

Mr. Keeler requested the same for B. L. Fellows and Fred Ham.

Mr. Pollock requested the same for Revs. Stickney and Powell, of Fargo.

Mr. Ramsett requested the same for W. C. Helm.

Mr. McClure requested the same for John H. Breum, Stark county.

There being no objections such courtesies were extended.

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 29, nays 27, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Bacon,
Bjornson,
Cassell,
Chaffee,
Chevalier,
Galbraith,
Hall,
Hare,
Heath,
Hill,

Messrs.—

Keeler,
Leech,
Lerom,
Mallough,
McClure,
Miller,
Nevin,
Packard,
Ramsett,
Restemayer,

Messrs.—

Sargeant,
Swarthout,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Willison,
Mr. Speaker.

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Gullikson,	Parr,
Anderson,	Hammond,	Phifer,
Axvig,	Hjelmstad,	Reade,
Bennett,	Johnson,	Rose,
Brisbin,	Lemke,	Severson,
Chacey,	McLean,	Stafne,
Davis,	Michels,	Strutz,
Dickson,	Morgan,	Thomas,
Dwire,	Nicholson,	Watson,
Gronvold,	Palmer,	Young,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack,	Nelson,	Winslow,

Messrs. Gulack, Nelson and Winslow being excused.

The bill not having a constitutional majority was lost.

Mr. Young gave notice he would move to reconsider at the next session of the house.

House bill No. 91,

A bill for an act making railway corporations liable for the injury or killing of stock, where they fail to fence and maintain a lawful fence along their railroad.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays 2, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Palmer,
Anderson,	Hammond,	Parr,
Axvig,	Hill,	Phifer,
Bacon,	Hjelmstad,	Ramsett,
Bennett,	Johnson,	Reade,
Bjornson,	Keeler,	Rose,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	Lerom,	Strutz,
Chaffee,	Mallough,	Swarthout,
Chevalier,	McClure,	Thomas,
Davis,	McLean,	Tubbs,
Dickson,	Michels,	Tufte,
Dwire,	Miller,	Wade,
Galbraith,	Morgan,	Watson,
Gronvold,	Nicholson,	Willison,
Gullikson,	Nevin,	Young,
Hall,	Packard,	Mr. Speaker.
Hare,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack,	Sargeant,	Winslow,
Nelson,	Thordarson,	

Messrs. Restemayer and Watts voting in the negative.

Messrs. Gulack, Nelson and Winslow being excused

Mr. Morgan explained his vote.

So the bill passed and the title was agreed to.

Mr. Packard moved

That the vote by which

House bill No. 91,

A bill for an act making railway corporations liable for the injury or killing of stock, where they fail to fence and maintain a lawful fence along their railroad.

Passed, be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

House bill No. 122,

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon county courts.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
Michels,
Miller,
Morgan,
Nevin,
Nicholson,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Dickson,
Dwire,
Gulack,

Messrs.—

McClure,
McLean,
Packard,

Messrs.—

Restemayer,
Nelson,
Winslow,

Messrs. Gulack, Nelson and Winslow being excused.

So the bill passed and the title was agreed to.

Mr. Stafne moved

That the rules be suspended, and that the house proceed to the 17th order of business,

Which motion was lost.

Mr. Anderson moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

W. D. AUSTIN,
Asst. Chief Clerk.

FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 26, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the Rev. Gebhardt of Fargo.

Roll call.

All members present except Messrs. Anderson, Axvig, Bjornson, Dickson, Dwire, Galbraith, Gulack, Gullikson, Hammond, Hjelmstad, Lemke, Mallough, McLean, Miller, Palmer, Parr, Restemayer, Rose, Sargeant, Strutz, Swarthout, Tufte, Wade, Watts and Winslow, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal respectfully report that they have carefully examined the Journal of the 44th day, and recommend that the same be corrected as follows:

Page 5, line 23, change word "as" to "or."

Page 12, line 45, strike out word "and."

Page 12, strike out lines 46, 47, 48 and 49.

Page 13, strike out line 2.

Page 25, strike out line 4 and insert: "To lay the motion to reconsider on the table."

Page 25, strike out line 24.

Page 29, strike out line 12 and insert: "The bill not having a constitutional majority was lost."

And when so amended recommend that the same be approved.

F. H. KEELER,
Chairman Pro Tem.

Mr. Keeler moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hill presented the following petition:

ABSARAKA, N. D., Feb. 24, 1901.

To the Honorable Members of the Lower House of the Legislature now in session:

We respectfully petition your honorable body against the passage of House bill No. 204 amending section 217 of our constitution, which would make our state prohibition law null and void.

WM. STAPLES,
And 33 others.

Mr. Brisbin presented the following petition:

REYNOLDS, N. D., Feb. 24, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned, citizens of Reynolds, N. D., do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

W. F. GIBBS,
And 60 Others.

Mr. Hill presented the following petition:

PAGE, Cass County, Feb. 24, 1901.

To the Members of the House, State of North Dakota:

We, the undersigned, citizens of the village of Page, Cass county, and state of North Dakota; do earnestly petition and request that our representatives and senators vote against and use all means in their power to defeat the passage of Senate bill No. 193 and House bill No. 204.

W. J. COURTNEY,
And 74 Others.

Mr. Hill presented the following petition:

To the Senators and Members of the House of Representatives from Eleventh Legislative District:

The undersigned, voters and residents of Amenia and vicinity would respectfully petition that you vote against the measures known as

House bill No. 204 and Senate bill No. 193, aimed at the prohibition law; and urge that you use all possible means to secure their defeat.

E. C. SARGENT,
And 20 Others.

Mr. Pollock presented the following petitions:

FARGO, N. D., Feb. 24, 1901.

Hon. R. M. Pollock:

Dear Sir: We, the undersigned citizens of this city and state hereby respectfully petition, through you, our state house of representatives to refrain from legislation which will in any wise render the securing of divorce in this state easier than under existing laws. We also petition for your strongest opposition to any legislation proposing the repeal of the penalty clause of the prohibition law; also to any other proposed legislation the object of which may be to bring said law into disrepute. We also ask your support of the pending bill laying severe restrictions on cigarette selling.

Respectfully submitted,

REV. W. W. REED,
And 57 Others.

FARGO, N. D., Feb. 25, 1901.

The House, care Speaker Pollock, Bismarck, N. D.:

Forty-seven residents of Fargo urge that you vote against House bill No. 165 regarding divorce.

EDGAR W. DAY,
MRS. W. H. BEST,
JOHN MONSON.

Mr. Bennett presented the following petition:

To the House of Representatives of the State of North Dakota:

We, the undersigned, citizens of Northwood and vicinity, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

OTTO SOUGSTAD,
And 37 Others.

Mr. Morgan presented the following petitions:

STANDY, N. D., Feb. 18, 1901.

To the Hon. E. Stafne, A. W. Thomas and V. Morgan, Members of the House of Representatives from Richland County:

Gentlemen: We, the undersigned, a committee appointed by the Norrah Debating society to act in behalf of said society, do petition you and each of you most earnestly to work for the passage of Senate bill No. 109 prohibiting the sale of cigarettes and cigarette papers, and also House bill No. 126, a bill for an act providing stables and hitching posts on school sites in rural school districts. Give this your hearty support.

JOHN R. JOHNSON,
LARS SEVERSON,
OLE A. NELSON,
Committee.

To the Richland County Members of the Legislature, Bismarck, N. D.:

Gentlemen: At a meeting of the Wahpeton fire department held February 16, 1901, it was unanimously resolved that we petition the members of the legislature from this district to use all honorable means for the support of a bill now before the legislature providing that the 2 per cent tax now levied on the premiums of fire insurance companies now doing business within this state be paid to such volunteer companies only that are in good standing as members of the North Dakota Fire association.

We deem the bill now before the legislature a wise and just one, and

most earnestly request of our members that they give this measure their full and hearty support.

On behalf of the Wahpeton fire department.

GEO. WRAHLSTAD, Chief.
GEO. H. E. MILLER, Sec.
CHAS. G. BADE,
AARON J. BESSIE.

Mr. Cassell presented the following petition:

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Steele county, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

H. A. NORTHROP,
And 26 Others.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 26, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 118,

A bill for an act entitled an act concerning covenants of warranty.

Also,

Senate bill No. 119,

A bill for an act entitled "An act amending section 6777, relating to appeals from justice court making the payment of transcript fees a condition precedent to granting an order compelling a justice to certify up the record."

Also,

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock "where and at what valuation to be listed."

Also,

Senate bill No. 42,

A bill for an act entitled an act to provide for the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Also,

Senate bill No. 80,

A bill for an act fixing the residence, salaries and clerk hire of the state officers.

Also,

Senate bill No. 157,

A bill for an act entitled an act to amend section 238 of the Revised Codes, relating to state depositories.

Also,

Senate bill No. 160,

A bill for an act entitled an act defining newspaper libel and providing for demanding remedy before action can be brought.

Also,

Senate bill No. 161,

A bill for an act to legalize the assessment and levy of taxes in territory over which counties have exercised criminal and civil jurisdiction for four years last past, and providing for the collection of the same.

Also,

Senate bill No. 174,

A bill for an act entitled an act repealing section 1375 of the Revised Codes, 1899, relating to additional duties of adjutant general and prescribing his salary.

Also,

Senate bill No. 184,

A bill for an act repealing section 966a, Revised Codes, 1899, relating to issuing certificates of indebtedness to provide for the equipment of the deaf and dumb asylum.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 26, 1901.

To the House of Representatives:

Gentlemen—I have the honor to inform you that I have approved and filed with the honorable secretary of state

House bill No. 2,

A bill for an act to provide for the status, organization, and government of associations known as lodges, chapters, posts, encampments, councils, commanderies, consistories and other similar organizations of the fraternities or associations commonly known as the various organizations of Free Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias and other similar benevolent or charitable fraternities or associations not organized for profit or fraternal insurance.

Also,

House bill No. 3,

A bill for an act entitled an act to provide for the exemption

of property used exclusively for religious purposes from taxation.

Also,

House bill No. 6,

A bill for an act to repeal chapter 76 of the session laws of 1891, being an act entitled "an act creating the office of state superintendent of irrigation and forestry, and prescribing the duties thereof."

Also,

House bill No. 134,

A bill for an act to amend section 6172 of the Revised Codes of North Dakota, defining the duties of county judges.

Very respectfully yours,

FRANK WHITE,

Governor.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 173,

A bill for an act to amend section 502 of the Revised Codes of 1899, relating to certificates of nomination and prescribing the qualifications of persons participating in nomination at caucuses or in conventions, or by petition, and prescribing the duties of the secretary of state in reference to the placing of nominees on the official ballot.

Also,

House bill No. 160,

A bill for an act to amend section 1936 of the Revised Codes of North Dakota, relating to the publication of proceedings of board of county commissioners.

Also,

House bill No. 145,

A bill for an act entitled an act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same.

Also,

House bill No. 181,

A bill for an act to amend section 7264 of the Penal Code of the state of North Dakota.

Also,

House bill No. 180,

A bill for an act for the protection of manufacturers of soda water, mineral water and other like beverages.

Also,

House bill No. 167,

A bill for an act to prohibit the sale of certain game birds and animals within the state and providing a penalty for violation of the same.

Also,

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 139,

A bill for an act making the state of North Dakota a preferred creditor in the case of sales of binding twine upon time and in the case of other contracts with the state.

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

By striking out all of section 1 and inserting in lieu thereof the following: "Section 1. The state of North Dakota is hereby made a preferred creditor in all cases of the sale on credit of the products of the twine and cordage plant at the penitentiary, and is also hereby made a preferred creditor in all cases of payments due to the state on any and all other contracts."

And by inserting before the word "there" in line 6 of the printed bill the following: "Section 2. Emergency."

And when so amended recommend that the same do pass.

Also,

House bill No. 191,

A bill for an act entitled "An act to provide that all persons under the age of twenty-one years may be committed to the reform school, when they have pleaded guilty to or been convicted of the commission of a public offense.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

The adoption of the report,
Which motion prevailed, and
House bill No. 191,

A bill for an act entitled "An act to provide that all persons under the age of twenty-one years may be committed to the re-

form school, when they have pleaded guilty to or been convicted of the commission of a public offense.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 193,

A bill for an act entitled "An act to amend section 8583 of the Revised Codes, relating to the procedure in committing an incorrigible child to the reform school."

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

The adoption of the report.

Which motion prevailed, and

House bill No. 193,

A bill for an act entitled "An act to amend section 8583 of the Revised Codes, relating to the procedure in committing an incorrigible child to the reform school."

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 194,

A bill for an act to amend section 3576 of article 3 of the Revised Codes of North Dakota and to cure defective acknowledgments.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 16,

A bill for an act to repeal chapter 60 of the session laws of 1897 forbidding and preventing the practice of law by judges of county courts having increased jurisdiction.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report,
Which motion prevailed, and
Senate bill No. 16,

A bill for an act to repeal chapter 60 of the session laws of 1897 forbidding and preventing the practice of law by judges of county courts having increased jurisdiction.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 127,

A bill for an act entitled an act to amend and re-enact section 2082 of the Revised Codes of the Revision of 1899, relating to fees and compensation of sheriffs.

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

1. By striking out the word "two" in subdivision 11 of section 1, and insert in lieu thereof the word "one."
2. By striking out section 2, and inserting in lieu thereof "Section 2. Section 2083 of the Revised Codes is hereby repealed."
3. By striking out section 3.

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 101,

A bill for an act entitled an act to amend section 163 of the Revised Codes so as to provide for special tax for two agricultural fairs in counties containing over twenty-four townships and where two fair associations have already been organized.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
The adoption of the report,
Which motion prevailed, and
House bill No. 101,

A bill for an act entitled an act to amend section 163 of the Revised Codes so as to provide for special tax for two agricultural fairs in counties containing over twenty-four townships and where two fair associations have already been organized.

Was indefinitely postponed.

MOTIONS AND RESOLUTIONS.

Mr. Cassell moved that the speaker appoint, on or before tomorrow, a steering committee to consist of five members, to perform the usual duties thereof.

Which motion prevailed.

Mr. Davis offered the following resolution:

Whereas, Death has entered the home of our respected member, Hon. B. H. Mallough, and removed therefrom a daughter of some ten years of age.

Resolved, That the members of this house of representatives extend to Mr. Mallough and to his bereaved family sympathy and condolence.

Resolved, That a copy of this resolution be engrossed and mailed to the said member.

Mr. Keeler asked the courtesies of the floor for Mrs. J. M. Watson.

Mr. Gronvold for J. M. Egeland, Fisher, Minn.

Mr. Young for Mr. and Mrs. Geo. A. Foidd and Mr. and Mrs. Geo. A. McFarland.

Mr. Allshouse for Mr. L. C. Pettibone.

Mr. Nevin for J. Austin Regan.

Mr. McClure for Daniel Manning, Dickinson; Ed Foley, Medora.

Mr. Bennett for W. R. Bond, Inkster.

There being no objections, the courtesies of the floor were so extended.

Mr. Allshouse moved that the vote by which

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

Was lost be reconsidered.

Which motion prevailed.

Mr. Young moved that the further consideration of the bill be made a special order for tomorrow at 2:30 p. m.

Which motion prevailed.

Mr. Reade moved that

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Be recalled from the senate.

Which motion prevailed.

Mr. Reade moved that the vote by which

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Reade moved that
Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed
beef.

Be referred to the committee on agriculture.

Which motion prevailed, and
Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed
beef.

Was so re-referred.

FIRST AND SECOND READING OF HOUSE BILLS AND MEMORIALS.

Mr. Rose introduced
House bill No. 209,

Concurrent resolution.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Young introduced (by request)

House bill No. 210,

A bill for an act to amend section 694 of the Revised Codes,
relating to education.

Which was read the first and second times, and
Referred to the committee on education.

Mr. Leech introduced

House bill No. 211,

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406,
6408, 6409 and 6410 of the Revised Codes, relating to claims
against estates of decedents.

Which was read the first and second times, and
Referred to the committee on judiciary.

Also,

House bill No. 212,

A bill for an act to amend section 5203 of the Revised Codes of
the state of North Dakota, relative to the time of commencing
certain actions.

Which was read the first and second times, and
referred to the committee on judiciary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 26, 1901.

Mr. Speaker:

I have the honor to return to the house
Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed
beef.

As requested by the house of representatives.

Very respectfully,
GEORGE L. TOWNES,
Secretary.

Mr. Cassell introduced

House bill No. 213,

A bill for an act giving the state and counties precedence over liens in the enforcement of the collection of personal property taxes.

Which was read the first and second times, and
Referred to the committee on taxes and tax laws.

Mr. Cassell moved that the rules be suspended and that the house return to general orders.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign,
Senate bill No. 25,

A bill for an act granting a right-of-way for public highway across the military encampment grounds at Rock Island, Ramsey county, N. D.

Also,

Senate bill No. 33,

A bill for an act to secure from loss persons who furnish materials or labor in the alteration, repair, erection or betterment of public buildings.

Also,

Senate bill No. 72,

A bill for an act entitled "An act to repeal sections 1681 and 1682 of the Revised Codes of 1899, relating to bounty on starch."

Also,

Senate bill No. 99,

A bill for an act to amend section 1219 of the 1899 Revised Codes of North Dakota relating to assessor's statement and return to auditor.

Also,

Senate bill No. 3,

A bill for an act entitled an act to amend section 5256, Revised Codes, relating to mailing summons and complaint.

Also,

Senate bill No. 34,

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

Also,

Senate bill No. 60,

A bill for an act to define the senatorial and representative

districts of North Dakota and prescribe the number of senators and representatives therein.

And the speaker signed the bills in the presence of the house.

GENERAL ORDERS.

The speaker called Mr. Willison to the chair.

When the committee arose the following report was submitted:
Mr. Speaker:

Your committee of the whole have had under consideration

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

And recommend that the same be amended as follows:

In line 1 of the printed bill after the figures "1894" add the word and figures "and 1895."

In line 1 of section 1894 of printed bill strike out the word "treasurer" and insert in lieu thereof the words "county judge."

Strike out all of section 2 and substitute the following:

"Section 1895. Duty of Re-districting Board.) In re-districting any county it shall be the duty of the re-districting board to make the districts as regular and as compact in form as practicable and as equal in population as possible, as shall be determined by the vote cast at the last preceding general election, but no new district shall be so formed that any two of the then acting commissioners shall reside in the same district, and no county shall be re-districted oftener than once in five years."

And when so amended recommend that the same do pass.

Also,

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

And recommend that the same be amended as follows:

In line 6 of printed bill that "\$30,000" be inserted in place of "\$40,000."

In line 12 printed bill to read "Feb. 22nd, 1889," instead of "1899."

And after "buildings" in line 5 "permanent buildings and necessary furnishing."

And when so amended recommend that the same do pass.

Also,

House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes, 1899, defining the duties of the land commissioner.

And recommend that the same be amended as follows:

After the enacting clause insert the words:

"Section 1. Amendment.) That sections 173 and 182 Revised Codes, 1899, be and the same are hereby amended to read as follows:"

Also, after the word "of" in line 1 of printed bill insert the word "land;" also, by adding the following emergency clause:

"Sec. 2. Whereas, an emergency exists in that there is now no provision for taking charge of the preparation of bonds and mortgages in

the land commissioner's office; this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend that the same do pass.

Also,

House bill No. 127,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota, of 1899, relating to the state board of equalization, providing for its membership and their compensation.

And recommend that the same do pass.

Also,

House bill No. 68,

A bill for an act entitled "An act to require fire, lightning or tornado insurance agents within the state, to pay license fees."

And report the same back without recommendation.

Also,

House bill No. 143,

A bill for an act to repeal sections 1573 and 1574 of the Revised Codes of 1899, relating to official estray paper of the state.

And report progress and ask for further time.

Also,

House bill No. 109,

A bill for an act to amend section 1786 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mill.

And recommend that the same be amended as follows:

Section 1, line 2 of the printed bill, after the word "warehouse" and before the word "in" insert "and all grist and flour mills doing a ship ping business."

Insert after the word "to" in line 10 and before the word "grain" in line 11 "the persons offering such."

And when so amended recommend that the same do pass.

Also,

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

And recommend that the same be amended as follows:

That all after the enacting clause of said bill, as heretofore amended be stricken out, and that there be inserted in lieu thereof the following:

"Section 1. That section 1260 of the Revised Codes of 1899 be amended so as to read as follows:

"(Section 1260. Penalty and Interest. How Disposed of.) All penalty and interest collected on taxes shall belong to the county and become a part of the general fund, or such other fund as the county commissioners may direct, except the penalty and interest collected on taxes of any city, which shall belong to such city, and shall be paid by the county treasurer to the treasurer of such city.

"(Section 2. Emergency.) Whereas an emergency exists in this: in cities of this state which are required to pay one per cent for the collection of their taxes to their respective counties, and, such cities do not

under existing laws receive interest or penalties on taxes due them, therefore this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend that the same do pass.

Also,

House bill No. 147,

A bill for an act to amend sections 7156, 7159, 7160, 7161 and 7162 of the Revised Codes, relating to the crime of rape, and punishment therefor.

And recommend that the same be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof:

"Section 1. Amendment.) That sections 7159, 7160, 7161 and 7162 of the Revised Codes of North Dakota be, and the same are, hereby amended to read as follows:

"Sec. 7159. Rape in First Degree Defined.) Rape committed upon a female under the age of thirteen years, or incapable through lunacy or other unsoundness of mind, of giving legal consent, or accomplished by means of force or violence overcoming her resistance, or accomplished through the administration of intoxicating, narcotic or anesthetic agent, administered by or with the knowledge or privity of the accused, is rape in the first degree.

"Sec. 7160. Rape in Second Degree Defined.) In all other cases rape is of the second degree, but no conviction can be had in case the female is over the age of thirteen years and the male under the age of twenty years at the time of the act of intercourse and it appears to the satisfaction of the jury that the female was sufficiently matured and informed to understand the nature of the act and consented thereto.

"Sec. 7161. Punishment for Rape in First Degree.) Every person convicted of rape in the first degree shall suffer death or be imprisoned in the penitentiary for not less than ten years.

"Sec. 7163. Punishment for Rape in Second Degree.) Every person convicted of rape in the second degree shall be imprisoned in the penitentiary not less than five years nor more than twenty years."

And when so amended recommend that the same do pass.

Also,

House bill No. 142,

A bill for an act to amend section 4066 of the Revised Codes of the state of North Dakota, relating to the penalty for usury.

And recommend that the same do pass.

Also,

House bill No. 148,

A bill for an act to amend section 2721 of the Revised Codes, relating to age of consent of marriage.

And recommend that the same be amended as follows:

By striking out the word "eighteen" in line 3 of the printed bill and inserting in lieu thereof the word "sixteen."

And by striking out the words "or refusing to issue such license" in line numbered 9 of the printed bill and inserting in lieu thereof the words: "To or refusing to consent to the issuance of such license."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 32,

A bill for an act taxing the occupation of hawkers and peddlers regulating the licensing of persons engaged in such occupation, and increasing the ordinary county revenue by such taxation.

And report progress and ask for further time.

Also,

House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

And recommend that the same be amended as follows:

By inserting in line 7, section 1, before the word "such" the following: "Or that the person having power or authority refuses to satisfy the same."

By inserting in line 18 of section 1 after the word "record" the following: "Which notice shall be given in writing and be mailed by registered letter to the last known postoffice address of each of such persons, and the registry receipts for such letters shall be filed with the other papers in the case."

By striking out in line 2 of section 2 the words "now in the code providing," and insert in lieu thereof the words "of law."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 117,

A bill for an act to amend section 1015 and article 2 of chapter 10 of the Revised Codes of the state of North Dakota, 1899.

And recommend that the same be amended as follows:

Strike out all after the word "board" in line 15 of engrossed bill down to and including line 21.

Also in line 23, after the word "meetings" insert the words, "in each year."

And when so amended recommend that the same do pass.

Also.

House bill No. 135,

A bill for an act entitled an act to declare certain weeds common nuisances and to provide for their destruction.

And report progress and ask for further time.

Also,

House bill No. 150,

A bill for an act to amend section 395 of the Revised Codes of 1899, the same being chapter 154 of the Session Laws of 1899, relating to the salary of the reporter of the supreme court.

And recommend that the same be indefinitely postponed.

Also,

House bill No. 41,

A bill for an act entitled an act providing for an appropriation for the erection of buildings for the North Dakota school of

forestry at Bottineau, and for the contingent expenses incident to the construction thereof.

And report progress and ask for further time.

Also,

House bill No. 90,

A bill for an act entitled an act to provide for the building of a library and a museum upon the site of old Fort Abercrombie, in Richland county, N. D., and providing an appropriation therefor.

And recommend that the same be indefinitely postponed.

Also,

House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain cases, and prescribing the manner of payment therefor and the use and care of the same.

And recommend that the same be amended as follows:

"Strike out sections 1115a, 1115c and 1115d of the bill."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 95,

A bill for an act prescribing the duties of county auditors in reference to the certification of abstracts of titles to real estate.

And recommend that the same be amended as follows:

First. By striking out "section 2" of said bill.

Second. By striking out the figure "3" before the first word "emergency" in section 3 of the printed bill and inserting in lieu thereof the figure "2."

Third. By inserting after the word "that" in line 1 of section 3 of the printed bill the words "a portion of."

And when so amended recommend that the same do pass.

Also,

House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

And report progress and ask for further time.

Also,

House bill No. 158,

A bill for an act to amend section 707 of article 6 of the Revised Codes of 1899, relating to education; providing for an enumeration each year of the deaf and dumb persons in each district in the state.

And recommend that the same be amended as follows:

Line 20, after the word "instruction" insert the word "upon."

Also, add the following after the word "office" in line 25: "Provided, that special school districts, independent districts and districts organized for school purposes under special law, shall enumerate their children of school age on the first day of December, or within the next twenty days following, and such enumeration shall be reported to the county superintendent by the clerk.

Also change emergency clause to read as follows:

Sec. 2. Emergency.) Whereas an emergency exists in that there is no adequate provision for the enumeration of the deaf and dumb persons of school age in each district in the state, therefore this act shall take effect and be in force immediately upon its passage and approval.

And when so amended recommend that the same do pass.

Also,

House bill No. 163,

A bill for an act to amend section 2564 of article 8 of chapter 31 of the Revised Codes, relating to the time when township officers shall qualify.

And recommend that the same be amended as follows:

By striking out section 3 of the bill.

And when so amended recommend that the same do pass.

Also,

Senate bill No. 124,

A bill for an act to provide a fund for the purpose of retiring the principal of the bonded indebtedness of the state.

And recommend that the same be amended as follows:

By inserting after the figures "1902" in section 1 the words "and annually thereafter."

And when so amended recommend that the same do pass.

Also,

House bill No. 154,

A bill for an act to amend section 1896 of article 7 of chapter 26 of the Revised Codes, relating to the terms of office and the bonds to be furnished by county commissioners.

And recommend that the same be indefinitely postponed.

Also,

House bill No. 170,

A bill for an act to enable towns, cities or villages of this state having a population of not less than four hundred inhabitants to use automatic ballot (voting) machines at all elections held therein, or one or more precincts thereof.

And recommend that the same do pass.

Also,

House bill No. 165,

A bill for an act to amend chapter 5 of the Civil Code of the state of North Dakota, relative to dissolution of marriage.

And report the same back without recommendation.

Also,

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899 relating to compensation of county commissioners.

And recommend that the same be amended as follows:

By striking out in line 5 of section 1 the word "five" and inserting in lieu thereof the word "four."

And when so amended recommend that the same do pass.

Also,

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

And recommend that the same be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. For the purpose of exhibiting the resources, products and advantages of the state of North Dakota, at the Pan-American Exposition a commission is hereby constituted, to be designated the Pan-American Exposition commission, which commission shall be composed of the governor of the state, who shall be ex-officio chairman thereof, the commissioner of agriculture and labor, who shall be ex-officio secretary thereof, and a resident of the state of North Dakota, to be appointed by the governor within thirty days after the passage and approval of this act.

"Sec. 2. The members of said commission shall meet at the call of the governor at such time and place as he may designate, and shall choose one of their number as manager, and such manager shall be authorized and required to assume and exercise, subject to the supervision of said board, all such executive powers and functions as may be necessary to secure a complete and creditable exhibit of the interests of the state at said exposition; and he shall have personal charge of the solicitation, collection, transportation, arrangement and exhibition of the products and resources of the state, whether the same be the property of the state or loaned by individual citizens, associations or public institutions of the state and placed in his charge. He shall make report to the commission monthly, or whenever required so to do.

"Sec. 3. The members of the commission herein provided for, shall not be entitled to any compensation from the state for their services, except their actual and necessary expenses for transportation, and five dollars per day for subsistence for each day they are necessarily absent from their homes on the business of said commission. Provided, that the manager herein provided for, shall receive such compensation as may be allowed by said commission.

"Sec. 4. The expenses incurred under the provisions of this act, shall be audited and paid in the same manner as provided by law for the payment of expenses of state officers.

"Sec. 5. Said commission shall make report of its proceedings and an itemized statement of its receipts and disbursements and transmit the same to the next session of the legislature.

Sec. 6. Emergency.) Whereas, an emergency exists in that the work of the commission herein provided for, must commence prior to July first next, therefore this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend that the same do pass.

Also,

House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

And recommend that the same be amended as follows:

By adding after the words "speltz, forty-eight pounds" the words "millet, fifty pounds."

And when so amended recommend that the same do pass.

Also,

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

And recommend that the same do pass.

Also,

House bill No. 185,

A bill for an act to amend section 1030 of the Revised Codes of 1899, providing for the use of lignite coal in the various state institutions, county buildings and public schools of the state and for the purchase of the same from the lowest responsible bidder.

And report progress and ask to sit again.

Also,

House bill No. 40,

A bill for an act to amend section 217 of the Revised Code of North Dakota, 1899.

And recommend that the same be amended as follows:

In line 8 of the printed bill strike out the words "five dollars, or less" and insert in lieu thereof the words "not to exceed three dollars."

And when so amended recommend that the same do pass.

Also,

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

And recommend that the same be amended as follows:

Strike out the sentence following the word "auditor," and insert in lieu thereof the following:

"No bid shall be considered unless accompanied by a certified check in a sum to be named by the secretary of state; such check to be security that the successful bidder shall enter into a contract and shall give a bond with sureties to be approved by said board before mentioned for the proper performance of the work. No bid shall be considered from a person not a bona fide resident of this state."

Amend by striking out in line 1, section 1 of the bill the word "sixty," and inserting in lieu thereof the words "not less than sixty or more than seventy-five."

And when so amended recommend that the same do pass.

G. A. WILLISON,
Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The speaker administered the oath of office to Tom Conroy as janitor.

Mr. Bennett moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FIFTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 27, 1901.

The house assembled at 2 p. m., pursuant to adjournment
The speaker presiding.
Prayer by the chaplain.
Roll call.

All members present except Messrs. Gulack, Mallough, Parr and Swarthout, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 50th day, have carefully examined the same and recommend that the same be corrected as follows:

Page 3, line 32, change name "Longstad" to "Sougstad."

Page 4, line 8, change name "Bessill" to "Bessie."

Page 7, strike out line 33 and insert in lieu thereof:

"GEORGE M. YOUNG,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred."

Page 10, add to end of line 4 "to perform the usual duties thereof."

Page 10, line 17, change name "Foidd" to "Fridd."

Page 18, line 11, strike out the figure "2" and insert in lieu thereof the figure "3."

Page 20, line 27, insert the word "to" after word "act."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Anderson presented the following petition:

To the House of Representatives of the State of North Dakota:

We, the undersigned, citizens of West Fairview, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

H. W. PORTER,
And 28 Others.

Mr. Pollock presented the following communication:

Hon. R. M. Pollock and Hon. Fin Leech, Bismarck, N. D.:

Gentlemen: I speak that which I have seen, and testify that which I know when I affirm unto you, gentlemen of the house, that at every term of our supreme court appeals are dismissed or thrown out of court on small, technical points, without any consideration of the merits of the case, and parties are forever barred from the benefits of a review by attempting in good faith to obtain a review of their case by the supreme court.

Justice Young of the supreme court informs me that at the last term of the supreme court no less than fourteen cases were thrown out of court in that way or disposed of without considering the cases on the merits, and disposed of so as to constitute a practical hardship.

As a sample, I cite to you one case. A lawyer of experience, the president of the state bar association, had a case thrown out of court in this way.

The adverse counsel moved that his statement of the case be dismissed because it was not settled within forty days from the date of service. It was insisted and virtually conceded that the failure was caused by complying with the request of the adverse party for indulgence that he might consider the advisability of proposing amendments, but the motion was granted—and that finally and forever disposed of the case.

To my mind that practice, at this age of the world, in a state like North Dakota, is a positive disgrace to our practice and it can never recur if the legislative assembly will enact House bill No. 63, by Mr. Leech, which provides, in substance, that no judgment shall ever be affirmed except by a decision on the merits, and that all trivial defects of practice may be amended as of course at any time on such terms and conditions as may be necessary to safeguard the rights of the respondent in maintaining his defense on the merits of the case.

This is a bill that should pass both houses without a dissenting vote.

Yours,
J. E. ROBINSON,
Attorney.

Mr. Pollock presented the following petition:

FARGO, N. D., Feb. 26, 1901.

Hon. R. M. Pollock,

Speaker House of Representatives, Bismarck, N. D.:

My Dear Mr. Pollock—I wish to call your attention to Senate file No. 181. It is a vicious piece of proposed legislation. Of course, all crop contracts are subject to record—and the idea of a crop purchaser not having sufficient intelligence to have the records examined to ascertain where title is lodged—is a reflection upon the most ordinary, common sense of the most ordinary fellow citizen. Better legislate for the erection of an edifice in which to house the feeble minded, if such legislation as that proposed by Mr. Cox is necessary. Believe me to be,

Very sincerely yours,

Dict C. A. M.

C. A. MORTON.

The speaker announced the appointment of the following named members as the steering committee: Messrs. Cassell, chairman, Davis, Leech, Packard and Young.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain cases, and prescribing the manner of payment therefor and the use and care of the same.

Also,

House bill No. 175,

A bill for an act relating to the transfer of cemetery lots by religious corporations.

Also,

House bill No. 188

A bill for an act to amend section 3597 of the Revised Codes of the state of North Dakota in regard to the record of certain instruments and the admissibility in evidence of instruments entitled to record, without further proof.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

Senate bill No. 48,

A bill for an act to amend section 6153 of the Revised Codes of 1891 relating to liability of owner for trespass of animals.

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

P. P. CHACEY,
Chairman.

Mr. Chacey moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred
Substitute for Senate bill No. 47,
A bill for an act to amend section 1549 of the Revised Codes
of 1899, relating to time when lawful for stock to run at large.

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

Insert after the word "ponies" in section 1 the words "swine, goats."
Also add at end of section 5 the following: "Provided further, that in any county wherein it is lawful for stock to run at large, none of the provisions of chapter 42 of the code of civil procedure shall apply in such county

And when so amended recommend that the same do pass.

P. P. CHACEY,
Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
House bill No. 203,
A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

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

By striking out all of section 2 thereof.

And when so amended recommend that the same do pass.

M. B. CASSELL,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 27, 1901

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 30,

A bill for an act entitled "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.

Also,

Senate bill No. 75,

A bill for an act entitled an act making appropriation for the current and contingent expenses of the Soldiers' Home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Also,

Senate bill No. 81,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Also,

Senate bill No. 59,

A bill for an act to provide for the current and contingent expenses for the hospital for the insane at Jamestown, North Dakota.

Also,

Senate bill No. 83,

A bill for an act for the maintenance of the deaf and dumb asylum of North Dakota and making an appropriation therefor,

Also,

Senate bill No. 162,

A bill for an act entitled an act providing for an appropriation for the payment of the current and contingent expenses of the North Dakota agricultural college for one year.

Also,

Senate bill No. 151,

A bill for an act to appropriate money to pay the annual expense of appraising, advertising, and selling common school and institution lands.

Also,

Senate bill No. 172,

A bill for an act entitled an act repealing section 131a of the Revised Codes, 1899, making an appropriation to promote immigration.

Also

Senate bill No. 45,

A bill for an act entitled an act to amend section 2061 of the Revised Codes of North Dakota, relating to salary of clerk of district court.

Also,

Senate bill No. 43,

A bill for an act providing for an appropriation for the main-

tenance and improvement of the state normal school at Valley City, North Dakota.

Also,

Senate bill No. 67,

A bill for an act for an appropriation for the maintenance and improvements of the state normal school at Mayville, North Dakota.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House bill No. 89,

A bill for an act to amend section 2073, chapter 27 of the Revised Codes of 1899 of the state of North Dakota, relating to the salaries of county auditors.

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

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amendment.) That section 2073 of the Revised Codes of 1899, be amended so as to read as follows: Section 2073. Salary of County Auditors. How Determined.) The salary of the county auditor shall be regulated by the value of the property in his county as fixed by the state board of equalization for the preceding year as follows: Seven hundred and fifty dollars where the valuation does not exceed five hundred thousand dollars, nine hundred dollars where the value exceeds five hundred thousand dollars and does not exceed one million dollars; one thousand dollars where the valuation exceeds one million dollars and does not exceed one million, five hundred thousand dollars; twelve hundred dollars where the valuation exceeds one million five hundred thousand dollars and does not exceed two million dollars; fifteen hundred dollars where the valuation exceeds two million dollars and does not exceed three million dollars; sixteen hundred dollars where the valuation exceeds three million dollars and does not exceed four million dollars; seventeen hundred dollars where the valuation exceeds four million dollars and does not exceed five million dollars; eighteen hundred dollars where the valuation exceeds five million dollars and does not exceed six million dollars; nineteen hundred dollars where the valuation exceeds six million dollars and does not exceed eight million dollars, and two thousand dollars where the valuation exceeds eight million dollars.

"Sec. 2. This act shall not take effect nor be in force until March, A. D., 1903.

And when so amended recommend that the same do pass.

A. M. PACKARD,

Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House bill No. 200,

A bill for an act authorizing the county commissioners to build and equip dipping tanks at county expense.

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

In line 1 of section 1, strike out "shall" and insert "may."

In line 2 of section 1, strike out "twenty-five" and insert "fifty."

In line 3 of section 1 after the word "equipped" insert the words: "At the principal shipping point for live stock in said county."

By adding to said House bill No. 200 the following emergency clause: "Section 4. Emergency.) Whereas, there will be a large number of cattle and sheep shipped into this state before July 1 next, and it is important that they be dipped to prevent the introduction of disease; therefore, this act shall take effect from and after its passage and approval."

And when so amended recommend that the same do pass.

Also,

House bill No. 201,

A bill for an act defining the qualifications of county surveyors.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

A. M. PACKARD,
Chairman.

Mr. Packard moved

The adoption of the report,

Which motion prevailed, and

House bill No. 201,

A bill for an act defining the qualifications of county surveyors.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 178,

A bill for an act to amend section 2770 of the Revised Codes of North Dakota, relating to the liability of a husband or wife for the debt of the other, and to establish their joint and several liability for household supplies in certain cases.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 2,

A bill for an act entitled an act to provide a time at which
claims against the estates of decedents shall be barred.

Have had the same under consideration, and recommend that
the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
Senate bill No. 2,

A bill for an act entitled an act to provide a time at which
claims against the estates of decedents shall be barred.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 116,

A bill for an act to amend section 6670, of the Revised Codes
and to repeal section 6671 of the Revised Codes.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 64,

A bill for an act entitled an act to amend section 5260, Re-
vised Codes of 1899, relating to the manner of commencing civil
actions.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 208,
A bill for an act to amend section 2736 of the Revised Codes of
1899, relating to the dissolution of marriage.
Have had the same under consideration and recommend that
the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 142,
A bill for an act entitled an act to amend section 5730, Revised
Codes, relating to service of notices and papers.
Have had the same under consideration and recommend that
the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 209,
Concurrent resolution.
Have had the same under consideration and recommend that
the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved that the rules be suspended, and
House bill No. 209,
Concurrent resolution.

Be placed on its third reading and final passage.
Which motion was lost.

SPECIAL ORDERS.

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 46, nays 12, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Keeler,	Sargeant,
Bacon,	Leech,	Severson,
Bjornson,	Lerom,	Stafne,
Brisbin,	McClure,	Strutz,
Cassell,	Michels,	Thomas,
Chaffee,	Miller,	Thordarson,
Chevalier,	Morgan,	Tubbs,
Davis,	Nelson,	Tufte,
Dwire,	Nevin,	Wade,
Galbraith,	Packard,	Watts,
Gullikson,	Phifer,	Watson,
Hall,	Ramsett,	Willison,
Hare,	Reade,	Winslow,
Heath,	Restemayer,	Young,
Hill,	Rose,	Mr. Speaker,
Hjelmstad,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Dickson,	Lemke,
Axvig,	Gronvold,	McLean,
Bennett,	Hammond,	Nicholson,
Chacey,	Johnson,	Palmer,

Absent and not voting, Messrs. Gulack, Mallough, Parr and Swarthout, who were excused.

So the bill passed and the title was agreed to.

Mr. Young moved that the vote by which

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Packard moved that the senate be requested to return

Senate bill No. 16,

A bill for an act to repeal chapter 60 of the session laws of 1897 forbidding and preventing the practice of law by judges of county courts having increased jurisdiction.

For the purpose of reconsideration

Which motion prevailed.

Mr. Packard moved that the vote by which

Senate bill No. 16,

A bill for an act to repeal chapter 60 of the session laws of 1897 forbidding and preventing the practice of law by judges of county courts having increased jurisdiction.

Was indefinitely postponed be reconsidered,

Which motion prevailed.

Mr. Packard moved that

Senate bill No. 16,

A bill for an act to repeal chapter 60 of the session laws of 1897 forbidding and preventing the practice of law by judges of county courts having increased jurisdiction.

Be recommitted to the committee on judiciary

Which motion prevailed, and

Senate bill No. 16, was so referred.

Mr. Leech asked permission to withdraw

House bill No. 165,

A bill for an act to amend chapter 5 of the Civil Code of the state of North Dakota, relative to dissolution of marriage.

Which request was granted.

Mr. Chaffee asked permission to withdraw

House bill No. 68,

A bill for an act entitled "An act to require fire, lightning or tornado insurance agents within the state, to pay license fees."

Which request was granted.

Mr. Nicholson moved that the house of representatives of the seventh legislative session take no action on bills introduced after March 1, 1901, unless by a unanimous consent of all members present.

Which motion prevailed.

Mr. Morgan requested the courtesies of the floor for Frank Doleshy, of Lidgerwood, and James Shea.

Mr. Wade requested the courtesies of the floor for C. L. Timmerman, J. H. McGillic, W. F. Lorin, L. Connolly and William Bahm.

Mr. Young requested the courtesies of the floor for Miss May Hill, Albert Hill and Mrs. John Russell.

Mr. Chevalier requested the courtesies of the floor for Frank Hanam, of Grand Forks.

Mr. Keeler requested the courtesies of the floor for Miss Nellie Gaffney.

There being no objections, the courtesies of the floor were so extended

FIRST READING OF HOUSE BILLS.

Mr. Cassell introduced

House bill No. 214,

A bill for an act to amend section 911 of the Revised Codes relating to the meetings and compensation of the members of the board of trustees and the board of management of the normal schools.

Which was read the first and second times, and

Referred to the committee on education.

Mr. Galbraith introduced

House bill No. 215,

A bill for an act to amend section 2094 of the Revised Codes of the state of North Dakota, in regard to fees allowed county surveyors, and providing that in counties having an assessed valuation of over nine million dollars they shall have a salary in addition to fees.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. Bacon introduced

House bill No. 216,

A bill for an act entitled an act to amend section 4788 of the Revised Codes of the state of North Dakota of 1899, relating to mechanic's liens.

Which was read the first and second times, and

Referred to the committee on judiciary.

THIRD READING OF HOUSE BILLS.

The chief clerk announced that the speaker was about to sign Senate bill No. 23,

A bill for an act to amend section 5526, Revised Codes of North Dakota, relating to exemptions.

And the speaker signed the same in the presence of the house.

House bill No. 145,

A bill for an act entitled "An act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same."

Mr. Hare asked unanimous consent to make an amendment.

There being no objections the request was granted.

Mr. Hare offered the following amendment and moved its adoption:

Striking out the word "state" in line 4, section 5 of the printed bill, and strike out the word "state" and the word "and" in line 5, section 5, so as to read "to pay the interest out of the bond interest fund."

Which motion prevailed and the amendment was adopted.

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

The roll was called and there were ayes 55, nays 3, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Axvig,

Messrs.—

Hjelmstad,

Messrs.—

Watts,

Absent and not voting:

Messrs.—

Gulack,
Mallough,

Messrs.—

Parr,

Messrs.—

Swarthout,

Messrs. Gulack, Mallough, Parr and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Hare moved that the vote by which House bill No. 145,

A bill for an act entitled an act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same.

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays 20, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Hill,	Phifer,
Bacon,	Johnson,	Ramsett,
Bennett,	Keeler,	Reade,
Cassell,	Leech,	Restemayer,
Chaffee,	Lerom,	Rose,
Davis,	McClure,	Strutz,
Gronvold,	Miller,	Thomas,
Gullikson,	Nevin,	Tubbs,
Hall,	Nicholson,	Wade,
Hare,	Packard,	Watson,
Heath,	Palmer,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Stafne,
Axvig,	Lenke,	Thordarson,
Bjornson,	McLean,	Tufte,
Chacey,	Michels,	Watts,
Chevalier,	Morgan,	Winstow,
Dickson,	Nelson,	Young,
Galbraith,	Severson,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brisbin,	Hammond,	Sargeant,
Dwire,	Mallough,	Swarthout,
Gulack,	Parr,	Willison,

Messrs. Gulack, Mallough, Parr and Swarthout being excused.

Mr. Young explained his vote.

So the bill passed and the title was agreed to.

Mr. Hare moved that the vote by which House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 160,

A bill for an act to amend section 1936 of the Revised Codes of North Dakota, relating to the publication of proceedings of board of county commissioners.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allahouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufta,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Gulack,
Mallough,

Messrs.—

Parr,

Messrs.—

Swarthout,

Messrs. Gulack, Mallough, Parr and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Cassell moved that the vote by which

House bill No. 160,

A bill for an act to amend section 1936 of the Revised Codes of North Dakota, relating to the publication of proceedings of board of county commissioners.

Passed be reconsidered, and the motion to reconsider be laid on the table,

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 27, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 169,

A bill for an act to amend section 2466 of the Revised Codes

of 1899, relating to filing of certificates of fire departments of cities.

Which the senate has passed unchanged.

Also,

I have the honor to transmit herewith

Senate bill No. 150,

A bill for an act entitled "An act to amend section 327 of the Revised Codes of 1899, providing for the record of fees and monthly reports and payments of said fees to the state treasurer monthly by any state officer or deputy authorized by law to receive said fees."

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

House bill No. 173,

A bill for an act to amend section 502 of the Revised Codes of 1899, relating to certificates of nomination and prescribing the qualifications of persons participating in nomination at caucuses or in conventions, or by petition, and prescribing the duties of the secretary of state in reference to the placing of nominees on the official ballot.

Was read the third time.

Mr. Thomas moved

To amend the title by inserting after the words "secretary of state" the words "and county auditor."

The question being upon the final passage of the bill.

The roll was called, and there were ayes 55, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hammond,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack,	Hare,	Parr,
Mallough,	Hall,	Swarthout,

Mr. Dickson voted in the negative.

Messrs. Gulack, Mallough, Parr and Swarthout being excused.

Which motion prevailed, and

So the bill as amended passed and the title was agreed to.

Mr. Thomas moved that the vote by which

House bill No. 173,

A bill for an act to amend section 502 of the Revised Codes of 1899, relating to certificates of nomination and prescribing the qualifications of persons participating in nomination at caucuses or in conventions, or by petition, and prescribing the duties of the secretary of state in reference to the placing of nominees on the official ballot.

Passed be reconsidered, and the motion to reconsider be laid on the table,

Which motion prevailed.

The speaker called Mr. Bacon to the chair.

House bill No. 167,

A bill for an act to prohibit the sale of certain game birds and animals within the state and providing a penalty for violation of the same.

Was read the third time.

The speaker resumed the chair.

The question being upon the final passage of the bill.

The roll was called and there were ayes 39, nays 14, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Ramsett,
Anderson,	Hjelmstad,	Reade,
Bacon,	Johnson,	Restemayer,
Bjornson,	Leech,	Rose
Brisbin,	Lerom,	Severson,
Cassell,	McClure,	Stafne,
Chaffee,	Miller,	Thomas,
Chevalier,	Morgan,	Tubbs,
Davis,	Nelson,	Watts,
Dickson,	Nicholson,	Watson,
Galbraith,	Nevin,	Winslow,
Gullikson,	Palmer,	Young,
Hare,	Phifer,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Keeler,	Strutz,
Bennett,	Lemke,	Thordarson,
Chacey,	McLean,	Tufte,

Messrs.—

Hammond,
Heath,

Messrs.—

Michels,
Packard,

Messrs.—

Wade.

Absent and not voting:

Messrs.—

Dwire,
Gronvold,
Gulack.

Messrs.—

Hall,
Mallough,
Parr,

Messrs.—

Sargeant,
Swarthout,
Willison,

Messrs. Gulack, Mallough, Parr and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Bacon moved that the vote by which
House bill No. 167,A bill for an act to prohibit the sale of certain game birds and
animals within the state and providing a penalty for violation of
the same.Passed be reconsidered, and the motion to reconsider be laid on
the table.

Which motion prevailed,

House bill No. 180,

A bill for an act for the protection of manufacturers of soda
water, mineral water and other like beverages.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays none, absent
and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Lickson,
Galbraith,
Gronvold,
Gullikson,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Anderson,
Dwire,
Gulack,
Hall,

Messrs.—

Mallough,
Morgan,
Parr,
Sargeant,

Messrs.—

Swarthout,
Watson,
Willison,

Messrs. Gulack, Mallough, Parr and Swarthout being excused.

So the bill passed and the title was agreed to.

House bill No. 181,

A bill for an act to amend section 7264 of the Penal Code of the state of North Dakota.

Was read the third time.

Mr. Cassell moved to amend the title as follows:

By striking out all of the title and inserting in lieu thereof the following:

"For an act to amend section 7264 of the Revised Codes, prescribing a penalty for the illegal use of names, brands, labels and trade marks used by manufacturers of and dealers in soda water, mineral water and other like beverages."

Which motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Ramsett,
Axvig,	Hill,	Reade,
Bacon,	Hjelmstad,	Rose,
Bennett,	Johnson,	Sargeant,
Bjornson,	Keeler,	Severson,
Brisbin,	Leech,	Stafne,
Cassell,	Lemke,	Strutz,
Chacey,	Lerom,	Thomas,
Chaffee,	McClure,	Tubbs,
Chevalier,	McLean,	Tufte,
Davis,	Michels,	Wade,
Dickson,	Miller,	Watts,
Galbraith,	Nelson,	Watson,
Gronvold,	Nevin,	Willison,
Gullikson,	Nicholson,	Witnslow,
Hare,	Palmer,	Young,
Hammond,	Phifer,	Mr. Speaker.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Mallough,	Restemayer,
Dwire,	Morgan,	Swarthout,
Gulack,	Packard,	Thordarson,
Hall,	Parr,	

Messrs. Gulack, Mallough, Parr and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Leech moved that the vote by which

House bill No. 180,

A bill for an act for the protection of manufacturers of soda water, mineral water and other like beverages.

And

House bill No. 181,

A bill for an act to amend section 7264 of the Penal Code of the state of North Dakota.

Passed, be reconsidered, and the motion to reconsider be laid on the table,

Which motion prevailed.

House bill No. 175,

A bill for an act relating to the transfer of cemetery lots by religious corporations.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Reade,
Anderson,	Hjelmstad,	Restemayer,
Axvig,	Johnson,	Rose,
Bacon,	Keeler,	Sargeant,
Bjornson,	Leech,	Severson,
Brisbin,	Lemke,	Stafne,
Cassell,	Lerom,	Strutz,
Chacey,	McClure,	Thomas,
Chaffee,	McLean,	Thordarson,
Chevalier,	Michels,	Tubbs,
Davis,	Miller,	Tufte,
Dickson,	Nelson,	Wade,
Dwire,	Nicholson,	Watts,
Galbraith,	Nevin,	Watson,
Gronvold,	Packard,	Willison,
Gullikson,	Palmer,	Winslow,
Hare,	Phifer,	Young,
Hammond,	Ramsett,	Mr. Speaker,
Heath,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bennet,	Mallough,	Parr,
Gulack,	Morgan,	Swarthout,
Hall,		

Messrs. Gulack, Mallough, Parr and Swarthout being excused
So the bill passed and the title was agreed to.

Mr. Bacon moved that the vote by which

House bill No. 175,

A bill for an act relating to the transfer of cemetery lots by religious corporations.

Passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain

cases, and prescribing the manner of payment therefor and the use and care of the same.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 23, nays 31, absent and not voting 8.

Those who voted in the affirmative were:

<p>Messrs.— Anderson, Axvig, Bennett, Bjornson, Cassell, Gronvold, Hjelmstad, Lemke,</p>	<p>Messrs.— McLean, Morgan, Palmer, Ramsett, Restemayer, Sargeant, Severson, Stafne,</p>	<p>Messrs.— Thomas, Thorarson, Tufte, Watts, Willison, Winslow, Young,</p>
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Those voting in the negative were:

<p>Messrs.— Allshouse, Bacon, Brisbin, Chacey, Chaffee, Dickson, Dwire, Galbraith, Gullikson, Hare, Hammond,</p>	<p>Messrs.— Heath, Hill, Johnson, Keeler, Leech, Lerom, McClure, Michels, Miller, Nelson,</p>	<p>Messrs.— Nevin, Packard, Phifer, Reade, Rose, Strutz, Tubbs, Wade, Watson, Mr. Speaker,</p>
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Absent and not voting:

<p>Messrs.— Chevalier, Davis, Gulack,</p>	<p>Messrs.— Hall, Mallough, Nicholson,</p>	<p>Messrs.— Parr, Swarthout,</p>
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Messrs. Gulack, Mallough, Parr and Swarthout being excused.

Mr. Thordarson explained his vote.

So the bill was lost.

House bill No. 188

A bill for an act to amend section 3597 of the Revised Codes of the state of North Dakota in regard to the record of certain instruments and the admissability in evidence of instruments entitled to record, without further proof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

<p>Messrs.— Allshouse, Anderson,</p>	<p>Messrs.— Hill, Hjelmstad,</p>	<p>Messrs.— Reade, Restemayer,</p>
--	--	--

Messrs.—

Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Palmer,
Phifer,
Ramsett,

Messrs.—

Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Bennett,
Chevalier,
Gulack,

Messrs.—

Mallough,
Nicholson,

Messrs.—

Parr,
Swarthout,

Messrs. Gulack, Mallough, Parr and Swarthout being excused.
So the bill passed and the title was agreed to.

Mr. Cassell moved

That the house take a recess for ten minutes,
Which motion prevailed.

After recess.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 42,

A bill for an act entitled an act to provide for the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Was read the first and second times, and
Referred to the committee on education.

Also,

Senate bill No. 118,

A bill for an act entitled an act concerning covenants of warranty.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate bill No. 119,

A bill for an act entitled "An act amending section 6777, relating to appeals from justice court making the payment of transcript fees a condition precedent to granting an order compelling a justice to certify up the record."

Was read the first and second times, and referred to the committee on judiciary.

Also,

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock "where and at what valuation to be listed."

Was read the first and second times, and referred to committee on banks and banking.

Also,

Senate bill No. 80,

A bill for an act fixing the residence, salaries and clerk hire of the state officers.

Was read the first and second times, and referred to the committee on state affairs.

Also,

Senate bill No. 157,

A bill for an act entitled an act to amend section 238 of the Revised Codes, relating to state depositories.

Was read the first and second times, and referred to committee on banks and banking.

Also,

Senate bill No. 160,

A bill for an act entitled an act defining newspaper libel and providing for demanding remedy before action can be brought.

Was read the first and second times, and referred to the committee on judiciary.

Also,

Senate bill No. 161,

A bill for an act to legalize the assessment and levy of taxes in territory over which counties have exercised criminal and civil jurisdiction for four years last past, and providing for the collection of the same.

Was read the first and second times, and referred to the committee on taxes and tax laws.

Also,

Senate bill No. 174,

A bill for an act entitled an act repealing section 1375 of the Revised Codes, 1899, relating to additional duties of adjutant general and prescribing his salary.

Was read the first and second times, and referred to the committee on military affairs.

Also,

Senate bill No. 184,

A bill for an act repealing section 966a, Revised Codes, 1899, relating to issuing certificates of indebtedness to provide for the equipment of the deaf and dumb asylum.

Was read the first and second times, and
Referred to the committee on ways and means.

Also,
Senate bill No. 1,

A bill for an act entitled an act to provide for the trial of civil actions.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,
Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,
Senate bill No. 163,

A bill for an act to amend section 3231, Revised Codes, relating to capital of banks.

Was read the first and second times, and
Referred to committee on banks and banking.

Also,
Senate bill No. 168,

A bill for an act entitled an act to amend section 7678 of the Revised Codes, 1899 of the state of North Dakota.

Was read the first and second times, and
Referred to the committee on state affairs.

Also,
Senate bill No. 84,

A bill for an act entitled an act to provide for making unknown persons parties defendant in certain civil actions and to amend section 5907 and repeal section 5907a, Revised Codes of 1899, relating to unknown parties defendant.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,
Senate bill No. 153,

A bill for an act to amend section 1180 of the Revised Codes relating to property exempt from taxation.

Was read the first and second times, and
Referred to the committee on taxes and tax laws.

Also,
Senate bill No. 150,

A bill for an act entitled "An act to amend section 327 of the Revised Codes of 1899, providing for the record of fees and monthly reports and payments of said fees to the state treasurer monthly by any state officer or deputy authorized by law to receive said fees."

Was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate bill No. 30,

A bill for an act entitled "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate bill No. 75,

A bill for an act entitled an act making appropriation for the current and contingent expenses of the Soldiers' Home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate bill No. 81,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate bill No. 59,

A bill for an act to provide for the current and contingent expenses for the hospital for the insane at Jamestown, North Dakota.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate bill No. 83,

A bill for an act for the maintenance of the deaf and dumb asylum of North Dakota and making an appropriation therefor,

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate bill No. 162,

A bill for an act entitled an act providing for an appropriation for the payment of the current and contingent expenses of the North Dakota agricultural college for one year.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate bill No. 151,

A bill for an act to appropriate money to pay the annual expense of appraising, advertising, and selling common school and institution lands.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate bill No. 172,

A bill for an act entitled an act repealing section 131a of the Revised Codes, 1899, making an appropriation to promote immigration.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate bill No. 45,

A bill for an act entitled an act to amend section 2061 of the Revised Codes of North Dakota, relating to salary of clerk of district court.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate bill No. 43,

A bill for an act providing for an appropriation for the maintenance and improvement of the state normal school at Valley City, North Dakota.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate bill No. 67,

A bill for an act for an appropriation for the maintenance and improvements of the state normal school at Mayville, North Dakota.

Was read the first and second times, and

Referred to the committee on appropriations.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 169,

A bill for an act to amend section 2466 of the Revised Codes of 1899, relating to filing of certificates of fire departments of cities.

And find the same correctly enrolled.

ASA SARGEANT,

Chairman.

The chief clerk announced that the speaker was about to sign

House bill No. 169,

A bill for an act to amend section 2466 of the Revised Codes of 1899, relating to filing of certificates of fire departments of cities.

And the speaker signed the same in the presence of the house.

THIRD READING OF SENATE BILLS.

Senate bill No. 135,

A bill for an act empowering the county commissioners to contract with the sheriff for the collection of personal property tax judgments, or personal property taxes delinquent more than one year.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse	Hammond,	Ramsett,
Anderson,	Heath,	Reade,
Axvig,	Hill,	Restemayer,
Bacon,	Hjelmstad,	Rose,
Bennett,	Johnson,	Sargeant,
Bjornson,	Keeler,	Severson,
Brisbin,	Leech,	Stafne,
Cassell,	Lemke,	Strutz,
Chacey,	Lerom,	Thomas,
Chaffee,	McClure,	Thordarson,
Chevalier,	McLean,	Tubbs,
Davis,	Michels,	Tufte,
Dickson,	Miller,	Wade,
Dwire,	Morgan,	Watts,
Galbraith,	Nelson,	Watson,
Gronvold,	Nevin,	Willison,
Gullikson,	Nicholson,	Winslow,
Hall,	Packard,	Young,
Hare,	Phifer,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.
Gulack,	Palmer,	Swarthout,
Mallough,	Parr,	

Messrs. Gulack, Mallough, Parr and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Thomas moved

That the house do now adjourn.

Which motion was lost.

Senate bill No. 46,

A bill for an act to cure defective acknowledgments.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Reade,
Anderson,	Hill,	Restemayer,
Axvig,	Hjelmstad,	Rose,
Bacon,	Johnson,	Sargeant,
Bennett,	Keeler,	Severson,
Bjornson,	Leech,	Stafne,
Brisbin,	Lemke,	Strutz,
Cassell,	Lerom,	Thomas,
Chacey,	McClure,	Thordarson,
Chaffee,	McLean,	Tubbs,
Davis,	Michels,	Tufte,
Dickson,	Miller,	Wade,
Dwire,	Morgan,	Watts,
Galbraith,	Nelson,	Watson,
Gronvold,	Nevin,	Willison,
Gullikson,	Palmer,	Winslow,
Hall,	Phifer,	Young,
Hare,	Ramsett,	Mr. Speaker,
Hammond.		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier,	Mallough,	Swarthout,
Gulack,	Parr,	

Messrs. Chevalier, Gulack, Mallough, Parr and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 106,

A bill for an act to amend section 4820 of the Revised Codes of 1899, providing for a lien for grain to be used for seed.

Was read the third time.

Mr. Cassel asked unanimous consent to make an amendment.

There being no objection the request was granted.

Mr. Cassel offered the following amendment and moved its adoption.

Amend by inserting in line 10 before the word "emergency" the word and figure "section 2."

Which motion prevailed, and the amendment was adopted.

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

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Ramsett,
Anderson,	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,

Messrs.—

Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Phifer,

Messrs.—

Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Chevalier,
Gulack,

Messrs.—

Mallough,
Parr,

Messrs.

Swarthout,

Messrs. Chevalier, Gulack, Mallough, Parr and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Johnson moved

That the house do now adjourn.

Which motion was lost.

Senate bill No. 111,

A bill for an act entitled "An act to amend section 5631 of the Revised Codes of 1899, relating to the printing of briefs and abstracts upon appeals to the supreme court."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,

Messrs.—

Hall,
Hare,
Hammond,

Messrs.—

Packard,
Palmer,
Phifer,

Messrs.—

Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Chevalier,
Gulack,

Messrs.—

Mallough,
Parr,

Messrs.—

Swarthout,

Messrs. Chevalier, Gulack, Mallough, Parr and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Wade moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 28, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Mallough and Parr, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 51st day, have carefully examined the same and recommend that the same be corrected as follows:

Page 1, line 8, change word "president" to "speaker."

Page 5, line 29, change first word "of" to "for."

Page 11, line 41, change name "Joseph Shaw" to "James Shea."

Page 12, strike out line 44, and insert in lieu thereof:

“Was read the third time.”

Page 13, strike out line 8, and insert in lieu thereof:

“Which motion prevailed and the amendment was adopted.”

Page 9, after line 41, insert

“Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.”

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hill presented the following communication:

TOWER CITY, N. D., Feb. 21, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned voters of Tower City and vicinity, petition your honorable body to work and vote against House bill No. 204.

M. H. KIFF
And 22 Others.

Mr. Watts presented the following petition:

HAMILTON, N. D., Feb. 21, 1901.

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Hamilton and vicinity, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

H. N. JOY
And 25 Others.

MINTO, N. D., Feb. 21, 1901,

To the House of Representatives of the State of North Dakota:

We, the undersigned citizens of Minto, do most respectfully petition your honorable body to pass Senate bill No. 109, prohibiting the sale of cigarettes.

J. W. MORRISON
And 43 Others.

REPORTS OF STANDING COMMITTEES.

Your committee on engrossed bills made the following report:

• Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 109,

A bill for an act to amend section 1786 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mills.

Also,

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Also,

House bill No. 194,

A bill for an act to amend section 3576 of article 3 of the Revised Codes of North Dakota and to cure defective acknowledgments.

Also,

House bill No. 148,

A bill for an act to amend section 2721 of the Revised Codes, relating to age of consent of marriage.

Also,

House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

Also,

House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes, 1899, defining the duties of the land commissioner.

Also,

House bill No. 163,

A bill for an act to amend section 2564 of article 8 of chapter 31 of the Revised Codes, relating to the time when township officers shall qualify.

Also,

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

Also,

House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

Also,

House bill No. 142,

A bill for an act to amend section 4066 of the Revised Codes of the state of North Dakota, relating to the penalty for usury.

Also,

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Also,

House bill No. 147,

A bill for an act to amend sections 7156, 7159, 7160, 7161 and 7162 of the Revised Codes, relating to the crime of rape, and punishment therefor.

Also,

House bill No. 40,

A bill for an act amend section 217 of the Revised Code of North Dakota, 1899.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred

House bill No. 199,

A bill for an act to repeal sections 7594, 7596, 7597 and 7599 of the Revised Codes of the state of North Dakota, relating to druggists' permits.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

T. E. TUFTE,

Chairman.

Mr. Tufte moved

That the report be adopted,

Which motion prevailed, and

House bill No. 199,

A bill for an act to repeal sections 7594, 7596, 7597 and 7599 of the Revised Codes of the state of North Dakota, relating to druggists' permits.

Was indefinitely postponed.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred

House bill No. 168,

A bill for an act to amend section 1497 of the Political Code, providing for the appointment of a county physician.

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

OLE AXVIG.

Chairman.

Mr. Reade moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee of taxes and tax laws made the following report:
Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
House bill No. 140,

A bill for an act to amend section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.

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

In lines 12 and 13 of the printed bill strike out the word "seventeen" and insert in lieu thereof the word "twenty-four."

Also,

House bill No. 213,

A bill for an act giving the state and counties precedence over liens in the enforcement of the collection of personal property taxes.

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

T. E. NELSON,
Chairman.

Mr. Nelson moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 187,

A bill for an act to regulate and restrict the sale of cigarettes and cigarette paper and to prescribe penalties for a violation thereof.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 190,

A bill for an act to provide for the maintaining and operating of employment agencies, providing for licensing the same, and how licenses can be obtained.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved

The adoption of the report.

Which motion prevailed, and

House bill No. 190,

A bill for an act to provide for the maintaining and operating of employment agencies, providing for licensing the same, and how licenses can be obtained.

Was indefinitely postponed.

The committee on military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

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

By striking out all of section 1 after the word "service" in line 3.

And when so amended recommend that the same do pass.

FREDERICK LEMKE,
Chairman.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

House bill No. 197,

A bill or an act to amend section 187 of the Revised Codes relating to terms of sale of public lands.

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

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

House bill No. 184,

A bill for an act to amend section 207 of the Revised Codes, relating to the taxation of school and institutional lands after the contract for the sale thereof has been made and prohibiting the issuance of tax deeds thereof and providing for dropping the same from the tax lists after the cancellation of said contract.

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

W. J. WATTS,
Chairman.

Mr. Watts moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 95,

A bill for an act to amend section 5454a, of the Revised Codes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report,
Which motion prevailed, and
House bill No. 95,
A bill for an act to amend section 5454a of the Revised Codes.
Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 96,

A bill for an act to repeal section 5454a, of the Revised Codes.

Have had the same under consideration and recommend that the further consideration of same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report,

Which motion prevailed, and

House bill No. 96,

A bill for an act to repeal section 5454a, of the Revised Codes.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 205,

A bill for an act to amend section 277 of the Revised Codes of 1899, repealing the examination of persons by the state board of medical examiners, in certain cases, before commencing the practice of medicine, and fixing requirements for granting certificates.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

The adoption of the report,

Which motion prevailed, and

House bill No. 205,

A bill for an act to amend section 277 of the Revised Codes of 1899, repealing the examination of persons by the state board of medical examiners, in certain cases, before commencing the practice of medicine, and fixing requirements for granting certificates.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 105,

A bill for an act to amend section 4680 of article 2, chapter 72, of the Revised Codes of the state of North Dakota, for the year 1899, entitled liens in general.

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

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Packard moved that the vote by which
House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain cases, and prescribing the manner of payment therefor and the use and care of the same.

Was lost be reconsidered.

Roll call demanded.

The roll was called and there were ayes 33, nays 26, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Lerom,	Sargeant,
Axvig,	McLean,	Severson,
Bennett,	Michels,	Stafne,
Cassell,	Morgan,	Thomas,
Chevalier,	Nelson,	Thordarson,
Davis,	Packard,	Tubbs,
Gronvold,	Palmer,	Tufte,
Hall,	Phifer,	Watts,
Hjelmstad,	Ramsett,	Willison,
Johnson,	Restemayer,	Winslow,
Lemke,	Rose,	Young,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Gulack,	Miller,
Bacon,	Gullikson,	Nevin,
Bjornson,	Hare,	Nicholson,
Brisbin,	Hammond,	Reade,
Chacey,	Heath,	Strutz,
Chaffee,	Hill,	Wade,
Dickson,	Keeler,	Watson,
Dwire,	Leech,	Mr. Speaker,
Galbraith,	McClure,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Mallough,	Parr,	Swarthout,

So the motion prevailed.

Mr. Rose moved that the further consideration of
House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain cases, and prescribing the manner of payment therefor and the use and care of the same.

Be made a special order for tomorrow at 2:30 p. m.

Which motion was lost.

Mr. Davis moved that

House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain cases, and prescribing the manner of payment therefor and the use and care of the same.

Be referred to the committee on highways and bridges,

Which motion prevailed, and

House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain cases, and prescribing the manner of payment therefor and the use and care of the same.

Was so referred:

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 28, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 112,

A bill for an act entitled "An act to provide punishment for the refusal or neglect to maintain and support a minor child.

Also,

Substitute for Senate bill No. 115,

A bill for an act to amend sections 1842, 1893, 1896 and 2095 of the Revised Codes of 1899, relating to commissioner districts, and the powers, election and compensation of county commissioners.

Also,

Senate bill No. 78,

A bill for an act to amend and re-enact section 1570g of the Revised Codes of the revision of 1899, the same being chapter 25 of the laws of 1899 relating to special tax for the payment of state wolf bounties.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Chaffee requested the courtesies of the floor for C. V. Brown, Wells county.

Mr. Chacey for D. C. Ross, Cass county.

There being no objections, the courtesies of the floor were so extended.

Mr. Chaffee offered the following resolution:

Resolved, That the rules be suspended and that all bills in the hands of committees, except the committees on enrollment and engrossment, on Saturday, March 2, be recalled and referred to the steering committee, and all bills on third reading at that time be placed in the hands of said committee, and that they be considered in the order directed by said committee.

Mr. Chaffee moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

FIRST READING OF HOUSE BILLS.

Mr. Palmer introduced by request

House bill No. 217,

A bill for an act defining and determining what are legal highways.

Which was read the first and second times, and

Referred to the committee on highways, bridges and ferries.

Mr. Morgan introduced

House bill No. 218,

A bill for an act entitled an act to amend section 1115b of article 5 of chapter 11 of the Revised Codes of 1899 relating to the purchase of road machinery.

Which was read the first and second times, and

Referred to the committee on highways, bridges and ferries.

The judiciary committee introduced

House bill No. 219,

A bill for an act to amend section 6615 of the Revised Codes of 1899 relating to salary of county judges in counties having increased jurisdiction.

Mr. Young moved that

House bill No. 219,

A bill for an act to amend section 6615 of the Revised Codes of 1899 relating to salary of county judges in counties having increased jurisdiction.

Be placed in order for third reading,

Which motion prevailed.

Mr. Severson introduced

House bill No. 220,

A bill for an act relating to the powers and duties of the county board of supervisors.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

THIRD READING OF HOUSE BILLS.

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

Was read the third time.

Mr. Davis asked unanimous consent to make an amendment.

There being no objection the request was granted.

Mr. Davis offered the following amendment and moved its adoption.

Amend by inserting in line 9 of the bill, after the word "advertisement" the words "which shall not be less than thirty days before the meeting of the legislative assembly."

Which motion prevailed, and

The amendment was adopted.

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

The roll was called and there were ayes 52, nays 8, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Hill,
Hjelmstad,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker.

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Chacey,

Messrs.—

Chevalier,
Gronvold,
Heath,

Messrs.—

Severson,
Watts,

Absent and not voting, Messrs. Mallough and Parr.

Messrs. Mallough and Parr being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Was read the third time.

Mr. Cassell asked unanimous consent to make an amendment.

There being no objection the request was granted.

Mr. Cassell moved

To amend by substituting "congressmen" for "congressman."

Which motion prevailed, and the amendment was adopted.

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

The roll was called and there were ayes 58, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axyig,
Baçon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Young,
Mr. Speaker.

Absent and not voting:

Messrs.—

Mallough,

Messrs.—

Parr,

Messrs.—

Watts,

Mr. Winslow voting in the negative.

Messrs. Mallough and Parr being excused.

So the bill as amended passed and the title was agreed to.

Mr. Stafne moved that the vote by which

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 40,

A bill for an act to amend section 217 of the Revised Codes of North Dakota, 1899.

Was read the third time.

Mr. Packard moved that the title be amended as follows:

By striking out all of the title after "1899" and inserting in lieu thereof the words "relating to lease of school and public lands."

Which motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Hare,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Palmer,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufta,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Mallough,
Michels,

Messrs.—

Nicholson,
Parr,

Messrs.—

Swarthout,
Wade,

Messrs. Mallough and Parr being excused.

So the bill as amended passed and the title was agreed to.

Mr. Packard moved that the vote by which

House bill No. 40,

A bill for an act to amend section 217 of the Revised Codes of North Dakota, 1899.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 147,

A bill for an act to amend sections 7156, 7159, 7160, 7161 and

7162 of the Revised Codes, relating to the crime of rape, and punishment therefor.

Was read the third time.

Mr. Cassell moved

To amend the title by striking out the figures "7156."

Which motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hammond,	Reade,
Anderson,	Heath,	Restemayer,
Axvig,	Hill,	Rose,
Bacon,	Hjelmstad,	Sargeant,
Bennett,	Johnson,	Severson,
Bjornson,	Keeler,	Stafne,
Brisbin,	Leech,	Strutz,
Cassell,	Lemke,	Swarthout,
Chacey,	Lerom,	Thomas,
Chaffee,	McClure,	Thordarson,
Chevalier,	McLean,	Tubbs,
Davis,	Miller,	Tufte,
Dickson,	Morgan,	Wade,
Dwire,	Nelson,	Watts,
Galbraith,	Nevin,	Watson,
Gronvold,	Nicholson,	Willison,
Gulack,	Packard,	Winslow,
Gullikson,	Palmer,	Young,
Hall,	Phifer,	Mr. Speaker,
Hare,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Mallough,	Michels,	Parr,

Messrs. Mallough and Parr being excused.

So the bill as amended passed and the title was agreed to.

House bill No. 148,

A bill for an act to amend section 2721 of the Revised Codes, relating to age of consent of marriage.

Was read the third time.

Mr. Young moved to amend the title by adding thereto:

"And authorizing the county judge to act as guardian in certain cases."

Which motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays 2, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hare,	Phifer,
Anderson,	Hammond,	Ramsett,

Messrs.—

Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Palmer,

Messrs.—

Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Mallough,

Messrs.—

Parr,

Messrs.—

Packard,

Messrs. Packard and Sargeant voting in the negative.

Messrs. Mallough and Parr being excused.

So the bill as amended passed and the title was agreed to.

Mr. Packard explained his vote.

Mr. Cassell moved that the vote by which

House bill No. 147,

A bill for an act to amend sections 7156, 7159, 7160, 7161 and 7162 of the Revised Codes, relating to the crime of rape, and punishment therefor.

And

House bill No. 148,

A bill for an act to amend section 2721 of the Revised Codes, relating to age of consent of marriage.

Were passed be reconsidered, and that the motion to reconsider be laid on the table,

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 28, 1901.

To the House of Representatives:

Gentlemen—I have the honor to inform you that I have this day approved and filed with the honorable secretary of state,

House bill No. 169,

A bill for an act to amend section 2466 of the Revised Codes of 1899, relating to filing of certificates of fire departments of cities.

Very respectfully yours,

FRANK WHITE,
Governor.

House bill No. 142,

A bill for an act to amend section 4066 of the Revised Codes of the state of North Dakota, relating to the penalty for usury.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 30, nays 27, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Leech,	Rose,
Anderson,	Lemke,	Sargeant,
Axvig,	Lerom,	Stafne,
Brisbin,	McClure,	Strutz,
Chaffee,	Michels,	Swarthout,
Dwire,	Miller,	Thomas,
Galbraith,	Morgan,	Tubbs,
Gulack,	Packard,	Wade,
Hare,	Ramsett,	Young,
Hjelmstad,	Reade,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bennett,	Hill,	Restemayer,
Bjornson,	Johnson,	Severson,
Cassell,	Keeler,	Thordarson,
Chacey,	McLean,	Tufte,
Davis,	Nelson,	Watts,
Dickson,	Nicholson,	Watson,
Gronvold,	Nevin,	Willison,
Gullikson,	Palmer,	Winslow,
Hammond,	Phifer,	Mr. Speaker,
Heath,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Hall,	Parr,
Chevalier,	Mallough,	

Messrs. Mallough and Parr being excused.

So the bill was lost.

House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes, 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Allshouse,	Heath,	Reade,
Anderson,	Hill,	Restemayer,
Axvig,	Hjelmstad,	Rose,
Bacon,	Keeler,	Sargeant,
Bjornson,	Leech,	Severson,
Brisbin,	Lemke,	Stafne,
Cassell,	Lerom,	Strutz,
Chacey,	McClure,	Swarthout
Chaffee,	McLean,	Thomas,
Chevalier,	Michels,	Thordarson,
Davis,	Miller,	Tubbs,
Dickson,	Morgan	Tufte,
Dwire,	Nelson,	Wade,
Galbraith,	Nevin,	Watts,
Gronvold,	Nicholson,	Watson.
Gulack,	Packard,	Willison,
Gullikson,	Palmer,	Winslow,
Hall,	Phifer,	Young,
Hammond,	Ramsett,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bennett,	Johnson,	Parr,
Hare,	Mallough,	

Messrs. Mallough and Parr being excused.

So the bill passed and the title was agreed to.

Mr. Rose moved that the vote by which
House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes, 1899, defining the duties of the land commissioner.

Was read the third time.

Mr. Cassell asked unanimous consent to make an amendment.

There being no objection the request was granted.

Mr. Cassell offered the following amendment and moved its adoption:

Amend by striking out in section 1 the words and figures "section 173 and" and inserting in lieu thereof the word "section."

Which motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Anderson,
Axvig
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare
Hammond,
Hare,

Messrs.—

Heath,
Heath
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Phifer,
Reade,

Messrs.—

Restemayer,
Ramsett,
Reade
Restemayer
Rose,
Sargeant,
Severson,
Strutz,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse
Bennett,
Dwire,
Gulack,

Messrs.—

Hill,
Johnson,
Mallough,
Parr,

Messrs.—

Stafne,
Swarthout,
Thomas,

Messrs. Mallough and Parr being excused.

So the bill as amended passed and the title was agreed to.

Mr. Cassell moved that the vote by which
House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes, 1899, defining the duties of the land commissioner.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Winslow moved

That we take a recess for 10 minutes,

Which motion prevailed, and

The house took a recess.

After recess.

House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

Was read the third time.

Mr. Cassell moved to amend the title by adding thereto the following:

“Or refuses to satisfy the same and prescribing the duties of the clerk of the court in relation thereto.”

Which motion prevailed,

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Reade,
Axvig,	Hill,	Restemayer,
Bacon,	Johnson,	Rose,
Bennett,	Keeler,	Stafne,
Bjornson,	Leech,	Strutz,
Brisbin,	Lemke,	Swarthout,
Cassell,	Lerom,	Thomas,
Chacey,	McClure,	Thordarson,
Chaffee,	McLean,	Tubbs,
Chevalier,	Michels,	Tufte,
Davis,	Miller,	Wade,
Dickson,	Morgan,	Watts,
Dwire,	Nelson,	Watson,
Galbraith,	Nevin,	Willson,
Gronvold,	Nicholson,	Winslow,
Gullikson,	Palmer,	Young,
Hall,	Phifer,	Mr. Speaker,
Hammond,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hjelmstad,	Parr,
Gulack,	Mallough,	Sargeant,
Hare,	Packard,	Severson,

Messrs. Mallough and Parr being excused.

So the bill as amended passed and the title was agreed to.

Mr. Cassell moved that the vote by which House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

Passed be reconsidered, and the motion to reconsider be laid on the table,

Which motion prevailed.

House bill No. 163,

A bill for an act to amend section 2564 of article 8 of chapter 31 of the Revised Codes, relating to the time when township officers shall qualify.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 59, nays 1, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Reade,
Anderson,	Hill,	Restemayer,

Messrs.—

Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Phifer,
Ramsett,

Messrs.—

Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Mr. Axvig voting in the negative.

Absent and not voting Messrs. Mallough and Parr.

Messrs. Mallough and Parr being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which
House bill No. 163,

A bill for an act to amend section 2564 of article 8 of chapter 31 of the Revised Codes, relating to the time when township officers shall qualify.

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,

Messrs.—

Hare,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Strutz,
Sargeant,
Severson,
Stafne,

Messrs.—

Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Palmer,

Messrs.—

Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Mallough,
Nicholson,

Messrs.—

Parr,
Watts,

Messrs.—

Winslow,

Messrs. Mallough and Parr being excused.

So the bill passed and the title was agreed to.

Mr. Bacon moved that the vote by which
House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 194,

A bill for an act to amend section 3576 of article 3 of the Revised Codes of North Dakota and to cure defective acknowledgments.

Was read the third time.

Mr. Cassell moved to amend the title as follows:

By inserting between the words "Dakota" and "and" the following "relating to proof and acknowledgement of instruments."

Which motion prevailed.

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

The roll was called and there were ayes 59, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chaffee,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,

Messrs.—

Reade,
Restemayer,
Rose,
Strutz,
Sargeant,
Severson,
Stafne,
Swarthout,
Thomas,

Messrs.—	Messrs.—	Messrs.—
Chevalier,	McLean,	Thordarson,
Davis,	Michels,	Tubbs,
Dickson,	Miller,	Tufte,
Dwire,	Morgan,	Wade,
Galbraith,	Nelson,	Watts,
Gronvold,	Nevin,	Watson,
Gulack,	Nicholson,	Willison,
Gullikson,	Packard,	Winslow,
Hall,	Palmer,	Young,
Hare,	Phifer,	Mr. Speaker.
Hammond,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chacey,	Mallough,	Parr,

Messrs. Mallough and Parr being excused.

So the bill as amended passed and the title was agreed to.

Mr. Leech moved that the vote by which House bill No. 194,

A bill for an act to amend section 3576 of article 3 of the Revised Codes of North Dakota and to cure defective acknowledgments.

Passed be reconsidered, and the motion to reconsider be laid on the table,

Which motion prevailed.

House bill No. 109,

A bill for an act to amend section 1786 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mills.

Was read the third time.

Mr. Bennett moved

To amend the title by striking out all thereof after the words "public warehouses."

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Ramsett,
Anderson,	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Rose,
Bennett,	Keeler,	Sargeant,
Bjornson,	Leech,	Severson,
Brisbin,	Lemke,	Stafne,
Cassell,	Lerom,	Strutz,
Chaffee,	McClure,	Swarthout,
Chevalier,	McLean,	Thomas,
Davis,	Michels,	Thordarson,
Dickson,	Miller,	Tufte,

Messrs.—

Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Phifer,

Messrs.—

Wade,
Watts,
Watson,
Willison,
Winslow,
Young
Mr. Speaker,

Absent and not voting:

Messrs.—

Chacey,

Messrs.—

Mallough,

Messrs.—

Parr,

Mr. Tubbs voted in the negative.

Messrs. Mallough and Parr being excused.

Mr. Sargeant moved that the vote by which
House bill No. 109,

A bill for an act to amend section 1786 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mills.

Passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed,

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 78,

A bill for an act to amend and re-enact section 1570g of the Revised Codes of the revision of 1899, the same being chapter 35 of the laws of 1899 relating to special tax for the payment of state wolf bounties.

Was read the first and second times. and
Referred to the committee on appropriations.

Substitute for Senate bill No. 115,

A bill for an act to amend sections 1842, 1893, 1896 and 2095 of the Revised Codes of 1899, relating to commissioner districts, and the powers, election and compensation of county commissioners.

Was read the first and second times, and
Referred to the committee on elections and privileges.

Senate bill No. 112,

A bill for an act entitled "An act to provide punishment for the refusal or neglect to maintain and support a minor child.

Was read the first and second times, and
Referred to the committee on judiciary.

GENERAL ORDERS.

Mr. Rose moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Chaffee to the chair.

When the committee arose they made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration Senate bill No. 32,

A bill for an act taxing the occupation of hawkers and peddlers regulating the licensing of persons engaged in such occupation, and increasing the ordinary county revenue by such taxation.

Also,

House bill No. 143,

A bill for an act to repeal sections 1573 and 1574 of the Revised Codes of 1899, relating to official estray paper of the state.

Also

House bill No. 135,

A bill for an act entitled an act to declare certain weeds common nuisances and to provide for their destruction.

Also,

House bill No. 41,

A bill for an act entitled an act providing for an appropriation for the erection of buildings for the North Dakota school of forestry at Bottineau, and for the contingent expenses incident to the construction thereof.

And recommend that the same be indefinitely postponed.

Also,

House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

And recommend that the same do pass.

Also,

House bill No. 185,

A bill for an act to amend section 1030 of the Revised Codes of 1899, providing for the use of lignite coal in the various state institutions, county buildings and public schools of the state

and for the purchase of the same from the lowest responsible bidder.

And report progress and ask to sit again.

Also,

Senate bill No. 139,

A bill for an act making the state of North Dakota a preferred creditor in the case of sales of binding twine upon time and in the case of other contracts with the state.

And recommend that the same be amended as follows:

By striking out all of section 1 and inserting in lieu thereof the following:

"Section 1. The state of North Dakota is hereby made a preferred creditor in all cases of the sale on credit of the products of the twine and cordage plant at the penitentiary, and is also hereby made a preferred creditor in all cases of payments due to the state on any and all other contracts."

And by inserting before the word "there" in line 6 of the printed bill the following:

"Sec. 2. Emergency.)"

And when so amended recommend that the same do pass.

Also,

Senate bill No. 127,

A bill for an act entitled an act to amend and re-enact section 2082 of the Revised Codes of the Revision of 1899, relating to fees and compensation of sheriffs.

And recommend that the same be amended as follows:

1. By striking out the word "two" in subdivision 11 of section 1, and inserting in lieu thereof the word "one."

2. By striking out section 2, and inserting in lieu thereof "Section 2. Section 2083 of the Revised Codes is hereby repealed."

3. By striking out section 3.

And when so amended recommend that the same do pass.

Also,

House bill No. 203,

A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

And recommend that the same be amended as follows:

By striking out all of section 2 thereof.

And when so amended recommend that the same do pass.

Also,

House bill No. 89,

A bill for an act to amend section 2073, chapter 27 of the Revised Codes of 1899 of the state of North Dakota, relating to the salaries of county auditors.

And recommend that the same be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amendment.) That section 2073 of the Revised Codes of 1899, be amended so as to read as follows: Section 2073. Salary of County Auditors. How Determined.) The salary of the county auditor shall be regulated by the value of the property in his county as fixed by the state board of equalization for the preceding year as follows: Seven hundred and fifty dollars where the valuation does not exceed five hundred thousand dollars, nine hundred dollars where the value exceeds five hundred thousand dollars and does not exceed one million dollars; one thousand dollars where the valuation exceeds one million dollars and does not exceed one million, five hundred thousand dollars; twelve hundred dollars where the valuation exceeds one million five hundred thousand dollars and does not exceed two million dollars; fifteen hundred dollars where the valuation exceeds two million dollars and does not exceed three million dollars; sixteen hundred dollars where the valuation exceeds three million dollars and does not exceed four million dollars; seventeen hundred dollars where the valuation exceeds four million dollars and does not exceed five million dollars; eighteen hundred dollars where the valuation exceeds five million dollars and does not exceed six million dollars; nineteen hundred dollars where the valuation exceeds six million dollars and does not exceed eight million dollars, and two thousand dollars where the valuation exceeds eight million dollars.

"Sec. 2. This act shall not take effect nor be in force until March, A. D. 1903.

And when so amended recommend that the same do pass.

House bill No. 200,

A bill for an act authorizing the county commissioners to build and equip dipping tanks at county expense.

Also,

And recommend that the same be amended as follows:

In line 1 of section 1 strike out "shall" and insert "may."

In line 2 of section 1 strike out "twenty-five" and insert "fifty."

In line 3 of section 1 after the word "equipped" insert the words "at the principal shipping point for live stock in said county."

By adding to said House bill No. 200 the following emergency clause:

"Section 4. Emergency.) Whereas there will be a large number of cattle and sheep shipped into this state before July 1st next, it is important that they be dipped to prevent the introduction of disease, therefore this act shall take effect from and after its passage and approval.

And when so amended recommend that the same do pass.

Also,

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

And recommend that the same be amended as follows:

Insert after the word "ponies" in section 1 the words "swine, goats;" also add at end of section 5 the following "provided, further, that any county wherever it is lawful for stock to run at large, none of the provisions of chapter 42 of the code of civil procedure shall apply in such county."

Before line 2, page 2, section 3, insert at the beginning of section 3 of the printed bill between line 1 and 2, the following:

"Whenever the county commissioners shall have voted that it is unlawful for stock to run at large, then."

And when so amended recommend that the same do pass.

F. N. CHAFFEE,

Chairman.

Mr. Rose moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.
Mr. Tufte moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FIFTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 1, 1901.

The house assembled at 2 p. m., pursuant to adjournment.
The speaker presiding.
Prayer by the chaplain.
Roll call.
All members present except Messrs. Mallough and Michels, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the fifty-second day have carefully examined the same and recommend that the same be corrected as follows:

Page 13, line 17, change figures "59" to "58," and the word "none" to figure "1."

Page 13, line 37, strike out name "Winslow."

Page 13, after line 44, insert:

"Mr. Winslow voting in the negative."

Page 16, line 40, after word "received" insert word "from."

Page 27, strike out lines, 27, 28, 29, and insert in lieu thereof:

"House bill No. 200,

"A bill for an act authorizing the county commissioners to build and equip dipping tanks at county expense."

Page 27, line 52, change word "commissioner" to "commissioners."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 127,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota, of 1899, relating to the state board of equalization, providing for its membership and their compensation.

Also,

House bill No. 158,

A bill for an act to amend section 707 of article 6 of the Revised Codes of 1899, relating to education; providing for an enumeration each year of the deaf and dumb persons in each district in the state.

Also,

House bill No. 168,

A bill for an act to amend section 1497 of the Political Code, providing for the appointment of a county physician.

Also,

House bill No. 170,

A bill for an act to enable towns, cities or villages of this state having a population of not less than four hundred inhabitants to use automatic ballot (voting) machines at all elections held therein, or one or more precincts thereof.

Also,

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Also,

House bill No. 178,

A bill for an act to amend section 2770 of the Revised Codes of

North Dakota, relating to the liability of a husband or wife for the debt of the other, and to establish their joint and several liability for household supplies in certain cases.

Also,

House bill No. 184,

A bill for an act to amend section 207 of the Revised Codes, relating to the taxation of school and institutional lands after the contract for the sale thereof has been made and prohibiting the issuance of tax deeds thereof and providing for dropping the same from the tax lists after the cancellation of said contract.

Also,

House bill No. 187,

A bill for an act to regulate and restrict the sale of cigarettes and cigarette paper and to prescribe penalties for a violation thereof.

Also,

House bill No. 197,

A bill for an act to amend section 187 of the Revised Codes relating to terms of sale of public lands.

Also,

House bill No. 208,

A bill for an act to amend section 2736 of the Revised Codes of 1899, relating to the dissolution of marriage.

Also,

House bill No. 209,

Concurrent resolution.

Also,

House bill No. 213,

A bill for an act giving the state and counties precedence over liens in the enforcement of the collection of personal property taxes.

Also,

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Also,

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

A majority of the committee on temperance made the following report:

Mr. Speaker:

A majority of your committee on temperance to whom was referred

House bill No. 204,

A concurrent resolution amending section 217 of the constitution of the state of North Dakota.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

T. E. TUFTE,

Chairman.

A minority of the committee on temperance made the following report:

Mr. Speaker:

A minority of your committee on temperance to whom was referred

House bill No. 204,

A concurrent resolution amending section 217 of the constitution of the state of North Dakota.

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

A. M. PACKARD,

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 1, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 136,

A bill for an act authorizing the board of trustees of the state university to issue bonds to provide a fund for the necessary repairs of buildings and to pay the floating indebtedness of said university.

Also,

Senate bill No. 166,

A bill for an act to repeal sections 1199, 1200 and 1201 of the Revised Codes of 1899, relating to assessment of grain in warehouses, statement of ownership, lien of agent or warehouseman for taxes. Penalty for failure to make true statements.

Also,

Senate bill No. 186,

A bill for an act creating a board of trustees for an institution for the feeble minded located at or near the city of Grafton, Walsh county, North Dakota, by an act of congress entitled "An act making appropriations for sundry civil expenses of the government in the fiscal year ending June 30, 1895, and for other

purposes," approved August 18, 1894, and defining the duties of such board of trustees.

Also,

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

Also,

Senate bill No. 199,

A bill for an act entitled "an act providing for the renewal of judgments and for continuing the lien thereof and prescribing the method of renewing the same without suit for an additional term of ten years and allowing an execution thereon after renewal."

Also,

Senate bill No. 188,

A bill for an act entitled an act to amend section 1289 of the Revised Codes of 1899, relating to notice when time for redemption expires. Duties of certificate holders and auditors.

Also,

Senate bill No. 152,

A bill for an act legalizing the levy of taxes for road and general purposes by the township board of supervisors for the years 1899 and 1900.

Also,

Senate bill No. 149,

A bill for an act entitled an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed in the office of the register of deeds.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The chief clerk announced that the speaker was about to sign Senate bill No. 46,

A bill for an act to cure defective acknowledgments.

Also,

Senate bill No. 106,

A bill for an act to amend section 4820 of the Revised Codes of 1899, providing for a lien for grain to be used for seed.

Also,

Senate bill No. 135,

A bill for an act empowering the county commissioners to contract with the sheriff for the collection of personal property tax

judgments, or personal property taxes delinquent more than one year.

Also,

Senate bill No. 111,

A bill for an act entitled "An act to amend section 5631 of the Revised Codes of 1899, relating to the printing of briefs and abstracts upon appeals to the supreme court."

And the speaker signed the same in the presence of the house.

REPORTS OF STANDING COMMITTEES.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
Senate bill No. 184,

A bill for an act repealing section 966a, Revised Codes, 1899, relating to issuing certificates of indebtedness to provide for the equipment of the deaf and dumb asylum.

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

M. B. CASSELL,
Chairman.

Mr. Packard moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred
Senate bill No. 174,

A bill for an act entitled an act repealing section 1375 of the Revised Codes, 1899, relating to additional duties of adjutant general and prescribing his salary.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FREDERICK LEMKE,
Chairman.

Mr. Lemke moved

That the report be adopted,

Which motion prevailed, and

Senate bill No. 174,

A bill for an act entitled an act repealing section 1375 of the Revised Codes, 1899, relating to additional duties of adjutant general and prescribing his salary.

Was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House bill No. 189,

A bill for an act to amend section 3115 of the Revised Codes of the state of North Dakota of 1895, relating to fidelity insurance companies and providing that same shall give reasons for rejecting applications for suretyship, and prescribing penalty for failure to do so.

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

By inserting in line 14, page 2 of the original bill, after the word "corporation" the following: "Whose application has been rejected or."

And when so amended recommend that the same do pass.

E. H. RESTEMAYER,

Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 207,

A bill for an act to amend section 95 of the Revised Codes of 1899, relating to fees of the secretary of state.

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

After the figures 17 in line 32 of the printed bill insert the following: "For filing and recording notice of appointment of agent, (\$5.00)" Also by striking out the figures "18" in lieu of the figures "17" of the following article. Also by striking out the word "nor" and inserting in lieu thereof the word "not" in line 33 of printed bill. Also after the word and figure "section 2" in line 1 of page 3 of printed bill insert the word "emergency."

And when so amended recommend that the same do pass.

F. T. GRONVOLD,

Chairman.

Mr. Chaffee moved

That the rules be suspended, and the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

Substitute for Senate bill No. 115,

A bill for an act to amend sections 1842, 1893, 1896 and 2095 of the Revised Codes of 1899, relating to commissioner districts,

and the powers, election and compensation of county commissioners.

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

Strike out all of section 4 and insert in lieu thereof:

"Sec. 4. The county commissioners whose term of office expires in 1901 and 1903, shall hold their office respectively until their successors are elected and qualified, at the next succeeding general election."

And when so amended recommend that the same do pass.

J. THORDARSON,
Chairman.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

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

P. P. CHACEY,
Chairman.

Mr. Chacey moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 202,

A bill for an act for the construction of an electric line from the penitentiary to the capitol building in the city of Bismarck.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate bill No. 150,

A bill for an act entitled "An act to amend section 327 of the Revised Codes of 1899, providing for the record of fees and monthly reports and payments of said fees to the state treasurer

monthly by any state officer or deputy authorized by law to receive said fees."

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

F. T. GRONVOLD,

Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate bill No. 80,

A bill for an act fixing the residence, salaries and clerk hire of the state officers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,

Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
Senate bill No. 80,

A bill for an act fixing the residence, salaries and clerk hire of the state officers.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 212,

A bill for an act to amend section 5203 of the Revised Codes of the state of North Dakota, relative to the time of commencing certain actions.

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

GEORGE M. YOUNG,

Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 128,

A bill for an act to provide for the disposition of the estates of persons dying intestate, while inmates of any of the penal or charitable institutions of this state, and who are without heirs at law.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,
Which motion prevailed, and
House bill No. 128,

A bill for an act to provide for the disposition of the estates of persons dying intestate, while inmates of any of the penal or charitable institutions of this state, and who are without heirs at law.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 192,

A bill for an act entitled "An act to amend section 8582 of the Revised Codes, relating to the conviction in an inferior court of minors under the age of eighteen years, and the proceedings to be had upon such conviction."

Have had the same under consideration, and recommend that further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,
Which motion prevailed, and
House bill No. 192,

A bill for an act entitled "An act to amend section 8582 of the Revised Codes, relating to the conviction in an inferior court of minors under the age of eighteen years, and the proceedings to be had upon such conviction."

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 20,

A bill for an act to amend section 403 of the Revised Codes, re-

lating to the boundaries and terms of court in and for the First judicial district of the state of North Dakota.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 160,

A bill for an act entitled an act defining newspaper libel and providing for demanding remedy before action can be brought.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 211,

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406, 6408, 6409 and 6410 of the Revised Codes, relating to claims against estates of decedents.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 183,

A bill for an act to provide for notice to be given before can-

cancellation, termination or forfeiture of or under any instrument for the future conveyance of lands, or of any equity therein, and to prohibit agreements for such cancellation, termination or forfeiture without such notice.

Have had the same under consideration and recommend that he further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
House bill No. 183,

A bill for an act to provide for notice to be given before cancellation, termination or forfeiture of or under any instrument for the future conveyance of lands, or of any equity therein, and to prohibit agreements for such cancellation, termination or forfeiture without such notice.

Was indefinitely postponed.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate bill No. 151,

A bill for an act to appropriate money to pay the annual expense of appraising, advertising, and selling common school and institution lands.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate bill No. 83,

A bill for an act for the maintenance of the deaf and dumb asylum of North Dakota and making an appropriation therefor,

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted.

Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
Senate bill No. 172,

A bill for an act entitled an act repealing section 131a of the Revised Codes, 1899, making an appropriation to promote immigration.

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

JOSEPH HARE,
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
Senate bill No. 143,

A bill for an act entitled "an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, the executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building."

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
Senate bill No. 67,

A bill for an act for an appropriation for the maintenance and improvements of the state normal school at Mayville, North Dakota.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate bill No. 43,

A bill for an act providing for an appropriation for the maintenance and improvement of the state normal school at Valley City, North Dakota.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate bill No. 75,

A bill for an act entitled an act making appropriation for the current and contingent expenses of the Soldiers' Home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate bill No. 30,

A bill for an act entitled "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate bill No. 81,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations, to whom was referred

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate bill No. 162,

A bill for an act entitled an act providing for the payment of the current and contingent expenses of the agricultural college at Fargo for that portion of the year 1901, commencing March 1st and ending December 31st.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
Senate bill No. 59,

A bill for an act to provide for the current and contingent expenses for the hospital for the insane at Jamestown, North Dakota.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the state university at Grand Forks, agricultural college at Fargo, state normal school at Valley City, state normal at Mayville, and the deaf and dumb asylum of Devils Lake, as a part of the system of public schools.

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

JOSEPH HARE,
Chairman.

Mr. Hare moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined
House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were

defective, and upon which property taxes for the year 1896 and prior years are unpaid.

And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The chief clerk announced that the speaker was about to sign House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were defective, and upon which property taxes for the year 1896 and prior years are unpaid.

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 1, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 197,

A bill for an act entitled an act to amend section 217 of the Revised Codes of 1899 providing for the leasing of public lands.

Also,

Senate bill No. 205,

A bill for an act to amend section 5961 of the code of civil procedure, and to facilitate the assessment of damages under the law of eminent domain, and to regulate procedure in actions brought thereunder.

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

Very respectfully,
GEORGE L. TOWNES,
Secretary.

A majority of the committee on appropriations made the following report:

Mr. Speaker:

A majority of your committee on appropriations to whom was referred

Senate bill No. 78,

A bill for an act to amend and re-enact section 1570g of the Revised Codes of the revision of 1899, the same being chapter 35 of the laws of 1899 relating to special tax for the payment of state wolf bounties.

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

JOSEPH HARE,
Chairman.

A minority of the committee on appropriations made the following report:

Mr. Speaker:

A minority of your committee on appropriations to whom was referred

Senate bill No. 78,

A bill for an act to amend and re-enact section 1570g of the Revised Codes of the revision of 1899, the same being chapter 35 of the laws of 1899 relating to special tax for the payment of state wolf bounties.

Have had the same under consideration and recommend that further consideration thereof be indefinitely postponed.

E. STAFNE
G. A. WILLISON
E. H. RESTEMAYER
GUST STRUTZ

Mr. Hare moved the adoption of the majority report.

Mr. Thomas moved as a substitute motion that the report of the minority be adopted,

Which substitute motion was lost.

The question being on the original motion.

Roll call demanded.

The roll was called and there were ayes 27, nays 27, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Gullikson,	Palmer,
Anderson,	Hare,	Parr,
Bacon,	Hammond,	Phifer,
Bjornson,	Johnson,	Ramsett,
Chaffee,	Keeler,	Reade,
Dickson,	Leech,	Rose,
Dwire,	McClure,	Wade,
Gronvold,	Nicholson,	Watson,
Gulack,	Packard.	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Hjelmstad,	Swarthout,
Bennett,	Lemke,	Thomas,
Cassell,	McLean,	Thordarson,
Chacey,	Morgan,	Tubbs,
Chevalier,	Nelson,	Tufte,
Galbraith,	Nevin,	Watts,
Hall,	Restemayer,	Willison,

Messrs.—

Heath,
Hill,

Messrs.—

Severson,
Stafne,

Messrs.—

Winslow,
Young,

Absent and not voting:

Messrs.—

Brisbin,
Davis,
Lerom,

Messrs.—

Mallough,
Michels,
Miller,

Messrs.—

Sargeant,
Strutz,

Messrs. Mallough and Michels being excused.

So the motion was lost.

Call of the house demanded.

The roll being called the following members were absent: Messrs. Bacon, Mallough, Michels and Miller.

Messrs. Mallough and Michels being excused.

Mr. Hare moved

That further consideration of the call be dispensed with,
Which motion prevailed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
Senate bill No. 56,

A bill for an act to amend section 885, chapter 10, of the Revised Codes, relating to object and departments of the university.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

C. A. HALL,
Chairman.

Mr. Galbraith moved

That the report be adopted.

Which motion prevailed, and
Senate bill No. 56,

A bill for an act to amend section 885, chapter 10, of the Revised Codes, relating to object and departments of the university.

Was indefinitely postponed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
House bill No. 214,

A bill for an act to amend section 911 of the Revised Codes relating to the meetings and compensation of the members of the board of trustees and the board of management of the normal schools.

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

C. A. HALL,
Chairman.

Mr. Hall moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
Senate bill No. 42,

A bill for an act entitled an act to provide for the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

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

"Sec. 7. The county superintendent shall thereupon call an election for the election of officers of such special school district, and school district, of which notice shall be given for at least fifteen days, which election shall be held as in other cases, in school districts and special school districts, and such special school districts shall thereafter be subject to all provisions of law affecting other school districts."

And when so amended recommend that the same do pass.

C. A. HALL,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Cassell moved

That the time be extended until Monday, March 4, for all committees to act and report upon bills before they are recalled and referred to the steering committee.

Which motion prevailed.

Mr. Johnson requested the courtesies of the floor for L. P. Reifsteck, Fargo.

Mr. Bacon requested the same for Profs. Kennedy and Babcock, Grand Forks.

Mr. Bjornson requested the same for B. N. Stone, La Moure.

Mr. McClure requested the same for Wm. Dieball, Mercer county, Herman Leutz, Stark county.

Mr. Tubbs requested the same for Eb. Young, Tower City.

There being no objection the courtesies of the floor were so extended.

FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Lemke introduced

House bill No. 221,

A concurrent resolution for a proposed amendment to section 215 of the constitution relating to public institutions.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Young introduced (by request)

House bill No. 222,

A bill for an act to regulate the hearing and determination of cases by the supreme court and to provide for amendments so as to obviate errors of practice.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Rose introduced

House bill No. 223,

A bill for an act to amend section 2611 of the Revised Codes of the state of North Dakota of 1899, relating to duties and salaries of township treasurers.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

THIRD READING OF HOUSE BILLS.

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Was read the third time.

Mr. Cassell moved

That the title be amended as follows:

Amend the title by inserting after the figures "1899" the words "Relating to the disposition of penalty and interest collected on taxes."

Which motion prevailed.

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

The roll was called and there were ayes 53, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Axvig,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Chevalier,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullakson,
Hall,
Hare,
Hil,
Hjelmstad,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,
Phifer,
Ramsett,
Reade,
Restemayer,

Messrs.—

Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Bacon,
Brisbin,
Davis,

Messrs.—

Hammond,
Heath,
Mallough,

Messrs.—

Michels,
Palmer,

Mr. Anderson voting in the negative.

Messrs. Mallough and Michels being excused.

So the bill as amended passed and the title was agreed to.

Mr. Leech moved that the vote by which
House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Was passed be reconsidered, and the motion to reconsider be laid on the table

Which motion prevailed,

House bill No. 213,

A bill for an act giving the state and counties precedence over liens in the enforcement of the collection of personal property taxes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Swarthout,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Brisbin,
Gulack,

Messrs.—

Mallough,

Messrs.—

Michels

Messrs. Mallough and Michels being excused.

So the bill passed and the title was agreed to.

Mr. Cassel moved that the vote by which

House bill No. 213,

A bill for an act granting the state and counties precedence over liens in the enforcement of the collection of personal property taxes.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

Was read the third time.

Mr. Packard offered the following amendment to the title and moved its adoption.

Amend the title by inserting between the words "the" and "erection" the words "issuance of bonds for the."

Which motion prevailed, and

The amendment was adopted.

The roll was called and there were ayes 40, nays 17, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Ramsett,
Bjornson,	Leech,	Reade,
Brisbin,	Lerom,	Rose,
Cassel,	McClure,	Swarthout,
Chacey,	McLean,	Thordarson,
Davis,	Miller,	Tubbs,
Dickson,	Nelson,	Tufte,
Dwire,	Nicholson,	Wade,
Galbraith,	Nevin,	Watson,
Gulack,	Packard,	Willison,
Gullikson,	Palmer,	Winslow,
Hall,	Parr,	Young,
Hare,	Phifer,	Mr. Speaker.
Hammond,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Severson,
Axvig,	Johnson,	Stafne,
Chaffee,	Keeler,	Strutz,
Chevalier,	Lemke,	Thomas,
Gronvold,	Morgan,	Watts,
Heath,	Restemayer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Mallough,	Sargeant,
Bennett,	Michels,	

Messrs. Mallough and Michels being excused.

So the bill as amended passed and the title was agreed to.

Mr. Packard moved that the vote by which
House bill No. 30,

A bill for an act to provide for the erection of necessary build-
ings for the state reform school at Mandan, North Dakota.

Was passed, be reconsidered, and the motion to reconsider be
laid on the table.

Which motion prevailed,

Mr. Chacey asked unanimous consent to return to the ninth or-
der of business.

There being no objections the request was granted.

Mr. Chacey introduced

House bill No. 224,

A bill for an act providing for the payment of labor employed
upon threshing machines and making all parties owning or con-
trolling grain threshed by such machinery responsible for such
payment.

Which was read the first and second times, and
referred to the committee on judiciary.

Mr. Bennett moved that the house take a recess of ten minutes

Which motion prevailed, and

The house took a recess.

House re-assembled.

House bill No. 187,

A bill for an act to regulate and restrict the sale of cigarettes
and cigarette paper and to prescribe penalties for a violation
thereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 44, nays 13, absent and
not voting 5.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Gronvold,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Lemke,
Lerom,
McLean,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Ramsett,
Reade,

Messrs.—

Restemayer,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tufte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Allshouse,
Bjornson,
Galbraith,
Gullikson,
Gulack,

Messrs.—

Leech,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Rose,
Strutz,
Wade,

Absent and not voting:

Messrs.—

Bacon,
Mallough,

Messrs.—

McClure,
Michels,

Messrs.—

Swarthout,

Messrs. Mallough and Michels being excused.

Mr. Reade explained his vote.

So the bill passed and the title was agreed to.

Mr. Chaffee moved that the vote by which

House bill No. 187,

A bill for an act to regulate and restrict the sale of cigarettes and cigarette paper and to prescribe penalties for a violation thereof.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 168,

A bill for an act to amend section 1497 of the Political Code, providing for the appointment of a county physician.

Was read the third time.

Mr. Cassell asked unanimous consent to make an amendment.

There being no objection the request was granted.

Mr. Cassell offered the following amendment and moved its adoption:

Amend by striking out in line 6 of the printed bill after the word "physician" the words "a resident" and inserting in lieu thereof the words "or physicians residents."

In line 7, after the word "allow," strike out the word "him" and insert in lieu thereof the words "such physician or physicians," and in line 8 strike out the word "his" and insert the word "such."

Which motion prevailed, and

The amendment was adopted.

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

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Allshouse
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,

Messrs.—

Hare,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,

Messrs.—	Messrs.—	Messrs.—
Brisbin,	Lemke,	Strutz,
Cassell,	Lerom,	Swarthout,
Chacey,	McClure,	Thomas,
Chaffee,	Miller,	Thordarson,
Chevalier,	Morgan,	Tubbs,
Davis,	Nelson,	Tufte,
Dickson,	Nicholson,	Wade,
Dwire,	Nevin,	Watts,
Galbraith,	Palmer,	Willison,
Gronvold,	Parr,	Winslow,
Gulack,	Phifer,	Young,
Gullikson,	Ramsett,	Mr. Speaker,
Hall,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hammond,	McLean,	Packard.
Leech,	Michels,	Watson,
Mallough,		

Messrs. Mallough and Michels being excused.

So the bill as amended passed and the title was agreed to.

Mr. Reade moved that the vote by which

House bill No. 168,

A bill for an act to amend section 1497 of the Political Code, providing for the appointment of a county physician.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 127,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota, of 1899, relating to the state board of equalization, providing for its membership and their compensation.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays 2, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Allshouse,	Hammond,	Reade,
Anderson,	Heath,	Restemayer,
Axvig,	Hill,	Rose,
Bacon,	Hjelmstad,	Sargeant,
Bennett,	Keeler,	Severson,
Bjornson,	Leech,	Stafne,
Brisbin,	Lemke,	Strutz,
Cassell,	Lerom,	Thomas,
Chacey,	McClure,	Tubbs,
Chaffee,	McLean,	Tufte,
Chevalier,	Morgan,	Wade,
Davis,	Nelson,	Watts,
Dickson,	Nevin,	Watson,
Galbraith,	Nicholson,	Willison,

Messrs.—	Messrs.—	Messrs.—
Gronvold,	Packard,	Winslow,
Gulack,	Palmer,	Young,
Gullikson,	Parr,	Mr. Speaker,
Hall,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dwire,	Michels,	Swarthout
Hare,	Miller,	Thordarson,
Mallough,		

Messrs. Johnson and Phifer voting in the negative.

Messrs. Mallough and Michels being excused.

So the bill passed and the title was agreed to.

Mr. Lerom moved that the vote by which

House bill No. 127,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota, of 1899, relating to the state board of equalization, providing for its membership and their compensation.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 176.

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Was read the third time.

Mr. Cassell asked unanimous consent to make an amendment.

There being no objection the request was granted.

Mr. Cassell offered the following amendment and moved its adoption:

Amend by inserting after the word "for" in next to the last line in section 3 the words "and such assistance as may be deemed necessary."

Which motion prevailed, and

The amendment was adopted.

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

The roll was called and there were ayes 48, nays 2, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hammond,	Parr,
Bacon,	Heath,	Phifer,
Bjornson,	Hill,	Ramsett,
Brisbin,	Hjelmstad,	Reade,
Cassell,	Johnson,	Sargeant,
Chacey,	Keeler,	Severson,
Chaffee,	Leech,	Stafne,
Chevalier,	Lemke,	Strutz,
Davis,	Lerom,	Tubbs,

Messrs.—	Messrs.—	Messrs.—
Dickson,	McClure,	Tufte,
Dwire,	McLean,	Wade,
Galbraith,	Morgan,	Watts,
Gronvold,	Nelson,	Willison,
Gullikson,	Nicholson,	Winslow,
Hall,	Nevin,	Young,
Hare,	Packard,	Mr. Speaker.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Miller,	Rose,
Bennett,	Michels,	Swarthout,
Gulack,	Palmer,	Thordarson,
Mallough,	Restemayer,	Watson,

Messrs. Axvig and Thomas voted in the negative.

Messrs. Mallough and Michels being excused.

So the bill as amended passed and the title was agreed to.

Mr. Cassell moved that the vote by which

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 158,

A bill for an act to amend section 707 of article 6 of the Revised Codes of 1899, relating to education; providing for an enumeration each year of the deaf and dumb persons in each district in the state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 50, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hammond,	Reade,
Axvig,	Heath,	Restemayer,
Bacon,	Hill,	Sargeant,
Bennett,	Hjelmstad,	Severson,
Bjornson,	Johnson,	Stafne,
Brisbin,	Keeler,	Strutz,
Cassell,	Leech,	Thomas,
Chacey,	Lemke,	Thordarson,
Davis,	Lerom,	Tubbs,
Dickson,	McLean,	Tufte,
Dwire,	Morgan,	Wade,
Galbraith,	Nelson,	Watts,
Gronvold,	Nevin,	Willison,
Gulack,	Packard,	Winslow,

Messrs.— Gullikson, Hall, Hare,	Messrs.— Parr, Phifer, Ramsett,	Messrs.— Young, Mr. Speaker.
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Absent and not voting:

Messrs.— Allshouse. Chaffee, Chevalier, Mallough,	Messrs.— McClure, Michels, Miller, Nicholson,	Messrs.— Palmer, Rose, Swarthout, Watson,
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Messrs. Mallough and Michels being excused.

So the bill passed and the title was agreed to.

House bill No. 170,

A bill for an act to enable towns, cities or villages of this state having a population of not less than four hundred inhabitants to use automatic ballot (voting) machines at all elections held therein, or one or more precincts thereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 48, nays 3, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.— Axvig, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chevalier, Davis, Dickson, Dwire, Galbraith, Gullikson, Gulack, Hall, Hammond,	Messrs.— Heath, Hill, Johnson, Leech, Lemke, Lerom, McLean, Miller, Morgan, Nelson, Nevin, Nicholson, Packard, Parr, Phifer, Ramsett,	Messrs.— Reade, Restemayer, Rose, Severson, Stafne, Strutz, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Willison, Winslow, Young, Mr. Speaker,
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Those voting in the negative were:

Messrs.— Anderson,	Messrs.— Gronvold,	Messrs.— Keeler,
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Absent and not voting:

Messrs.— Allshouse Chaffee, Hare, Hjelmstad,	Messrs.— Mallough, McClure, Michels, Palmer,	Messrs.— Sargeant, Swarthout, Watson,
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Messrs. Mallough and Michels being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved that the vote by which

House bill No. 170,

A bill for an act to enable towns, cities or villages of this state having a population of not less than four hundred inhabitants to use automatic ballot (voting) machines at all elections held therein, or one or more precincts thereof.

Was passed be reconsidered, and the motion to reconsider be laid on the table,

Which motion prevailed.

House bill No. 178,

A bill for an act to amend section 2770 of the Revised Codes of North Dakota, relating to the liability of a husband or wife for the debt of the other, and to establish their joint and several liability for household supplies in certain cases.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays 2, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hall,	Packard,
Axvig,	Hare,	Parr,
Bacon	Hammond,	Phifer,
Bennett,	Heath,	Ramsett,
Bjornson,	Hill,	Reade,
Brisbin,	Hjelmstad,	Restemayer,
Cassell,	Johnson,	Rose,
Chacey,	Keeler,	Severson,
Chaffee,	Leech,	Stafne,
Chevalier,	Lemke,	Strutz,
Davis,	Lerom,	Thordarson,
Dickson,	McLean,	Tufte,
Dwire,	Miller,	Wade,
Galbraith,	Morgan,	Watts,
Gronvold,	Nelson,	Willison,
Gulack,	Nevin,	Winslow,
Gullikson,	Nicholson,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Michels.	Swarthout,
Mallough,	Palmer,	Tubbs,
McClure,	Sargeant,	Watson,

Messrs. Thomas and Young voting in the negative.

Messrs. Mallough and Michels being excused.

So the bill passed and the title was agreed to.

Mr. Nelson moved that the vote by which

House bill No. 178,

A bill for an act to amend section 2770 of the Revised Codes of North Dakota, relating to the liability of a husband or wife for the debt of the other, and to establish their joint and several liability for household supplies in certain cases.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Nicholson moved that the vote by which

House bill No. 158,

A bill for an act to amend section 707 of article 6 of the Revised Codes of 1899, relating to education; providing for an enumeration each year of the deaf and dumb persons in each district in the state.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 184,

A bill for an act to amend section 207 of the Revised Codes, relating to the taxation of school and institutional lands after the contract for the sale thereof has been made and prohibiting the issuance of tax deeds thereof and providing for dropping the same from the tax lists after the cancellation of said contract.

Was read the third time.

Mr. Cassell asked unanimous consent to make an amendment, there being no objection the request was granted.

Mr. Cassell offered the following amendment and moved its adoption.

Amend by inserting after the enacting clause "Section 1. Amendment.) That Section 207 of the Revised Codes be amended so as to read as follows:" And by striking out the word and figure "section 1," in line 1 of the printed bill and inserting in lieu thereof the word and figures "section 207."

Which motion prevailed, and

The amendment was adopted.

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

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Miller,
Morgan,
Nelson,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,

Messrs.—

Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Nevin,
Nicholson,
Packard,
Parr,

Messrs.—

Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Mallough,

Messrs.—

Michels,
Palmer,
Sargeant,

Messrs.—

Swarthout,
Watson,

Messrs. Mallough and Michels being excused.

So the bill as amended passed and the title was agreed to.

Mr. Chaffee moved that the vote by which

House bill No. 184,

A bill for an act to amend section 207 of the Revised Codes, relating to the taxation of school and institutional lands after the contract for the sale thereof has been made and prohibiting the issuance of tax deeds thereof and providing for dropping the same from the tax lists after the cancellation of said contract.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 197,

A bill for an act to amend section 187 of the Revised Codes relating to terms of sale of public lands.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 48, nays 4, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon,
Bennett,
Brisbin,
Cassell,
Chaffee,
Davis,
Dickson,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Thorvarson,
Tubbs,
Tufte,
Wade,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Axvig,
Bjornson,

Messrs.—

Chacey,

Messrs.—

Chevalier,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Michels,	Sargeant,
Dwire,	Nicholson,	Swarthout,
Gulack,	Palmer,	Watson,
Mallough,		

Messrs. Mallough and Michels being excused.

Mr. Chacey explained his vote.

So the bill passed and the title was agreed to.

Mr. Nevin moved that the vote by which
House bill No. 197,

A bill for an act to amend section 187 of the Revised Codes relating to terms of sale of public lands.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 208,

A bill for an act to amend section 2736 of the Revised Codes of 1899, relating to the dissolution of marriage.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Phifer,
Axvig,	Hill,	Hamsett,
Bacon,	Hjelmstad,	Reade,
Bennett,	Johnson,	Restemayer,
Bjornson,	Keeler,	Rose,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Strutz,
Chacey,	Lerom,	Thomas,
Chaffee,	McClure,	Thordarson,
Chevalier,	McLean,	Tubbs,
Davis,	Miller,	Tufte,
Dickson,	Morgan,	Wade,
Galbraith,	Nelson,	Watts,
Gronvold,	Nevin,	Willison,
Gullikson,	Nicholson,	Winslow,
Hall,	Packard,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Michels,	Stafne,
Dwire,	Palmer,	Swarthout,
Gulack,	Sargeant,	Watson,
Mallough,		

Messrs. Mallough and Michels being excused.

So the bill passed and the title was agreed to.

Mr. Hill moved that the vote by which
House bill No. 208,

A bill for an act to amend section 2736 of the Revised Codes of
1899, relating to the dissolution of marriage.

Was passed be reconsidered, and the motion to reconsider be laid
on the table.

Which motion prevailed.

Mr. Thomas moved
That the house do now adjourn,
Which motion was lost.

House bill No. 209,
Concurrent resolution.
Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 37, nays 14, absent
and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Johnson,	Restemayer,
Bjornson,	Keeler,	Rose
Brisbin,	Leech,	Strutz,
Cassell,	McClure,	Thomas,
Chacey,	McLean.	Thordarson,
Chaffee,	Miller,	Tufte,
Chevalier,	Morgan,	Wade.
Davis,	Nelson.	Watts,
Hall	Nevin,	Willison,
Hare,	Packard,	Winslow,
Heath,	Phifer,	Young,
Hill,	Ramsett,	Mr. Speaker,
Hjelmstad,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Gullikson,	Parr,
Bennett,	Hammond,	Reade,
Dickson,	Lemke,	Severson,
Galbraith,	Lerom,	Stafne,
Gronvold,	Nicholson,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Mallough,	Swarthout,
Bacon,	Michels,	Tubbs,
Dwire,	Palmer,	Watson,
Gulack,	Sargeant,	

Messrs. Mallough and Michels being excused.

So the bill passed and the title was agreed to.

Mr. Rose moved that the vote by which
House bill No. 209,
Concurrent resolution.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Nicholson moved

That the house do now adjourn,

Which motion was lost.

House bill No. 219,

A bill for an act to amend section 6615 of the Revised Codes of 1899 relating to salary of county judges in counties having increased jurisdiction.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 5, nays 47, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Miller,	Thomas,	Mr. Speaker,
Morgan,	Young,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hammond,	Phifer,
Axvig,	Heath,	Ramsett,
Bennett,	Hill,	Reade,
Bjornson,	Hjelmstad,	Restemayer,
Brisbin,	Johnson,	Rose,
Cassell,	Keeler,	Severson,
Chacey,	Leech,	Stafne,
Chaffee,	Lemke,	Strutz,
Chevallier,	Lerom,	Thordarson,
Davis,	McClure,	Tubbs,
Lickson,	McLean,	Tufte,
Galbraith,	Nelson,	Wade,
Gronvold,	Nevin,	Watts
Gullikson,	Nicholson,	Willison,
Hall,	Packard,	Winslow,
Hare,	Parr,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Mallough,	Sargeant,
Bacon,	Michels,	Swarthout,
Dwire,	Palmer,	Watson,
Gulack,		

Messrs. Mallough and Michels being excused.

So the bill was lost.

Mr. Anderson explained his vote.

Mr. Thordarson explained his vote.

Mr. Young explained his vote.

Mr. Cassell explained his vote.

Mr. Davis explained his vote.

Mr. Hare moved that the vote by which
House bill No. 219,

A bill for an act to amend section 6615 of the Revised Codes of 1899 relating to salary of county judges in counties having increased jurisdiction.

Was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Chacey moved
That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FIFTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 2, 1901.

The house assembled at 2 p. m., pursuant to adjournment.
The speaker presiding.
Prayer by the chaplain.
Roll call.

All members present except Messrs. Mallough and Swarthout, who were excused.

Mr. Leech rose to a question of personal privilege and moved that the sergeant-at-arms be instructed to bring Mr. Gaulke, a clerk on the enrolling and engrossing force, before the bar of the house to answer to the charge of slander on members of the house.

Which motion prevailed.

Mr. Leech: I have been told on good authority by some of the members of this house that Mr. Gaulke is making the charge that I have received \$1,000 for putting Senate bill No. 21 through this house. I would like to have him back up his conversation. If I got \$1,000 I would like to know where it is.

Mr. Gaulke: I will say, Mr. Speaker and members of this house that Mr. Leech is entirely ingornant and wrong in the

facts that he has stated. Mr. Payne, a gentleman from Fargo, says, and I can prove it by a dozen men, that there was \$2,000 offered for the passage of Senate bill No. 21, an insurance bill, a piece of vicious legislation, and that is all I ever said. What Mr. Payne says, he himself told me personally. I never said you were offered \$1,000, or any other man. I said Mr. Payne said there was \$2,000 offered to pass this bill in the senate and house. I am willing to stand a cross-examination or any questions the members desire to ask on that score.

Mr. Leech. I simply wanted to clear myself. As far as I know there has never been a cent offered for the passage of this bill. I only want to know if I got \$1,000 what became of it.

Mr. Gaulke: Mr. Payne said himself that he was authorized to spend \$2,000 to pass that bill. I said "if that is the fact we don't want the bill passed." I defy any man to come up and say where I said that you were offered \$1,000.

Mr. Leech: I would like to call on Mr. Thordarson. I don't like to have this report going around about me unless I get the money.

Mr. Thordarson: Mr. Gaulke did not tell me that Mr. Leech got \$1,000, but he told me he was to get \$1,000, and he said that Senator Lewis was to get the other \$1,000.

Mr. Gaulke. The fact is as I stated it. Mr. Payne told me this. I am willing to get Mr. Payne in here.

Mr. Thordarson: I simply stated what you told me that Mr. Leech was to get \$1,000 and Senator Lewis the other \$1,000.

Mr. Leech: If the understanding is that I am to get \$1,000, I will withdraw further proceedings.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the fifty-third day, have carefully examined same and recommend that the same be corrected as follows:

Page 3, line 19, change word "or" to "for."

Page 4, strike out line 20.

Page 20, line 35, change name "Stine" to "Stone."

Page 27, line 34, change word "assistance" to "assistants."

And when so amended recommend that the same be approved.

C. WINSLOW,

Chairman.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Also,

House bill No. 211,

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406, 6408, 6409 and 6410 of the Revised Codes, relating to claims against estates of decedents.

Also,

House bill No. 214,

A bill for an act to amend section 911 of the Revised Codes, relating to the meetings and compensation of the members of the board of trustees and the boards of management of the normal schools.

Also,

House bill No. 212,

A bill for an act to amend section 5203 of the Revised Codes of the state of North Dakota, relative to the time of commencing certain actions.

Also,

House bill No. 89,

A bill for an act to amend section 2073, chapter 27 of the Revised Codes of 1899 of the state of North Dakota, relating to the salaries of county auditors.

Also,

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Also

House bill No. 203,

A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

Also,

House bill No. 202,

A bill for an act for the construction of an electric line from the penitentiary to the capitol building in the city of Bismarck.

Also,

House bill No. 200,

A bill for an act authorizing the county commissioners to build and equip dipping tanks at county expense.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee

Recommend that the house bills on third reading be acted upon and that we then go to the third reading of senate bills, and that they be taken up and acted upon in the following order:

Nos. 151, 83, 72, 143, 67, 43, 75, 30, 81, 162, 59, 148, 121, 184, 124, 140, 96, 21, 139, 68, 108, 173, 169, 47, 48, 128, 138, 104, 74, 105, 88, 51, 129.

And that at 5:45 to day we take a recess until 7:30.

M. B. CASSELL,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 209,

A bill for an act to prevent and punish the desecration of the flag of the United States.

Also,

Senate bill No. 53

A bill for an act making an appropriation for deficit in fuel account at the North Dakota hospital for the insane.

Also,

Senate bill No. 189,

A bill for an act entitled an act to amend section 1209 of the Revised Codes of 1899 relating to assessors' districts.

Also,

Senate bill No. 137,

A bill for an act to amend sections 73 and 76 of the Revised Codes of 1899, relating to public printing and making an appropriation therefor.

Also,

Senate bill No. 198,

A bill for an act entitled an act regulating the filing and foreclosure of mechanic's liens upon land held or occupied under a filing under any of the land laws of the United States.

Also,

Senate bill No. 211,

A bill for an act to amend section 6676e of the Revised Codes of 1899, relating to garnishments in justice courts.

Also,

Senate bill No. 171,

A bill for an act to amend and re-enact section 334, Revised Codes, 1899, in reference to allowance of clerk hire in state offices.

Also,

Senate bill No. 207,

A bill for an act entitled "An act to amend section 6346 of the Revised Codes of 1899, being section 21 of chapter 3 of the laws of 1897, providing the requisities for qualification of executors, administrators and guardians."

Also,

Senate bill No. 215,

A bill for an act requiring the payment of taxes by non-resident owners of live stock from other states herding and feeding on the ranges of the state of North Dakota, and providing for collection of such taxes.

Also,

Senate bill No. 216,

A bill for an act entitled an act to amend and re-enact sections 1636 and 1636a of the Revised Codes of the revision of 1899.

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

Also,

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate bill No. 145,

A bill for an act to amend section 1979 of the Revised Codes of 1899, relating to duties of state's attorneys.

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

By striking out all after subdivision 8 of the engrossed bill and substituting in lieu thereof the following:

9. It is the intention of this act to make the attorney general, his assistants, and the state's attorney the only public prosecutors in all cases civil and criminal wherein the state or county is a party to the action, and that they only shall be authorized and empowered to perform the duties herein set forth, except as hereinafter provided. The attorney general or his assistants are authorized to institute and prosecute any cases in which the state is a party whenever in their judgment it would be to the best interests of the state so to do. And in case the state's attorney of any county refuses or neglects to perform any of the duties prescribed in subdivisions 2 and 3 of this section, after it has been properly brought to his attention, or when he has information that a public offense has been committed or that a civil suit in which the state is a party should be instituted and the fact of such refusal or neglect to perform such duty, and that the action is one that should be prosecuted, has been brought before the judge of the district court in the judicial district having jurisdiction of such action by affidavit or otherwise, and said judge is satisfied that such action should be prosecuted, and that said state's attorney has failed or neglected to perform his duty, then in that case he shall request the attorney general or an assistant attorney general to take charge of such prosecution, or he shall appoint by an order to be entered upon the minutes of the court some suitable person, an attorney at law, a resident of the county wherein the case is pending, unless no practicing attorney lives in the county qualified to act to perform said duties so neglected and refused to be performed by the state's attorney, and the person so appointed shall thereupon be vested with all the powers of such state's attorney for that action, but for no other purpose, and the district court shall by order, to be entered in the minutes of the court, fix his fee therefor, which amount shall be allowed by the board of county commissioners, and which amount shall be deducted from the salary of the state's attorney, and the person so appointed shall be the only person authorized to proceed therein; provided, however, that nothing herein contained shall prevent the county commissioners of any county in cases of public importance and with the advice and consent of the state's attorney, employing such additional counsel as may be deemed advisable to assist the state's attorney upon such compensation as may be agreed upon; provided, further, that the provisions of this act shall not be construed so

as to abridge any of the powers conferred upon the attorney general, his assistants, or the state's attorney, or to relieve them of any duty imposed, or to relieve them from the infliction of any punishment, fine or forfeiture for neglect of duty, as prescribed by the provisions of chapter 63 of the Penal Code, commonly known as the prohibition law.

Sec. 2. Whereas, there is now no law requiring a state's attorney to make reports to the attorney general of proceedings instituted or pending in his county, an emergency exists, and this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend that the same do pass.

F. T. GRONVOLD,
Chairman.

Mr. Chaffee moved

That the rules be suspended and the report adopted.

Which motion prevailed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House bill No. 186,

A bill for an act declaring gophers a common nuisance and to provide for their extermination in certain instances.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate bill No. 144,

A bill for an act to amend section 119 of the Revised Codes of 1899, relating to the duties of the attorney general.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate bill No. 168,

A bill for an act entitled an act to amend section 7678 of the
Revised Codes, 1899 of the state of North Dakota.

Have had the same under consideration and recommend that
the same be indefinitely postponed.

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on banks and banking made the following
report:

Mr. Speaker:

Your committee on banks and banking to whom was referred
Senate bill No. 157,

A bill for an act entitled an act to amend section 238 of the Re-
vised Codes, relating to state depositories.

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

H. C. JOHNSON,
Chairman.

Mr. Johnson moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of
dangerous and impure oils.

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

GEORGE L. TOWNES,
Secretary.

The committee on banks and banking made the following
report:

Mr. Speaker:

Your committee on banks and banking to whom was referred

Senate bill No. 163,

A bill for an act to amend section 3231, Revised Codes, relating to capital of banks.

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

H. C. JOHNSON,
Chairman.

Mr. Johnson moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
Senate bill No. 153,

A bill for an act to amend section 1180 of the Revised Codes relating to property exempt from taxation.

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

T. E. NELSON,
Chairman.

Mr. Nelson moved

That the report be adopted
Which motion prevailed, and
The report was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
Senate bill No. 161,

A bill for an act to legalize the assessment and levy of taxes in territory over which counties have exercised criminal and civil jurisdiction for four years last past, and providing for the collection of the same.

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

T. E. NELSON,
Chairman.

Mr. Nelson moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House bill No. 217,

A bill for an act defining and determining what are legal highways.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

E. SEVERSON,
Chairman.

Mr. Severson moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House bill No. 172,

A bill for an act to repeal sections 1115a, 1115b, 1115c and 1115d of article 5 of chapter 17 of the Revised Codes, relating to the purchase of tools and machinery for making roads, in certain cases, and prescribing the manner of payment therefor and the use and care of the same.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

E. SEVERSON,
Chairman.

Mr. Severson moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House bill No. 218,

A bill for an act entitled an act to amend section 1115b of article 5 of chapter 11 of the Revised Codes of 1899 relating to the purchase of road machinery.

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

In line 2 of first page of printed bill strike out the words "chairman of the."

Also in line 3 on same page strike out the words "two-thirds"

and insert in lieu thereof the word "majority," and in same line insert after the word "the" the word "resident."

And when so amended recommend that the same do pass.

E. SEVERSON,
Chairman.

Mr. Severson moved

That the rules be suspended, and the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House bill No. 206,

A bill for an act to amend sections 2 and 3 of chapter 43 of the Session Laws of 1899, the same being section 1118b of the Revised Codes, relating to duties of overseers of highways, regarding coal mines and wells, which are not in common use.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

E. SEVERSON,
Chairman.

Mr. Severson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House bill No. 75,

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to the salary of county commissioners.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

A. M. PACKARD,
Chairman.

Mr. Packard moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House bill No. 220,

A bill for an act relating to the powers and duties of the county board of supervisors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. M. PACKARD,
Chairman.

Mr. Packard moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House bill No. 215,

A bill for an act to amend section 2094 of the Revised Codes of the state of North Dakota, in regard to fees allowed county surveyors, and providing that in counties having an assessed valuation of over nine million dollars they shall have a salary in addition to fees.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. M. PACKARD,
Chairman.

Mr. Packard moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 222,

A bill for an act to regulate the hearing and determination of cases by the supreme court and to provide for amendments so as to obviate errors of practice.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 79,

A bill for an act entitled an act to amend section 5046 of the
Revised Codes of 1899 relating to injunctions.

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

By striking out section 2 thereof.

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 216,

A bill for an act entitled an act to amend section 4788 of the
Revised Codes of the state of North Dakota of 1899, relating to
mechanic's liens.

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

In line 4 of section 1, before the word "any" insert "section
4788."

In lines 15 and 16 of section 1 of the printed bill after the word
"and" strike out the words "upon the interest of the vendee un-
der any contract for purchase of said land" and substitute in lieu
thereof the following:

If such labor or material be furnished to a vendee then such
lien shall apply only to the vendee's interest in said lands and
improvements.

Also after the word "provided" in line 18 of the printed bill
insert the words "that no person who furnishes any materials,
machinery or fixtures as aforesaid for a contractor or sub-con-
tractor shall be entitled to file such lien unless he notify the
owner or vendee of the land by registered letter previous to the
completion of said contract, that he has furnished such ma-
terials, machinery or fixtures," and in line 18 after the word
"owner" insert the words "or vendee."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 61,

A bill for an act entitled an act to amend section 6633 of Revised Codes of 1899, relating to commencement of actions in justice court.

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

By striking out section 2.

By inserting at the end of subdivision 4, section 1 the words "provided, that defendant or defendants referred to in this subdivision shall be construed to mean the original debtor or debtors."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 118,

A bill for an act entitled an act concerning covenants of warranty.

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

By striking out section 2.

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report was adopted,

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 1,

A bill for an act entitled an act to provide for the trial of civil actions.

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

By striking out section 13 of the engrossed bill.

By striking out in line 16, section 4 of engrossed bill the first "or" and inserting "of" in lieu thereof.

By striking out of line 21, last page of engrossed bill, word and figures "section 14" and inserting in lieu thereof word and figures "section 13."

And by striking out of line 25, last page of engrossed bill word and figures "section 15" and insert in lieu thereof "section 14."

And when so amended recommend that the same do pass.

Mr. Young moved

That the rules be suspended and the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 112,

A bill for an act entitled "An act to provide punishment for the refusal or neglect to maintain and support a minor child.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker: .

Your committee on judiciary to whom was referred

Senate bill No. 141,

A bill for an act entitled an act to provide when execution of judgment in civil actions may be stayed.

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

Also,

Senate bill No. 119,

A bill for an act entitled "An act amending section 6777, relating to appeals from justice court making the payment of transcript fees a condition precedent to granting an order compelling a justice to certify up the record."

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

By striking out the emergency clause.

And when so amended recommend that the same do pass.

GEORGE M. YOUNG.

Chairman.

Mr. Young moved

That the rules be suspended and the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 45,

A bill for an act entitled an act to amend section 2061 of the Revised Codes of North Dakota, relating to salary of clerk of district court.

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

By striking out the emergency clause.

By inserting in line 8 of engrossed bill before the word "that" the word and figure "Section 1."

By inserting in line 26, page 3, of engrossed bill after the word "auditor" the words: "Provided further that this act shall take effect and be in force from and after January 1, 1903."

And when so amended recommend that the same do pass.

Also,

House bill No. 8,

A bill for an act concerning land titles.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved that the rules be suspended and the report be adopted, which motion prevailed, and the report was adopted.

Mr. Winslow offered the following resolution

Resolved, that the speaker be directed to appoint two members of the house, together with the chief clerk, to correct the Journal of the sixtieth day, and compare the Journal of the session with the written Journal, and that they be allowed \$5 per day for the time necessary to do the work. The speaker and the chief clerk are hereby authorized and directed to sign the necessary vouchers for the service.

Mr. Winslow moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

Mr. Morgan requested the privileges of the floor for A. J. Stafne of Galchutt.

Mr. Gronvold for Mrs. J. Michels of Benson county.

Mr. Leech for Col. Jack Weideman of Fargo.

Mr. Axvig for Sheriff Allin Pinkerton, Leslie Hodgins of Langdon.

Mr. Reade for Mrs. Freede.

There being no objections the courtesies of the floor were so extended.

Mr. Tufte moved

The suspension of the rules and that the house take up consideration of the majority and minority reports on

House bill No. 204,

A concurrent resolution amending section 217 of the constitution of the state of North Dakota.

Which motion was lost.

SPECIAL MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1901.

To the Seventh Legislative Assembly:

Gentlemen: At the opening of the session I had the honor to submit for your consideration a statement of the financial condition of the state and the probable revenues for the ensuing two years. I believe that a great deal of earnest work has been done by the members of this assembly to devise means to better this condition. A measure is under consideration which if it becomes operative will provide for the maintenance of the educational institutions outside of the general fund. Laws providing for the curtailment of expenses amounting to a small sum have been enacted; yet as the session draws to a close it is apparent that the demands from other sources have more than swallowed up the entire amount saved to the general fund by the above provisions. I therefore desire to again submit to you a statement of the probable revenues and fixed expenses that will be incurred for the ensuing two years, together with the appropriations that have passed or are recommended to pass both houses. In estimating the probable revenues I have included some fees that may be received from laws that you have now under consideration and that are recommended to pass, and also in estimating the amount of the fixed appropriations I have taken into consideration all reductions made or which are recommended to be made by this assembly.

Probable receipts from all sources.....	\$ 955,000
Standing appropriations	570,000

Appropriations under consideration and favorably reported:

Repairing Executive Mansion	\$ 500
Agricultural College	18,000
Valley City Normal	15,000
Mayville Normal	15,000
Deaf School	17,500
Industrial School	14,000
Penitentiary	88,600
Insane Hospital	133,100
Soldiers' Home	20,300
Insane Hospital Deficit	6,000
Assistant Dairy Commission, Deficit	1,200

Advertising Lands	4,000
Wolf Bounty	50,000
Clerk State Treasurer's Office	2,000
Pan-American Fair	10,000
Increase in High School	12,000

Total recommended appropriations\$ 407,200
 Total recommended and standing appropriations.. 977,200

This total is \$22,200 in excess of whatever we may reasonably expect to receive during the next bi-ennial period. We have \$150,000 funding warrants recently issued to take up outstanding indebtedness and due March 1, 1902, also \$75,000 twine plant certificates due Nov. 1, 1902.

If the bills referred to are enacted into laws, our state at the end of this bi-ennial period will not be in a better financial condition than at the beginning.

I ask of you that you give this matter your earnest consideration.

I have the honor to be,

Very respectfully yours,

FRANK WHITE,
 Governor.

Mr. Thomas moved

That the communication from the governor be immediately printed and placed on the desks of the members at evening session.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House bill No. 211,

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406, 6408, 6409 and 6410 of the Revised Codes, relating to claims against estates of decedents.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
 Anderson,
 Axvig,
 Bacon,
 Bjornson,
 Brisbin,
 Cassell,
 Chevalier,
 Davis,
 Dickson,
 Dwire,

Messrs.—

Hjelmstad,
 Johnson,
 Keeler,
 Leech,
 Lemke,
 Lerom,
 McClure,
 McLean,
 Miller,
 Morgan,
 Nelson,

Messrs.—

Reade,
 Restemayer,
 Rose,
 Sargeant,
 Severson,
 Stafne,
 Strutz,
 Thomas,
 Thordarson,
 Tufte,
 Wade,

Messrs.—	Messrs.—	Messrs.—
Galbraith,	Nevin,	Watts,
Gronvold,	Packard,	Watson,
Gulack,	Palmer,	Willison,
Gullikson,	Parr,	Winslow,
Hare,	Phifer,	Young,
Hammond,	Ramsett,	Mr. Speaker,
Heath,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bennett,	Hill,	Nicholson,
Chacey,	Mallough,	Swarthout,
Chaffee,	Michels,	Tubbs,
Hall,		

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Leech requested that action on
House bill No. 212,

A bill for an act to amend section 5203 of the Revised Codes of the state of North Dakota, relative to the time of commencing certain actions.

Be laid over until Monday. There being no objection the motion prevailed.

House bill No. 89,

A bill for an act to amend section 2073, chapter 27, of the Revised Codes of 1899 of the state of North Dakota relating to the salaries of county auditors.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 40, nays 14, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Hill,	Ramsett,
Bennett,	Johnson,	Reade,
Brisbin,	Lemke,	Rose,
Chacey,	Lerom,	Sargeant,
Chaffee,	McClure,	Severson,
Davis,	Michels,	Stafne,
Galbraith,	Nelson,	Strutz,
Gronvold,	Nevin,	Thomas,
Gullikson,	Packard,	Tubbs,
Hare,	Palmer,	Willison,
Hammond,	Parr,	Young,
Heath,	Phifer,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Dwire,	Restemayer,
Axvig,	Gulack,	Thordarson,
Bjornson,	Hjelmstad,	Tufte,
Cassell,	Keeler,	Wade,

Messrs.—	Messrs.—	Messrs.—
Chevalier,	McLean,	Watts,
Dickson,	Nicholson,	Winslow,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Mallough,	Swarthout,
Hall,	Miller,	Watson,
Leech,	Morgan,	

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Reade moved that the vote by which House bill No. 89,

A bill for an act to amend section 2073, chapter 27, of the Revised Codes of 1899 of the state of North Dakota relating to the salaries of county auditors.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 202,

A bill for an act for the construction of an electric line from the penitentiary to the capitol building in the city of Bismarck.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Reade,
Anderson,	Hjelmstad,	Restemayer,
Axvig,	Johnson,	Rose,
Bacon,	Keeler,	Sargeant,
Bennett,	Leech,	Severson,
Bjornson,	Lemke,	Stafne,
Brisbin,	Lerom,	Strutz,
Cassell,	McClure,	Thomas,
Chacey,	Michels,	Thordarson,
Chevalier,	Morgan,	Tubbs,
Davis,	Nelson,	Tufte,
Dickson,	Nicholson,	Wade,
Dwire,	Nevin,	Watts,
Galbraith,	Packard,	Watson,
Gronvold,	Palmer,	Willison,
Gullikson,	Parr,	Winslow,
Hare,	Phifer,	Young,
Hammond,	Ramsett,	Mr. Speaker,
Heath,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chaffee,	Mallough,	Miller,
Gulack,	McLean,	Swarthout,
Hall,		

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Young moved to amend the title of

House bill No. 211,

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406, 6408, 6409 and 6410 of the Revised Codes, relating to claims against estates of decedents.

By inserting therein before the word "for" the words "to provide."

Which motion prevailed, and

The title was so amended.

House bill No. 203,

A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

Was read the third time.

The question being upon the final passage of the bill as

The roll was called and there were ayes 54, nays 2, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hare,	Parr,
Anderson,	Hammond,	Phifer,
Axvig,	Heath,	Ramsett,
Bacon,	Hil,	Reade,
Bjornson,	Hjelmstad,	Rose,
Brisbin,	Johnson,	Sargeant,
Cassell,	Keeler,	Severson,
Chacey,	Leech,	Stafne,
Chaffee,	Lemke,	Strutz,
Chevalier,	Lerom,	Thomas,
Davis,	McClure,	Thordarson,
Dickson,	McLean,	Wade,
Dwire,	Michels,	Watts,
Galbraith,	Nelson,	Watson,
Gronvold,	Nevin,	Willison,
Gulack,	Nicholson,	Winslow,
Gullakson,	Packard,	Young,
Hall,	Palmer,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Mallough,	Morgan,	Swarthout,
Miller,	Restemayer,	Tubbs,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

House bill No. 200,

A bill for an act authorizing the county commissioners to build and equip dipping tanks at county expense.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse.	Heath,	Ramsett,
Anderson,	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Rose,
Bennett,	Leech,	Sargeant,
Bjornson,	Lemke,	Severson,
Brisbin,	Lerom,	Stafne,
Cassell,	McClure,	Strutz,
Chacey,	Michels,	Thomas,
Chaffee,	Miller,	Tubbs,
Davis,	Morgan,	Tufte,
Dickson,	Nelson,	Wade,
Galbraith,	Nevin,	Watts,
Gronvold,	Nicholson,	Watson,
Gulack,	Packard,	Willison,
Gullikson,	Palmer,	Winslow,
Hare,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier,	Mallough,	Swarthout,
Dwire,	McLean,	Thordarson,
Hall,		

Mr. Keeler voting in the negative.

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Cassell asked to be excused from voting on House bill No. 214,

A bill for an act to amend section 911 of the Revised Codes relating to the meetings and compensation of the members of the board of trustees and the board of management of the normal schools.

Which request was granted.

House bill No. 214,

A bill for an act to amend section 911 of the Revised Codes relating to the meetings and compensation of the members of the board of trustees and the board of management of the normal school.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays 1, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Johnson,	Reade,
Bacon,	Keeler,	Restemayer,
Bjornson,	Leech,	Rose,
Brisbin,	Lemke,	Sargeant,
Chacey,	Lerom,	Severson,
Chaffee,	McClure,	Stafne,
Davis,	McLean,	Strutz,
Dickson,	Michels,	Thomas,
Dwire,	Miller,	Thordarson,
Galbraith,	Morgan,	Tubbs,
Gronvold,	Nelson,	Tufte,
Gulack,	Nevin,	Wade,
Gullikson,	Nicholson,	Watts,
Hall,	Packard,	Watson,
Hare,	Palmer,	Willison,
Hammond,	Parr,	Winslow,
Heath,	Phifer,	Young,
Hill,	Ramsett,	Mr. Speaker,
Hjelmstad,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Cassell,	Mallough,
Bennett,	Chevalier,	Swarthout,

Mr. Axvig voting in the negative.

Messrs. Cassell, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

House bill No. 20,

A bill for an act to amend section 403 of the Revised Codes, relating to the boundaries and terms of court in and for the First judicial district of the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 53, nays 2, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Hill,	Ramsett,
Axvig,	Hjelmstad,	Reade,
Bennett,	Johnson,	Restemayer,
Bjornson,	Keeler,	Rose,
Brisbin,	Leech,	Sargeant,
Cassell,	Lemke,	Severson,
Chacey,	Lerom,	Stafne,
Chaffee,	McClure,	Strutz,
Chevalier,	McLean,	Thordarson,
Davis,	Michels,	Tubbs,
Dickson,	Miller,	Tufte,
Dwire,	Morgan,	Wade,
Galbraith,	Nelson,	Watts,
Gronvold,	Nevin,	Willison,
Hall,	Packard,	Winslow,
Hare,	Palmer,	Young,
Hammond,	Parr,	Mr. Speaker,
Heath,	Phifer,	

Absent and not voting:

Messrs.—

Anderson,
Gulack,
Gullikson,

Messrs.—

Mallough,
Nicholson,

Messrs.—

Swarthout,
Watson,

Messrs. Bacon and Thomas voting in the negative.

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Nicholson moved.

That the house take a recess of ten minutes.

Which motion prevailed.

The house reassembled.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 205,

A bill for an act to amend section 5961 of the code of civil procedure, and to facilitate the assessment of damages under the law of eminent domain, and to regulate procedure in actions brought thereunder.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate bill No. 197,

A bill for an act entitled an act to amend section 217 of the Revised Codes of 1899 providing for the leasing of public lands.

Was read the first and second times, and

Referred to the committee on schools and public lands.

Senate bill No. 149,

A bill for an act entitled an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed in the office of the register of deeds.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate bill No. 166,

A bill for an act to repeal sections 1199, 1200 and 1201 of the Revised Codes of 1899, relating to assessment of grain in warehouses, statement of ownership, lien of agent or warehouseman for taxes. Penalty for failure to make true statements.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Senate bill No. 186,

A bill for an act creating a board of trustees for an institution for the feeble minded located at or near the city of Grafton, Walsh county, North Dakota, by an act of congress entitled "An act making appropriations for sundry civil expenses of the government in the fiscal year ending June 30, 1895, and for other

purposes," approved August 18, 1894, and defining the duties of such board of trustees.

Was read the first and second times, and

Referred to the committee on public buildings.

Also,

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

Was read the first and second times, and

Referred to the committee on highways, bridges and ferries.

Also,

Senate bill No. 199,

A bill for an act entitled "an act providing for the renewal of judgments and for continuing the lien thereof and prescribing the method of renewing the same without suit for an additional term of ten years and allowing an execution thereon after renewal."

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate bill No. 188,

A bill for an act entitled an act to amend section 1289 of the Revised Codes of 1899, relating to notice when time for redemption expires. Duties of certificate holders and auditors.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate bill No. 152,

A bill for an act legalizing the levy of taxes for road and general purposes by the township board of supervisors for the years 1899 and 1900.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Also,

Senate bill No. 215,

A bill for an act requiring the payment of taxes by non-resident owners of live stock from other states herding and feeding on the ranges of the state of North Dakota, and providing for collection of such taxes.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Also,

Senate bill No. 207,

A bill for an act entitled "An act to amend section 6346 of the Revised Codes of 1899, being section 21 of chapter 3 of the laws of 1897, providing the requisities for qualification of executors, administrators and guardians."

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate bill No. 171,

A bill for an act to amend and re-enact section 334, Revised Codes, 1899, in reference to allowance of clerk hire in state offices.

Was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate bill No. 211,

A bill for an act to amend section 6676e of the Revised Codes of 1899, relating to garnishments in justice courts.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate bill No. 198,

A bill for an act entitled an act regulating the filing and foreclosure of mechanic's liens upon land held or occupied under a filing under any of the land laws of the United States.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate bill No. 137,

A bill for an act to amend sections 73 and 76 of the Revised Codes of 1899, relating to public printing and making an appropriation therefor.

Was read the first and second times, and
Referred to the committee on public printing.

Also,

Senate bill No. 189,

A bill for an act entitled an act to amend section 1209 of the Revised Codes of 1899 relating to assessors' districts.

Was read the first and second times, and
Referred to the committee on counties and county boundaries.

Also,

Senate bill No. 53

A bill for an act making an appropriation for deficit in fuel account at the North Dakota hospital for the insane.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate bill No. 216,

A bill for an act to amend and re-enact sections 1636 and 1636a of the Revised Codes of the revision of 1899.

Was read the first and second times, and
Referred to the committee on sheep industry.

Also,

Senate bill No. 209,

A bill for an act to prevent and punish the desecration of the flag of the United States.

Was read the first and second times, and

Referred to the committee on federal relations.

Also,

Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. Leech moved

That the vote by which the following house bills passed, be reconsidered, and the motion to reconsider be laid on the table.

House bill No. 211,

An act to amend sections 6399, 6401, 6402, 6405, 6406, 6498, 6409 and 6310 of the Revised Codes, relating to claims against estates of decedents.

Also,

House bill No. 89,

A bill for an act to amend section 2073, chapter 27 of the Revised Codes of 1899 of the state of North Dakota, relating to the salaries of county auditors.

Also,

House bill No. 202,

A bill for an act for the construction of an electric line from the penitentiary to the capitol building in the city of Bismarck.

Also,

House bill No. 203,

A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

Also,

House bill No. 200,

A bill for an act authorizing the county commissioners to build and equip dipping tanks at county expense.

Also,

House bill No. 214,

A bill for an act to amend section 911 of the Revised Codes, relating to the meetings and compensation of the members of the board of trustees and the boards of management of the normal schools.

Also,

House bill No. 20,

A bill for an act to amend section 403 of the Revised Codes, re-

lating to the boundaries and terms of court in and for the First judicial district of the state of North Dakota.

Which motion prevailed.

Mr. Bacon moved

That the consideration of appropriation bills be postponed until evening session.

Which motion prevailed,

THIRD READING OF SENATE BILLS.

Senate bill No. 140.

A bill for an act entitled an act to amend section 1880 of the Revised Codes of North Dakota of 1899, relating to the procedure for the location and removal of county seats.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 53, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacco,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,

Messrs.—

Hall,
Hare,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,

Messrs.—

Nevin,
Packard,
Parr,
Phifer,
Reade,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Tubbs,
Tuftte,
Watts,
Watson,
Willison,
Winslow,
Mr. Speaker,

Absent and not voting:

Messrs.—

Mallough,
Palmer,
Ramsett,

Messrs.—

Restemayer,
Swarthout,
Thordarson,

Messrs.—

Wade,
Young,

Mr. Sargeant voting in the negative.

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 140.

A bill for an act entitled an act to amend section 1880 of the Revised Codes of North Dakota of 1899, relating to the procedure for the location and removal of county seats.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 96,

A bill for an act amending section 1278 of the Revised Codes of 1899, relating to "deed not to be recorded without auditor's certificate of taxes paid."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays 2, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Allhouse,	Hammond,	Parr,
Anderson,	Heath,	Phifer,
Axvig,	Hill,	Ramsett,
Bacon,	Hjelmstad,	Reade,
Bennett,	Johnson,	Rose,
Bjornson,	Keeler,	Sargeant,
Brisbin,	Leech,	Severson,
Chacey,	Lemke,	Stafne,
Chaffee,	Lerom,	Strutz,
Chevalier,	McClure,	Thomas,
Davis,	McLean,	Tubbs,
Dickson,	Michels,	Wade,
Dwire,	Miller,	Watts,
Galbraith,	Morgan,	Watson,
Gronvold,	Nelson,	Willson,
Gulack,	Nevin,	Winslow,
Gullikson,	Nicholson,	Young,
Hall,	Packard,	Mr. Speaker,
Hare,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cassell,	Pestemayer,	Thordarson,
Mallough,	Swarthout,	

Messrs. Palmer and Tufte voting in the negative.

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Hill moved that the vote by which

Senate bill No. 96,

A bill for an act amending section 1278 of the Revised Codes of 1899, relating to "deed not to be recorded without auditor's certificate of taxes paid."

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 21,

A bill for an act regulating fraternal beneficiary societies, orders or associations.

Was read the third time.

Mr. Thomas asked unanimous consent to strike out the emergency clause,

There being no objection, the bill was so amended.

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

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond.
Heath,
Hill,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelsor,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Mallough,
Swarthout,

Messrs.—

Restemayer,

Messrs.—

Hjelmstad,

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Thomas moved that the vote by which

Senate bill No. 21,

A bill for an act regulating fraternal beneficiary societies, orders or associations.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 139,

A bill for an act making the state of North Dakota a preferred creditor in the case of sales of binding twine upon time and in the case of other contracts with the state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hjelmstad,	Reade,
Anderson,	Johnson,	Restemayer,
Axvig,	Keeler,	Rose,
Bennett,	Lemke,	Sargeant,
Bjornson,	Lerom,	Severson,
Brisbin,	McClure,	Stafne,
Cassell,	McLean,	Strutz,
Chevalier,	Michels,	Thomas,
Davis,	Miller,	Thordarson,
Dickson,	Morgan,	Tubbs,
Dwire,	Nelson,	Tufte,
Galbraith,	Nicholson,	Wade,
Gronvold,	Nevin,	Watts,
Gulack,	Packard,	Watson,
Gullikson,	Palmer,	Willison,
Hare,	Parr,	Winslow,
Hammond,	Phifer,	Young,
Heath,	Ramsett,	Mr. Speaker,
Hill,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.
Bacon,	Hall,	Mallough,
Chaffee,	Leech,	Swarthout,

Mr. Chacey voting in the negative.

Messrs. Mallough and Swarthout being excused.

Mr. Chacey explained his vote.

So the bill passed and the title was agreed to.

Mr. Reade moved that the vote by which

Senate bill No. 139,

A bill for an act making the state of North Dakota a preferred creditor in the case of sales of binding twine upon time and in the case of other contracts with the state.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 68,

A bill for an act entitled an act relating to the board of pardons and prescribing the powers and duties thereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse.	Hill,	Ramsett,
Anderson,	Hjelmstad,	Reade,

Messrs.—

Axvig,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Mr. Speaker.

Absent and not voting:

Messrs.—

Bacon,
Brisbin,

Messrs.—

Gulack,
Mallough,

Messrs.—

Swarthout,
Young,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which
Senate bill No. 68,

A bill for an act entitled an act relating to the board of pardon
and prescribing the powers and duties thereof.

Was passed be reconsidered, and the motion to reconsider
be laid on the table.

Which motion prevailed.

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes
of 1899, relating to time when lawful for stock to run at large.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays none, absent
and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Allhouse.
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,

Messrs.—

Heath,
Hill,
Hjelmstad.
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,

Messrs.—

Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Tufte,
Wade,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Gulack,
Mallough,

Messrs.—

Swarthout,

Messrs.—

Watson,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Chacey moved that the vote by which

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 48,

A bill for an act to amend section 6153 of the Revised Codes of 1891 relating to liability of owner for trespass of animals.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 44, nays 14, absent and not voting 4

Those who voted in the affirmative were:

Messrs.—

Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
Miller,
Morgan,
Nelson,
Nevin,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Rose,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tufte,
Watson,
Willison,
Winslow,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Allshouse,
Anderson,
Axvig,

Messrs.—

Dickson,
Dwire,
McLean,

Messrs.—

Restemayer,
Strutz,
Wade,

Messrs.—	Messrs.—	Messrs.—
Bacon,	Michels,	Watts,
Chacey,	Packard,	Young,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack,	Nicholson,	Swarthout,
Mallough,		

Messrs. Mallough and Swarthout being excused.

Mr. Chaffee explained his vote.

So the bill passed and the title was agreed to.

Mr. Chaffee moved that the vote by which

Senate bill No. 48,

A bill for an act to amend section 6153 of the Revised Codes of 1891 relating to liability of owner for trespass of animals.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 128,

A bill for an act entitled an act to amend section 338d of the Revised Codes, 1899, relating to vouchers filed to be consecutively numbered and paid.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Heath	Ramsett
Anderson	Hill	Reade
Axvig	Hjelmstad	Restemayer
Bacon	Johnson	Rose
Bjornson	Keeler	Severson
Brisbin	Leech	Stafne
Cassell	Lemke	Strutz
Chacey	Lerom	Thomas
Chevalier	McClure	Thordarson
Davis	McLean	Tubbs
Dickson	Michels	Tufte
Dwire	Miller	Wade
Galbraith	Nelson	Watts
Gronvold	Nevin	Willison
Gullikson	Nicholson	Winslow
Hall	Parr	Young
Hammond	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bennett	Mallough	Sargeant
Chaffee	Morgan	Swarthout
Gulack	Packard	Watson
Hare	Palmer	

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899 relating to compensation of county commissioners.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays 22, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Heath,	Phifer,
Bacon,	Hill,	Ramsett,
Brisbin,	Keeler,	Reade,
Chacey,	Leech,	Rose,
Chaffee,	Lenke,	Severson,
Davis,	McClure,	Thomas,
Dickson,	Michels,	Tubbs,
Galbraith,	Miller,	Wade,
Gronvold,	Nevin,	Watson,
Gullikson,	Packard,	Young,
Hare,	Parr,	Mr. Speaker.

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Stafne,
Axvig,	Johnson,	Strutz,
Bjornson,	McLean,	Thordarson,
Cassell,	Morgan,	Tufte,
Chevalier,	Nelson,	Watts,
Dwire,	Nicholson,	Willison,
Hall,	Restemayer,	Winslow,
Hammond.		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bennett,	Mallough,	Sargeant,
Gulack,	Palmer,	Swarthout,
Lerom,		

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Bacon moved that the vote by which

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899 relating to compensation of county commissioners.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 138,

Concurrent resolution for an act to amend section 182 of the constitution of the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 16, nays 34, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hall,	Miller,
Brisbin,	Hare,	Ramsett,
Cassell,	Hill,	Reade,
Dwire,	Leech,	Rose,
Galbraith,	McClure,	Mr. Speaker,
Gullikson,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Keeler,	Severson,
Axvig,	Lemke,	Stafne,
Bjornson,	Lerom,	Strutz,
Chacey,	McLean,	Thomas,
Chevalier,	Michels,	Thordarson,
Davis,	Morgan,	Tufte,
Dickson,	Nelson,	Wade,
Gronvold,	Nevin,	Watts,
Hammond,	Nicholson,	Willison,
Heath,	Parr,	Winslow,
Hjelmstad,	Restemayer,	Young,
Johnson,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Mallough,	Sargeant,
Bennett,	Packard,	Swarthout,
Chaffee,	Palmer,	Tubbs,
Gulack,	Phifer,	Watson,

Messrs. Mallough and Swarthout being excused.

Mr. Morgan explained his vote.

So the bill was lost.

Senate bill No. 104,

A bill for an act to amend section 662, Revised Codes, 1899, relating to division of school districts.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Ramsett,
Anderson,	Hjelmstad,	Reade,
Axvig,	Johnson,	Restemayer,
Bacon,	Keeler,	Rose,
Bjornson,	Leech,	Severson,
Brisbin,	Lemke,	Stafne,
Cassell,	Lerom,	Strutz,
Chacey,	McClure,	Thomas,
Chevalier,	McLean,	Thordarson,
Davis,	Michels,	Tubbs,

Messrs.—	Messrs.—	Messrs.—
Dickson,	Miller,	Tufte,
Dwire,	Morgan,	Wade,
Galbraith,	Nelson,	Watts,
Gronvold,	Nicholson,	Willison,
Gullikson,	Nevin,	Winslow,
Hall,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker.
Hammond,	Phifer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bennett,	Heath,	Sargeant,
Chaffee,	Mallough,	Swarthout,
Gulack.	Packard,	Watson.

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 104,

A bill for an act to amend section 662, Revised Codes, 1899, relating to division of school districts.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 74,

A bill for an act entitled "An act to amend sections 643, 681 and 682 of the Revised Codes of 1899, relating to education."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Phifer,
Axvig,	Hill,	Ramsett,
Bacon,	Hjelmstad,	Reade,
Bjornson	Johnson,	Restemayer,
Brisbin,	Keeler,	Rose,
Cassell,	Leech,	Severson.
Chacey,	Lemke,	Stafne,
Chevalier,	Lerom,	Strutz,
Davis,	McClure,	Thomas,
Dickson,	McLean,	Thordarson,
Dwire,	Michels,	Tufte,
Galbraith,	Miller,	Wade,
Gronvold,	Morgan,	Watts,
Gulack,	Nelson,	Willison,
Gullikson,	Nevin,	Winslow,
Hall,	Nicholson,	Young,
Hare,	Palmer,	Mr. Speaker
Hammond,	Parr,	

Absent and not voting:

Messrs.—

Allshouse,
Bennett,
Chaffee,

Messrs.—

Mallough,
Packard,
Swarthout,

Messrs.—

Wattson,
Sargeant,
Tubbs,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 105,

A bill for an act to amend section 4680 of article 2, chapter 72, of the Revised Codes of the state of North Dakota, for the year 1899, entitled liens in general.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 35, nays 18, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bacon,
Cassell,
Chaffee
Chevalier
Davis,
w
Galbraith,
Gronvold,
Gulack
Heath,
Hill,

Messrs.—

Johnson,
Leech,
Lerom,
McClure,
Michels,
Nelson,
Nevin,
Nicholson,
Packard,
Phifer,
Reade,
Restemayer,

Messrs.—

Rose,
Thomas,
Thordarson,
Tufta,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Bjornson,
Brisbin,
Chacey,
Dickson
Gullikson,
Hall,

Messrs.—

Hammond,
Hjelmstad,
Keeler,
Lemke,
McLean,
Morgan,

Messrs.—

Palmer,
Parr,
Ramsett,
Severson,
Stafne,
Strutz

Absent and not voting:

Messrs.—

Allshouse,
Anderson,
Bennett,

Messrs.—

Hare,
Mallough,
Miller,

Messrs.—

Sargeant,
Swarthout,
Tubbs,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Restemayer moved that the vote by which

Senate bill No. 105,

A bill for an act to amend section 4680 of article 2, chapter 72, of the Revised Codes of the state of North Dakota, for the year 1899, entitled liens in general.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Substitute for Senate bill No. 51,

A bill for an act amending sections 1392 and 1393, Revised Codes of North Dakota, relating to state military boards.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Heath	Phifer
Axvig	Hill	Ramsett
Bacon	Hjelmstad	Reade
Bjornson	Johnson	Restemeyer
Brisbin	Keeler	Rose
Cassell	Leech	Severson
Chacey	Lemke	Stafne
Chaffee	Lerom	Strutz
Chevalier	McClure	Thomas
Davis	McLean	Thordarson
Dickson	Michels	Tufte
Dwire	Miller	Wade
Galbraith	Morgan	Watts
Gronvold	Nelson	Watson
Gulack	Nicholson	Willison
Gullikson	Niven	Winslow
Hall	Packard	Young
Hare	Palmer	Mr. Speaker
Hammond	Parr	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Mallough	Swarthout
Bennett	Sargeant	Tubbs

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Nicholson moved that the vote by which

Substitute for Senate bill No. 51,

A bill for an act amending sections 1392 and 1493, Revised Codes of North Dakota, relating to state military boards.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 169,

A bill for an act entitled "An act authorizing and requiring the state board of equalization at its annual meeting in the year 1901 to levy a sinking fund tax to pay the amount due on bonds issued by the territory of Dakota on the first day of May, 1887, and due and payable the first day of May, 1902, for the construction of buildings for the hospital for the insane at Jamestown, and making an appropriation of the proceeds of such sinking fund tax."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Heath	Parr
Axvig	Hill	Phifer
Bjornson	Hjelmstad	Ramsett
Brisbin	Johnson	Reade
Cassell	Keeler	Restemayer
Chacey	Leech	Rose
Chevalier	Lemke	Severson
Chaffee	Lerom	Stafne
Davis	McClure	Strutz
Dickson	McLean	Thomas
Dwire	Micheis	Tufte
Galbraith	Miller	Wade
Gronvold	Morgan	Watts
Gulack	Nelson	Watson
Gullikson	Nevin	Willison
Hall	Nicholson	Winslow
Hare	Packard	Young
Hammond	Palmer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Mallough	Thordarson
Bacon	Sargeant	Tubbs
Bennett	Swarthout	

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Reade moved that the vote by which

Senate bill No. 169,

A bill for an act entitled "An act authorizing and requiring the state board of equalization at its annual meeting in the year 1901 to levy a sinking fund tax to pay the amount due on bonds issued by the territory of Dakota on the first day of May, 1887, and due and payable the first day of May, 1902, for the construction of buildings for the hospital for the insane at Jamestown, and making an appropriation of the proceeds of such sinking fund tax."

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 173

A bill for an act entitled an act amending section 2084 of the Revised Codes, 1899, relating to fees for transportation of prisoners and patients.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays 4, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hill	Phifer
Bacon	Johnson	Ramsett
Bjornson	Keeler	Reade
Brisbin	Leech	Restemayer
Cassell	Lemke	Rose
Chacey	Lerom	Severson
Chaffee	McClure	Stafne
Davis	McLean	Strutz
Dickson	Michels	Thomas
Dwire	Miller	Thordarson
Galbraith	Morgan	Tufte
Gronvold	Nelson	Wade
Gulack	Nevin	Watson
Gullikson	Nicholson	Willison
Hall	Packard	Winslow
Hare	Palmer	Young
Hammond	Parr	Mr. Speaker
Heath		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Axvig	Hjelmstad	Watts
Chevalier		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Mallough	Swarthout
Bennett	Sargeant	Tubbs

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 129,

A bill for an act relating to the manner of making and filing claims against the state, and prescribing forms to be used.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hammond	Phifer
Axvig	Heath	Ramsett
Bacon	Hill	Reade
Bjornson	Hjelmstad	Restemayer
Brisbin	Keeler	Rose
Cassell	Leech	Severson
Chacey	Lemke	Stafne
Chaffee	Lerom	Strutz
Chevalier	McClure	Thomas
Davis	McLean	Thordarson
Dickson	Michels	Tufte
Dwire	Miller	Wade

Messrs.—

Galbraith
Gronvold
Gulack
Gullikson
Hall
Hare

Messrs.—

Morgan
Nelson
Nicholson
Packard
Palmer
Parr

Messrs.—

Watts
Watson
Willison
Winslow
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Allshouse
Bennett
Johnson

Messrs.—

Mallough
Nevin
Sargeant

Messrs.—

Swarthout
Tubbs

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved that the vote by which

Senate bill No. 129,

A bill for an act relating to the manner of making and filing claims against the state, and prescribing forms to be used.

And

Senate bill No. 173

A bill for an act entitled an act amending section 2084 of the Revised Codes, 1899, relating to fees for transportation of prisoners and patients.

Were passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 108,

A bill for an act to amend section 3139 of the Revised Codes of 1899 relating to county mutual insurance companies.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Anderson
Axvig
Bacon,
Bjornson
Brisbin
Cassell
Chacey
Chaffee
Chevalier
Davis
Dwire
Dickson
Galbraith
Gronvold
Gulack
Gullikson

Messrs.—

Heath
Hill
Hjelmstad
Johnson
Keeler
Leech
Lemke
Lerom,
McClure
McLean
Michels
Miller
Morgan
Nelson
Nevin
Nicholson

Messrs.—

Parr
Phifer
Reade
Restemeyer
Rose
Severson
Stafne
Strutz
Thomas
Thordarson
Tufte
Wade
Watts
Watson
Willison
Winslow

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hall	Packard	Young
Hare	Palmer	Mr. Speaker
Hammond		

Absent and not voting

Messrs.—	Messrs.—	Messrs.—
Allhouse	Ramsett	Swarthout
Bennett	Sargeant	Tubbs
Mallough		

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Cassell moved that the vote by which
Senate bill No. 108,

A bill for an act to amend section 3139 of the Revised Codes
of 1899 relating to county mutual insurance companies.

Was passed be reconsidered, and the motion to reconsider
be laid on the table.

Which motion prevailed.

Mr. Cassell moved

That instead of taking a recess at 5:45 as agreed upon,

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FIFTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 4, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Mallough, Swarthout and
Watts.

Messrs. Mallough and Swarthout being excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal asked
for further time. There being no objection the request was granted.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 222,

A bill for an act to regulate the hearing and determination of cases by the supreme court and to provide for amendments so as to obviate errors of practice.

Also,

House bill No. 216,

A bill for an act entitled an act to amend section 4788 of the Revised Codes of the state of North Dakota of 1899, relating to mechanic's liens.

Also,

House bill No. 186,

A bill for an act declaring gophers a common nuisance and to provide for their extermination in certain instances.

Also,

House bill No. 207,

A bill for an act to amend section 95 of the Revised Codes of 1899, relating to fees of the secretary of state.

House bill No. 218,

A bill for an act entitled an act to amend section 1115b of article 5 of chapter 11 of the Revised Codes of 1899 relating to the purchase of road machinery.

And find the same correctly engrossed.

J. M. WATSON,

Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate bill No. 53

A bill for an act making an appropriation for deficit in fuel account at the North Dakota hospital for the insane.

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

JOSEPH HARE,

Chairman.

Mr. Hare moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

Have had the same under consideration and recommend that the same be reported back to the house without recommendation.

Mr. Hare moved that

Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

Be placed in its place for third reading with other appropriation bills.

Which motion was lost.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 50,

A bill for an act to amend sections 867, 869, 870, 871, 872, Revised Codes, 1899, relating to education.

Also,

Senate bill No. 218,

A bill for an act to amend section 2540 of the Revised Codes of North Dakota, relating to the time of holding annual township meetings.

Also,

Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Also,

Senate bill No. 219

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Also,

Senate bill No. 220,

A bill for an act providing for the collection of delinquent personal taxes by action.

Also,

Senate bill No. 91,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for a system of sewerage and for other necessary improvements for the North Dakota Agricultural college at Fargo.

Also,

Senate bill No. 192,

A bill for an act to amend sections 2134, 2141, 2155, 2204, 2251 and 2254 of the Revised Codes of 1899, relating to cities.

Also,

Senate bill No. 195,

A bill for an act entitled an act to amend section 1311 of the Revised Codes of 1899 relating to extraordinary expenditures.

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

Also,

House bill No. 145,

A bill for an act entitled an act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same.

Also,

House bill No. 157

Concurrent resolution.

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The committee on taxes and tax laws made the following report:
Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate bill No. 215,

A bill for an act requiring the payment of taxes by non-resident owners of live stock from other states herding and feeding on the ranges of the state of North Dakota, and providing for collection of such taxes.

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

T. E. NELSON,

Chairman.

Mr. Nelson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate bill No. 152,

A bill for an act legalizing the levy of taxes for road and general purposes by the township board of supervisors for the years 1899 and 1900.

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

T. E. NELSON,
Chairman.

Mr. Nelson moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate bill No. 171,

A bill for an act to amend and re-enact section 334, Revised Codes, 1899, in reference to allowance of clerk hire in state offices.

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

F. T. GRONVOLD,
Chairman.

Mr. Gronvold moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred
Substitute for Senate bill No. 19,

A bill for an act to amend section 1941 of the Revised Codes of 1899, relating to depositories of county funds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. C. JOHNSON,
Chairman.

Mr. Johnson moved
The adoption of the report,
Which motion prevailed, and
Substitute for Senate bill No. 19,

A bill for an act to amend section 1941 of the Revised Codes of 1899, relating to depositories of county funds.

Was indefinitely postponed.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House bill No. 223,

A bill for an act to amend section 2611 of the Revised Codes of

the state of North Dakota of 1899, relating to duties and salaries of township treasurers.

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

A. M. PACKARD,
Chairman.

Mr. Packard moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on banks and banking made the following report
Mr. Speaker:

Your committee on banks and banking to whom was referred
Senate bill No. 165,
A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock "where and at what valuation to be listed."

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

H. C. JOHNSON,
Chairman.

Mr. Johnson moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on public printing made the following report:
Mr. Speaker:

Your committee on public printing to whom was referred
Senate bill No. 137,
A bill for an act to amend sections 73 and 76 of the Revised Codes of 1899, relating to public printing and making an appropriation therefor.

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

VIVIAN MORGAN,
Chairman.

Mr. Morgan moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

Senate bill No. 197,

A bill for an act entitled an act to amend section 217 of the Revised Codes of 1899 providing for the leasing of public lands.

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

W. J. WATTS,
Chairman.

Mr. Watts moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1901.

To the House of Representatives:

Gentlemen: I have the honor to inform you that I have this day approved and filed with the honorable secretary of state

House bill No. 114,

A bill for an act to enforce payment of taxes on real property in those counties wherein proceedings under chapter 67, general laws of 1897 were not instituted or where such proceedings were defective, and upon which property taxes for the year 1896 and prior years are unpaid.

Very respectfully yours,
FRANK WHITE,
Governor.

The committee on federal relations made the following report:

Mr. Speaker:

Your committee on federal relations to whom was referred

Senate bill No. 209,

A bill for an act to prevent and punish the desecration of the flag of the United States.

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

A. W. THOMAS,
Chairman.

Mr. Thomas moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House bill No. 104,

A bill for an act entitled an act regulating the liability of railroad corporations.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. D. BACON,
Chairman.

Mr. Bacon moved

That the report be adopted
Which motion prevailed, and
House bill No. 104,

A bill for an act entitled an act regulating the liability of railroad corporations.

Was indefinitely postponed.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House bill No. 198,

A bill for an act fixing a penalty for any corporation, association, person or persons, for in any manner interfering with, or hindering, any persons in charge of any live stock being or about to be, transported over any railway in this state, in furnishing the feed or bedding in cars at any feeding station in this state.

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

J. D. BACON,
Chairman.

Mr. Bacon moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on public buildings made the following report:

Mr. Speaker:

Your committee on public buildings to whom was referred

Senate bill No. 136,

A bill for an act authorizing the board of trustees of the state university to issue bonds to provide a fund for the necessary repairs of buildings and to pay the floating indebtedness of said university.

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

G. A. WILLISON,
Chairman.

Mr. Willison moved

The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee of public buildings made the following report:
Mr. Speaker:

Your committee on public buildings to whom was referred
Senate bill No. 136,

A bill for an act authorizing the board of trustees of the state university to issue bonds to provide a fund for the necessary repairs of buildings and to pay the floating indebtedness of said university.

Also,

Senate bill No. 186,

A bill for an act creating a board of trustees for an institution for the feeble minded located at or near the city of Grafton, Walsh county, North Dakota, by an act of congress entitled "An act making appropriations for sundry civil expenses of the government in the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894, and defining the duties of such board of trustees.

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

G. A. WILLISON,
Chairman.

Mr. Willison moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

Mr. Young moved

That the house return to the fourth order of business for the purpose of reading a letter. There being no objection the request was granted.

The following letter was read:

Jamestown, N. D., Feb. 20, 1901.

Hon. George M. Young, Bismarck, N. D.:

Dear Sir: I am informed that Senate bill No. 1 has passed the senate and will shortly hereafter be introduced in the house. It will therefore doubtless be before you in a short time and I very much desire to commend the bill to your favorable consideration. It is a bill as you doubtless know regulating the law of appeals in cases tried to the court and is of great interest to the profession. It greatly simplifies the procedure preliminary to an appeal and guards against the dismissal of appeals without a hearing on the merits; a practice that under our present law is becoming so frequent as to be very objectionable. The bar of this county are, I think, without exception favorable to the bill.

Yours very truly,
S. E. ELLSWORTH.

REPORT OF SELECT COMMITTEE.

The steering committee made the following report:

Mr. Speaker:

Your steering committee beg leave to make the following report, which is to take precedence over our former report:

We recommend that the regular order of business be followed, and that on the third reading of senate bills the following senate bills be acted upon:

Senate bill No. 151,

A bill for an act to appropriate money to pay the annual expense of appraising, advertising, and selling common school and institution lands.

Also,

Senate bill No. 83,

A bill for an act for the maintenance of the deaf and dumb asylum of North Dakota and making an appropriation therefor.

Also,

Senate bill No. 172,

A bill for an act entitled an act repealing section 131a of the Revised Codes, 1899, making an appropriation to promote immigration.

Also,

Senate bill No. 143,

A bill for an act entitled "an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, the executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building."

Also

Senate bill No. 67,

A bill for an act for an appropriation for the maintenance and improvements of the state normal school at Mayville, North Dakota.

Also,

Senate bill No. 43,

A bill for an act providing for an appropriation for the maintenance and improvement of the state normal school at Valley City, North Dakota.

Also,

Senate bill No. 75,

A bill for an act entitled an act making appropriation for the current and contingent expenses of the Soldiers' Home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Also,

Senate bill No. 81,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Also,

Senate bill No. 162,

A bill for an act entitled an act providing for an appropriation of the payment of the current and contingent expenses of the North Dakota Agricultural college for one year.

Also,

Senate bill No. 59,

A bill for an act to provide for the current and contingent expenses for the hospital for the insane at Jamestown, North Dakota.

Also,

Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the state university at Grand Forks, agricultural college at Fargo, state normal school at Valley City, state normal at Mayville, and the deaf and dumb asylum of Devils Lake, as a part of the system of public schools.

Also,

Senate bill No. 121,

A bill for an act making an appropriation for repairing and furnishing the executive mansion.

Also,

Senate bill No. 184,

A bill for an act repealing section 966a, Revised Codes, 1899, relating to issuing certificates of indebtedness to provide for the equipment of the deaf and dumb asylum.

Also,

Senate bill No. 124,

A bill for an act to provide a fund for the purpose of retiring the principal of the bonded indebtedness of the state.

M. B. CASSELL,

Chairman.

Mr. Young moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Leech requests the courtesies of the floor for Dr. Rindlaub, Dr. Weir, Dr. Thams.

Mr. Nevin for Dr. McLaughlin of Eddy county.

Mr. Young for S. A. Nye.

There being no objections, the courtesies of the floor were so extended.

Mr. Hill offered the following resolution and moved its adoption:

Whereas; Almighty God in his infinite wisdom, has removed by death the youngest son of Hon. B. F. Mallough, a member of this house, and

Whereas, this is the second death in the family of Mr. Mallough within eight days caused by the dread disease diphtheria,

Resolved, that the house of representatives extend to Mr. Mallough and his bereaved family their heartfelt sympathy in their sad affliction.

Further resolved, that a copy of this resolution be inserted in the minutes and an engrossed copy forwarded to Mr. Mallough.

The resolution was adopted.

THIRD READING OF HOUSE BILLS.

House bill No. 207,

A bill for an act to amend section 95 of the Revised Codes of 1899, relating to fees of the secretary of state.

Was read the third time.

Mr. Chaffee asked unanimous consent to make an amendment.

There being no objection the request was granted.

Mr. Chaffee offered the following amendment and moved its adoption:

Amend by striking out in line, 11 subdivision 6 of the printed bill the word "three" and inserting in lieu thereof the word "five;" also by striking out subdivision 17 of the engrossed bill and by numbering the following paragraphs accordingly.

Which motion prevailed, and

The amendment was adopted.

The question being upon the final passage of the bill as amended

The roll was called and there were ayes 54, nays 3, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Anderson
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
Michels,
Miller,
Morgan,
Nelson,

Messrs.—

Phifer,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,

Messrs.—

Gronvold,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Watson,
Willison,
Winslow,
Young,
Mr. Speaker.

Those voting in the negative were:

Messrs.—

Axvig,

Messrs.—

McLean,

Messrs.—

Thomas,

Absent and not voting:

Messrs.—

Allshouse,
Gulack.

Messrs.—

Mallough,
Ramsett,

Messrs.—

Swarthout,

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Chaffee moved that the vote by which

House bill No. 207,

A bill for an act to amend section 95 of the Revised Codes of 1899, relating to fees of the secretary of state.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The chief clerk announced that the speaker was about to sign

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

And the speaker signed the same in the presence of the house.

House bill No. 186,

A bill for an act declaring gophers a common nuisance and to provide for their extermination in certain instances.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 35, nays 23, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Keeler,	Restemayer,
Bennett,	Lemke,	Severson,
Bjornson,	McLean,	Stafne,
Chacey,	Michels,	Thomas,
Chaffee,	Morgan,	Thordarson,
Davis,	Nelson,	Tubbs,
Dickson,	Nicholson,	Tufte,
Galbraith,	Nevin,	Wade,
Gronvold,	Packard,	Watson,
Hall,	Palmer,	Willison,
Heath,	Parr,	Mr. Speaker,
Hill,	Ramsett,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Gullikson,	Reade,
Anderson,	Hare,	Rose,
Bacon,	Johnson,	Strutz,
Brisbin,	Leech,	Sargeant,
Cassell,	Lerom,	Watts,
Chevalier,	McClure,	Winslow,
Dwire,	Miller,	Young,
Gulack,	Phifer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hammond,	Mallough,	Swarthout,
Hjelmstad,		

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved that the vote by which

House bill No. 186,

A bill for an act declaring gophers a common nuisance and to provide for their extermination in certain instances.

Was passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 218,

A bill for an act entitled an act to amend section 1115b of article 5 of chapter 11 of the Revised Codes of 1899 relating to the purchase of road machinery.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hare,	Phifer,
Axvig,	Heath,	Ramsett,
Bacon,	Hill,	Reade,

Messrs.—

Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,

Messrs.—

Restemayer,
Rose,
Sargeant,
Severson,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufta,
Wade,
Watson,
Willison,
Winslow,
Young
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Hammond,
Mallough,

Messrs.—

Miller,
Palmer,

Messrs.—

Stafne,
Swarthout,

Mr. Watts voting in the negative.

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Morgan moved that the vote by which

House bill No. 218,

A bill for an act entitled an act to amend section 1115b of article 5 of chapter 11 of the Revised Codes of 1899 relating to the purchase of road machinery.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed,

House bill No. 222,

A bill for an act to regulate the hearing and determination of cases by the supreme court and to provide for amendments so as to obviate errors of practice.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,

Messrs.—

Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,

Messrs.—

Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Heath,

Messrs.—

Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,
Ramsett,

Messrs.—

Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker.

Absent and not voting:

Messrs.—

Allshouse,
Gulack,
Hare,

Messrs.—

Hammond,
Mallough,
Palmer,

Messrs.—

Phifer,
Rose,
Swarthout.

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 47, nays 9, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thordarson,
Tubbs,
Wade,
Watson,
Willison,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Bennett,

Messrs.—

Morgan,
Reade,
Thomas,

Messrs.—

Tufte,
Watts,
Winslow,

Absent and not voting:

Messrs.—

Allshouse,
Davis,

Messrs.—

Johnson,
Mallough,

Messrs.—

Miller,
Swarthout,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Cassell moved that the vote by which

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Was passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 216,

A bill for an act entitled an act to amend section 4788 of the Revised Codes of the state of North Dakota of 1899, relating to mechanic's liens.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 30, nays 28, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Gullikson,	Parr,
Bacon,	Hall,	Ramsett,
Bjornson,	Hare,	Reade,
Brisbin,	Heath,	Rose,
Cassell,	Hjelmstad,	Sargeant,
Chacey,	Lerom,	Strutz,
Chevalier,	McClure,	Thomas,
Dwire,	McLean,	Tubbs,
Galbraith,	Nelson,	Winslow,
Gulack,	Packard,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Lemke,	Severson,
Axvig,	Michels,	Stafne,
Bennett,	Miller,	Thordarson,
Chaffee,	Morgan,	Tufte,
Davis,	Nevin,	Wade,
Dickson,	Nicholson,	Watts,
Gronvold,	Palmer,	Watson,
Hammond,	Phifer,	Willison,
Hill,	Restemayer,	Young,
Johnson,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Keeler,	Mallough,	Swarthout,
Leech,		

Messrs. Mallough and Swarthout be excused.

So the bill was lost.

Mr. Chaffee moved that the vote by which
House bill No. 216,

A bill for an act entitled an act to amend section 4788 of the Revised Codes of the state of North Dakota of 1899, relating to mechanic's liens.

Was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal or the 54th day, have carefully examined the same and recommend that the same be corrected as follows:

Page 5, line 32, strike out words "concurrence therein" and insert in lieu thereof "consideration thereof."

Page 11, line 8, after word "that" insert "the rules be suspended and."

Page 13, line 19, after word "that" insert "the rules be suspended and."

Page 14, line 27, after word "that" insert "the rules be suspended and."

Page 15, line 3, after word "that" insert "the rules be suspended and."

Page 15, line 41, after word "that" insert "the rules be suspended and."

Page 16, after line 21 insert

"Mr. Young moved

"That the rules be suspended and the report be adopted."

"Which motion prevailed, and

"The report was adopted."

Page 21, strike out lines 5, 6, 7 and 8, and insert in lieu thereof House bill No. 202,

"A bill for an act for the construction of an electric line from the penitentiary to the capitol building in the city of Bismarck."

Page 21, line 9, insert after the first word "the" the word "second."

Page 21, line 18, strike out word "as."

Page 21, after line 44, insert "Messrs. Bennett and Tufte voting in the negative."

Page 25, strike out lines 7, 8, 9 and 10, and insert in lieu thereof "Senate bill No. 194,

"A bill for an act entitled 'An act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries.'"

Page 25, strike out lines 14, 15, 16 and 17, and insert in lieu thereof

“Senate bill No. 199,

“A bill for an act entitled “An act providing for the renewal of judgments and for continuing the lien thereof and prescribing the methods of renewing the same without suit for an additional term of ten years and allowing an execution thereon after renewal.”

Page 27, line 28, insert after word “act” the words “to provide.”

Page 28, line 6, strike out word “reconsideration” and insert in lieu thereof “the consideration.”

Page 33, line 29, change figure “3” to “4,” and the figure “5” to “4.”

Page 33, in vote on Senate bill No. 48, insert in affirmative vote, the name “Chacey,” and strike out same name from negative vote.

Page 36, line 34, strike out all after word “bill,” and insert in lieu thereof “was lost.”

Page 37, line 22, strike out word “lost,” and insert in lieu thereof “passed.”

And when so amended recommend that the same be approved.

C. WINSLOW,

Chairman.

Mr. Winslow moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

There being no objection, the following reports were received and read:

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

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

By striking out the words “secretary of state” in line 15, section 2 of the printed bill and insert in lieu thereof the word “governor.”

By striking out in the same line the word “him” and inserting in lieu thereof the words “the secretary of state.”

By striking out the words “or heating” in the last line of section 4 of the engrossed bill.

By striking out in line 29, page 8 of the printed bill the words

and figures "year 190—" and inserting in lieu thereof the words "preceding year."

By striking out in line 30, page 2 of section 7 of the engrossed bill the word "acquirements" and insert in lieu thereof the word "requirements."

By inserting in line 1, section 8 of the printed bill after the word "shall" the words "knowingly use."

By inserting after the word "preceding" in line 8, page 2, section 9 of the engrossed bill the words "on the fifteenth day of each and every month the inspector shall transmit to the state treasurer all moneys received during the preceding month, and shall at the same time forward to the auditor of state true copies of said record for the months preceding."

By inserting in line 2, section 14 of the printed bill after the first word "to" in said line the words "knowingly use."

By striking out the "comma" in line 6, section 14 of the printed bill after the word "tank."

By inserting in line 15, section 14 of the printed bill before the word "sell" the words "knowingly use."

By inserting in line 1, section 15 of the printed bill after the word "shall" the words "knowingly use."

By striking out in lines 1 and 3 of page 3, section 9 of the engrossed bill the figures "90 per cent" and inserting in lieu thereof the figures "66 per cent."

By inserting after the word "him" in line 10, page 3, section 9 of the engrossed bill the words and figures "24 per cent thereof shall go to the general fund of the state."

By inserting after section 17 the words and figures "Section 18. Ports of Entry.) All illuminating oils when shipped into this state shall be inspected on entering the state, the following points being designated as ports of entry: Fairmount, Wahpeton, Fargo, Grand Forks, Hankinson, Oakes and Ellendale. For making inspections other than at said points the inspector or his deputies shall be entitled in addition to the fees prescribed to mileage at the rate of ten cents per mile for each mile actually traveled, such mileage to be paid by the party for whom inspection is made."

By striking out all of section 18 of the engrossed bill prior to the word "all" in line 3 of said section and inserting in lieu thereof the word and figures "section 19."

By striking out before the word "emergency" in line 12 of the last page of the engrossed bill the word and figures "section 19" and inserting in lieu thereof the word and figures "section 20."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Leech moved

That the rules be suspended and the report of the committee adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 198,

A bill for an act entitled an act regulating the filing and foreclosure of mechanic's liens upon land held or occupied under a filing under any of the land laws of the United States.

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

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 211,

A bill for an act to amend section 6676e of the Revised Codes of 1899, relating to garnishments in justice courts.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

The adoption of the report.

Which motion prevailed, and

Senate bill No. 211,

A bill for an act to amend section 6676e of the Revised Codes of 1899, relating to garnishments in justice courts.

Was indefinitely postponed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 50,

A bill for an act to amend sections 867, 869, 870, 871, 872, Revised Codes, 1899, relating to education.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 218,

A bill for an act to amend section 2540 of the Revised Codes of North Dakota, relating to the time of holding annual township meetings.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate bill No. 219

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate bill No. 220,

A bill for an act providing for the collection of delinquent personal taxes by action.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate bill No. 91,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for a system of sewerage and for other necessary improvements for the North Dakota Agricultural college at Fargo.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate bill No. 192,

A bill for an act to amend sections 2134, 2141, 2155, 2204, 2251 and 2254 of the Revised Codes of 1899, relating to cities.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate bill No. 195,

A bill for an act entitled an act to amend section 1311 of the Revised Codes of 1899 relating to extraordinary expenditures.

Was read the first and second times, and
Referred to the steering committee.

THIRD READING OF SENATE BILLS.

Senate bill No. 151,

A bill for an act to appropriate money to pay the annual expense of appraising, advertising, and selling common school and institution lands.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 50, nays 5, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Ramsett,
Bacon,	Hill,	Reade,
Bjornson,	Hjelmstad,	Restemayer,
Brisbin,	Keeler,	Rose,
Cassell,	Leech,	Sargeant,
Chacey,	Lemke,	Severson,
Chaffee,	McClure,	Thomas,
Chevalier,	McLean,	Thordarson,
Davis,	Michels,	Tubbs,
Dickson,	Miller,	Tufte,
Dwire,	Nelson,	Wade,
Galbraith,	Nevin,	Watson,
Gronvold,	Nicholson,	Willison,
Gullikson,	Packard,	Winslow,
Hall,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond,	Phifer,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Lerom,	Stafne,
Axvig,	Morgan,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bennett,	Mallough,	Swarthout,
Gulack,	Strutz,	Watts,
Johnson,		

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 151,

A bill for an act to appropriate money to pay the annual expense of appraising, advertising, and selling common school and institution lands.

Was passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Cassell moved

That the house take recess for ten minutes.

Which motion prevailed, and
The house took a recess.
House reassembled.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 223,

A bill for an act to provide for the settlement of claims of the state against sureties on bonds of state depositories.

Also,

Senate bill No. 20,

A bill for an act to provide for the admission of graduates from the law department of the university of North Dakota to the bar of this state.

Also,

Senate bill No. 147,

A bill for an act authorizing the issuance of bonds, based upon the normal school land grant, for the purpose of erection and completion of buildings for the use of the state normal schools at Valley City and Mayville.

Also,

Senate bill No. 27,

A bill for an act authorizing the board of trustees of the North Dakota agricultural college to co-operate with the geological, agricultural, and other surveys, organized under the department of the interior of the United States, in completing a topographic, agricultural and geological survey and map of North Dakota and making an appropriation therefor.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Chaffee moved

That the house take a recess until 10 o'clock a. m. tomorrow, and that all bills on the desk be referred to the steering committee.

Which motion prevailed, and

The house took a recess until 10 a. m. tomorrow.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 5, 1901.

REPORT OF STEERING COMMITTEE.

The steering committee made the following report.

Mr. Speaker:

Your steering committee recommend that
Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the state university at Grand Forks, agricultural college at Fargo, state normal school at Valley City, state normal at Mayville, and the deaf and dumb asylum of Devils Lake, as a part of the system of public schools.

Be amended by inserting before the word "all" in section 5 the following: "Section 904b of the Revised Codes of 1899 and."

Further. That the order of business for the balance of today's session be. First. Reports of standing committee. Second. That the following senate bills be placed upon their third reading and final passage in the order named, to-wit:

Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the state university at Grand Forks, agricultural college at Fargo, state normal school at Valley City, state normal at Mayville, and the deaf and dumb asylum of Devils Lake, as a part of the system of public schools.

Also,

Senate bill No. 30,

A bill for an act entitled "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.

Also.

Senate bill No. 83,

A bill for an act for the maintenance of the deaf and dumb asylum of North Dakota and making an appropriation therefor,

Also,

Senate bill No. 143,

A bill for an act entitled "an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, the executive mansion and the

public grounds and parks connected therewith and for necessary repairs upon the capitol building.”

Also,

Senate bill No. 67,

A bill for an act for an appropriation for the maintenance and improvements of the state normal school at Mayville, North Dakota.

Also,

Senate bill No. 43,

A bill for an act providing for an appropriation for the maintenance and improvement of the state normal school at Valley City, North Dakota.

Also,

Senate bill No. 75,

A bill for an act entitled an act making appropriation for the current and contingent expenses of the Soldiers' Home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Also,

Senate bill No. 81,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Also,

Senate bill No. 162,

A bill for an act entitled an act providing for an appropriation of the payment of the current and contingent expenses of the North Dakota agricultural college for one year.

Also,

Senate bill No. 59,

A bill for an act to provide for the current and contingent expenses for the hospital for the insane at Jamestown, North Dakota.

Also,

Senate bill No. 121,

A bill for an act making an appropriation for repairing and furnishing the executive mansion.

Also,

Senate bill No. 124,

A bill for an act to provide a fund for the purpose of retiring the principal of the bonded indebtedness of the state.

Also,

Senate bill No. 172,

A bill for an act entitled an act repealing section 131a of the Revised Codes, 1899, making an appropriation to promote immigration.

Also,

Senate bill No. 184,

A bill for an act repealing section 966a, Revised Codes, 1899, relating to issuing certificates of indebtedness to provide for the equipment of the deaf and dumb asylum.

Also,

Senate bill No. 219

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Also,

Senate bill No. 218,

A bill for an act to amend section 2540 of the Revised Codes of North Dakota, relating to the time of holding annual township meetings.

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

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

E. SEVERSON,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 149,

A bill for an act entitled an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed in the office of the register of deeds.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 36,

A bill for an act entitled an act to provide for the settlement of estates of decedents.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 86,

A bill for an act to amend section 8494 of the Revised Codes of 1899, relating to the governor demanding the return of fugitives from justice in this state of the executive authority of any other state or territory, within the United States, providing for the appointment of agents to receive and return such fugitives and providing for payment of such agents.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred
House bill No. 224,

A bill for an act providing for the payment of labor employed upon threshing machines and making all parties owning or con-

trolling grain threshed by such machinery responsible for such payment.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
The adoption of the report,
Which motion prevailed, and
House bill No. 224,

A bill for an act providing for the payment of labor employed upon threshing machines and making all parties owning or controlling grain threshed by such machinery responsible for such payment.

Was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 188,

A bill for an act entitled an act to amend section 1289 of the Revised Codes of 1899, relating to notice when time for redemption expires. Duties of certificate holders and auditors.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 29,

A bill for an act entitled an act authorizing district courts and also the supreme court of the state to direct judgment to be entered in certain cases instead of granting a motion for a new trial.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 207,

A bill for an act entitled "An act to amend section 6346 of the Revised Codes of 1899, being section 21 of chapter 3 of the laws of 1897, providing the requisities for qualification of executors, administrators and guardians."

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate bill No. 205,

A bill for an act to amend section 5961 of the code of civil procedure, and to facilitate the assessment of damages under the law of eminent domain, and to regulate procedure in actions brought thereunder.

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

By inserting in line 20, page 3 of printed bill after word "sheriff" the words "the plaintiff shall give sufficient surety to be approved by the clerk of said court for the payment of all jury fees and mileage."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 84,

A bill for an act entitled an act to provide for making unknown persons parties defendant in certain civil actions and to amend section 5907 and repeal section 5907a, Revised Codes of 1899, relating to unknown parties defendant.

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate bill No. 199,

A bill for an act entitled "an act providing for the renewal of judgments and for continuing the lien thereof and prescribing the method of renewing the same without suit for an additional term of ten years and allowing an execution thereon after renewal."

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

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

Senate bill No. 189,

A bill for an act entitled an act to amend section 1209 of the Revised Codes of 1899 relating to assessors' districts.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

A. M. PACKARD,
Chairman.

Mr. Packard moved
The adoption of the report,
Which motion prevailed, and
Senate bill No. 189,

A bill for an act entitled an act to amend section 1209 of the Revised Codes of 1899 relating to assessors' districts.

Was indefinitely postponed.

The committee on sheep industry made the following report:

Mr. Speaker:

Your committee on sheep industry to whom was referred

Senate bill No. 216,

A bill for an act entitled an act to amend and re-enact sections 1636 and 1636a of the Revised Codes of the revision of 1899.

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

G. B. PHIFER,
Chairman.

Mr. Phifer moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 221,

A concurrent resolution for a proposed amendment to section 215 of the constitution relating to public institutions.

Have had the same under consideration and recommend that the same be referred to general orders without recommendation.

F. T. GRONVOLD,
Chairman.

Mr. Gulack moved that the report of the committee be amended so as to read "indefinitely postponed."

Mr. Cassell moved as a substitute motion that the bill be recommended to pass.

Mr. Young moved as a substitute to the substitute that the bill be made a special order at 2:30 p. m.

Which motion prevailed,

THIRD READING OF SENATE BILLS.

Mr. Cassell moved that the consideration of
Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the state university at Grand Forks, agricultural college at Fargo, state normal school at Valley City, state normal at Mayville, and the deaf and dumb asylum of Devils Lake, as a part of the system of public schools.

Be made a special order for 3 o'clock p. m. March 5th.

Which motion prevailed.

Senate bill No. 30,

A bill for an act entitled "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays 2, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon,
Bjornson,

Messrs.—

Hjelmstad,
Johnson,
Keeler,

Messrs.—

Reade,
Restemayer,
Rose,

Messrs.—	Messrs.—	Messrs.—
Brisbin,	Leech,	Sargeant,
Cassell,	Lemke,	Severson,
Chacey,	McClure,	Stafne,
Chaffee,	McLean,	Strutz,
Chevalier,	Michels	Thomas,
Davis,	Miller,	Tubbs,
Dickson,	Morgan,	Tufte,
Dwire,	Nelson,	Wade,
Gronvold,	Nevin,	Watts,
Gulack,	Packard,	Watson,
Gullikson,	Palmer,	Willison,
Hare,	Parr,	Winslow,
Hammond,	Phifer,	Young,
Heath,	Ramsett,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hall,	Mallough,
Bennett,	Hill,	Nicholson,
Galbraith,	Lerom,	Swarthout,

Messrs. Axvig and Thordarson voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Gulack moved that the vote by which

Senate bill No. 30,

A bill for an act entitled "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Leech offered the following resolution and moved its adoption:

Resolved, that the speaker appoint a committee of three or more to investigate charges made against Senator Lewis and myself by Mr. Gaulke. Said committee to have full power to act and investigate statements made, send for persons and papers, administer oaths, take testimony, and report their proceedings to this house with recommendations.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Hall, Michels and Thomas.

Senate bill No. 83,

A bill for an act for the maintenance of the deaf and dumb asylum of North Dakota and making an appropriation therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Reade,
Axvig,	Johnson,	Restemayer,
Bennett,	Keeler,	Rose,
Bjornson,	Leech,	Sargeant,
Brisbin,	Lemke,	Severson,
Cassell,	Lerom,	Stafne,
Chacey,	McClure,	Strutz,
Chaffee,	McLean,	Thomas,
Davis,	Michels,	Thordarson,
Dickson,	Miller,	Tubbs,
Dwire,	Morgan,	Tufte
Galbraith,	Nelson,	Wade,
Gronvold,	Nicholson,	Watts,
Gulack,	Nevin,	Watson,
Gullakson,	Packard,	Willison,
Hall,	Palmer,	Winslow,
Hare,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker,
Hill,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Chevalier,	Mallough,
Bacon,	Heath,	Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 83,

A bill for an act for the maintenance of the deaf and dumb asylum of North Dakota and making an appropriation therefor,

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 143,

A bill for an act entitled "an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, the executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,

Messrs.—

Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hammond,
Heath,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse
Bacon,
Dwire,

Messrs.—

Hare,
Mallough,
Miller,

Messrs.

Nicholson,
Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Reade moved that the vote by which

Senate bill No. 143,

A bill for an act entitled "an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, the executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building."

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 67,

A bill for an act for an appropriation for the maintenance and improvements of the state normal school at Mayville, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays 1, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Anderson
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,

Messrs.—

Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,
Hill,

Messrs.—

McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker.

Absent and not voting:

Messrs.—

Allhouse,
Bacon,

Messrs.—

Chevalier,
Mallough,

Messrs.—

Swarthout,

Messrs. Allhouse, Mallough and Swarthout being excused.

Mr. Axvig voting in the negative.

So the bill passed and the title was agreed to.

Mr. Nelson moved that the vote by which

Senate bill No. 67,

A bill for an act for an appropriation for the maintenance and improvements of the state normal school at Mayville, North Dakota.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 43,

A bill for an act providing for an appropriation for the maintenance and improvement of the state normal school at Valley City, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,

Messrs.—	Messrs.—	Messrs.—
Hall,	Packard,	Willison,
Hare,	Palmer,	Winslow,
Hammond,	Parr,	Young,
Heath,	Phifer,	Mr. Speaker,
Hill,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Brisbin,	Mallough,
Bacon,	Chevalier,	Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Ramsett moved that the vote by which

Senate bill No. 43,

A bill for an act providing for an appropriation for the maintenance and improvement of the state normal school at Valley City, North Dakota.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 75,

A bill for an act entitled an act making appropriation for the current and contingent expenses of the Soldiers' Home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hill,	Reade,
Bennett,	Hjelmstad,	Restemayer,
Bjornson,	Johnson,	Rose,
Brisbin,	Keeler,	Sargeant,
Cassell,	Leech,	Severson,
Chacey,	Lemke,	Stafne,
Chaffee,	Lerom,	Strutz,
Davis,	McClure,	Thomas,
Dickson,	McLean,	Thordarson,
Dwire,	Miller,	Tubbs,
Galbraith,	Nelson,	Tufte,
Gronvold,	Nevin,	Wade,
Gulack,	Nicholson,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Winslow,
Hare,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker,
Heath,	Ramsett,	

Absent and not voting:

Messrs.—

Allshouse,
Axvig,
Bacon,

Messrs.—

Chevalier,
Mallough,
Michels,

Messrs.—

Morgan,
Swarthout,
Watts,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Hare moved that the vote by which
Senate bill No. 75,A bill for an act entitled an act making appropriation for the
current and contingent expenses of the Soldiers' Home located
at Lisbon, North Dakota, and for making permanent improve-
ments and additions thereto.Was passed be reconsidered, and the motion to reconsider
be laid on the table.

Which motion prevailed.

Senate bill No. 81,

A bill for an act to provide for the maintenance of the Indus-
trial School and School for Manual Training, located at Ellen-
dale, North Dakota, and for making necessary improvements,
and making an appropriation therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays 1, absent
and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gulack,
Gullikson,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,

Messrs.—

Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Parr,
Phifer,
Ramsett,
Reade,

Messrs.—

Restemayer,
Rose
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Chevalier,

Messrs.—

Gronvold,
Hall
Hare,

Messrs.—

Mallough,
Palmer,
Swarthout,

Mr. Axvig voted in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Rose moved that the vote by which

Senate bill No. 81,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 162,

A bill for an act entitled an act providing for an appropriation of the payment of the current and contingent expenses of the North Dakota agricultural college for one year.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 51, nays 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Reade,
Bennett,	Hill,	Restemayer,
Bjornson,	Hjelmstad,	Rose,
Brisbin,	Johnson,	Severson,
Cassell,	Keeler,	Stafne,
Chacey,	Lemke,	Strutz,
Chaffee,	Lerom,	Thomas,
Chevalier,	McClure,	Thordarson,
Davis,	McLean,	Tubbs,
Dickson,	Michels,	Tufte,
Dwire,	Miller,	Wade,
Gronvold,	Nelson,	Watts,
Gulack,	Nevin,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Parr,	Winslow,
Hare,	Phifer,	Young,
Hammond,	Ramsett,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Mallough,	Palmer,
Bacon,	Morgan,	Sargeant,
Galbraith,	Nicholson,	Swarthout,
Leech,		

Mr. Axvig voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Chacey moved that the vote by which

Senate bill No. 162,

A bill for an act entitled an act providing for an appropriation

of the payment of the current and contingent expenses of the North Dakota agricultural college for one year.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 59,

A bill for an act to provide for the current and contingent expenses for the hospital for the insane at Jamestown, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Young
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Mallough,

Messrs.—

McLean,
Nicholson,
Palmer,

Messrs.—

Sargeant,
Swarthout,
Watts,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Watson moved that the vote by which

Senate bill No. 59,

A bill for an act to provide for the current and contingent expenses for the hospital for the insane at Jamestown, North Dakota.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 121,

A bill for an act making an appropriation for repairing and furnishing the executive mansion.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 50, naves none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Johnson,	Restemayer,
Bjornson,	Keeler,	Rose,
Cassell,	Leech,	Severson,
Chacey,	Lemke,	Stafne,
Chaffee,	Lerom,	Strutz,
Chevalier,	McClure,	Thomas,
Davis,	McLean,	Thordarson,
Dickson,	Michels,	Tubbs,
Dwire,	Miller,	Tufte,
Galbraith,	Morgan,	Wade,
Gullikson,	Nelson,	Watts,
Hall,	Nevin,	Watson,
Hare,	Packard,	Willison,
Hammond,	Parr,	Winslow,
Heath,	Phifer,	Young,
Hill,	Ramssett,	Mr. Speaker,
Hjelmstad,	Reade,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Brisbin,	Nicholson,
Axvig,	Gronvold,	Palmer,
Bacon,	Gulack,	Sargeant,
Bennett,	Mallough,	Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Reade moved that the vote by which

Senate bill No. 121,

A bill for an act making an appropriation for repairing and furnishing the executive mansion.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 124,

A bill for an act to provide a fund for the purpose of retiring the principal of the bonded indebtedness of the state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 49, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Johnson,	Reade,
Bennett,	Keeler,	Restemayer,
Bjornson,	Leech,	Rose,
Cassell,	Lemke,	Severson,

Messrs.—

Chacey,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Heath,
Hill,
Hjelmstad,

Messrs.—

Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Phifer,
Ramsett,

Messrs.—

Stafne,
Strutz,
Thomas,
Thorvarson,
Tubbs,
Tufte,
Wade,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Anderson,
Bacon,
Brisbin,
Chevalier,

Messrs.—

Gulack,
Hammond,
Mallough,
Palmer,

Messrs.—

Parr,
Sargeant,
Swarthout,
Watson,

Mr. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Galbraith moved that the vote by which

Senate bill No. 124,

A bill for an act to provide a fund for the purpose of retiring the principal of the bonded indebtedness of the state.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 172,

A bill for an act entitled an act repealing section 131a of the Revised Codes, 1899, making an appropriation to promote immigration.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 50, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Strutz,
Thomas,
Thordarson,
Tubbs,
Wade,
Watts,
Watson,

Messrs.—	Messrs.—	Messrs.—
Hall,	Nicholson,	Willison,
Hare,	Packard,	Winslow,
Heath,	Parr,	Young,
Hill,	Phifer,	Mr. Speaker,
Hjelmstad,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Davis,	Palmer,
Bacon,	Gulack,	Stafne,
Brisbin,	Hammond,	Swarthout,
Chevalier,	Mallough,	Tufte,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which
Senate bill No. 172,

A bill for an act entitled an act repealing section 131a of the Revised Codes, 1899, making an appropriation to promote immigration.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 184,

A bill for an act repealing section 966a, Revised Codes, 1899, relating to issuing certificates of indebtedness to provide for the equipment of the deaf and dumb asylum.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 50, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Restemayer,
Axvig,	Johnson,	Rose,
Bennett,	Keeler,	Severson,
Bjornson,	Leech,	Stafne,
Brisbin,	Lemke,	Strutz,
Cassell,	Lerom,	Thomas,
Chacey,	McClure,	Thordarson,
Chaffee,	McLean,	Tubbs,
Davis,	Michels,	Tufte,
Dwire,	Miller,	Wade,
Galbraith,	Morgan,	Watts,
Gronvold,	Nelson,	Watson,
Gullikson,	Nevin,	Willison,
Hall,	Nicholson,	Winslow,
Hare,	Parr,	Young,
Heath,	Phifer,	Mr. Speaker,
Hill,	Reade,	

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Chevalier,
Dickson,

Messrs.—

Gulack,
Hammond,
Mallough,
Packard,

Messrs.—

Palmer,
Ramsett,
Sargeant,
Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 184,

A bill for an act repealing section 966a, Revised Codes, 1899, relating to issuing certificates of indebtedness to provide for the equipment of the deaf and dumb asylum.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Cassell moved that

Senate bill No. 218,

A bill for an act to amend section 2540 of the Revised Codes of North Dakota, relating to the time of holding annual township meetings.

Be made a special order for 3 p. m. this afternoon.

Which motion prevailed,

GENERAL ORDERS.

Mr. Galbraith moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Thordarson to the chair.

When the committee arose they made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration

Senate bill No. 78,

A bill for an act to amend and re-enact section 1570g of the Revised Codes of the revision of 1899, the same being chapter 35 of the laws of 1899 relating to special tax for the payment of state wolf bounties.

And recommend that the same be indefinitely postponed.

J. THORDARSON,

Chairman.

Call of the house demanded.

The roll being called there were absent Messrs. Bacon, Miller, Nicholson and Watts.

Mr. Young moved

That further proceedings under the call be dispensed with.

Which motion prevailed.

Mr. Cassell moved

That the report of the committee of the whole be adopted.

Roll call demanded.

The roll was called and there were ayes 33, nays 22, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Galbraith,
Heath,
Hill,

Messrs.—

Hjelmstad,
Keeler,
Lemke,
Lerom,
McLean,
Nelson,
Nevin,
Ramsett,
Restemayer,
Sargeant,
Severson,

Messrs.

Stafne,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Bjornson,
Davis,
Dwire,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Johnson,
Leech,
McClure,
Michels,
Nicholson,
Packard,

Messrs.—

Palmer,
Parr,
Phifer,
Reade,
Rose,
Strutz,
Wade,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Dickson,

Messrs.—

Mallough,
Miller,

Messrs.—

Morgan
Swarthout

Messrs. Allshouse, Mallough and Swarthout being excused.

So the report was adopted.

Mr. Hare demanded a verification of the vote.

The roll was called and there were ayes 31, nays 24, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Galbraith,
Heath,
Hill,

Messrs.—

Hjelmstad,
Keeler,
Lemke,
McLean,
Nelson,
Nevin,
Ramsett,
Restemayer,
Sargeant,
Severson,

Messrs.—

Stafne,
Thomas,
Tubbs,
Tuftte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Bjornson,
Davis,
Dwire,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Johnson,
Leech,
Lerom,
McClure,
Michels,
Nicholson,
Packard,

Messrs.—

Palmer,
Parr,
Phifer,
Reade,
Rose,
Strutz,
Thordarson,
Wade,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Dickson,

Messrs.—

Mallough,
Miller,

Messrs.—

Morgan,
Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the vote was verified.

Mr. Bennett moved

That the vote by which the report of the committee of the whole was adopted, be reconsidered and the motion to reconsider be laid on the table.

Roll call demanded.

The roll was called and there were ayes 32, nays 21, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Galbraith,
Heath,
Hill,

Messrs.—

Hjelmstad,
Keeler,
Lemke,
Lerom,
McLean,
Nelson,
Nevin,
Ramsett,
Restemayer,
Sargeant,
Severson,

Messrs.—

Stafne,
Thomas,
Thordarson,
Tubbs,
Tufte,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Bjornson,
Davis,
Dwire,
Gronvold,
Gulack,
Gullikson,
Hall,

Messrs.—

Hare,
Hammond,
Johnson,
Leech,
McClure,
Nicholson,
Palmer,

Messrs.—

Parr,
Phifer,
Reade,
Rose,
Strutz,
Wade,
Watson,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Dickson,

Messrs.—

Mallough,
Michels,
Miller,

Messrs.—

Morgan,
Packard,
Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the motion prevailed,

Mr. Cassell moved
That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FIFTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 5, 1901.

The house assembled at 2 p. m., pursuant to adjournment.
The speaker presiding.
Prayer by the chaplain.
Roll call.
All members present except Messrs. Allshouse, Mallough and Swarthout, who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1901.

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 224,
A bill for an act to amend section 2467 of the Revised Codes
of North Dakota, 1899, relating to free public libraries.

Also,

Senate bill No. 158,

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspection of mines.

Also,

Substitute for Senate bill No. 154,

A bill for an act defining express companies, freight line companies, equipment companies, telegraph and telephone companies and providing for the assessment of their property and taxation of the same.

Also,

Senate bill No. 164,

A bill for an act entitled "An act to provide for transfer facilities at track crossings at grade of common carriers, determining how the expenses of such track crossings shall be paid and empowering the board of railroad commissioners to establish reasonable joint through rates."

Also,

Senate bill No. 39,

A bill for an act to amend section 888, Revised Codes, 1899, relating to education.

Also,

Senate bill No. 38,

A bill for an act to amend section 913 of the Revised Codes of 1899, relating to education.

Also,

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

Which the senate has amended by adding as section two the following:

Whereas, an emergency exists in that there is no adequate law for issuing school bonds in certain cases, therefore this law shall be in force and take effect on and after its passage and approval.

And passed as amended.

Also,

House bill No. 89,

A bill for an act to amend section 2073, chapter 27, of the Revised Codes of 1899 of the state of North Dakota relating to the salaries of county auditors.

Which the senate has amended by striking out section 2, and passed as amended.

Also,

House bill No. 44,

A bill for an act to amend sections 736, 740, 741, 742 and 743 of the Revised Codes, 1899, relating to education.

Also,

House bill No. 194,

A bill for an act to amend section 3576 of article 3 of the Revised Codes of North Dakota and to cure defective acknowledgments.

Also,

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Also,

House bill No. 175,

A bill for an act relating to the transfer of cemetery lots by religious corporations.

Also,

House bill No. 180,

A bill for an act for the protection of manufacturers of soda water, mineral water and other like beverages.

Also,

House bill No. 71,

A bill for an act to amend section 5958 of the Revised Codes, enumerating what property may be taken in the exercise of the right of eminent domain.

Also,

House bill No. 156,

A bill for an act to amend section 715 of the Revised Codes of 1899, requiring county superintendents of schools to report all school moneys to district treasurers.

Also,

Senate bill No. 233,

A bill for an act to amend section 5658 of the Revised Codes of 1899 relating to attendance of witnesses for examination.

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

Very respectfully,

GEORGE L. TOWNES,
Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal ask for further time.

REPORTS OF STANDING COMMITTEES.

The steering committee made the following report:

Mr. Speaker:

Your steering committee

Recommend the following order of business for today's session: That after the reports of committees the house go into committee of the whole for the consideration of general orders. Then first and second reading of senate bills, and beg leave to submit a further report during the session.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 145,

A bill for an act entitled an act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same.

Also,

House bill No. 157

Concurrent resolution.

And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 210,

A bill for an act to amend section 694 of the Revised Codes, relating to education.

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

C. A. HALL,
Chairman.

Mr. Hall moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The chief clerk announced that the speaker was about to sign

House bill No. 157, substitute for House bill No. 29,
Concurrent resolution.

Also,

House bill No. 145,

A bill for an act entitled an act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat, and providing for the sale and redemption of the same.

And the speaker signed the same in the presence of the house.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
Senate bill No. 166,

A bill for an act to repeal sections 1199, 1200 and 1201 of the Revised Codes of 1899, relating to assessment of grain in warehouses, statement of ownership, lien of agent or warehouseman for taxes. Penalty for failure to make true statements.

Have had the same under consideration, and recommend that the same be referred to the steering committee without recommendation.

T. E. NELSON,
Chairman.

Mr. Nelson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 195,

A bill for an act entitled an act to amend section 1311 of the Revised Codes of 1899 relating to extraordinary expenditures.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 91,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for a system of sewerage and for

other necessary improvements for the North Dakota Agricultural college at Fargo.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate bill No. 220,

A bill for an act providing for the collection of delinquent personal taxes by action.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate bill No. 170,

A bill for an act providing that certain records shall be kept in the office of the state treasurer.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

The adoption of the report,
Which motion prevailed, and
Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate bill No. 130,

A bill for an act conferring jurisdiction as judges of conciliation upon the courts of Indian offenses.

Have had the same under consideration, and recommend that the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.
Which motion prevailed, and
Senate bill No. 130,

A bill for an act conferring jurisdiction as judges of conciliation upon the courts of Indian offenses.

Was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate bill No. 50,

A bill for an act to amend sections 867, 869, 870, 871, 872, Revised Codes, 1899, relating to education.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr Cassell moved

That the report be adopted,
Which motion prevailed, and
Senate bill No. 50,

A bill for an act to amend sections 867, 869, 870, 871, 872, Revised Codes, 1899, relating to education.

Was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 192,

A bill for an act to amend sections 2134, 2141, 2155, 2204, 2251 and 2254 of the Revised Codes of 1899, relating to cities.

Have had the same under consideration, and recommend that the further consideration thereof be indefinitely postponed.

M. B. CASSELL,

Chairman.

Mr. Cassell moved

That the report be adopted,

Which motion prevailed, and

Senate bill No. 192,

A bill for an act to amend sections 2134, 2141, 2155, 2204, 2251 and 2254 of the Revised Codes of 1899, relating to cities.

Was indefinitely postponed.

Mr. Young moved that the vote by which the reports on

Senate bill No. 195,

A bill for an act entitled an act to amend section 1311 of the Revised Codes of 1899 relating to extraordinary expenditures.

Also,

Senate bill No. 191,

A bill for an act entitled an act repealing sections 7594, 7596, 7597 and 7599 of the Revised Codes relating to prohibition.

Also,

Senate bill No. 220,

A bill for an act providing for the collection of delinquent personal taxes by action.

Also,

Senate bill No. 170,

A bill for an act providing that certain records shall be kept in the office of the state treasurer.

Also,

Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Also,

Senate bill No. 130,

A bill for an act conferring jurisdiction as judges of conciliation upon the courts of Indian offenses.

Also,

Senate bill No. 192,

A bill for an act to amend sections 2134, 2141, 2155, 2204, 2251 and 2254 of the Revised Codes of 1899, relating to cities.

Also,

Senate bill No. 50,

A bill for an act to amend sections 867, 869, 870, 871, 872, Revised Codes, 1899, relating to education.

Were passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

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

On page 4, section 6 of the printed bill strike out all of line 2 after the letters "um" and all of line 3, and insert in lieu thereof the following words "before being knowingly used, sold or offered for sale in this state shall be tested as follows:"

On page 4, section 6, line 6 of the printed bill strike out the words "one hundred and five (105) degrees" and insert in lieu thereof the following words: "one hundred and twenty degrees (120)."

On line 10 of the same page and same section after the word "than" insert the words "seventy-nine (79) degrees," and strike out the balance of section 6 of the printed bill.

In section 7 of the printed bill strike out lines 33 to 49 inclusive, and insert in lieu thereof the following words: "if after all such tests prescribed in section 6 herein are made such oil or oils tested do not comply with the requirements in said section he shall fix his brand or device upon such cask, barrel or package as follows: 'below grade.'"

And when so amended recommend that the same be approved.

M. B. CASSELL,

Chairman.

Mr. Leech moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The chief clerk announced that the speaker was about to sign

Senate bill No. 108,

A bill for an act to amend section 3139 of the Revised Codes of 1899 relating to county mutual insurance companies.

Also.

Senate bill No. 169,

A bill for an act entitled "An act authorizing and requiring the state board of equalization at its annual meeting in the year 1901 to levy a sinking fund tax to pay the amount due on bonds issued by the territory of Dakota on the first day of May, 1887, and due and payable the first day of May, 1902, for the construc-

tion of buildings for the hospital for the insane at Jamestown, and making an appropriation of the proceeds of such sinking fund tax."

Also,

Senate bill No. 48,

A bill for an act to amend section 6153 of the Revised Codes of 1891 relating to liability of owner for trespass of animals.

Also,

Senate bill No. 139,

A bill for an act making the state of North Dakota a preferred creditor in the case of sales of binding twine upon time and in the case of other contracts with the state.

Also,

Senate bill No. 140,

A bill for an act entitled an act to amend section 1880 of the Revised Codes of North Dakota of 1899, relating to the procedure for the location and removal of county seats.

Also,

Senate bill No. 149,

A bill for an act entitled an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed in the office of the register of deeds.

Also,

Senate bill No. 128,

A bill for an act entitled an act to amend section 338d of the Revised Codes, 1899, relating to vouchers filed to be consecutively numbered and paid.

Also,

Senate bill No. 104,

A bill for an act to amend section 662, Revised Codes, 1899, relating to division of school districts.

Also,

Senate bill No. 105,

A bill for an act to amend section 4680 of article 2, chapter 72, of the Revised Codes of the state of North Dakota, for the year 1899, entitled liens in general.

Also,

Senate bill No. 68,

A bill for an act entitled an act relating to the board of pardons and prescribing the powers and duties thereof.

Also,

Senate bill No. 74,

A bill for an act entitled "An act to amend sections 643, 681 and 682 of the Revised Codes of 1899, relating to education."

Also,

Substitute for Senate bill No. 51,

A bill for an act to repeal sections 1392 and 1393 of the Revised Codes of North Dakota, relating to state military board.

Also,

Substitute for Senate bill No. 47,

A bill for an act to amend section 1549 of the Revised Codes of 1899, relating to time when lawful for stock to run at large.

Also,

Senate bill No. 96,

A bill for an act amending section 1278 of the Revised Codes of 1899, relating to "deed not to be recorded without auditor's certificate of taxes paid."

Also,

Senate bill No. 173

A bill for an act entitled an act amending section 2084 of the Revised Codes, 1899, relating to fees for transportation of prisoners and patients.

And the speaker signed the same in the presence of the house.

SPECIAL ORDERS.

Mr. Hare moved that

House bill No. 221,

A concurrent resolution for a proposed amendment to section 215 of the constitution relating to public institutions.

Be put upon its third reading and final passage.

Which motion prevailed.

House bill No. 221,

A concurrent resolution for a proposed amendment to section 215 of the constitution relating to public institutions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 16, nays 41, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Cassell,
Chacey,
Davis,
Dickson,
Gronvold,

Messrs.—

Heath,
Johnson,
Lemke,
McLean,
Nicholson,

Messrs.—

Sargeant,
Severson,
Tufte,
Winslow,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Axvig,
Bacon
Bennett,
Bjornson,
Brisbin,

Messrs.—

Keeler,
Leech,
Lerom,
McClure,
Michels.

Messrs.—

Reade,
Restemayer,
Rose,
Stafne,
Strutz,

Messrs.—

Chevalier,
Dwire,
Galbraith,
Gulack,
Gullikson,
Hall,
Hare,
Hill,
Hjelmstad,

Messrs.—

Miller,
Morgan,
Nelson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Thomas,
Thordarson,
Tubbs,
Wade,
Watts,
Watson,
Willison,
Young,

Absent and not voting:

Messrs.—

Allshouse,
Chaffee,

Messrs.—

Hammond,
Mallough,

Messrs.—

Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill was lost.

Mr. Axvig explained his vote.

Mr. Tufte explained his vote.

Mr. Hare moved that the vote by which

House bill No. 221,

A concurrent resolution for a proposed amendment to section 215 of the constitution relating to public institutions.

Was lost, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1901.

To the House of Representatives:

Gentlemen—I have the honor to inform you that I have approved and filed with the honorable secretary of state

House bill No. 77,

A bill for an act to amend chapter 160 of the session laws of 1899, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.

Very respectfully yours,

FRANK WHITE,
Governor.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal

of the 56th day, have carefully examined the same up to recess, and recommend that the same be corrected as follows:

Page 4, line 8, correct spelling of word "trustees."

Page 14, line 55, change 54 to 53, change 1 to 2.

Page 15, line 23, insert after Watts, Thomas.

Page 11, line 9, strike out first word "of" and insert word "for."

Page 23, line 9, change 50 to 51, and 5 to 4.

Page 23, strike out Lerom from negative vote and insert Lerom in affirmative vote.

And when so amended recommend that the same be approved.

C. WINSLOW,

Chairman.

Mr. Winslow moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

There being no objection the special orders set for 3 o'clock was taken up at this time.

Mr. Cassell moved

That the vote by which the steering committee report on

Senate bill No. 141,

A bill for an act entitled an act to provide when execution of judgment in civil actions may be stayed.

Was adopted, be reconsidered.

Which motion prevailed.

Mr. Young moved

That the amendment proposed by the steering committee be stricken out.

Which motion prevailed.

Mr. Young moved

That the report of the steering committee be amended to recommend that the bill do pass.

Which motion prevailed.

Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the State University at Grand Forks, Agricultural College at Fargo, State Normal School at Valley City, State Normal School at Mayville and the deaf and dumb asylum of Devils Lake, as a part of the system of public schools.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays 4, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon,

Messrs.—

Hill,
Hjelmstad,

Messrs.—

Ramsett,
Reade,

Messrs.—	Messrs.—	Messrs.—
Bennett,	Johnson,	Restemayer,
Brisbin,	Keeler,	Rose,
Cassell,	Leech,	Sargeant,
Chaffee,	Lemke,	Severson,
Davis,	Lerom,	Stafne,
Lickson,	McClure,	Strutz,
Dwire,	McLean,	Thordarson,
Galbraith,	Miller,	Tubbs,
Gronvold,	Morgan,	Tufte,
Gulack,	Nelson,	Wade,
Gullikson,	Nicholson,	Watts
Hall,	Nevin,	Willison,
Hare,	Packard,	Winslow,
Hammond,	Parr,	Young,
Heath,	Phifer,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Chevalier,	Thomas,
Bjornson,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Michels,	Swarthout,
Chacey,	Palmer,	Watson,
Mallough,		

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Bacon moved that the vote by which Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the state university at Grand Forks, agricultural college at Fargo, State normal school at Valley City, state normal school at Mayville and the deaf and dumb asylum at Devils Lake, as a part of the system of public schools.

Was passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 71,

A bill for an act to amend section 5958 of the Revised Codes, enumerating what property may be taken in the exercise of the right of eminent domain.

Also,

House bill No. 156,

A bill for an act to amend section 715 of the Revised Codes of 1899, requiring county superintendents of schools to report all school moneys to district treasurers.

Also,

House bill No. 180,

A bill for an act for the protection of manufacturers of soda water, mineral water and other like beverages.

- And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The chief clerk announced that the speaker was about to sign House bill No. 71,

A bill for an act to amend section 5958 of the Revised Codes, enumerating what property may be taken in the exercise of the right of eminent domain.

Also,

House bill No. 156,

A bill for an act to amend section 715 of the Revised Codes of 1899, requiring county superintendents of schools to report all school moneys to district treasurers.

Also,

House bill No. 180,

A bill for an act for the protection of manufacturers of soda water, mineral water and other like beverages.

And the speaker signed the same in the presenee of the house.

Senate bill No. 218,

A bill for an act to amend section 2540 of the Revised Codes of North Dakota, relating to the time of holding annual township meetings.

Was read the third time.

Mr. Cassell asked unanimous consent to make an amendment. There being no objection, the request was granted.

Mr. Cassell offered the following amendment and moved its adoption:

Amend by striking out section 3, the emergency clause.

Which motion prevailed.

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

The roll was called and there were ayes 38, nays 17, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Bacon,
Bennett,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,

Messrs.—

Gullikson,
Hall,
Hammond,
Heath,
Hill,
Hjelmstad,
Leech,
Lemke,
Lerom,

Messrs.—

Packard,
Parr,
Ramsett,
Reade,
Stafne,
Thomas,
Thordarson,
Tubbs,
Watts,

Messrs.—

Dwire,
Galbraith,
Gronvold,
Gulack,

Messrs.—

McClure,
Miller,
Morgan,
Nicholson,

Messrs.—

Winslow,
• Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Bjornson,
Johnson,
Keeler,
McLean,

Messrs.—

Nelson,
Phifer,
Restemayer,
Rose,
Sargeant,
Severson,

Messrs.—

Strutz,
Tufte,
Wade,
Watson,
Willison,

Absent and not voting:

Messrs.—

Allshouse,
Hare,
Mallough,

Messrs.—

Michels,
Palmer,

Messrs.—

Nevin,
Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Davis moved that the vote by which
Senate bill No. 218.

A bill for an act to amend section 2540 of the Revised Codes of North Dakota, relating to the time of holding annual township meetings.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Keeler requested the courtesies of the floor for Mr. and Mrs. L. L. Watson, of Stutsman county; Mrs. W. T. Sprake, of Cass county.

Mr. Young requested the courtesies of the floor for Wm. Cook and E. T. Burke.

There being no objections, the courtesies of the floor were so extended

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1901

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 228,

A bill for an act providing for the sale of public lands during the year 1901, and for the disposal of the proceeds of such sale and the revenue accruing thereon.

Also,

Senate bill No. 225,

A bill for an act to provide for the investment of the sinking funds of special school districts and to prescribe a mode of executing, satisfying, and foreclosing mortgages taken upon such investments.

Also,

Senate bill No. 26,

A bill for an act to amend section 479 of the Revised Codes of North Dakota, relating to the qualifications of voters.

Which the senate has passed and your favorable consideration therein is respectfully requested.

Also,

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

Which the senate has amended as follows:

By adding at the end of section 1 of the engrossed bill the following: "Upon opening of the bids the board shall award the contract to the lowest responsible bidder and enter into a contract with him for the performance of the work subject to the conditions herein above set forth; provided, further, that nothing in this act shall prevent the awarding of separate contracts for the engrossing and enrolling provided for herein, if deemed advantageous to the state by such board," and passed said bill as amended.

Very respectfully,
 GEORGE L. TOWNES,
 Secretary.

GENERAL ORDERS.

Mr. Packard moved that the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The Speaker called Mr. Restemayer to the chair.

When the committee arose they made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration Senate bill No. 42,

A bill for an act entitled an act to provide for the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

And recommend that the same be amended as follows:

So that section 7 shall read as follows:

"Sec. 7. The county superintendents shall thereupon call an election for the election of officers of such special school district, and school district, of which notice shall be given for at least fifteen days, which election shall be held as in other cases, in school districts, and special school

districts, and such special school districts shall thereafter be subject to all provisions of law affecting other school districts.

And when so amended recommend that the same do pass.

Also,

Substitute for Senate bill No. 115,

A bill for an act to amend sections 1842, 1893, 1896 and 2095 of the Revised Codes of 1899, relating to commissioner districts, and the powers, election and compensation of county commissioners.

And recommend that the same do pass.

Also,

House bill No. 189,

A bill for an act to amend section 3115 of the Revised Codes of the state of North Dakota of 1895, relating to fidelity insurance companies and providing that same shall give reasons for rejecting applications for suretyship, and prescribing penalty for failure to do so.

Also,

House bill No. 185,

A bill for an act to amend section 1030 of the Revised Codes of 1899, providing for the use of lignite coal in the various state institutions, county buildings and public schools of the state and for the purchase of the same from the lowest responsible bidder.

And recommend that the same be indefinitely postponed.

Also,

House bill No. 140,

A bill for an act to amend section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.

And recommend that the same be amended as follows:

In line 12 and 13 of the printed bill strike out the word "seventeen" and insert in lieu thereof the word "twenty-four."

And when so amended recommend that the same do pass.

Also,

Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

And recommend that the same do pass.

Also,

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

And recommend that the same be amended as follows:

By striking out all of section one (1) after the word "served" in line 3.

And when so amended recommend that the same do pass.

Also,

Senate bill No. 45,

A bill for an act entitled an act to amend section 2061 of the Revised Codes of North Dakota, relating to salary of clerk of district court.

And recommend that the same be indefinitely postponed.

Also,

Senate bill No. 205,

A bill for an act to amend section 5961 of the code of civil procedure, and to facilitate the assessment of damages under the law of eminent domain, and to regulate procedure in actions brought thereunder.

And recommend that the same be amended as follows:

By inserting in line 20, page 3 of printed bill after word "sheriff" the words "the plaintiff shall give sufficient surety to be approved by the clerk of said court for the payment of all jury fees and mileage."

And when so amended recommend that the same do pass.

Also,

House bill No. 204,

A concurrent resolution amending section 217 of the constitution of the state of North Dakota.

And recommend that the same be indefinitely postponed.

E. H. RESTEMAYER,
Chairman.

Mr. Tufte moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

Mr. Hare moved

That the house go to the fifth order of business,
Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House bill No. 8,
A bill for an act concerning land titles.
And find the same correctly engrossed.

J. M. WATSON,
Chairman.

Mr. Rose moved that the rules be suspended and

House bill No. 8,

A bill for an act concerning land titles.

Be put on its third reading and final passage.

Which motion was lost.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 164,

A bill for an act entitled "An act to provide for transfer facilities at track crossings at grade of common carriers, determining powering the board of railroad commissioners to establish reahow the expenses of such track crossings shall be paid and emsonable joint through rates."

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 39,

A bill for an act to amend section 888, Revised Codes, 1899, relating to education.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 38,

A bill for an act to amend section 913 of the Revised Codes of 1899, relating to education.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 233,

A bill for an act to amend section 5658 of the Revised Codes of 1899 relating to attendance of witnesses for examination.

Was read the first and second times, and

And referred to the steering committee.

Also,

Senate bill No. 228,

A bill for an act providing for the sale of public lands during the year 1901, and for the disposal of the proceeds of such sale and the revenue accruing thereon.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 26,

A bill for an act to amend section 479 of the Revised Codes of North Dakota relating to the qualifications of voters.

Also,

Senate bill No. 20,

A bill for an act to provide for the admission of graduates from

the law department of the university of North Dakota to the bar of this state.

Was read the first and second times, and
Referred to the steering committee.

Also,
Senate bill No. 223,

A bill for an act to provide for the settlement of claims of the state against sureties on bonds of state depositories.

Was read the first and second times, and
Referred to the steering committee.

Also,
Senate bill No. 27,

A bill for an act authorizing the board of trustees of the North Dakota agricultural college to co-operate with the geological, agricultural, and other surveys, organized under the department of the interior of the United States, in completing a topographic, agricultural and geological survey and map of North Dakota and making an appropriation therefor.

Was read the first and second times, and
Referred to the steering committee.

Also,
Substitute for Senate bill No. 154,

A bill for an act defining express companies, freight line companies, equipment companies, telegraph and telephone companies and providing for the assessment of their property and taxation of the same.

Was read the first and second times, and
Referred to the steering committee.

Also,
Senate bill No. 147,

A bill for an act authorizing the issuance of bonds, based upon the normal school land grant, for the purpose of erection and completion of buildings for the use of the state normal schools at Valley City and Mayville.

Was read the first and second times, and
Referred to the steering committee.

Also,
Senate bill No. 225,

A bill for an act to provide for the investment of the sinking funds of special school districts and to prescribe a mode of executing, satisfying, and foreclosing mortgages taken upon such investments.

Was read the first and second times, and
Referred to the steering committee.

Senate bill No. 224,

A bill for an act to amend section 2467 of the Revised Codes of North Dakota, 1899, relating to free public libraries.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 158,

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspection of mines.

Was read the first and second times, and

Referred to the steering committee.

Mr. Leech moved

That the house take a recess for five minutes.

Which motion prevailed, and

The house took a recess.

House re-assembled.

The steering committee made the following report:

Mr. Speaker:

Your steering committee beg leave to recommend that we now consider house bills on their third reading and final passage in the following order, to-wit: Nos. 8 and 179, and that House bills Nos. 210 and 140 be considered as engrossed and also placed upon their third reading and final passage in the order named; that then we consider messages from the senate.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

THIRD READING OF HOUSE BILLS.

House bill No. 8,

A bill for an act concerning land titles.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays 2, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bennett,
Bjornson,
Brisbin,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,

Messrs.—

Chacey,
Chaffee,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Heath,
Hill,
Hjelmstad,

Messrs.—

Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,

Absent and not voting:

Messrs.—

Allshouse,
Anderson,
Bacon,

Messrs.—

Cassell,
Chevalier,
Hammond,

Messrs.—

Dwire,
Mallough,
Swarthout,

Messrs. Young and Mr. Speaker voting in the negative.

Messrs. Allshouse, Cassell, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Cassell asked to be excused from voting.

Mr. Packard explained his vote.

Mr. Young explained his vote.

Mr. Cassell moved that the vote by which
House bill No. 8,

A bill for an act concerning land titles.

Was passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,

Messrs.—

Hill,
Hjelmstad,
Johnson,

Messrs.—

Reade,
Restemayer,
Rose,

Messrs.—

Bennett,
Brisbin,
Cassell,
Chacey
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Heath,

Messrs.—

Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Ramsett,

Messrs.—

Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Hammond,

Messrs.—

Mallough,
Michels,

Messrs.

Phifer,
Swarthout,

Mr. Bjornson voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Restemayer moved that the vote by which
House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 210,

A bill for an act to amend section 694 of the Revised Codes, relating to education.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 23, nays 32, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Bacon,
Cassell,
Chaffee,
Dickson,
Dwire,
Galbraith,

Messrs.—

Heath,
Keeler,
Morgan,
Nelson,
Nevin,
Parr,

Messrs.—

Stafne,
Thomas,
Thordarson,
Tubbs,
Watson,
Young,

Messrs.—	Messrs.—	Messrs.—
Gullikson,	Ramsett,	Mr. Speaker,
Hall,	Severson,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hill,	Packard,
Axvig,	Hjelmstad,	Phifer,
Bjornson,	Johnson,	Reade,
Brisbin,	Leech,	Restemayer,
Chacey,	Lemke,	Sargeant,
Chevalier,	Lerom,	Strutz,
Davis,	McClure,	Tufte,
Gronvold,	McLean,	Wade,
Gulack,	Michels,	Watts,
Hare,	Miller,	Willison,
Hammond,	Nicholson,	
Messrs.—	Messrs.—	Messrs.—
Allhouse,	Palmer	Swarthout,
Bennett,	Rose,	Winslow,
Mallough,		

Messrs. Allhouse, Mallough and Swarthout being excused.
So the bill was lost.

Mr. Young moved that the vote by which
House bill No. 210,

A bill for an act to amend section 694 of the Revised Codes,
relating to education.

Was passed be reconsidered, and the motion to reconsider be laid
on the table.

Which motion prevailed.

House bill No. 140,

A bill for an act to amend section 76 of chapter 126 of the laws
of 1897, being section 1261 of the Revised Codes of the state of
North Dakota, 1899, in regard to revenue and taxation, and pro-
viding that in bidding at public vendue the purchaser who will
pay the total amount of taxes, penalties and costs charged
against land sold therefor at the lowest rate of interest shall be
the best bidder therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent
and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad.	Reade,
Axvig,	Johnson,	Restemayer,
Bacon,	Keeler,	Rose,
Bennett,	Leech,	Sargeant,
Bjornson,	Lemke,	Severson,
Cassell,	Lerom,	Stafne,
Chacey,	McClure,	Strutz,
Chaffee,	McLean,	Thomas,
Davis,	Michels,	Thordarson,

Messrs.—

Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,
Hill,

Messrs.—

Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allhouse.
Brisbin,

Messrs.—

Chevalier,
Dwire,

Messrs.—

Mallough,
Swarthout,

Messrs. Allhouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Galbraith moved that the vote by which
House bill No. 140,

A bill for an act to amend section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Davis moved

That the house concur in the senate amendment to

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

Which motion prevailed, and

The amendment was adopted,

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

The roll was called and there were ayes 54, nays 2, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chaffee

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,

Messrs.—

Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,

Messrs.—	Messrs.—	Messrs.—
Davis,	McClure,	Strutz
Dickson	McLean,	Thomas,
Dwire	Michels,	Thordarson,
Galbraith,	Miller,	Tubbs,
Gronvold,	Morgan,	Tufte,
Gulack	Nelson,	Wade,
Gullikson,	Nicholson,	Watts,
Hall,	Nevin,	Watson,
Hare,	Packard,	Willison,
Hammond,	Palmer,	Winslow,
Heath,	Parr,	Young,
Hill,	Phifer,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Chevalier	Rose.
Anderson,	Mallough,	Swarthout,

Messrs. Axvig and Chacey voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which
House bill No. 164,

A bill for an act providing for the engrossing and enrolling of
bills for the legislative assembly by contract.

As amended by the senate be reconsidered, and the motion to
reconsider be laid on the table.

Which motion prevailed.

Mr. Cassell moved

That the house concur in the senate amendment to
House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised
Codes of 1899, relating to school district bonds.

Which motion prevailed, and

The amendment was adopted.

The question being upon the final passage of the bill as amended

The roll was called and there were ayes 59, nays none, absent
and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Ramsett,
Axvig,	Hill,	Reade,
Bacon,	Hjelmstad,	Restemayer,
Bennett,	Johnson,	Rose,
Bjornson,	Keeler,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	Lerom,	Strutz,
Chaffee,	McClure,	Thomas,
Chevalier,	McLean,	Thordarson,
Davis,	Michels,	Tubbs,
Dickson,	Miller,	Tufte,
Dwire,	Morgan,	Wade,

Messrs.—	Messrs.—	Messrs.—
Galbraith,	Nelson,	Watts,
Gronvold,	Nevin,	Watson,
Gulack,	Nicholson,	Willison,
Gullikson,	Packard,	Winslow,
Hall,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond.	Phifer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
allshouse,	Mallough,	Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.
So the bill passed and the title was agreed to.

Mr. Reade moved

That the house concur in the senate amendment to
House bill No. 89,

A bill for an act to amend section 2073, chapter 27 of the Revised Codes of 1899 of the state of North Dakota, relating to the salaries of county auditors.

Mr. Chaffee moved as a substitute that the house do not concur and that the speaker appoint a conference committee.

Which substitute motion prevailed, and

The speaker appointed as such committee Messrs. Chaffee, Winslow and Axvig.

Mr. Cassell moved

That the house take a recess until 10 o'clock a. m. tomorrow.

Which motion prevailed, and

The house took a recess until 10 o'clock a. m. tomorrow.

FIFTY EIGHTH DAY—MORNING SESSION.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 6, 1901.

REPORT OF STEERING COMMITTEE.

The steering committee made the following report:

Mr. Speaker:

Your steering committee beg leave to recommend that the order of business for this morning's session be first the consideration of committee reports; second, the third reading and final passage of house bills; third, the third reading and final passage of the following senate bills in the order herein named, to-wit:

Senate bill No. 1,

A bill for an act entitled an act to provide for the trial of civil actions.

Also,

Senate bill No. 219

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Also,

Senate bill No. 170,

A bill for an act providing that certain records shall be kept in the office of the state treasurer.

Also,

Senate bill No. 117,

A bill for an act to amend section 1015 and article 2 of chapter 10 of the Revised Codes of the state of North Dakota, 1899.

Also,

Senate bill No. 150,

A bill for an act entitled "An act to amend section 327 of the Revised Codes of 1899, providing for the record of fees and monthly reports and payments of said fees to the state treasurer monthly by any state officer or deputy authorized by law to receive said fees."

Also,

Senate bill No. 101,

A bill for an act to amend section 7464 of the Revised Codes of North Dakota, 1899, relating to embezzlement.

Also,

Senate bill No. 123,

A bill for an act to amend section 1942 of the Revised Codes of 1899, relating to depositories for county funds.

Also,

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Also,

Senate bill No. 153,

A bill for an act to amend section 1180 of the Revised Codes relating to property exempt from taxation.

Also,

Senate bill No. 161,

A bill for an act to legalize the assessment and levy of taxes in territory over which counties have exercised criminal and civil jurisdiction for four years last past, and providing for the collection of the same.

Also,

Senate bill No. 186,

A bill for an act creating a board of trustees for an institution

for the feeble minded located at or near the city of Grafton, Walsh county, North Dakota, by an act of congress entitled "An act making appropriations for sundry civil expenses of the government in the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894, and defining the duties of such board of trustees.

Also,

Senate bill No. 188,

A bill for an act entitled an act to amend section 1289 of the Revised Codes of 1899, relating to notice when time for redemption expires. Duties of certificate holders and auditors.

Also,

Senate bill No. 91,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for a system of sewerage and for other necessary improvements for the North Dakota Agricultural college at Fargo.

Also,

Senate bill No. 147,

A bill for an act authorizing the issuance of bonds, based upon the normal school land grant, for the purpose of erection and completion of buildings for the use of the state normal schools at Valley City and Mayville.

Also,

Senate bill No. 224,

A bill for an act to amend section 2467 of the Revised Codes of North Dakota, 1899, relating to free public libraries.

Also,

Senate bill No. 228,

A bill for an act providing for the sale of public lands during the year 1901, and for the disposal of the proceeds of such sale and the revenue accruing thereon.

Also,

Senate bill No. 136,

A bill for an act authorizing the board of trustees of the state university to issue bonds to provide a fund for the necessary repairs of buildings and to pay the floating indebtedness of said university.

Also,

Senate bill No. 199,

A bill for an act entitled "an act providing for the renewal of judgments and for continuing the lien thereof and prescribing the method of renewing the same without suit for an additional term of ten years and allowing an execution thereon after renewal."

Also,

Senate bill No. 20,

A bill for an act to provide for the admission of graduates from the law department of the university of North Dakota to the bar of this state.

Also,

Substitute for Senate bill No. 154,

A bill for an act defining express companies, freight line companies, equipment companies, telegraph and telephone companies and providing for the assessment of their property and taxation of the same.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. McClure moved

That a copy of the report be posted in the house.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The steering committee made the following report:

Mr. Speaker:

Your steering committee recommend that

House bill No. 22,

A bill for an act to amend section 225 of the Revised Codes of 1899, so as to enable the lessee of common school and public lands of the state during and within one year after his term shall have expired to remove from such lands any fencing, buildings or improvements he may have made thereon or have purchased from his predecessor.

Be considered as engrossed and placed upon its third reading and final passage.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 39,

A bill for an act to amend section 888, Revised Codes, 1899, relating to education.

Have had the same under consideration, and recommend that the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 26,

A bill for an act to amend section 479 of the Revised Codes of North Dakota, relating to the qualifications of voters.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 38,

A bill for an act to amend section 913 of the Revised Codes of 1899, relating to education.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 223,

A bill for an act to provide for the settlement of claims of the state against sureties on bonds of state depositories.

Also,

Senate bill No. 219,

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in

furnishing supplies to assessors and the date of meeting of such assessors.

Also,

Senate bill No. 224,

A bill for an act to amend section 2467 of the Revised Codes of North Dakota, 1899, relating to free public libraries.

Also,

Senate bill No. 225,

A bill for an act to provide for the investment of the sinking funds of special school districts and to prescribe a mode of executing, satisfying, and foreclosing mortgages taken upon such investments.

Also,

Senate bill No. 233,

A bill for an act to amend section 5658 of the Revised Codes of 1899 relating to attendance of witnesses for examination.

Also,

Senate bill No. 228,

A bill for an act providing for the sale of public lands during the year 1901, and for the disposal of the proceeds of such sale and the revenue accruing thereon.

Also,

Senate bill No. 20,

A bill for an act to provide for the admission of graduates from the law department of the university of North Dakota to the bar of this state.

Also,

Senate bill No. 164,

A bill for an act entitled "An act to provide for transfer facilities at track crossings at grade of common carriers, determining how the expenses of such track crossings shall be paid and empowering the board of railroad commissioners to establish reasonable joint through rates."

Also,

Substitute for Senate bill No. 154,

A bill for an act defining express companies, freight line companies, equipment companies, telegraph and telephone companies and providing for the assessment of their property and taxation of the same.

Also,

Senate bill No. 27,

A bill for an act authorizing the board of trustees of the North Dakota agricultural college to co-operate with the geological, agricultural, and other surveys, organized under the department of the interior of the United States, in completing a topographic,

agricultural and geological survey and map of North Dakota and making an appropriation therefor.

Also,

Senate bill No. 147,

A bill for an act authorizing the issuance of bonds, based upon the normal school land grant, for the purpose of erection and completion of buildings for the use of the state normal schools at Valley City and Mayville.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

THIRD READING OF HOUSE BILLS.

House bill No. 22,

A bill for an act to amend section 225 of the Revised Codes of 1899, so as to enable the lessee of common school and public lands of the state during and within one year after his term shall have expired to remove from such lands any fencing, buildings or improvements he may have made thereon or have purchased from his predecessor.

Was read the third time.

Mr. Cassell asked unanimous consent to make an amendment, there being no objection the request was granted.

Mr. Cassell offered the following amendment and moved its adoption.

Amend by inserting in line 1 of the bill before the word "that" the following: "Section 1."

Which motion prevailed, and

The amendment was adopted.

Mr. Galbraith moved to amend the title as follows:

Amend the title by striking out the words "one year" and inserting in lieu thereof the words "a reasonable time."

Which motion prevailed, and

The title was so amended.

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

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,

Messrs.—

Heath,
Hill,
Hjelmstad,

Messrs.—

Ramsett,
Reade,
Restemayer,

Messrs.—

Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Dickson,

Messrs.—

Mallough,
McLean,

Messrs.—

Swarthout,
Wade,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Galbraith moved that the vote by which
House bill No. 22,

A bill for an act to amend section 225 of the Revised Codes of 1899, so as to enable the lessee of common school and public lands of the state during and within one year after his term shall have expired to remove from such lands any fencing, buildings or improvements he may have made thereon or have purchased from his predecessor:

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senate bill No. 1,

A bill for an act entitled an act to provide for the trial of civil actions:

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,

Messrs.—

Phifer,
Reade,
Restemayer,
Rose,
Severson,
Stafne,

Messrs.—

Chacey,
Chaffee,
Chevalier,
Davis,
Lickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allhouse,
Anderson,
Gulack,

Messrs.—

Mallough,
Nevin,
Ramsett,

Messrs.—

Sargeant,
Swarthout,
Wade,

Messrs. Allhouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Reade moved that the vote by which

Senate bill No. 1,

A bill for an act entitled an act to provide for the trial of civil actions.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays 25, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bacon,
Bennett,
Brisbin,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,

Messrs.—

Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Heath,
Hill,
Hjelmstad,
Leech,
McClure,
Miller,

Messrs.—

Nicholson,
Packard,
Parr,
Reade,
Restemayer,
Rose,
Severson,
Strutz,
Tubbs,
Watts,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Bjornson,

Messrs.—

Michels,
Morgan,

Messrs.—

Stafne,
Thomas,

Messrs.—

Cassell,
Hammond,
Johnson,
Keeler,
Lemke,
Lerom,
McLean,

Messrs.—

Nelson,
Nevin,
Palmer,
Phifer,
Ramsett,
Sargeant,

Messrs.—

Thordarson,
Tufte,
Watson,
Willison,
Winslow,
Young,

Absent and not voting:

Messrs.—

Allshouse,
Mallough,

Messrs.—

Swarthout,

Messrs.—

Wade,

Messrs. Allshouse, Mallough and Swarthout being excused.
So the bill passed and the title was agreed to.

Mr. Packard moved that the vote by which
Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of
dangerous and impure oils.

Was passed be reconsidered, and the motion to reconsider
be laid on the table.

Which motion prevailed.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined
House bill No. 44,

A bill for an act to amend section 4719 of the Revised Codes of
North Dakota, 1899, relating to the discharge of real estate mort-
gages.

Also,

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes
of the state of North Dakota, relating to the rights of purchasers
of lands at sale for the non-payment of taxes.

Also,

House bill No. 175.

A bill for an act relating to the transfer of cemetery lots by
religious corporations.

Also,

House bill No. 194,

A bill for an act to amend section 3576 of article 3 of the Re-
vised Codes of North Dakota and to cure defective acknowledg-
ments.

And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The chief clerk announced that the speaker was about to sign

House bill No. 44,

A bill for an act to amend section 4719 of the Revised Codes of North Dakota, 1899, relating to the discharge of real estate mortgages.

Also,

House bill No. 194,

A bill for an act to amend section 3576 of article 3 of the Revised Codes of North Dakota and to cure defective acknowledgments.

Also,

House bill No. 175,

A bill for an act relating to the transfer of cemetery lots by religious corporations.

And the speaker signed the same in the presence of the house. Senate bill No. 219,

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays 4, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Phifer,
Axvig,	Hill,	Ramsett,
Bacon,	Hjelmstad,	Reade,
Bennett,	Johnson,	Rose,
Bjornson,	Leech,	Sargeant,
Brisbin,	Lemke,	Severson,
Cassell,	Lerom,	Stafne,
Chacey,	McClure,	Strutz,
Chevalier,	McLean,	Thomas,
Davis,	Michels,	Thordarson,
Dickson,	Miller,	Tubbs,
Galbraith,	Morgan,	Wade,
Gronvold,	Nelson,	Watts,
Gulack,	Nevin,	Watson,
Gullikson,	Nicholson,	Willison,
Hall,	Packard,	Winslow,
Hare,	Palmer,	Young,
Hammond,	Parr,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Chaffee,	Restemayer,	Tufte,
Keeler,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Mallough,	Swarthout,
Dwire,		

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 219,

A bill for an act to amend section 1208 of the Revised Codes of North Dakota, relating to the duties of the county auditor in furnishing supplies to assessors and the date of meeting of such assessors.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 170,

A bill for an act providing that certain records shall be kept in the office of the state treasurer.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Brisbin,
Dickson,

Messrs.—

Mallough,
Rose,

Messrs.—

Swarthout,
Wade,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Bennett moved that the vote by which

Senate bill No. 170,

A bill for an act providing that certain records shall be kept in the office of the state treasurer.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 117,

A bill for an act to amend section 1015 and article 2 of chapter 10 of the Revised Codes of the state of North Dakota, 1899.

Was read the third time.

Mr. Cassell moved to amend the title as follows:

By striking out all thereof and inserting in lieu thereof the following:

“For an act to amend section 1015 of the Revised Codes of 1899 relating to the duties of the board of trustees of the soldiers’ home.”

Which motion prevailed.

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

The roll was called and there were ayes 57, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,

Messrs.—

Mallough,

Messrs.—

Swarthout,

Mr. Axvig voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 117,

A bill for an act to amend section 1015 and article 2 of chapter 10 of the Revised Codes of the state of North Dakota, 1899.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Tubbs requested the courtesies of the floor for Rev. Van Horn.

Mr. Severson for Dr. Sprake.

Mr. Tufte for Mr. Gunderson of Aneta.

There being no objection the courtesies of the floor were so extended.

Senate bill No. 150,

A bill for an act entitled "An act to amend section 327 of the Revised Codes of 1899, providing for the record of fees and monthly reports and payments of said fees to the state treasurer monthly by any state officer or deputy authorized by law to receive said fees."

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Ramsett,
Axvig,	Hill,	Reade,
Bacon,	Hjelmstad,	Restemayer,
Bennett,	Johnson,	Rose,
Bjornson,	Keeler,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	Lerom,	Strutz.
Chaffee,	McClure,	Thomas,
Chevalier,	McLean,	Thordarson,
Davis,	Miller,	Tubbs,
Dickson,	Morgan,	Tufte,
Dwire,	Nelson,	Watts,
Galbraith,	Nicholson,	Watson,
Gronvold,	Nevin,	Willison,
Gulack,	Packard.	Winslow,
Gullikson,	Palmer,	Young
Hare,	Parr,	Mr. Speaker,
Hammond,	Phifer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Mallough,	Swarthout,
Hall,	Michels,	Wade,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Gronvold moved that the vote by which

Senate bill No. 150,

A bill for an act entitled "An act to amend section 327 of the Revised Codes of 1899, providing for record of fees and monthly

reports and payment of said fees to the state treasurer monthly by any state officer or deputy authorized by law to receive said fees.”

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 101,

A bill for an act to amend section 7464 of the Revised Codes of North Dakota, 1899, relating to embezzlement.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond.
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,

Messrs.—

Parr,
Phifer,
Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Mallough,

Messrs.—

Rose,
Swarthout,

Messrs.—

Wade,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Hill moved that the vote by which

Senate bill No. 101,

A bill for an act to amend section 7464 of the Revised Codes of North Dakota, 1899, relating to embezzlement.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 123,

A bill for an act to amend section 1942 of the Revised Codes of 1899, relating to depositories for county funds.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee
Chevalier
Davis,
Dickson
Dwire
Galbraith,
Gronvold,
Gulack
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz
Thomas,
Thordarson,
Tubbs,
Tuftte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Mallough,

Messrs.—

Palmer,
Swarthout,

Messrs.—

Wade,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Johnson moved that the vote by which

Senate bill No. 123,

A bill for an act to amend section 1942 of the Revised Codes of 1899, relating to depositories for county funds.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your special committee appointed to investigate the charges made against Senator Lewis and Mr. W. F. Leech of this house, by Walter F. Gaulke, Journal clerk on the force of this house, in which he is reported to have charged that Senator Lewis and Mr. Leech were to receive \$1,000 each for procuring the passage of Senate bill No. 21, "A bill for an act regulating fraternal beneficiary societies, orders or associations," having examined under oath Walter F. Gaulke, Messrs. Thordarson, Nicholson and Michels and Mr. Payne of Fargo, touching said charges, and have heard the statements of Mr. Leech and Senator Lewis in rela-

tion thereto and found the facts to be as follows: That Mr. Gaulke stated to Mr. Thordarson that Mr. Leech and Mr. Lewis were to have a thousand dollars each for procuring the passage of Senate bill No. 21 through the legislature, that Mr. Michels overheard the statement as made to Mr. Nicholson and Mr. Thordarson. There was no evidence before the committee except the unsupported evidence of Mr. Gaulke that anyone at any time or place stated to said Gaulke that there was the sum of two thousand dollars, or any other sum, which was at the command of anyone for the purpose of securing the passage of Senate bill No. 21 by this assembly. Mr. Payne stated positively that while he did have a conversation with Mr. Gaulke in relation to the bill referred to, he also stated that no sum of money to procure the passage of the bill was mentioned in any way.

Your committee therefor finds that the statements of said Walter F. Gaulke in regard to the use or proposed use of any sum of money to secure the support of Senator Lewis and Mr. Leech of Senate bill No. 21, are without any truth or foundation whatever.

Your committee therefor recommend that Walter F. Gaulke be dismissed from his place of Journal clerk of this house, unless he shall voluntarily sign a retraction certifying to the untruthfulness of the statements so made by him and publicly apologize to this house and Senator Lewis and Mr. Leech.

All of which is respectfully submitted for the consideration of the house.

C. A. HALL,
A. W. THOMAS,
JAMES MICHELS,
Committee.

RETRACTION.

The following communication was submitted:

I hereby retract any statement that may have been said by me regarding Mr. Leech or Senator Lewis, regarding any charges of money being used in the passage of Senate bill No. 21.

W. F. GAULKE.

Bismarck, March 6, 1901.

Mr. Young moved

That the report of the special committee be adopted.

Which motion prevailed, and

The report was adopted.

The apology offered by Mr. Gaulke not having been publicly made and accepted by the house, under the ruling of the speaker Mr. Gaulke was dismissed from the enrolling and engrossing force, by the adoption of the report.

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 50, nays 3, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hammond,	Phifer,
Axvig,	Heath,	Reade,
Bacon,	Hjelmstad,	Restemayer,
Bjornson,	Keeler,	Sargeant,
Cassell,	Leech,	Severson,
Chacey,	Lerom,	Strutz,
Chaffee,	McClure,	Thomas,
Chevalier,	McLean,	Thordarson,
Davis,	Michels,	Tubbs,
Dickson,	Miller,	Tufte,
Dwire,	Morgan,	Watts,
Galbraith,	Nelson,	Watson,
Gronvold,	Nevin,	Willison,
Gulack,	Nicholson,	Winslow,
Gullikson,	Packard,	Young,
Hall,	Palmer,	Mr. Speaker.
Hare,	Parr,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Johnson,	Lemke,	Stafne,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse.	Hill,	Rose,
Bennett,	Mallough,	Swarthout,
Brisbin,	Ramsett,	Wade,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Nicholson moved that the vote by which

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 153,

A bill for an act to amend section 1180 of the Revised Codes relating to property exempt from taxation.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hill,	Phifer,
Axvig,	Hjelmstad,	Ramsett,
Bacon,	Johnson,	Reade,
Bjornson,	Keeler,	Restemayer,
Cassell,	Leech,	Rose,
Chacey,	Lemke,	Sargeant,
Chaffee,	Lerom,	Severson,
Chevalier,	McClure,	Strutz,
Davis,	McLean,	Thomas,
Dickson,	Michels,	Thordarson,
Dwire,	Miller,	Tubbs,
Galbraith,	Morgan,	Tufte,
Gronvoid,	Nelson,	Watts,
Gulack,	Nevin,	Watson,
Gullikson,	Nicholson,	Willison,
Hall,	Packard,	Winslow,
Hare,	Palmer,	Young,
Hammond,	Parr,	Mr. Speaker,
Heath,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Mallough,	Swarthout
Bennett,	Stafne,	Wade,
Brisbin,		

Messrs. Allhouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Watts moved that the vote by which Senate bill No. 153,

A bill for an act to amend section 1180 of the Revised Codes, relating to property exempt from taxation.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed,

Senate bill No. 161,

A bill for an act to legalize the assessment and levy of taxes in territory over which counties have exercised criminal and civil jurisdiction for four years last past, and providing for the collection of the same.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Ramsett,
Axvig,	Johnson,	Reade,
Bacon,	Keeler,	Restemayer,
Bennett,	Leech,	Rose,
Bjornson,	Lemke,	Severson,

Messrs.—	Messrs.—	Messrs.—
Cassell,	Lerom,	Stafne,
Chacey,	McClure,	Strutz,
Chaffee,	McLean,	Thomas,
Chevalier,	Michels,	Thordarson,
Davis,	Miller,	Tubbs,
Dickson,	Morgan,	Tufte,
Galbraith,	Nicholson,	Watts,
Gronvoid,	Nevin,	Watson,
Gulack,	Packard,	Willison,
Gullikson,	Palmer,	Winslow,
Hare,	Parr,	Young,
Heath,	Phifer,	Mr. Speaker.
Hill,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse.	Hammond,	Sargeant,
Brisbin,	Mallough,	Swarthout,
Dwire,	Nelson,	Wade,
Hall,		

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title **was agreed to.**

Mr. McClure moved that the vote by which

Senate bill No. 161,

A bill for an act to legalize the assessment and levy of taxes in territory over which counties have exercised criminal and civil jurisdiction for four years last past, and providing for the collection of the same.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 186,

A bill for an act creating a board of trustees for an institution for the feeble minded located at or near the city of Grafton, Walsh county, North Dakota, by an act of congress entitled "An act making appropriations for sundry civil expenses of the government in the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894, and defining the duties of such board of trustees.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 50, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hammond,	Parr,
Bacon,	Heath,	Phifer,
Bennett,	Hill,	Reade,
Bjornson,	Hjelmstad.	Restemayer,
Brisbin,	Johnson,	Rose,
Cassell,	Leech,	Stafne,

Messrs.—

Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hare,

Messrs.—

Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nevin,
Nicholson,
Packard,
Palmer,

Messrs.—

Strutz,
Thomas,
Thordarson,
Tufte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse.
Axvig,
Hall,
Keeler,

Messrs.—

Mallough,
Nelson,
Ramsett,
Sargeant,

Messrs.—

Severson,
Swarthout,
Tubbs,
Wade,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Gulack moved that the vote by which
Senate bill No. 186,

A bill for an act creating a board of trustees for an institution for the feeble minded located at or near the city of Grafton, Walsh county, North Dakota, by an act of congress entitled "An act making appropriations for sundry civil expenses of the government in the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894, and defining the duties of such board of trustees.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Cassell moved

That the rules be suspended for the purpose of introducing a concurrent resolution.

Which motion prevailed.

Mr. Rose introduced the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Whereas, the battle of White Stone Hill, which occurred on the third day of September, 1863, in Dickey county, North Dakota, between the national forces under the command of General Sulley and the Sioux Indians in which Lieutenant Leavering and twenty-two others were killed, nearly as many others mortally wounded, about two hundred Indians killed, a large number wounded and several hundred taken prisoners, has never been properly commemorated by a suitable monument; therefore, be it

Resolved, by the house of representatives, the senate concurring, that our senators and representatives in congress be

urged to do all in their power to secure the erection of a suitable monument to mark said battle field and commemorate the struggle in which so many brave men gave up their lives.

Resolved, further, that a copy of these resolutions, properly attested, be sent to each of our senators and representatives in the congress of the United States.

Which motion prevailed, and
The concurrent resolution was adopted.

Mr. Bacon moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FIFTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 6, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Allshouse, Mallough and Swarhout who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1901

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 231,

A bill for an act to amend sections 136, 141 and 145 of the Revised Codes of 1899 relating to the state examiner, his appoint-

ment, term of office, qualifications, examination of banks, salary, deputy and his salary, and penalty for malfeasance.

Also,

Senate bill No. 214,

A bill for an act entitled "An act to amend section 2080 of the Revised Codes of 1899, relating to the salary of county treasurers."

Also,

Senate bill No. 232,

A bill for an act to amend section 3218 of the Revised Codes of 1899 relating to the examination of building and loan associations by the state examiner and the fees therefor.

Also,

Senate bill No. 234,

A bill for an act requiring the secretary of state to publish names of commission merchants and other factors receiving grain in this state who have been licensed and filed bonds.

Also,

Senate bill No. 200,

A bill for an act entitled an act to define the system of free public schools of the state.

Also,

Senate bill No. 180,

A bill for an act to amend section 527 of the Revised Codes of 1899, relating to abstract of votes. Certificate of election. Publication of returns.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The steering committee made the following report:

Mr. Speaker:

Your steering committee beg leave to submit the following recommendations:

That we follow the regular order of business; that when the third reading of senate bills is reached that the following bills be placed upon final passage and in the order following:

Senate bill No. 144,

A bill for an act to amend section 119 of the Revised Codes of 1899, relating to the duties of the attorney general.

Also,

Senate bill No. 157,

A bill for an act entitled an act to amend section 238 of the Revised Codes, relating to state depositories.

Also,

Senate bill No. 163,

A bill for an act to amend section 3231, Revised Codes, relating to capital of banks.

Also,

Senate bill No. 119,

A bill for an act entitled "An act amending section 6777, relating to appeals from justice court making the payment of transcript fees a condition precedent to granting an order compelling a justice to certify up the record."

Also,

Senate bill No. 122,

A bill for an act to empower the board of county commissioners to offset due or delinquent taxes, due from any person, corporation or society, in whose favor an indebtedness has accrued against such county.

Also,

Senate bill No. 93,

A bill for an act repealing sections 1675, 1676, 1677 and 1678, Revised Codes, 1899, relating to bounties for the manufacture of spinning fibres.

Also,

Senate bill No. 94,

A bill for an act repealing sections 1679 and 1680, Revised Codes, 1899, relating to bounties for the manufacture of binding twine.

Also,

Senate bill No. 103,

A bill for an act entitled an act authorizing the requirement of an additional bond to be furnished by city treasurers, and declaring the office vacant upon neglect or refusal so to do.

Also,

Senate bill No. 142,

A bill for an act entitled an act to amend section 5730, Revised Codes, relating to service of notices and papers.

Also,

Senate bill No. 95,

A bill for an act prescribing the duties of county auditor in reference to the certification of abstracts of titles to real estate.

Also,

Senate bill No. 71,

A bill for an act to amend section 497b of the Revised Codes, relating to the time of holding caucuses and the issuance of certificates of election of delegates.

Also,

Senate bill No. 127,

A bill for an act entitled an act to amend and re-enact section 2082 of the Revised Codes of the Revision of 1899, relating to fees and compensation of sheriffs.

Also,

Senate bill No. 116,

A bill for an act to amend section 6670, of the Revised Codes and to repeal section 6671 of the Revised Codes.

Also,

Senate bill No. 64,

A bill for an act entitled an act to amend section 5260, Revised Codes of 1899, relating to the manner of commencing civil actions.

Also,

Senate bill No. 160,

A bill for an act entitled an act defining newspaper libel and providing for demanding remedy before action can be brought.

Also,

Senate bill No. 92,

A bill for an act to prevent the extermination of antelope.

Also,

Senate bill No. 141,

A bill for an act entitled an act to provide when execution of judgment in civil actions may be stayed.

Also,

Senate bill No. 79,

A bill for an act entitled an act to amend section 5046 of the Revised Codes of 1899 relating to injunctions.

Also,

Senate bill No. 118,

A bill for an act entitled an act concerning covenants of warranty.

Also,

Senate bill No. 61,

A bill for an act entitled an act to amend section 6633 of Revised Codes of 1899, relating to commencement of actions in justice court.

This report being supplemental to and a continuation of our former report, and we further recommend that the consideration of messages from the senate be in order at any time.

M. B. CASSELL,

Chairman.

Mr. Cassell moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal asked further time.

There being no objections the request was granted,

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 6, 1901,

To the House of Representatives:

Gentlemen—I have the honor to inform you that I have approved and filed with the honorable secretary of state

House bill No. 145,

A bill for an act entitled an act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the twine and cordage factory thereat and providing for the sale and redemption of the same.

Also,

House bill No. 156,

A bill for an act to amend section 715 of the Revised Codes of 1899, requiring county superintendents of schools to report all school moneys to district treasurers.

Also,

House bill No. 180,

A bill for an act for the protection of manufacturers of soda water, mineral water and other like beverages.

Very respectfully yours,

FRANK WHITE,

Governor.

The speaker announced the appointment of a committee for correction and revision of Journal for sixtieth day, and comparing printed Journal with permanent Journal. Messrs. Winslow, chairman, Reade and the chief clerk.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House bill No. 198,

A bill for an act fixing a penalty for any corporation, association, person or persons, for in any manner interfering with, or hindering, any persons in charge of any live stock being or about to be, transported over any railway in this state, in furnishing the feed or bedding in cars at any feeding station in the state.

Also,

House bill No. 223,

A bill for an act to amend section 2611 of the Revised Codes of the state of North Dakota of 1899, relating to duties and salaries of township treasurers.

And find the same correctly engrossed.

J. M. WATSON,
Chairman.

REPORT OF SPECIAL COMMITTEE.

The special committee made the following report:

Mr. Speaker:

Your committee on mileage and per diem have been requested to report as to the rights of the messenger and post master to have and receive \$30 each as provided in chapter 27 of the session laws of 1897, for hack hire.

Have had the same under consideration and recommend said amounts be allowed as provided in said act.

G. O. GULACK, Chairman,
JAMES MICHELS,
T. J. DWIRE,
E. H. RESTEMAYER,
A. M. PACKARD.

Mr. Thomas moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

THIRD READING OF HOUSE BILLS.

House bill No. 198,

A bill for an act fixing a penalty for any corporation, association, person or persons, for in any manner interfering with, or hindering, any persons in charge of any live stock being or about to be, transported over any railway in this state, in furnishing the feed or bedding in cars at any feeding station in this state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,

Messrs.—

Phifer,
Reade,
Restemayer,
Rose,
Severson,

Messrs.—

Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gulack,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer
Parr,

Messrs.—

Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Young,
Winslow,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Gronvold,

Messrs.—

Gullikson,
Mallough,
Ramsett,

Messrs.—

Swarthout,
Sargeant,

Mr. Watts voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Packard moved that the vote by which

House bill No. 198,

A bill for an act fixing a penalty for any corporation, association, person or persons, for in any manner interfering with, or hindering, any persons in charge of any live stock being or about to be, transported over any railway in this state, in furnishing he feed or bedding in cars at any feeding station in this state.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House bill No. 223,

A bill for an act to amend section 2611 of the Revised Codes of the state of North Dakota of 1899, relating to duties and salaries of township treasurers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,

Messrs.—

Phifer,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,

Messrs.—

Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker.

Absent and not voting:

Messrs.—

Allshouse,
Bennett,
Dwire,

Messrs.—

Mallough,
Ramsett,

Messrs.—

Sargeant,
Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Rose moved that the vote by which

House bill No. 223,

A bill for an act to amend section 2611 of the Revised Codes of the state of North Dakota of 1899, relating to duties and salaries of township treasurers.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign Senate bill No. 143,

A bill for an act entitled "an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, the executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building."

Also,

Senate bill No. 148,

A bill for an act entitled an act to provide for the maintenance of the state university at Grand Forks, agricultural college at Fargo, state normal school at Valley City, state normal at Mayville, and the deaf and dumb asylum of Devils Lake, as a part of the system of public schools.

Also,

Senate bill No. 151,

A bill for an act to appropriate money to pay the annual expense of appraising, advertising, and selling common school and institution lands.

Also,

Senate bill No. 21,

A bill for an act regulating fraternal beneficiary societies, orders or associations.

Also,

Senate bill No. 121,

A bill for an act making an appropriation for repairing and furnishing the executive mansion.

Also,

Senate bill No. 88,

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

Also,

Senate bill No. 162,

A bill for an act entitled an act providing for an appropriation for the payment of the current and contingent expenses of the North Dakota agricultural college for one year.

Also,

Senate bill No. 30,

A bill for an act entitled "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.

Also,

Senate bill No. 172,

A bill for an act entitled an act repealing section 131a of the Revised Codes, 1899, making an appropriation to promote immigration.

Also,

Senate bill No. 59,

A bill for an act to provide for the current and contingent expenses for the hospital for the insane at Jamestown, North Dakota.

Also,

Senate bill No. 124,

A bill for an act to provide a fund for the purpose of retiring the principal of the bonded indebtedness of the state.

Also,

Senate bill No. 184,

A bill for an act repealing section 966a, Revised Codes, 1899, relating to issuing certificates of indebtedness to provide for the equipment of the deaf and dumb asylum.

Also,

Senate bill No. 75,

A bill for an act entitled an act making appropriation for the current and contingent expenses of the Soldiers' Home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Also,

Senate bill No. 81,

A bill for an act to provide for the maintenance of the Indus-

trial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Also,

Senate bill No. 67,

A bill for an act for an appropriation for the maintenance and improvements of the state normal school at Mayville, North Dakota.

Also,

Senate bill No. 218,

A bill for an act to amend section 2540 of the Revised Codes of North Dakota, relating to the time of holding annual township meetings.

Also,

Senate bill No. 43,

A bill for an act providing for an appropriation for the maintenance and improvement of the state normal school at Valley City, North Dakota.

Also,

Senate bill No. 83,

A bill for an act for the maintenance of the deaf and dumb asylum of North Dakota and making an appropriation therefor, And the speaker signed the same in the presence of the house.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 180,

A bill for an act to amend section 527 of the Revised Codes of 1899 relating to abstract of votes. Certificate of election. Publication of returns.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 200,

A bill for an act entitled an act to define the system of free public schools of the state.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 234,

A bill for an act requiring the secretary of state to publish names of commission merchants and other factors receiving grain in this state who have been licensed and filed bonds.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 232,

A bill for an act to amend section 3218 of the Revised Codes of

1899 relating to the examination of building and loan associations by the state examiner and the fees therefor.

Was read the first and second times, and

Referred to the steering committee.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

Also,

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

And find the same correctly enrolled.

ASA SARGEANT,

Chairman.

Senate bill No. 231,

A bill for an act to amend sections 136, 141 and 145 of the Revised Codes of 1899 relating to the state examiner, his appointment, term of office, qualifications, examination of banks, salary, deputy and his salary, and penalty for malfeasance.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 214,

A bill for an act entitled "An act to amend section 2080 of the Revised Codes of 1899, relating to the salary of county treasurers."

Was read the first and second times, and

Referred to the steering committee.

The chief clerk announced that the speaker was about to sign

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

Also,

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

And the speaker signed the same in the presence of the house.

THIRD READING OF SENATE BILLS.

Senate bill No. 188,

A bill for an act entitled an act to amend section 1289 of the Revised Codes of 1899, relating to notice when time for redemption expires. Duties of certificate holders and auditors.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Ramsett,
Axvig,	Hill,	Reade,
Bacon,	Hjelmstad,	Restemayer,
Bennett,	Johnson,	Rose,
Bjornson,	Keeler,	Sargeant,
Brisbin,	Leech,	Stafne,
Cassell,	Lemke,	Strutz,
Chacey,	Lerom,	Thomas,
Chaffee,	McClure,	Thordarson,
Chevalier,	McLean,	Tubbs,
Davis,	Michels,	Tufte,
Dickson,	Miller,	Wade,
Dwire,	Morgan,	Watts,
Galbraith,	Nelson,	Watson,
Gronvold,	Nevin,	Willison,
Gulack,	Nicholson,	Winslow,
Gullikson,	Packard,	Young,
Hall,	Palmer,	Mr. Speaker,
Hare,	Phifer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse.	Mallough,	Severson,
Hammond.	Parr,	Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which Senate bill No. 188,

A bill for an act entitled an act to amend section 1289 of the Revised Codes of 1899, relating to notice when time for redemption expires. Duties of certificate holders and auditors.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 91,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for a system of sewerage and for other necessary improvements for the North Dakota Agricultural college at Fargo.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays 3, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker.

Those voting in the negative were:

Messrs.—

Anderson

Messrs.—

Axvig,

Messrs.—

McLean,

Absent and not voting:

Messrs.—

Allshouse,
Hammond,

Messrs.—

Mallough,

Messrs.—

Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved that the vote by which

Senate bill No. 91,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for a system of sewerage and for other necessary improvements for the North Dakota Agricultural college at Fargo.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 147,

A bill for an act authorizing the issuance of bonds, based upon the normal school land grant, for the purpose of erection and completion of buildings for the use of the state normal schools at Valley City and Mayville.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays 2, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Bacon,
Bjornson,

Messrs.—

Hjelmstad,
Johnson,

Messrs.—

Restemayer,
Rose,

Messrs.—

Brisbin,
Cassell,
Chacey,
Chaffee,
Chevallier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,
Heath,
Hill.

Messrs.—

Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Phifer,
Ramsett,
Reade,

Messrs.—

Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thoruarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Bennett,
Dickson,

Messrs.—

Mallough,
Miller,

Messrs.—

Parr,
Swarthout,

Messrs. Anderson and Axvig voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Young moved that the vote by which

Senate bill No. 147,

A bill for an act authorizing the issuance of bonds, based upon the normal school land grant, for the purpose of erection and completion of buildings for the use of the state normal schools at Valley City and Mayville.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 228,

A bill for an act providing for the sale of public lands during the year 1901, and for the disposal of the proceeds of such sale and the revenue accruing thereon.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell.

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech.

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne.

Messrs.—

Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Lemke,
Lerom,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse
Mallough,

Messrs.—

Miller,
Swarthout,

Messrs.

Sargeant,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 136,

A bill for an act authorizing the board of trustees of the state university to issue bonds to provide a fund for the necessary repairs of buildings and to pay the floating indebtedness of said university.

Was read the third time.

The roll was called and there were ayes 56, nays 1, absent and not voting 5

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Mallough,

Messrs.—

Miller,
Swarthout,

Messrs.—

Tubbs,

Mr. Axvig voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 224,

A bill for an act to amend section 2467 of the Revised Codes of North Dakota, 1899, relating to free public libraries.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hammond,	Phifer,
Axvig,	Heath,	Ramsett,
Bacon,	Hill,	Reade,
Bennett,	Hjelmstad,	Restemayer,
Bjornson,	Johnson,	Rose,
Brisbin,	Keeler,	Severson,
Cassell,	Leech,	Stafne,
Chacey,	Lemke,	Strutz,
Chaffee,	Lerom,	Thomas,
Chevalier,	McClure,	Thordarson,
Davis,	McLean,	Tubbs,
Dickson,	Michels,	Tufte,
Dwire,	Morgan,	Wade,
Galbraith,	Nelson,	Watts,
Gronvold,	Nevin,	Watson,
Gulack,	Nicholson,	Willson,
Gullikson,	Packard,	Winslow,
Hall,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Miller,	Swarthout,
Mallough,	Sargeant,	

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 20,

A bill for an act to provide for the admission of graduates from the law department of the university of North Dakota to the bar of this state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hammond,	Parr,
Axvig,	Heath,	Phifer,
Bacon,	Hill,	Ramsett,
Bennett,	Hjelmstad,	Reade,

Messrs.—

Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevaller,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,

Messrs.—

Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allhouse,
Dwire,
Mallough,

Messrs.—

Miller,
Rose

Messrs.—

Swarthout,
Tabbs,

Mr. Thordarson voting in the negative.

Messrs. Allhouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 199,

A bill for an act entitled "an act providing for the renewal of judgments and for continuing the lien thereof and prescribing the method of renewing the same without suit for an additional term of ten years and allowing an execution thereon after renewal."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 49, nays 5, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,

Messrs.—

Parr,
Phifer,
Reade,
Restemayer,
Sargeant,
Severson,
Strutz,
Thomas,
Thordarson,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Michels,
Miller,

Messrs.—

Morgan,
Stafne,

Messrs.—

Tufte,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Hall,

Messrs.—

Mallough,
Ramsett,
Rose,

Messrs.—

Swarthout,
Tubbs,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Substitute for Senate bill No. 154,

A bill for an act defining express companies, freight line companies, equipment companies, telegraph and telephone companies and providing for the assessment of their property and taxation of the same.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gulack,
Hare,
Hammond,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Dickson,
Gullikson,

Messrs.—

Hall,
Mallough,
Ramsett,

Messrs.—

Rose,
Swarthout,
Tubbs,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1901.

Mr. Speaker:

The senate has failed to concur in the house amendments to Senate bill No. 1,

A bill for an act entitled an act to provide for the trial of civil actions.

And a conference committee of the senate has been appointed consisting of Senators Little, Noble and Ames.

Also,

Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

And has appointed as a conference committee Senators Hale, Hegge and Lavayea.

Very respectfully,
GEORGE L. TOWNES,
Secretary.

Mr. Hare moved

That a conference committee of three be appointed on Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

And the speaker appointed as such conference committee Messrs. Hare, Cassell and Leech.

Mr. Young moved

That a conference committee be appointed to meet a like committee in the senate for conference on

Senate bill No. 1,

A bill for an act entitled an act to provide for the trial of civil actions.

The speaker appointed as such conference committee Messrs. Galbraith, Young and Thomas.

Mr. Palmer requested the courtesies of the floor for E. D. Westcott, Jas. Hefferman of Williston.

Mr. Reade for B. H. Bronson, Mrs. Laist, Mrs. Scoville.

Mr. Morgan for Frank Wright of Bismarck.

Mr. Bacon for E. C. Cooper of Grand Forks.

Mr. Cassell for Maynard Crane of Cooperstown.

There being no objection the courtesies of the floor were so extended.

Mr. Cassell moved

That the house take a recess for ten minutes,
Which motion prevailed, and
The house took a recess.
House re-assembled.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the fifty-seventh day, have carefully examined the same up to recess, and recommend that the same be corrected as follows:

Page 41, line 45, change word "superintendents" to "superintendent."

Page 44, transpose lines 10 and 11.

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the fifty-sixth day, after recess, have carefully examined the same and recommend that the same be corrected as follows:

Page 1, Change line 3 to read "Fifty-sixth Day—After Recess."

Page 1, line 20, change word "committee" to "committees."

Page 2, line 40, change first word "of" to "for."

Page 6, strike out line 40, and insert in lieu thereof

GEORGE M. YOUNG,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Page 15, line 14, change first word "of" to "for."

Page 17, line 35, correct spelling of word "repairing."

Page 18, line 23, strike out word "Mr." and insert word "Messrs."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

That the report be adopted

Which motion prevailed, and
The report was adopted.

Senate bill No. 144,

A bill for an act to amend section 119 of the Revised Codes of 1899, relating to the duties of the attorney general.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Phifer,
Bacon,	Hill,	Ramsett,
Bennett,	Hjelmstad,	Reade,
Bjornson,	Johnson,	Restemayer,
Brisbin,	Keeler,	Sargeant,
Cassell,	Leech,	Severson,
Chacey,	Lemke,	Stafne,
Chaffee,	Lerom,	Strutz,
Chevalier,	McClure,	Thordarson,
Davis,	McLean,	Tubbs,
Dickson,	Miller,	Tufte
Dwire,	Morgan,	Wade,
Gronvold,	Nelson,	Watts,
Gulack,	Nicholson,	Watson,
Gullikson,	Nevin,	Willison,
Hall,	Packard,	Winslow,
Hare,	Palmer,	Mr. Speaker,
Hammond,	Parr,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Mallough,	Thomas,
Axvig,	Michels,	Swarthout,
Galbraith,	Rose,	Young,

Messrs. Allshouse, Mallough and Swarthout being excused,
So the bill passed and the title was agreed to.

Senate bill No. 157,

A bill for an act entitled an act to amend section 238 of the Revised Codes, relating to state depositories.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hill,	Ramsett,
Axvig,	Hjelmstad,	Reade,
Bacon,	Johnson,	Restemayer,
Bennett,	Keeler,	Rose,
Bjornson,	Leech,	Sargeant,

Messrs.—

Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Gronvold,
Gulack,
Gullikson,
Hall,
Hammond,
Heath,

Messrs.—

Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Galbraith,

Messrs.—

Hare,
Mallough,

Messrs.—

Swarthout,
Young,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 163,

A bill for an act to amend section 3231, Revised Codes, relating to capital of banks.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays 2, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker.

Absent and not voting:

Messrs.—

Allshouse,
Bacon,

Messrs.—

Mallough,
Ramsett,

Messrs.—

Rose,
Swarthout,

Messrs. Bennett and Lerom voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 119,

A bill for an act entitled "An act amending section 6777, relating to appeals from justice court making the payment of transcript fees a condition precedent to granting an order compelling a justice to certify up the record."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hammond	Phifer
Axvig	Heath	Ramsett
Bacon	Hill	Reade
Bennett	Hjelmstad	Restemayer
Bjornson	Johnson	Sargeant
Brisbin	Keeler	Severson
Cassell	Leech	Stafne
Chacey	Lemke	Strutz
Chaffee	Lerom	Thomas
Chevalier	McClure	Thordarson
Davis	McLean	Tubbs
Dickson	Michels	Tufte
Dwire	Morgan	Wade
Galbraith	Nelson	Watts
Gronvold	Nevin	Watson
Gulack	Nicholson	Willison
Gullikson	Packard	Winslow
Hall	Palmer	Young
Hare	Parr	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Miller	Swarthout
Mallough	Rose	

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 93,

A bill for an act repealing sections 1675, 1676, 1677 and 1678, Revised Codes, 1899, relating to bounties for the manufacture of spinning fibres.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Heath	Phifer
Axvig	Hill	Ramsett

Messrs.—

Bacon
 Bennett
 Bjornson
 Brisbin
 Cassell
 Chacey
 Chaffee
 Chevalier
 Davis
 Dickson
 Dwire
 Galbraith
 Gronvold
 Gulack
 Gullikson
 Hall
 Hare
 Hammond

Messrs.—

Hjelmstad
 Johnson
 Keeler
 Leech
 Lemke
 Lerom
 McClure
 McLean
 Michels
 Miller
 Morgan
 Nelson
 Nicholson
 Nevin
 Packard
 Palmer
 Parr

Messrs.—

Reade
 Restemayer
 Sargeant
 Severson
 Stafne
 Strutz
 Thomas
 Thordarson
 Tubbs
 Tufte
 Wade
 Watts
 Watson
 Willison
 Winslow
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Allhouse
 Mallough

Messrs.—

Rose

Messrs.—

Swarthout

Messrs. Allhouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
 BISMARCK, NORTH DAKOTA,
 March 6, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 221,

A bill for an act to prevent prize fighting.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Senate bill No. 122,

A bill for an act to empower the board of county commissioners to offset due or delinquent taxes, due from any person, corporation or society, in whose favor an indebtedness has accrued against such county.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hill	Reade
Axvig	Hjelmstad	Restemayer
Bacon	Johnson	Rose
Bennett	Keeler	Sargeant
Bjornson	Leech	Severson
Brisbin	Lemke	Stafne
Cassell	Lerom	Strutz
Chaffee	McClure	Thomas
Chevalier	McLean	Thordarson
Dickson	Morgan	Tubbs
Dwire	Nelson	Tufte
Galbraith	Nevin	Wade
Gronvold	Nicholson	Watts
Gulack	Packard	Watson
Gullikson	Palmer	Willison
Hall	Parr	Winslow
Hare	Phifer	Young
Hammond	Ramsett	Mr. Speaker
Heath		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Mallough	Miller
Chacey	Michels	Swarthout

Mr. Davis voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 94,

A bill for an act repealing sections 1679 and 1680, Revised Codes, 1899, relating to bounties for the manufacture of binding twine.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Hjelmstad,	Reade,
Bacon,	Johnson,	Restemayer,
Bennett,	Keeler,	Rose,
Bjornson,	Leech,	Sargeant,
Cassell,	Lemke,	Severson,
Chacey	Lerom	Stafne,
Chaffee,	McClure,	Strutz,
Chevalier,	McLean,	Thomas,
Davis,	Michels,	Thordarson,
Dickson,	Miller,	Tubbs,
Dwire,	Morgan,	Tufte,
Galbraith,	Nelson,	Wade,
Gronvold,	Nevin,	Watts,
Gulack,	Nicholson,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Winslow,

Messrs.—	Messrs.—	Messrs.—
Hammond,	Parr,	Young,
Heath,	Phifer,	Mr. Speaker,
Hill,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Hare,	Ramsett,
Anderson,	Mallough,	Swarthout,

Messrs. Allhouse, Mallough and Swarthout being excused.
So the bill passed and the title was agreed to.

Senate bill No. 103,

A bill for an act entitled an act authorizing the requirement of an additional bond to be furnished by city treasurers, and declaring the office vacant upon neglect or refusal so to do.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 57, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hammond,	Parr,
Axvig,	Heath,	Reade,
Bacon,	Hill,	Restemayer,
Bennett,	Hjelmstad,	Rose,
Bjornson,	Johnson,	Sargeant,
Brisbin,	Keeler,	Severson.
Cassell,	Leech,	Stafne,
Chacey,	Lemke,	Strutz,
Chaffee,	Lerom,	Thomas,
Chevalier,	McClure,	Thordarson,
Davis,	McLean,	Tubbs,
Dickson,	Michels,	Tufte,
Dwire,	Miller,	Wade,
Galbraith,	Morgan,	Watts,
Gronvold,	Nelson,	Watson,
Gulack,	Nevin,	Willison,
Gullikson,	Nicholson,	Winslow,
Hall,	Packard,	Young,
Hare,	Palmer,	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Ramsett,	Swarthout,
Mallough,	Phifer	

Messrs. Allhouse, Mallough and Swarthout being excused.
So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 6, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Which the senate amended as follows:

On line 5, page 1 of the printed bill, insert the words "a part of" after the word "become."

At the end of line 20, page 2 of the printed bill add the following words: "Provided, that if said board or treasurer shall have failed to publish said statement by the first of August following the presentation of the treasurer's annual report, then it shall be the duty of the county superintendent of schools to cause the publication of the same in a newspaper of the county, said publication to be paid for by the school district."

And passed as amended.

GEORGE L. TOWNES,
Secretary.

Mr. Packard moved

That the house concur in the senate amendments to

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Mr. Davis moved as a substitute

That the house do not concur in said amendments.

Which substitute motion prevailed.

Mr. Packard moved

That a conference committee of three be appointed.

Which motion prevailed.

And Messrs. Packard, Winslow and Davis were appointed as such committee.

Senate bill No. 142,

A bill for an act entitled an act to amend section 5730, Revised Codes, relating to service of notices and papers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson
Axvig
Bacon
Bennett
Bjornson
Brisbin
Cassell
Chacey
Chaffee

Messrs.—

Heath
Hill
Hjelmstad
Johnson
Leech
Lemke
Lerom
McClure
McLean

Messrs.—

Ramsett
Reade
Restemayer
Rose
Sargeant
Severson
Stafne
Strutz
Thomas

Messrs.—
 Chevalier
 Dickson
 Dwire
 Galbraith
 Gronvold
 Gulack
 Gullikson
 Hall
 Hare
 Hammond

Messrs.—
 Michels
 Miller
 Morgan
 Nelson
 Nevin
 Nicholson
 Packard
 Palmer
 Parr
 Phifer

Messrs.—
 Thordarson
 Tubbs
 Tufte
 Wade
 Watts
 Willison
 Winslow
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—
 Allshouse
 Davis

Messrs.—
 Keeler
 Mallough

Messrs.—
 Swarthout
 Watson

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 95,

A bill for an act prescribing the duties of county auditor in reference to the certification of abstracts of titles to real estate.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 44, nays 14, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—
 Anderson
 Axvig
 Bacon
 Bjornson
 Brisbin
 Chacey
 Davis
 Dwire
 Galbraith
 Gulack
 Gullikson
 Hall
 Hammond
 Heath
 Hill

Messrs.—
 Johnson
 Keeler
 Leech
 Lerom
 McClure
 McLean
 Miller
 Morgan
 Nevin
 Nicholson
 Packard
 Palmer
 Parr
 Phifer
 Ramsett

Messrs.—
 Reade
 Restemayer
 Sargeant
 Severson
 Stafne
 Strutz
 Thomas
 Thordarson
 Tubbs
 Wade
 Watts
 Watson
 Willison
 Young

Those voting in the negative were:

Messrs.—
 Bennett
 Cassell
 Chaffee
 Dickson
 Gronvold

Messrs.—
 Hare
 Hjelmstad
 Lemke
 Michels
 Nelson

Messrs.—
 Rose
 Tufte
 Winslow
 Mr. Speaker

Absent and not voting:

Messrs.—
 Allshouse
 Chevalier

Messrs.—
 Mallough

Messrs.—
 Swarthout

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1901.

Mr. Speaker:

The senate has appointed as a conference committee on
House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of
North Dakota.

Messrs. Cooper, Wolbert and Sanborn.

Also,

I have the honor to transmit herewith

House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes,
1899, defining the duties of the land commissioner.

Also,

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889,
being an act relating to the charging and collecting of fees at the
leasing and sale of school lands.

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,
Secretary.

THIRD READING OF SENATE BILLS.

Senate bill No. 71,

A bill for an act to amend section 497b of the Revised Codes,
relating to the time of holding caucuses and the issuance of cer-
tificates of election of delegates.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays 2, absent
and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Bacon,
Bennett.
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier.

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure.

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz.

Messrs.—	Messrs.—	Messrs.—
Davis,	McLean,	Thomas,
Dickson,	Michels,	Thordarson,
Dwire,	Miller,	Tufte,
Galbraith,	Morgan,	Wade,
Gronvold,	Nelson,	Watts,
Gulack,	Nevin,	Watson,
Gullikson,	Nicholson,	Willison,
Hall,	Palmer,	Winslow,
Hare,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker,
Heath,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Packard.	Tubbs,
Mallough,	Swarthout,	

Messrs. Anderson and Axvig voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 127,

A bill for an act entitled an act to amend and re-enact section 2082 of the Revised Codes of the Revision of 1899, relating to fees and compensation of sheriffs.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 29, nays 25, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Hare,	Parr,
Bjornson,	Heath,	Phifer,
Brisbin,	Hill,	Ramsett,
Cassell,	Leech,	Reade,
Chacey,	McClure,	Severson,
Dickson,	Michels,	Thomas,
Galbraith,	Morgan,	Wade,
Gronvold,	Nevin,	Young,
Gullikson,	Packard,	Mr. Speaker,
Hall,	Palmer,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Keeler,	Sargeant,
Axvig,	Lemke,	Stafne,
Bennett,	Lerom,	Strutz,
Chaffee,	McLean,	Thordarson,
Chevalier,	Miller,	Tufte,
Dwire,	Nelson,	Watts,
Hammond,	Restemayer,	Willison,
Hjelmstad,	Rose,	Winslow,
Johnson,		

Absent and not voting:

Messrs.—

Allshouse,
Davis,
Gulack,

Messrs.—

Mallough,
Nicholson,
Swarthout,

Messrs.—

Tubbs,
Watson,

Messrs. Allshouse, Mallough and Swarthout being excused.
So the bill was lost.

The chief clerk announced that the speaker was about to sign
Senate bill No. 219,

A bill for an act to amend section 1208 of the Revised Codes of
North Dakota, relating to the duties of the county auditor in fur-
nishing supplies to assessors and the date of meeting of such
assessors.

Also,

Senate bill No. 153,

A bill for an act to amend section 1180 of the Revised Codes, re-
lating to property exempt from taxation.

Also,

Senate bill No. 123,

A bill for an act to amend section 1942 of the Revised Codes of
1899, relating to depositories for county funds.

Also,

Senate bill No. 101,

A bill for an act to amend section 7464 of the Revised Codes of
North Dakota, 1899, relating to embezzlement.

Also,

Senate bill No. 150,

A bill for an act entitled "an act to amend section 327 of the
Revised Codes of 1899, providing for record of fees and monthly
reports and payment of said fees to the state treasurer monthly by
any state officer or deputy authorized by law to receive said fees."

And the speaker signed the same in the presence of the house.

Senate bill No. 116,

A bill for an act to amend section 6670, of the Revised Codes
and to repeal section 6671 of the Revised Codes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent
and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Anderson
Axvig
Bacon
Bennett
Bjornson
Brisbin
Cassell
Chacey

Messrs.—

Heath
Hill
Hjelmstad
Johnson
Keeler
Leech
Lemke
Lerom

Messrs.—

Ramsett
Reade
Restemayer
Rose
Severson
Stafne
Strutz
Thomas

Messrs.—

Chaffee
Chevalier
Davis
Dickson
Dwire
Galbraith
Gulack
Gullikson
Hall
Hare
Hammond

Messrs.—

McClure
McLean
Michels
Miller
Morgan
Nelson
Nevin
Packard
Parr
Phifer

Messrs.—

Thordarson
Tubbs
Tufte
Wade
Watts
Watson
Willison
Winslow
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Allshouse
Gronvold
Mallough

Messrs.—

Nicholson
Palmer

Messrs.—

Sargeant
Swarthout

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 64,

A bill for an act entitled an act to amend section 5260, Revised Codes of 1899, relating to the manner of commencing civil actions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Anderson
Axvig
Bacon
Bennett
Bjornson
Brisbin
Cassell
Chevalier
Chaffee
Davis
Dickson
Dwire
Galbraith
Gulack
Gullikson
Hall
Hare
Hammond

Messrs.—

Heath
Hill
Hjelmstad
Johnson
Keeler
Leech
Lemke
Lerom
McClure
McLean
Michels
Miller
Morgan
Nelson
Nevin
Packard
Parr
Phifer

Messrs.—

Ramsett
Reade
Restemayer
Rose
Sargeant
Severson
Stafne
Strutz
Thomas
Tubbs
Tufte
Wade
Watts
Watson
Willison
Winslow
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Allshouse
Chacey
Gronvold

Messrs.—

Mallough
Nicholson
Palmer

Messrs.—

Swarthout
Thordarson

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 160,

A bill for an act entitled an act defining newspaper libel and providing for demanding remedy before action can be brought.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Heath	Reade
Axvig	Hill	Restemayer
Bacon	Hjelmstad	Rose
Bjornson	Johnson	Sargeant
Brisbin	Keeler	Severson
Cassell	Leech	Stafne
Chacey	Lemke	Strutz
Chaffee	Lerom	Thomas
Chevalier	McClure	Thordarson
Davis	McLean	Tubbs
Dickson	Michels	Tufte
Gronvold	Miller	Wade
Galbraith	Morgan	Watson
Gulack	Nelson	Willison
Gullikson	Nevin	Winslow
Hall	Packard	Young
Hare	Parr	Mr. Speaker
Hammond	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Mallough	Ramsett
Bennett	Nicholson	Swarthout
Dwire	Palmer	

Mr. Watts voting in the negative,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 92,

A bill for an act to prevent the extermination of antelope.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hammond	Parr
Axvig	Heath	Phifer
Bacon	Hjelmstad	Reade
Bennett	Johnson	Rose
Bjornson	Keeler	Sargeant
Brisbin	Leech	Severson
Cassell	Lemke	Strutz
Chacey	Lerom	Thomas
Chaffee	McClure	Thordarson

Messrs.—

Chevalier
 Davis
 Dickson
 Dwire
 Galbraith
 Gronvold
 Gulack
 Gullikson
 Hare

Messrs.—

McLean
 Michels
 Miller
 Morgan
 Nelson
 Nicholson
 Nevin
 Packard
 Palmer

Messrs.—

Tubbs
 Tufte
 Wade
 Watts
 Watson
 Willison
 Winslow
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Allshouse
 Hall
 Hill

Messrs.—

Mallough
 Ramsett
 Restemayer

Messrs.—

Stafne
 Swarthout

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 141,

A bill for an act entitled an act to provide when execution of judgment in civil actions may be stayed.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson,
 Axvig,
 Bennett,
 Bjornson,
 Brisbin,
 Cassell,
 Chacey,
 Chaffee,
 Chevalier,
 Davis,
 Dickson,
 Galbraith,
 Gronvold
 Gulack,
 Gullikson,
 Hall,
 Hare,
 Hammond,
 Heath,

Messrs.—

Hjelmstad,
 Johnson,
 Keeler,
 Leech,
 Lemke,
 Lerom,
 McClure,
 McLean,
 Michels,
 Miller,
 Morgan,
 Nelson,
 Nevin,
 Nicholson,
 Packard,
 Palmer,
 Parr,
 Phifer,
 Ramsett,

Messrs.—

Reade,
 Restemayer,
 Rose,
 Sargeant,
 Severson,
 Stafne,
 Strutz,
 Thomas,
 Thordarson,
 Tubbs,
 Tufte,
 Wade,
 Watts,
 Watson,
 Willison,
 Winslow,
 Young,
 Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
 Bacon,

Messrs.—

Dwire,
 Hill,

Messrs.—

Mallough,
 Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1901.

Mr. Speaker:

I have the honor to transmit herewith
House bill No. 55,

A bill for an act to amend sections 2474 and 2475 of the Revised Codes of 1899, relating to volunteer firemen's association.

Also,

House bill No. 208,

A bill for an act to amend section 2736 of the Revised Codes of 1899, relating to the dissolution of marriage.

Which the senate has passed unchanged.

Also,

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

Which the senate has amended as follows:

By striking out the figures "40,000" at the end of line 6 in section 1, and inserting in lieu thereof the figures "\$20,000," and by striking out after the word "maturity" in line 23 of section 1 all of the remainder of said section.

And passed as amended.

Also,

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

Which the senate has passed unchanged.

Also,

House bill No. 14,

A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves.

Which the senate has amended as follows:

Amend the title by adding after the word "wolves" the words "and stating the manner in which the skins shall be presented to the county auditor; how to prevent fraud, and evidence required."

At the end of line 4, section 1 of the printed bill add the following words, "and the provisions of sections 1570b, 1570c and 1570d of the Revised Codes of 1899 shall apply in every case where the reward is called for under the provisions of this act."

By amending the title to read as follows: "For an act to amend

section 2496 of the Revised Codes of 1899, relating to the duty of county treasurer, in the collection of city taxes."

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That section 2496 of the Revised Codes of 1899 be amended to read as follows:

"Sec. 2496. The county treasurer of such county shall thereupon collect such taxes together with the interest and penalty thereon, if any, in the same manner as the general taxes for that year and shall pay over to the city treasurer of such city all sums so collected, as fast as collected, and shall take the city treasurer's vouchers therefor."

And passed as amended.

Also,

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Packard moved that the senate amendment to House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

Be concurred in.

Which motion prevailed.

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

The roll was called and there were ayes 50, nays 2, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Ramsett,
Bacon,	Hill,	Reade,
Bjornson,	Hjelmstad,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	Lerom,	Strutz,
Chaffee,	McClure,	Thordarson,
Chevalier,	McLean,	Tubbs,
Davis,	Miller,	Tufte,
Dickson,	Morgan,	Wade,
Dwire,	Nelson,	Watts,
Galbraith,	Nevin,	Watson,
Gulaek,	Nicholson,	Willison,
Gullikson,	Packard,	Winslow,
Hall,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond,	Phifer,	

Absent and not voting:

Messrs.—

Allshouse,
Axvig,
Bennett,
Gronvold

Messrs.—

Keeler,
Mallough,
Michels,

Messrs.—

Restemayer,
Rose,
Swarthout,

Messrs. Johnson and Thomas voting in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Packard moved that the vote by which

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Leech moved

That the house concur in the senate amendment to

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Which motion prevailed.

The question being upon the final passage of the bill as amended

The roll was called and there were ayes 47, nays 8, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold
Gulack,
Gullikson,
Hare,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,
McClure,
Miller,
Morgan,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,

Messrs.—

Phifer,
Ramsett,
Reade,
Rose,
Severson,
Strutz,
Thomas,
Thordarson,
Tubbs,
Wade,
Watts,
Watson,
Winslow,
Young,
Mr. Speaker.

Those voting in the negative were:

Messrs.—

Axvig,
Keeler,
McLear,

Messrs.—

Nelson,
Restemayer,
Sargeant,

Messrs.—

Tufte,
Willison,

Absent and not voting

Messrs.—
Allshouse,
Dwire,
Fiall,

Messrs.—
Mallough,
Michels,

Messrs.—
Stafne,
Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.
So the bill as amended passed and the title was agreed to.

Mr. Miller moved that the vote by which
Senate bill No. 127,

A bill for an act entitled an act to amend and re-enact section
2082 of the Revised Codes of the Revision of 1899, relating to
fees and compensation of sheriffs.

Was lost be reconsidered

Mr. Bennett moved

That the motion to reconsider be laid on the table,
Which motion was lost.

The question being on the original motion.
So the motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 37, nays 20, absent and
not voting 5.

Those who voted in the affirmative were:

Messrs.—
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Davis,
Dickson,
Dwire,
Galbraith,
Gulack,
Gullikson,
Hall,
Hare,

Messrs.—
Heath,
Hill,
Leech,
Lerom,
McClure,
Miller,
Morgan,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—
Ramsett,
Reade,
Rose,
Severson,
Thomas,
Tubbs,
Wade,
Watts,
Watson,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—
Anderson,
Axvig,
Bennett,
Chaffee,
Chevalier,
Gronvold,
Hjelmstad,

Messrs.—
Johnson,
Keeler,
Lemke,
McLean,
Nelson,
Phifer,
Restemayer,

Messrs.—
Sargeant,
Stafne,
Strutz,
Thordarson,
Tufte,
Willison,

Absent and not voting:

Messrs.—
Allshouse,
Hammond,

Messrs.—
Mallough,
Michels,

Messrs.—
Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. McLean moved that the vote by which

Senate bill No. 127,

A bill for an act entitled an act to amend and re-enact section 2082 of the Revised Codes of the Revision of 1899, relating to fees and compensation of sheriffs.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Packard moved

That the house concur in the senate amendments to House bill No. 14,

A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves.

Which motion prevailed.

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

The roll was called and there were ayes 56, nays 2, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Mallough,

Messrs.—

Michels,

Messrs.—

Swarthout,

Messrs. Axvig and McLeary voted in the negative.

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Wade moved that the vote by which

House bill No. 14,

A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 125,

A bill for an act regulating water rights for irrigation purposes.

Also,

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Also,

House bill No. 74,

A bill for an act to appropriate money to meet a deficiency in the salary and expenses of the office of assistant dairy and food commissioner.

Also,

House bill No. 207,

A bill for an act to amend section 95 of the Revised Codes of 1899, relating to fees of the secretary of state.

Also,

House bill No. 100,

A bill for an act defining slander of females and making the same a misdemeanor.

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Senate bill No. 79,

A bill for an act entitled an act to amend section 5046 of the Revised Codes of 1899 relating to injunctions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,

Messrs.—

Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Leech,
Lemke,
Lerom,
McClure,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Severson,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Dickson,
Dwire,

Messrs.—

Mallough,
McLean,
Michels,

Messrs.—

Stafne,
Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 61,

A bill for an act entitled an act to amend section 6633 of Revised Codes of 1899, relating to commencement of actions in justice court.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Mallough,

Messrs.—

Michels,

Messrs.—

Swarthout,

Messrs. Allshouse, Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 118,

A bill for an act entitled an act concerning covenants of warranty.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays 2, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hill,	Reade,
Bacon,	Hjelmstad,	Restemayer,
Bennett,	Johnson,	Rose,
Bjornson,	Keeler,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	McClure,	Strutz,
Chaffee,	McLean,	Thomas,
Chevalier,	Miller,	Thordarson,
Davis,	Morgan,	Tubbs,
Dickson,	Nelson,	Tufte,
Dwire,	Nicholson,	Wade,
Galbraith,	Nevin,	Watts,
Gronvold,	Packard,	Watson,
Gulack,	Palmer,	Willison,
Hall,	Parr,	Winslow,
Hare,	Phifer,	Young,
Hammond,	Ramsett,	Mr. Speaker,
Heath,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Mallough,	Swarthout,
Cullikson,	Michels,	

Messrs. Axvig and Lerom voting in the negative.

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Galbraith moved that the vote by which

Senate bill No. 224,

A bill for an act to amend section 2467 of the Revised Codes of North Dakota, 1899, relating to free public libraries.

Also,

Senate bill No. 228,

A bill for an act providing for the sale of public lands during the year 1901, and for the disposal of the proceeds of such sale and the revenue accruing thereon.

Also,

Senate bill No. 136,

A bill for an act authorizing the board of trustees of the state

university to issue bonds to provide a fund for the necessary repairs of buildings and to pay the floating indebtedness of said university.

Also,

Senate bill No. 20,

A bill for an act to provide for the admission of graduates from the law department of the university of North Dakota to the bar of this state.

Also,

Senate bill No. 199,

A bill for an act entitled "an act providing for the renewal of judgments and for continuing the lien thereof and prescribing the method of renewing the same without suit for an additional term of ten years and allowing an execution thereon after renewal."

Also,

Substitute for Senate bill No. 154.

A bill for an act defining express companies, freight line companies, equipment companies, telegraph and telephone companies and providing for the assessment of their property and taxation of the same.

Also,

Senate bill No. 144,

A bill for an act to amend section 119 of the Revised Codes of 1899, relating to the duties of the attorney general.

Also,

Senate bill No. 157,

A bill for an act entitled an act to amend section 238 of the Revised Codes, relating to state depositories.

Also,

Senate bill No. 163,

A bill for an act to amend section 3231, Revised Codes, relating to capital of banks.

Also,

Senate bill No. 119,

A bill for an act entitled "an act amending section 6777 relating to appeals from justice court and making the payment of transcript fees a condition precedent to granting an order compelling a justice to certify up the record."

Also,

Senate bill No. 93,

A bill for an act repealing sections 1675, 1676, 1677 and 1678, Revised Codes, 1899, relating to bounties for the manufacture of spinning fibres.

Also,

Senate bill No. 122,

A bill for an act to empower the board of county commissioners

to offset due or delinquent taxes, due from any person, corporation or society, in whose favor an indebtedness has accrued against such county.

Also,

Senate bill No. 94,

A bill for an act repealing sections 1679 and 1680, Revised Codes, 1899, relating to bounties for the manufacture of binding twine.

Also,

Senate bill No. 103,

A bill for an act entitled an act authorizing the requirement of an additional bond to be furnished by city treasurers, and declaring the office vacant upon neglect or refusal so to do.

Also,

Senate bill No. 142,

A bill for an act entitled an act to amend section 5730, Revised Codes, relating to service of notices and papers.

Also,

Senate bill No. 95,

A bill for an act prescribing the duties of county auditor in reference to the certification of abstracts of titles to real estate.

Also,

Senate bill No. 71,

A bill for an act to amend section 497b of the Revised Codes relating to the time of holding caucuses and the issuance of certificates of election of delegates.

Also,

Senate bill No. 116,

A bill for an act to amend section 6670, of the Revised Codes and to repeal section 6671 of the Revised Codes.

Also,

Senate bill No. 64,

A bill for an act entitled an act to amend section 5260, Revised Codes of 1899, relating to the manner of commencing civil actions.

Also,

Senate bill No. 160,

A bill for an act entitled an act defining newspaper libel and providing for demanding remedy before action can be brought

Also,

Senate bill No. 92,

A bill for an act to prevent the extermination of antelope.

Also,

Senate bill No. 141,

A bill for an act entitled an act to provide when execution of judgment in civil actions may be stayed.

Also,

Senate bill No. 79,

A bill for an act entitled an act to amend section 5046 of the Revised Codes of 1899 relating to injunctions.

Also,

Senate bill No. 61,

A bill for an act entitled an act to amend section 6633 of Revised Codes of 1899, relating to commencement of actions in justice court.

Also,

Senate bill No. 118,

A bill for an act entitled an act concerning covenants of warranty.

Were passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Cassell moved

That the rules be suspended and that the house return to the 14th and 15th order of business.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 221,

A bill for an act to prevent prize fighting.

Was read the first and second times, and

Referred to the steering committee.

Mr. Cassell moved

That the house take a recess until 10 o'clock a. m. tomorrow.

Which motion prevailed, and

The house took a recess until 10 o'clock a. m. tomorrow.

FIFTY-EIGHTH DAY—AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 7, 1901.

REPORT OF STEERING COMMITTEE.

The steering committee made the following report:

Mr. Speaker:

Your steering committee beg leave to make the following report:

We recommend that the order of business for the morning session be the consideration of committee reports, and the third reading and final passage of senate bills in the following order, viz:

Senate bill No. 145,

A bill for an act to amend section 1979 of the Revised Codes of 1899, relating to duties of state's attorneys.

Also,

Senate bill No. 180,

A bill for an act to amend section 527 of the Revised Codes of 1899, relating to abstract of votes. Certificate of election. Publication of returns.

Also,

Senate bill No. 200,

A bill for an act entitled an act to define the system of free public schools of the state.

Also,

Senate bill No. 42,

A bill for an act entitled an act to provide for the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Also,

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

Also,

Senate bill No. 205,

A bill for an act to amend section 5961 of the code of civil procedure, and to facilitate the assessment of damages under the law of eminent domain, and to regulate procedure in actions brought thereunder.

Also,

Substitute for Senate bill No. 115,

A bill for an act to amend sections 1842, 1893, 1896 and 2095

of the Revised Codes of 1899, relating to commissioner districts, and the powers, election and compensation of county commissioners.

Also,

Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

Also,

Senate bill No. 220,

A bill for an act providing for the collection of delinquent personal taxes by action.

Also,

Senate bill No. 84,

A bill for an act entitled an act to provide for making unknown persons parties defendant in certain civil actions and to amend section 5907 and repeal section 5907a, Revised Codes of 1899, relating to unknown parties defendant.

Also,

Senate bill No. 216,

A bill for an act entitled an act to amend and re-enact sections 1636 and 1636a of the Revised Codes of the revision of 1899.

Also,

Senate bill No. 36,

A bill for an act entitled an act to provide for the settlement of estates of decedents.

Also,

Senate bill No. 149,

A bill for an act entitled an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed in the office of the register of deeds.

Also,

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

Also,

Senate bill No. 86,

A bill for an act to amend section 8494 of the Revised Codes of 1899, relating to the governor demanding the return of fugitives from justice in this state of the executive authority of any other state or territory, within the United States, providing for the appointment of agents to receive and return such fugitives and providing for payment of such agents.

Also,

Senate bill No. 207,

A bill for an act entitled "An act to amend section 6346 of the Revised Codes of 1899, being section 21 of chapter 3 of the laws of 1897, providing the requisities for qualification of executors, administrators and guardians."

Also,

Senate bill No. 29,

A bill for an act entitled an act authorizing district courts and also the supreme court of the state to direct judgment to be entered in certain cases instead of granting a motion for a new trial.

Also,

Senate bill No. 198,

A bill for an act entitled an act regulating the filing and foreclosure of mechanic's liens upon land held or occupied under a filing under any of the land laws of the United States.

Also,

Senate bill No. 152,

A bill for an act legalizing the levy of taxes for road and general purposes by the township board of supervisors for the years 1899 and 1900.

Also,

Senate bill No. 171,

A bill for an act to amend and re-enact section 334, Revised Codes, 1899, in reference to allowance of clerk hire in state offices.

Also,

Senate bill No. 215,

A bill for an act requiring the payment of taxes by non-resident owners of live stock from other states herding and feeding on the ranges of the state of North Dakota, and providing for collection of such taxes.

Also,

Senate bill No. 53

A bill for an act making an appropriation for deficit in fuel account at the North Dakota hospital for the insane.

M. B. CASSELL,

Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Packard offered the following report.

The committee on conference on

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Made the following report:

Mr. President:

Your committee on conference to whom was referred

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

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

That the word "August" in the senate amendment of said bill as shown in the last line of page 3, Senate Journal, February 14th, be changed to "September."

And when so amended recommend the senate amendments be concurred in.

A. M. PACKARD,
Chairman.

Mr. Packard moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

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

The roll was called and there were ayes 39, nays 12, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bacon,
Brisbin,
Cassell,
Chacey,
Chaffee,
Davis,
Dwire,
Galbraith,
Gullikson,
Heath,
Hill,
Hjelmstad.

Messrs.—

Keeler,
Leech,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

Messrs.—

Reade,
Rose,
Severson,
Stafne,
Thomas,
Tubbs,
Wade,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Bennett,
Bjornson,
Dickson,

Messrs.—

Gronvold,
Johnson,
Lemke,
Phifer,

Messrs.—

Restemayer,
Strutz,
Tufte,
Watts,

Absent and not voting:

Messrs.—

Allhouse,
Chevalier,
Gulack,
Hall,
Hare,

Messrs.—

Hammond,
Lerom,
Mallough,
Miller,

Messrs.—

Ramsett,
Sargeant,
Swarthout,
Thordarson,

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Packard moved that the vote by which

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 231,

A bill for an act to amend sections 136, 141 and 145 of the Revised Codes of 1899 relating to the state examiner, his appointment, term of office, qualifications, examination of banks, salary, deputy and his salary, and penalty for malfeasance.

Also,

Senate bill No. 214,

A bill for an act entitled "An act to amend section 2080 of the Revised Codes of 1899, relating to the salary of county treasurers."

Also,

Senate bill No. 232,

A bill for an act to amend section 3218 of the Revised Codes of 1899 relating to the examination of building and loan associations by the state examiner and the fees therefor.

Also,

Senate bill No. 158,

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspection of mines.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 200,

A bill for an act entitled an act to define the system of free public schools of the state.

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

After the first word "school" in line 12, insert the words "at Wahpeton," and after the word "forestry" in the same line strike out the word "of" and insert in lieu thereof the word "at," and after the word "Ellendale" in line 11, place a comma.

And when so amended recommend that the same do pass.

M. B. CASSELL,

Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 180,

A bill for an act to amend section 527 of the Revised Codes of 1899 relating to abstract of votes. Certificate of election. Publication of returns.

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

After the word "sheet" in line 31 on first page of engrossed bill insert the following: "The abstract of votes for county and precinct officers shall be on one sheet," and by striking out the words "at least one of the" in line 26 on page 2 of the engrossed bill and inserting in lieu thereof "the official."

And when so amended recommend that the same do pass.

M. B. CASSELL,

Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate bill No. 221,
A bill for an act to prevent prize fighting.

Have had the same under consideration and recommend that
the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate bill No. 166,

A bill for an act to repeal sections 1199, 1200 and 1201 of the
Revised Codes of 1899, relating to assessment of grain in ware-
houses, statement of ownership, lien of agent or warehouseman
for taxes. Penalty for failure to make true statements.

Have had the same under consideration, and recommend that
the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate bill No. 234,

A bill for an act requiring the secretary of state to publish
names of commission merchants and other factors receiving grain
in this state who have been licensed and filed bonds.

Have had the same under consideration and recommend that
the further consideration thereof be indefinitely postponed.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.
Which motion prevailed, and
The report was adopted.

THIRD READING OF SENATE BILLS.

Mr. Nicholson moved that

Senate bill No. 175,

A bill for an act entitled an act amending sections 3003 and 3006, Revised Codes, 1899, relating to the duties of railroad commissioners and fixing their salaries.

Be referred to steering committee for further consideration.

Which motion prevailed.

Senate bill No. 180,

A bill for an act to amend section 527 of the Revised Codes of 1899 relating to abstract of votes. Certificate of election. Publication of returns.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullakson,
Hare,

Messrs.—

Hammond,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Parr,
Phifer.

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tufte
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Brisbin,
Chevalier,
Hall,
Heath,

Messrs.—

Lerom,
Mallough,
Nicholson,
Palmer,

Messrs.—

Sargeant,
Swarthout,
Tubbs,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 200,

A bill for an act entitled an act to define the system of free public schools of the state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 48, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Phifer,
Anderson,	Hjelmstad,	Ramsett,
Axvig,	Johnson,	Reade,
Bacon,	Keeler,	Restemayer,
Bjornson,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	Lerom,	Strutz,
Chaffee,	McClure,	Thomas,
Davis,	McLean,	Thordarson,
Dickson,	Michels,	Tufte,
Dwire,	Miller,	Wade,
Galbraith,	Morgan,	Watts,
Gronvold,	Nelson,	Willison,
Gulack,	Nevin,	Winslow,
Gullikson,	Packard,	Young,
Hammond,	Parr,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bennett,	Heath,	Sargeant,
Brisbin,	Mallough,	Swarthout,
Chevalier,	Nicholson,	Tubbs,
Hall,	Palmer,	Watson,
Hare,	Rose,	

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 42,

A bill for an act entitled an act to provide for the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse	Hjelmstad	Reade
Anderson	Johnson	Restemayer
Axvig	Keeler	Rose
Bacon	Leech	Sargeant
Bjornson	Lemke	Severson
Brisbin	Lerom	Stafne
Cassell	McClure	Strutz
Chacey	McLean	Thomas
Chaffee	Michels	Thordarson

Messrs.—

Chevalier
Davis
Dickson
Dwire
Galbraith
Gulack
Gullikson
Hammond
Hill

Messrs.—

Miller
Nelson
Nicholson
Nevin
Packard
Parr
Phifer
Ramsett

Messrs.—

Tubbs
Tufté
Watts
Watson
Willison
Winslow
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Bennett
Gronvold
Hall
Hare

Messrs.—

Heath
Mallough
Morgan

Messrs.—

Palmer
Swarthout
Wade

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 49, nays 1, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gullikson,
Hare,
Hammond,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Palmer,
Parr,
Ramsett,

Messrs.

Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufté,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Dwire,
Gulack,
Hall,
Heath,

Messrs.—

Mallough,
McClure,
McLean,
Nicholson,

Messrs.—

Phifer,
Rose,
Swarthout,
Wade,

Mr. Bennett voting in the negative.

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 205,

A bill for an act to amend section 5961 of the code of civil procedure, and to facilitate the assessment of damages under the law of eminent domain, and to regulate procedure in actions brought thereunder.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Rose,
Bennett,	Keeler,	Severson,
Bjornson,	Leech,	Stafne,
Cassell,	Lemke,	Strutz,
Chacey,	Lerom,	Thomas,
Chaffee,	McLean,	Thordarson,
Chevalier,	Michels,	Tubbs,
Davis,	Miller,	Tufte,
Dickson,	Morgan,	Wade,
Dwire,	Nelson,	Watts,
Galbraith,	Nevin,	Watson,
Gronvold,	Nicholson,	Willison,
Gulack,	Packard,	Winslow,
Gullikson,	Palmer,	Young,
Hammond,	Parr,	Mr. Speaker.
Heath,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hare,	Phifer,
Brisbin,	Mallough,	Sargeant,
Hall,	McClure,	Swarthout,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Michels moved that the vote by which

Senate bill No. 205,

A bill for an act to amend section 5961 of the code of civil

procedure, and to facilitate the assessment of damages under the law of eminent domain, and to regulate procedure in actions brought thereunder.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Substitute for Senate bill No. 115,

A bill for an act to amend sections 1842, 1893, 1896 and 2095 of the Revised Codes of 1899, relating to commissioner districts, and the powers, election and compensation of county commissioners.

Was read the third time.

Mr. Axvig asked unanimous consent to make an amendment.

There being no objection the request was granted.

Mr. Axvig offered the following amendment:

Strike out all of section 4 and insert in lieu thereof:

"Sec. 4. The county commissioners whose term of office expires in 1901 and 1903, shall hold their office respectively until their successors are elected and qualified, at the next succeeding general election."

And moved its adoption.

Roll call demanded.

The roll was called and there were ayes 36, nays 17, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
A1	Hjelmstad,	Ramsett,
Axvig,	Leech,	Severson,
Bjornson,	Lemke,	Strutz,
Cassell,	Lerom,	Thomas,
Chacey,	McClure,	Thordarson,
Chevalier,	McLean,	Tubbs,
Davis,	Michels,	Tufte,
Galbraith,	Miller,	Wade,
Gronvold,	Morgan,	Willison,
Hare,	Nelson,	Winslow,
Heath,	Packard,	Young,
Hill,	Palmer,	Mr. Speaker.

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Nicholson,	Restemayer,
Bennett,	Nevin,	Rose,
Brisbin,	Parr,	Stafne,
Dwire,	Phifer,	Watts,
Hammond,	Reade,	Watson,
Keeler,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Gullikson,	Mallough,
Chaffee,	Hall,	Sargeant,
Dickson,	Johnson,	Swarthout,
Gulack,		

Messrs. Mallough and Swarthout being excused.

So the amendment was adopted.

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

The roll was called and there were ayes 44, nays 10, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Leech,	Restemayer,
Bjornson,	Lemke,	Rose,
Cassell,	Lerom,	Severson,
Chacey,	McClure,	Strutz,
Chaffee,	McLean,	Thomas,
Chevalier,	Michels,	Thordarson,
Dickson,	Miller,	Tubbs,
Galbraith,	Morgan,	Tufte,
Gullikson,	Nelson,	Wade,
Hammond,	Nevin,	Watson,
Heath,	Packard,	Willison,
Hill,	Palmer,	Winslow,
Hjelmstad,	Parr,	Young,
Johnson,	Phifer,	Mr. Speaker,
Keeler,	Ramsett,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Gulack,	Reade,
Anderson,	Hare,	Stafne,
Brisbin,	Nicholson,	Watts,
Dwire,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Gronvold,	Sargeant,
Bennett,	Hall,	Swarthout,
Davis,	Mallough,	

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Tubbs moved that the vote by which

Substitute for Senate bill No. 115,

A bill for an act to amend sections 1842, 1893, 1896 and 2095 of the Revised Codes of 1899, relating to commissioner districts, and the powers, election and compensation of county commissioners.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Leech moved

That the motion by which the report of the steering committee as to

Senate bill No. 166,

A bill for an act to repeal sections 1199, 1200 and 1201 of the

Revised Codes of 1899, relating to assessment of grain in warehouses, statement of ownership, lien of agent or warehouseman for taxes. Penalty for failure to make true statements.

Was adopted, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Nelson moved that the vote by which

Senate bill No. 42,

A bill for an act entitled an act to provide for the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Also,

Senate bill No. 180,

A bill for an act to amend section 527 of the Revised Codes of 1899, relating to abstract of votes. Certificate of election. Publication of returns.

Also,

Senate bill No. 200,

A bill for an act entitled an act to define the system of free public schools of the state.

Also,

Senate bill No. 205,

A bill for an act to amend section 5901 of the code of civil procedure, and to facilitate the assessment of damages under the law of eminent domain, and to regulate procedure in actions brought thereunder.

Were passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed,

Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 37, nays 14, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Anderson,
Axvig,
Brisbin,
Cassell,

Messrs.—

Leech,
Lemke,
Lerom,
McClure,
Michels,

Messrs.—

Restemayer,
Rose,
Severson,
Stafne,
Strutz,

Messrs.—

Chacey,
Chevalier,
Dwire,
Gulack,
Gullikson,
Hare,
Heath,
Hjelmstad,

Messrs.—

Miller,
Morgan,
Nevin,
Packard,
Parr,
Ramsett,
Reade,

Messrs.—

Thomas,
Thordarson,
Wade,
Watts,
Watson,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Bennett,
Bjornson,
Chaffee,
Davis,
Dickson,

Messrs.—

Galbraith,
Johnson,
Keeler,
Nelson,
Nicholson,

Messrs.—

Phifer,
Tufte,
Willison,
Winslow,

Absent and not voting:

Messrs.—

Bacon,
Gronvold,
Hall,
Hammond,

Messrs.—

Hill,
Mallough,
McLean,
Palmer,

Messrs.—

Sargeant,
Swarthout,
Tubbs,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Young moved that the vote by which

Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Gulack gave notice that he would move to reconsider this vote tomorrow.

Senate bill No. 220,

A bill for an act providing for the collection of delinquent personal taxes by action.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bennett,
Bjornson,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,

Messrs.—

Phifer,
Ramsett,
Reade,
Sargeant,
Severson,

Messrs.—

Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hammond,

Messrs.—

Leech,
Lemke,
Lerom,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,

Messrs.—

Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Bacon,
Hall,
Hare,

Messrs.—

Mallough,
Palmer,
Restemayer,

Messrs.—

Rose,
Swarthout,
Wade,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Tuftte moved that the vote by which

Senate bill No. 220,

A bill for an act providing for the collection of delinquent personal taxes by action.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 84,

A bill for an act entitled an act to provide for making unknown persons parties defendant in certain civil actions and to amend section 5907 and repeal section 5907a, Revised Codes of 1899, relating to unknown parties defendant.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 52, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Miller,
Morgan,
Nelson,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tuftte,

Messrs.—

Dwire,
Galbraith,
Gulack,
Gullikson,
Hammond,
Heath,
Hill,

Messrs.—

Nevin,
Nicholson,
Packard,
Parr,
Phifer,
Ramsett,

Messrs.—

Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Axvig,
Bacon,
Gronvold
Hall,

Messrs.—

Hare,
Mallough,
Michels,

Messrs.—

Palmer,
Swarthout,
Wade,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Reade moved that the vote by which

Senate bill No. 84,

A bill for an act entitled an act to provide for making unknown persons parties defendant in certain civil actions and to amend section 5907 and repeal section 5907a, Revised Codes of 1899, relating to unknown parties defendant.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Nicholson moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

J. D. SCANLAN,
Chief Clerk.

FIFTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 7, 1901.

The house assembled at 2 p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Mallough and Swarthout, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 57th day, have carefully examined the same, after recess, and recommend that the same be corrected as follows:

Page 9, line 26, change figures "35" to "33," and figures "24" to "25."

Page 9, line 27, change figure "3" to "4."

Page 9, line 30, strike out name "Allshouse."

Page 10, line 4, insert name "Allshouse."

Page 10, line 5, insert name "Allshouse."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 58th day, have carefully examined the same, up to recess, and recommend that the same be corrected as follows:

Page 48, line 45, correct spelling of name "Phifer."

Page 49, line 42, correct spelling of name "Restemayer."

Page 57, strike out lines 33, 34 and 35, and insert in lieu thereof:

"House bill No. 14,

"A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves."

Page 58, strike out lines 16, 17 and 18, and insert in lieu thereof:

"House bill No. 1,

"A bill for an act to amend section 1260 of article 18 of the Revised Codes of North Dakota of 1899."

Page 61, after line 51, insert:

"Was passed be reconsidered, and the motion to reconsider be laid on the table."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 14,

A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves.

Also,

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Also,

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

Also,

House bill No. 55,

A bill for an act to amend sections 2464 and 2465 of the Revised Codes of 1899, relating to volunteer firemen's association.

Also,

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

Also,

House bill No. 74,

A bill for an act to appropriate money to meet a deficiency in the salary and expenses of the office of assistant dairy and food commissioner.

Also,

House bill No. 100,

A bill for an act defining slander of females and making the same a misdemeanor.

Also,

House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes, 1899, defining the duties of the land commissioner.

Also,

House bill No. 208,

A bill for an act to amend section 2736 of the Revised Codes of 1899, relating to the dissolution of marriage.

Also,

House bill No. 98,

A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions.

Also,

House bill No. 207,

A bill for an act to amend section 95 of the Revised Codes of 1899, relating to fees of the secretary of state.

Also,

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Also,

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The chief clerk announced that the speaker was about to sign House bill No. 55,

A bill for an act to amend sections 2464 and 2465 of the Revised Codes of 1899, relating to volunteer firemen's association.

Also,

House bill No. 100,

A bill for an act defining slander of females and making the same a misdemeanor.

Also,

House bill No. 74,

A bill for an act to appropriate money to meet a deficiency in the salary and expenses of the office of assistant dairy and food commissioner.

Also,

House bill No. 59,

A bill for an act to amend section 234b, Revised Codes of 1889, being an act relating to the charging and collecting of fees at the leasing and sale of school lands.

Also,

House bill No. 208,

A bill for an act to amend section 2736 of the Revised Codes of 1899, relating to the dissolution of marriage.

Also,

House bill No. 155,

A bill for an act to amend sections 173 and 182, Revised Codes, 1899, defining the duties of the land commissioner.

Also,

House bill No. 11,

A bill for an act entitled an act to amend section 1143 of article 7, of chapter 17 of the Revised Codes of 1899.

Also,

House bill No. 30,

A bill for an act to provide for the erection of necessary buildings for the state reform school at Mandan, North Dakota.

Also,

House bill No. 98,

A bill for an act requiring notaries public to on endorse acknowledgments the date of the expiration of their commissions.

Also,

House bill No. 1,

A bill for an act to amend section 1260 of article 18 of the Revised Code of North Dakota of 1899.

Also,

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Also,

House bill No. 14,

A bill for an act authorizing board of county commissioners to offer reward for the destruction of buffalo or timber wolves.

And the speaker signed the same in the presence of the house.

The steering committee made the following report:

Mr. Speaker:

Your steering committee recommend that the regular order of business be followed, and that upon the third reading and final passage of senate bills, the order of passage be as adopted at this morning's session.

M. B. CASSELL,

Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Pollock presented the following communication:

Fargo, N. D., March 6, 1901.

To the Honorable, the House of Representatives of the State of North Dakota:

Mr. Speaker:

I wish to call the attention of your honorable body to Senate bill No. 229, entitled "A bill for an act to regulate the practice of all healing arts or science, not heretofore regulated by special enactment and to provide a penalty for the violation thereof." This bill shuts out the practice of chirstain science. In our practice we recognize anatomy, physiology and pathology, but from a very different point of view than that taken by the framer of this bill. To attend such a school, as this bill requires, would be detrimental to our study and preparation for practice. This bill is as much class legislation as was the medical bill introduced by Dr. Taylor. It cannot be possible that the legislature of North Dakota would exclude one healing art and include the others. In the name of common humanity, and for the sake of justice and individual rights, I wish to enter my protest against the passage of this bill.

Yours very respectfully,

ADELAIDE M. KINNEAR.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1901.

To the House of Representatives:

Gentlemen: I have the honor to inform you that I have approved and filed with the Honorable Secretary of State

House bill No 71,

A bill for an act to amend section 5958 of the Revised Codes, enumerating what property may be taken in the exercise of the right of eminent domain.

Also,

House bill No. 44,

A bill for an act to amend section 4719 of the Revised Codes of North Dakota, 1899, relating to the discharge of real estate mortgages.

Also,

House bill No. 164,

A bill for an act providing for the engrossing and enrolling of bills for the legislative assembly by contract.

Also,

House bill No. 175,

A bill for an act relating to the transfer of cemetery lots by religious corporations.

Also,

House bill No. 149,

A bill for an act to amend section 1269 of the Revised Codes of the state of North Dakota, relating to the rights of purchasers of lands at sale for the non-payment of taxes.

Also,

House bill No. 118,

A bill for an act to amend sections 775 and 777 of the Revised Codes of 1899, relating to school district bonds.

Also,

House bill No. 194,

A bill for an act to amend section 3576 of article 3 of the Revised Codes of North Dakota and to cure defective acknowledgments.

Very respectfully yours,

FRANK WHITE,

Governor.

Mr. Young presented the following communication:

Burlington, N. D., Feb. 27, 1901.

Hon. Geo. M. Young, Bismarck, N. D.:

Dear Sir: Senator Jacobson has introduced Senate bill No. 158, which provides for appointment of mine inspector and imposes a lot of rules and regulations on the little mining industry of this state which were framed for the great industries of the old mining states, and add a lot of expense to our mining which is uncalled for. The general laws of the state gov-

erning the obligations of employer to employee are ample to protect the miners as well as any other class of labor. Any employer who has any fear of a personal damage suit will see that his employes are properly protected to save himself from liability. We have no firedamp to fear. We have no shaft mines yet in operation. All the mines are comparatively shallow, and of necessity have air ways and shafts that answer escapement purposes.

The break throughs provided for in the bill are an impossibility with our roof and bottom. Would cause cave ins, and the air does not demand it.

The expense to the state is therefore a useless one. An inspector could inspect all our little openings throughout the state in a week's time easily and loaf three-fourths of the month. The bill is entirely too previous and I hope you will do all you can to kill it.

I have written you more fully than I have anybody else in order that you may show it to parties who have no acquaintance with our mining industry.

Your very truly,

L. M. DAVIS.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1901.

Mr. Speaker:

I have the honor to report that the senate has adopted the report of the conference committee on

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Said conference committee changing the word "August" to "September" as found in the senate amendment to said bill reported on page 3 of Senate Journal of Thursday, February 14th.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The conference committee made the following report on

Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

Mr. Speaker:

We, your committee of conference on Senate bill No. 107, respectfully report that we have failed to reach an agreement on the amendments.

JOSEPH HARE

W. F. LEECH

M. B. CASSELL

For the Senate

HENRY HALE

H. E. LAVAYEA

O. J. HEGGE

For the House.

Mr. Hare moved

That the report be adopted,
Which motion prevailed, and
The report was adopted.

The chief clerk announced that the speaker was about to sign
House bill No. 207,

A bill for an act to amend section 95 of the Revised Codes of
1899, relating to fees of the secretary of state.

And the speaker signed the same in the presence of the house.
Senate bill No. 216,

A bill for an act entitled an act to amend and re-enact sections
1636 and 1636a of the Revised Codes of the revision of
1899.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 58, nays none, absent
and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Phifer,
Anderson,	Hill,	Ramsett,
Axvig,	Hjelmstad,	Reade,
Bacon,	Johnson,	Restemayer,
Bennett,	Keeler,	Rose,
Bjornson,	Leech,	Sargeant,
Brisbin,	Lemke,	Severson,
Cassell,	Lerom,	Stafne,
Chacey.	McClure,	Strutz,
Chaffee,	McLean,	Thomas,
Chevalier,	Michels,	Thordarson,
Davis,	Miller,	Tubbs,
Dickson,	Morgan,	Tufte,
Dwire,	Nelson,	Wade,
Galbraith,	Nevin,	Watts,
Gronvold,	Nicholson,	Willison,
Gulack,	Packard,	Winslow,
Gullikson,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hall,	Swarthout,	Watson,
Mallough,		

Messrs. Mallough and Swarthout being excused.
So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1901.

Mr. Speaker:

I have the honor to report that the senate has not concurred in
the house amendments to

Substitute for Senate bill No. 115,

A bill for an act to amend sections 1890 and 1896 of the Revised Codes of 1899 relating to number and election of county officers.

And has appointed as a conference committee Messrs. Talcott, Cooper and Noble.

Also,

I have the honor to transmit herewith

Senate bill No. 227,

A bill for an act to amend section 3254 of the Revised Codes of 1899 relating to examination of banks by state examiner and the fees therefor, and his report thereon to the governor.

Also,

Senate bill No. 167,

A bill for an act to amend sections 3137 and 3142 of the Revised Codes of 1899, relating to insurance premiums to be paid, conditions of policy, assessments and liability of policy holders.

Also,

Senate bill No. 217,

A bill for an act entitled an act directing state auditors to pay over funds belonging to agricultural college and deaf and dumb asylum to the respective institution treasurers and providing for the application of such funds.

Also,

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a. Revised Codes, 1899, relating to appointment of assistant examiner.

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

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Hare moved the house do not receive

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071 l of the Revised Codes of the state of North Dakota for 1899.

Mr. Young moved as a substitute

That the rules be suspended and

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071 l of the Revised Codes of the state of North Dakota for 1899.

Be received from the senate.

A call of the house demanded.

All present except Messrs. Mallough and Swarthout, who were excused.

And further proceedings under the call were dispensed with.

Roll call demanded.

The roll was called and there were ayes 37, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Severson,
Axvig,	Johnson,	Stafne,
Bacon,	Keeler,	Strutz,
Bjornson,	Lemke,	Thomas,
Cassell,	McClure,	Thordarson.
Chaffee,	McLean,	Tubbs,
Chevalier,	Morgan,	Tufte,
Dickson,	Nelson,	Watts,
Galbraith,	Nevin,	Watson,
Gronvold,	Parr,	Willison,
Hall,	Ramsett,	Young,
Heath,	Sargeant,	Mr. Speaker,
Hill,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hare,	Palmer,
Bennett,	Hammond,	Phifer,
Brisbin,	Leech,	Reade,
Chacey,	Lerom,	Restemayer,
Davis,	Michels,	Rose,
Dwire,	Miller,	Wade,
Gulack,	Nicholson,	Winslow,
Gullikson,	Packard,	

Absent and not voting Messrs. Mallough and Swarthout.

Messrs. Mallough and Swarthout being excused.

So the motion was lost.

Mr. Hare moved

That the vote just taken be reconsidered, and the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Bacon moved

That the rules be suspended and that the house receive Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes, 1899, relating to appointment of assistant examiner.

Also,

Senate bill No. 217,

A bill for an act entitled an act directing state auditors to pay over funds belonging to agricultural college and deaf and dumb asylum to the respective institution treasurers and providing for the application of such funds.

Also,

Senate bill No. 167,

A bill for an act to amend sections 3137 and 3142 of the Revised Codes of 1899, relating to insurance premiums to be paid, conditions of policy, assessments and liability of policy holders.

Also,

Senate bill No. 227,

A bill for an act to amend section 3254 of the Revised Codes of 1899 relating to examination of banks by state examiner and the fees therefor, and his report thereon to the governor.

Mr. Young moved as a substitute

That we reconsider the vote by which

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071L of the Revised Codes of the state of North Dakota for 1899,

Was not received.

Which substitute motion prevailed.

The question being on the original motion.

Roll call demanded.

The roll was called and there were ayes 42, nays 14, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Chevalier,
Dickson,
Galbraith,
Gronvold,
Hall,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Lemke,
Lerom,
McClure,
McLean,
Miller,
Morgan,
Nelson,
Nevin,
Parr,
Ramsett,
Restemayer,

Messrs.—

Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Allshouse,
Bacon,
Brisbin,
Dwire,
Gulack,

Messrs.—

Hare,
Hammond,
Leech,
Michels,
Packard,

Messrs.—

Phifer,
Reade,
Rose,
Wade,

Absent and not voting:

Messrs.—

Davis,
Gullikson,

Messrs.—

Mallough,
Nicholson,

Messrs.—

Palmer,
Swarthout,

Messrs. Mallough and Swarthout being excused.

So the motion prevailed.

Verification demanded.

The roll was called and there were ayes 46, nays 13, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Sargeant,
Axvig,	Johnson,	Severson,
Bennett,	Keeler,	Stafne,
Bjornson,	Lemke,	Strutz,
Cassell,	Lerom,	Thomas,
Chacey,	McClure,	Thordarson.
Chaffee,	McLear,	Tubbs,
Chevalier,	Miller,	Tufte,
Davis,	Morgan,	Wade,
Dickson,	Nelson,	Watts,
Galbraith,	Nicholson,	Watson,
Gronvold,	Nevin,	Willison,
Hall,	Parr,	Winslow,
Hammond,	Ramsett,	Young,
Heath,	Restemayer,	Mr. Speaker,
Hill,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Gullikson,	Packard,
Bacon,	Hare,	Phifer,
Brisbin,	Leech,	Reade,
Dwire,	Michels,	Rose,
Gulack,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Mallough,	Palmer,	Swarthout,

Messrs. Mallough and Swarthout being excused.

So the vote was verified.

Mr. Gulack moved that the vote by which Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Roll call demanded.

The roll was called and there were ayes 30, nays 29, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Restemayer,
Anderson,	Leech,	Rose,
Axvig,	Lemke,	Severson,
Bacon,	Lerom,	Stafne,
Brisbin,	McClure,	Thomas,
Chevalier,	Michels,	Thordarson,
Dwire,	Miller,	Wade,
Gulack,	Morgan,	Watts,
Gullikson,	Ramsett,	Young,
Hare,	Reade,	Mr. Speaker,

Those voting in the negative were:

Messrs.—
 Bennett,
 Bjornson,
 Cassell,
 Chacey,
 Chaffee,
 Davis,
 Dickson,
 Galbraith,
 Gronvold,
 Hammond,

Messrs.—
 Hjelmstad,
 Hill,
 Johnson,
 Keeler,
 McLean,
 Nelson,
 Nevin,
 Nicholson,
 Packard,
 Palmer,

Messrs.—
 Parr,
 Phifer,
 Sargeant,
 Strutz,
 Tubbs,
 Tufte,
 Watson,
 Willison,
 Winslow,

Absent and not voting:

Messrs.—
 Hall,

Messrs.—
 Mallough,

Messrs.—
 Swarthout,

Messrs. Mallough and Swarthout being excused.

So the motion prevailed.

Mr. Gulack moved

That a conference committee be appointed to confer with a like committee from the senate on

Senate bill No. 115,

A bill for an act to amend sections 1890 and 1896 of the Revised Codes of 1899, relating to number and election of county officers.

And the speaker appointed as such committee Messrs. Gulack, Brisbin and Axvig.

Mr. Young moved

That the rules be suspended, and all bills referred to in the messages from the senate be received.

Mr. Rose asked for a division of the question, which was granted.

The question being on

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes, 1899, relating to appointment of assistant examiner.

Which motion was lost.

The question being on

Senate bill No. 117,

A bill for an act to amend section 1015 and article 2 of chapter 10 of the Revised Codes of the state of North Dakota, 1899.

Which motion prevailed.

The question being on

Senate bill No. 167,

A bill for an act to amend sections 3137 and 3142 of the Revised Codes of 1899, relating to insurance premiums to be paid, conditions of policy, assessments and liability of policy holders.

Which motion prevailed.

The question being on

Senate bill No. 227,

A bill for an act to amend section 3254 of the Revised Codes of 1899 relating to examination of banks by state examiner and the fees therefor, and his report thereon to the governor.

Which motion prevailed.

Senate bill No. 36,

A bill for an act entitled an act to provide for the settlement of estates of decedents.

Was read the third time.

The question being upon the final passage of the bill.

¶ The roll was called and there were ayes 53, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
McClure,
McLean,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Axvig,
Brisbin,
Gulack,

Messrs.—

Hall,
Mallough,
Michels,

Messrs.—

Miller,
Swarthout,
Watson,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 149,

A bill for an act entitled an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed in the office of the register of deeds.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 32, nays 19, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Bennett,

Messrs.—

Leech,
Lemke,
Lerom,
McClure,

Messrs.—

Phifer,
Ramsett,
Restemayer,
Rose,

Messrs.—
 Bjornson,
 Chacey,
 Dickson,
 Dwire,
 Galbraith,
 Gullikson,
 Hjelmstad,

Messrs.—
 McLean,
 Miller,
 Nelson,
 Nevin,
 Nicholson,
 Palmer,
 Parr,

Messrs.—
 Sargeant,
 Strutz,
 Thordarson,
 Tufte,
 Willison,
 Young

Those voting in the negative were:

Messrs.—
 Cassell,
 Chaffee,
 Davis,
 Gronvold,
 Hammond,
 Johnson,
 Keeler,

Messrs.—
 Morgan,
 Packard,
 Reade,
 Severson,
 Stafne,
 Thomas,

Messrs.—
 Tubbs,
 Wade,
 Watts,
 Watson,
 Winslow,
 Mr. Speaker,

Absent and not voting:

Messrs.—
 Axvig,
 Brisbin,
 Chevalier,
 Gulack,

Messrs.—
 Hall,
 Hare,
 Heath,
 Hill,

Messrs.—
 Mallough,
 Michels,
 Swarthout,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved that the vote by which
 Senate bill No. 149,

A bill for an act entitled an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed in the office of the register of deeds.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign
 Senate bill No. 228,

A bill for an act providing for the sale of public lands during the year 1901, and for the disposal of the proceeds of such sale and the revenue accruing thereon.

Also,
 Senate bill No. 157,

A bill for an act entitled an act to amend section 238 of the Revised Codes, relating to state depositories.

Also,
 Senate bill No. 186,

A bill for an act creating a board of trustees for an institution for the feeble minded located at or near the city of Grafton, Walsh county, North Dakota, by an act of congress entitled "An act making appropriations for sundry civil expenses of the government in the fiscal year ending June 30, 1895, and for other

purposes," approved August 18, 1894, and defining the duties of such board of trustees.

Also,

Senate bill No. 91,

A bill for an act to provide for the erection and equipment of necessary additional buildings for a system of sewerage and for other necessary improvements for the North Dakota agricultural college at Fargo.

Also,

Senate bill No. 117,

A bill for an act to amend section 1015 and article 2 of chapter 10 of the Revised Codes of the state of North Dakota, 1899.

Also,

Senate bill No. 92,

A bill for an act to prevent the extermination of antelope.

Also,

Senate bill No. 87,

A bill for an act entitled an act relating to the sale of dressed beef.

Also,

Senate bill No. 199,

A bill for an act entitled "an act providing for the renewal of judgments and for continuing the lien thereof and prescribing the method of renewing the same without suit for an additional term of ten years and allowing an execution thereon after renewal."

Also,

Senate bill No. 93,

A bill for an act repealing sections 1675, 1676, 1677 and 1678, Revised Codes, 1899, relating to bounties for the manufacture of spinning fibres.

Also,

Senate bill No. 136,

A bill for an act authorizing the board of trustees of the state to offset due or delinquent taxes, due from any person, corporation or society, in whose favor an indebtedness has accrued against such county.

Also,

Senate bill No. 71,

A bill for an act to amend section 497b of the Revised Codes, relating to the time of holding caucuses and the issuance of certificates of election of delegates.

Also,

Senate bill No. 103,

A bill for an act entitled an act authorizing the requirement of

an additional bond to be furnished by city treasurers, and declaring the office vacant upon neglect or refusal so to do.

Also,

Senate bill No. 94,

A bill for an act repealing sections 1679 and 1680, Revised Codes 1899, relating to boundaries for the manufacture of binding twine.

Also,

Senate bill No. 64,

A bill for an act entitled an act to amend section 5260, Revised Codes of 1899, relating to the manner of commencing civil actions.

Also,

Senate bill No. 116,

A bill for an act to amend section 6670, of the Revised Codes and to repeal section 6671 of the Revised Codes.

Also,

Senate bill No. 160,

A bill for an act entitled an act defining newspaper libel and providing for demanding remedy before action can be brought.

Also,

Senate bill No. 161,

A bill for an act to legalize the assessment and levy of taxes in territory over which counties have exercised criminal and civil jurisdiction for four years last past, and providing for the collection of the same.

Also,

Senate bill No. 142,

A bill for an act entitled an act to amend section 5730, Revised Codes, relating to service of notices and papers.

Also,

Senate bill No. 141,

A bill for an act entitled an act to provide when execution of judgment in civil actions may be stayed.

Also,

Senate bill No. 122,

A bill for an act to empower the board of county commissioners to offset due or delinquent taxes, due from any person, corporation or society, in whose favor an indebtedness has accrued against such county.

Also,

Senate bill No. 163,

A bill for an act to amend section 3231, Revised Codes, relating to capital of banks.

Also,

Senate bill No. 120,

A bill for an act to amend section 1704 of the Civil Code, being

section 4680 of the Revised Codes of North Dakota, relating to the creation of liens upon future interests and providing for written notice of such lien and the manner of service of such notice, and that certain liens shall apply to but fifty per cent of gross earnings.

Also,

Senate bill No. 144,

A bill for an act to amend section 119 of the Revised Codes of 1899, relating to the duties of the attorney general.

Also,

Substitute for Senate bill No. 154,

A bill for an act defining express companies, freight line companies, equipment companies, telegraph and telephone companies and providing for the assessment of their property and taxation of the same.

Also,

Senate bill No. 224,

A bill for an act to amend section 2467 of the Revised Codes of North Dakota, 1899, relating to free public libraries.

Also,

Senate bill No. 188,

A bill for an act entitled an act to amend section 1289 of the Revised Codes of 1899, relating to notice when time for redemption expires. Duties of certificate holders and auditors.

Also,

Senate bill No. 170,

A bill for an act providing that certain records shall be kept in the office of the state treasurer.

And the speaker signed the same in the presence of the house.

Mr. Nevin requested the courtesies of the floor for P. S. Chaffee, Foster county.

Mr. Wade for Wm. Stevenson and Louis Connelly, Mandan.

Mr. Morgan for W. L. Van Horn, Fargo.

Mr. McClure for Geo. W. Lee, Stark county.

Mr. Packard for Mr. and Mrs. H. T. Voss, Mandan.

Mr. Reade for J. C. Staley and J. C. Richey.

Mr. Axvig for Geo. Deible, Milton.

There being no objections, the courtesies of the floor were so extended

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Which the senate has amended as follows:

By inserting the word "emergency" after the figure "13" in section 13.

By inserting the word "public" before "storage" in line 3 of section 1.

By inserting "public" before "storage" in line 1 of section 3.

By inserting "public" before "storage" in line 1 of section 4.

By inserting "public" before "storage" in line 1 of section 5.

By inserting "public" before "storage" on line 2 of section 9.

By inserting "public" before "warehouseman" on line 3 of section 9.

By inserting "implement, transfer company or to any" before the word "railroad" in line 1 of section 11.

And passed as amended.

Also,

House bill No. 214,

A bill for an act to amend section 911 of the Revised Codes relating to the meetings and compensation of the members of the board of trustees and the board of management of the normal schools.

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Bacon moved that the house do concur in the senate amendments to

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Which motion prevailed.

The question being upon the final passage of the bill as amended

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,

Messrs.—

Hall,
Hare,
Hammond,
Heath,
Hill,
Keeler,
Leech,
Lemke,
Lerom,

Messrs.—

Parr,
Phifer,
Restemayer,
Rose,
Sargeant,
Stafne,
Strutz,
Thomas,
Thordarson,

Messrs.—

Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gulack,
Gullikson,

Absent and not voting:

Messrs.—

Hjelmstad,
Johnson,
Mallough,

Messrs.—

McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,

Messrs.—

Palmer,
Ramsett,
Reade,

Messrs.—

Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Messrs.—

Severson,
Swarthout,

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 7, 1901.

Mr. Speaker:

I have the honor to transmit herewith
House bill No. 32,

A bill for an act to regulate the practice of barbering, the
licensing of persons to carry on such practice, and to insure
the better education of such practitioners in the state of North
Dakota.

Also,
House bill No. 73,

A bill for an act to amend sections 450, 453, 456 and 457 of the
Revised Codes of North Dakota, relating to jurors and the manner
of drawing same.

Which the senate has passed unchanged.

Also,
House bill No. 103,

A bill for an act to prevent the adulteration, misbranding and
selling of adulterated and unwholesome foods and beverages,
prescribing a penalty for the violation, and charging the states
attorney with the enforcement hereof.

Which the senate has amended as follows:

That section 6 shall read as follows:

"Section 6. This act shall take effect January 1, 1902.

And passed as amended.

Also,
House bill No. 124,

A bill for an act to amend section 51 of chapter 126 of the

Session Laws of 1897, being section 1229 of the Political Code, relating to the rate of state and county tax, prescribing the manner in which township taxes may be levied, fixing the rates of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases.

Which the senate has amended as follows:

By adding at the end of section 2 the following:

"Provided, also, that the board of county commissioners shall have the same jurisdiction in relation to roads and bridges and the same power to levy road taxes in the unorganized parts of counties as the township supervisors now have in organized townships."

And passed as amended.

Also,

House bill No. 139,

A bill for an act to amend section 7671 of the Revised Codes of 1899, relating to unlawful obligations.

Which the senate has passed unchanged.

Also,

House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

Which the senate has amended as follows:

At the end of the last line in section 1, add the following words: "Provided further, if a surety bond is given it shall be given for a sum fixed by the board of directors."

And passed as amended.

Also,

House bill No. 173,

A bill for an act to amend section 502 of the Revised Codes of 1899, relating to certificates of nomination and prescribing the qualifications of persons participating in nomination at caucuses or in conventions, or by petition, and prescribing the duties of the secretary of state in reference to the placing of nominees on the official ballot.

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Morgan moved

That the house concur in the senate amendments to

House bill No. 124,

A bill for an act to amend section 51 of chapter 126 of the Session Laws of 1897, being section 1229 of the Political Code, relating to the rate of state and county tax, prescribing the manner in which township taxes may be levied, fixing the rates of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases.

Which motion prevailed,

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

The roll was called and there were ayes 50, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Hjelmstad,	Reade,
Bennett,	Keeler,	Rose,
Bjornson,	Leech,	Sargeant,
Brisbin,	Lemke,	Severson,
Cassell,	Lerom,	Stafne,
Chacey,	McLean,	Strutz,
Chaffee,	Michels,	Thomas,
Chevalier,	Miller,	Tubbs,
Davis,	Morgan,	Tufte,
Dickson,	Nelson,	Wade,
Dwire,	Nevin,	Watts,
Galbraith,	Nicholson,	Watson,
Gronvold,	Packard,	Willison,
Gullikson,	Palmer,	Winslow,
Hall,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker.
Heath,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse.	Hare,	McClure,
Anderson,	Hill,	Restemayer,
Bacon,	Johnson,	Swarthout,
Gulack,	Mallough,	Thordarson,

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Keeler moved

That the house concur in the senate amendments to
House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

Which motion prevailed.

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

The roll was called and there were ayes 51, nays 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Ramsett,
Anderson	Keeler,	Reade,
Bacon,	Leech,	Restemayer,
Bjornson,	Lemke,	Rose,
Cassell,	Lerom,	Sargeant,
Chacey,	McClure,	Severson,
Chaffee,	McLean,	Stafne,

Messrs.—

Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gullikson,
Hall,
Hare,
Hammond,
Heath,

Messrs.—

Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,

Messrs.—

Strutz,
Thomas,
Thordarson,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker.

Absent and not voting:

Messrs.—

Axvig,
Bennett,
Brisbin,
Gronvold,

Messrs.—

Gulack.
Hjelmstad,
Johnson,

Messrs.—

Mallough,
Swarthout,
Tubbs,

Mr. Watts voted in the negative.

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Thomas moved

That the house concur in the senate amendments to
House bill No. 103.

A bill for an act to prevent the adulteration, misbranding and
selling of adulterated and unwholesome foods and beverages,
prescribing a penalty for the violation, and charging the states
attorney with the enforcement hereof.

Which motion prevailed.

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

The roll was called and there were ayes 52, nays none, absent
and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Bacon,
Bennett,
Bjornson,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Hall,
Hare,
Hammond,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Lemke,
Lerom,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,
Phifer,
Reade,

Messrs.—

Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thoruarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Anderson,
Axvig,
Brisbin,
Gulack,

Messrs.—

Gullikson,
Leech,
Mallough,

Messrs.—

McClure,
Ramsett,
Swarthout,

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Davis moved

That the vote by which the house refused to receive
Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised
Codes, 1899, relating to appointment of assistant examiner.

Be reconsidered,

Which motion prevailed.

The question being on the suspension of the rule and receiv-
ing of

Senate bill No. 176,

A bill for an act entitled an act to amend section 141a, Revised
Codes, 1899, relating to appointment of assistant examiner.

So the motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 203,

A bill for an act to amend section 1474 of the Revised Codes
providing for the issue of bonds for defraying the expenses of
constructing drains.

Which the senate has amended as follows:

After the word "thereof" insert the following: "Provided, that only
land owners, who may desire to pay the entire amount assessed against
his land for the entire cost of such drain including warrants and interest
thereon, may, prior to the sale of said bonds, pay into the county treas-
ury the amount of said assessment for which the treasurer shall give his
receipt in full, and such lands shall not be included in the list of the lands
assessed. The money paid in shall be used to take up warrants and the
bonds issued shall be for such an amount as will pay the remainder of the
warrants outstanding."

Also,

House bill No. 153,

A bill for an act to amend section 1722 of the Political Code
of the Revised Codes of 1899, relating to weights and measures.

Which the senate has passed unchanged.

Also,

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Which the senate has amended as follows:

By striking out the word "ten" in line 4, section 1 of printed bill and inserting in lieu thereof the words "twenty-five."

And passed as amended.

Also,

House bill No. 218,

A bill for an act entitled an act to amend section 1115b of article 5 of chapter 11 of the Revised Codes of 1899 relating to the purchase of road machinery.

Which the senate has passed unchanged.

Also,

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

Which the senate has amended as follows:

After the word "county" in line 4 of the printed bill strike out the word "shall" and insert in lieu thereof the words "may in their discretion."

And passed as amended.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Tufte moved

That the house take a recess of ten minutes.

Which motion prevailed, and

The house took a recess.

House reassembled.

REPORT OF CONFERENCE COMMITTEE.

A majority of your conference committee on Substitute for Senate bill No. 115 made the following report:

Mr. Speaker:

The majority of your committee appointed to confer on the house amendment to substitute for Senate bill No. 115 recommend that the house do recede from the house amendment.

G. O. GULACK,

C. H. BRISBIN,

Mr. Keeler moved

That the report be adopted.

Which motion prevailed, and

The majority report of the committee was adopted.

The question being on the final passage of

Substitute for Senate bill No. 115,

A bill for an act to amend sections 1842, 1893, 1896 and 2095, of the Revised Codes of 1899 relating to commissioner districts and the powers, election and compensation of county commissioners.

As agreed to by the conference committee.

The roll was called and there were ayes 40, nays 17, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hjelmstad,	Phifer,
Bacon,	Johnson,	Rose,
Bennett,	Keeler,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lerom,	Strutz,
Chacey,	McClure,	Thordarson,
Chaffee,	Miller,	Tubbs,
Dickson,	Morgan,	Tufte,
Dwire,	Nicholson,	Wade,
Gulack,	Nevin,	Watson,
Gullikson,	Packard,	Winslow,
Hall,	Palmer,	Young,
Heath,	Parr,	Mr. Speaker,
Hill,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Gronvold,	Restemayer,
Axvig,	Hare,	Stafne,
Bjornson,	Lemke,	Thomas,
Chevalier,	McLean,	Watts,
Davis,	Nelson,	Willison,
Galbraith,	Reade,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hammond,	Mallough,	Swarthout,
Michels,	Ramsett,	

Messrs. Mallough and Swarthout being excused.

Mr. Axvig explained his vote.

So the bill passed and the title was agreed to.

Mr. Keeler moved that the vote by which Senate bill No. 115,

A bill for an act to amend sections 1890 and 1896 of the Revised Codes of 1899, relating to number and election of county officers.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Stafne moved

That the house concur in senate amendments to

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Re-

vised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Which motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays 2, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Ramsett,
Anderson,	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Rose,
Bennett,	Keeler,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	Lerom,	Strutz,
Chaffee,	McClure,	Thomas,
Chevalier,	McLean,	Thordarson,
Davis,	Miller,	Tubbs,
Lickson,	Morgan,	Tufte,
Dwire,	Nelson,	Wade,
Galbraith,	Nevin,	Watts,
Gulack,	Nicholson,	Watson,
Gullikson,	Packard,	Willison,
Hall,	Palmer,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond,	Phifer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gronvold,	Michels,	Swarthout,
Mallough,		

Messrs. Bjornson and Winslow voting in the negative.

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes, 1899, relating to appointment of assistant examiner.

As requested by the house.

Also,

House bill No. 181,

A bill for an act to amend section 7264 of the Penal Code of the state of North Dakota.

Also,

House bill No. 129, substitute for House bill No. 102,
A bill for an act to amend section 1322, chapter 18, Revised
Codes, 1899.

Also,

House bill No. 16,
A bill for an act to repeal chapter 60 of the session laws of 1897
forbidding and preventing the practice of law by judges of county
courts having increased jurisdiction.

Also,

House bill No. 167,
A bill for an act to prohibit the sale of certain game birds and
animals within the state and providing a penalty for violation of
the same.

Which the senate has passed unchanged.

Also,

House bill No. 213,
A bill for an act giving the state and counties precedence over
liens in the enforcement of the collection of personal property
taxes.

Which the senate has amended as follows:

At the end of section 1, add the following: "Provided, that any person
holding a lien on personal property of any tax debtor may demand and
require the property of the tax debtor not covered by a lien to be first
exhausted in the payment of such taxes."

And passed as amended.

Also,

House bill No. 105,
A bill for an act to amend section 4827 of the Revised Codes
of North Dakota, relating to farm laborer's lien. How the
same may be obtained, and extending the time for filing affidavit
and notice.

Which the senate has amended as follows:

By striking out the following words in section 1 of original bill: "But
in no case shall any lien attach on any crops on which any prior lien
exists for a greater amount than the value of the actual labor performed
thereon."

And passed as amended.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The speaker called Mr. Bacon to the chair.

Mr. Young offered the following motion and moved its adoption:

That the chair appoint a committee of three to explain to the
senate the circumstances under which

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071 l of the Revised Codes of the state of North Dakota for 1899.

Was removed from this house, particularly as to the fact that the same was never messaged from this house, but was taken away by an officer of the senate by mistake and without authority.

The speaker appointed as such committee Messrs. Young, Pollock and Hare.

Mr. Davis moved

That the house do not concur in the senate amendment to House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

Which motion prevailed.

Mr. Davis moved

That the chair appoint a conference committee of three,

Which motion prevailed, and

The chair appointed Messrs. Davis, Winslow and Gulack as such conference committee.

Mr. Chacey moved

That the house do concur in the senate amendments to House bill No. 203,

A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

Which motion prevailed.

The question being upon the final passage of the bill as amended

The roll was called and there were ayes 42, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Gullikson,	Nicholson,
Axvig,	Hall,	Palmer,
Bacon,	Hammond.	Parr,
Bennett,	Heath,	Phifer,
Bjornson,	Hjelmstad,	Reade,
Brisbin,	Johnson,	Restemayer,
Cassell,	Keeler,	Sargeant,
Chacey,	Leech,	Strutz,
Chaffee,	Lemke,	Thomas,
Chevalier,	Lerom,	Tubbs,
Davis,	McClure,	Wade,
Dwire,	McLean,	Watts,
Galbraith,	Miller,	Willison,
Gronvold,	Nevin,	Winslow,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Morgan,	Swarthout,
Dickson,	Nelson,	Thordarson,
Gulack,	Packard,	Tufte,
Hare,	Ramsett,	Watson,

Messrs.—

Hill,
Mallough,
Michels,

Messrs.—

Rose,
Severson,
Stafne,

Messrs.—

Young,
Mr. Speaker,

Messrs. Mallough and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Chacey moved that the vote by which

House bill No. 203,

A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed,

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 25, nays 25, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bacon,
Bjornson,
Chacey,
Chevalier,
Dwire,
Galbraith,
Gullikson,
Hall,

Messrs.—

Heath,
Hjelmstad,
Leech,
Lerom,
McLean,
Morgan,
Nevin,
Palmer,

Messrs.—

Parr,
Ramsett,
Restemayer,
Severson,
Stafne,
Thomas,
Watts,
Winslow,

Those voting in the negative were:

Messrs.—

Allshouse,
Bennett,
Cassell,
Chaffee,
Davis,
Gronvold,
Hammond,
Hill,
Johnson,

Messrs.—

Keeler,
Lemke,
McClure,
Nelson,
Nicholson,
Packard,
Phifer,
Reade,

Messrs.—

Sargeant,
Strutz,
Tubbs,
Tutte,
Wade,
Watson,
Willison,
Mr. Speaker,

Absent and not voting:

Messrs.—

Anderson,
Brisbin,
Dickson,
Gulack,

Messrs.—

Hare,
Mallough,
Michels,
Miller,

Messrs.—

Rose,
Swarthout,
Thordarson,
Young,

Messrs. Mallough and Swarthout being excused.

Mr. Axvig explained his vote.

So the bill was lost.

Mr. Cassell moved that the vote by which

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

Was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Cassell moved that the rules be suspended and the house pass to first and second reading of senate bills.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 227,

A bill for an act to amend section 3254 of the Revised Codes of 1899, relating to examination of banks by state examiner and the fees therefor, and his report thereon to the governor.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 217,

A bill for an act entitled an act directing state auditors to pay over funds belonging to agricultural college and deaf and dumb asylum to the respective institution treasurers and providing for the application of such funds.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 167,

A bill for an act to amend sections 3137 and 3142 of the Revised Codes of 1899, relating to insurance premiums to be paid, conditions of policy, assessments and liability of policy holders.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes, 1899, relating to appointment of assistant examiner.

Was read the first and second times, and

Referred to the steering committee.

Mr. Hjelmstad moved

That the house concur in senate amendments to

House bill No. 105,

A bill for an act to amend section 4827 of the Revised Codes of North Dakota, relating to farm laborer's lien. How the

same may be obtained, and extending the time for filing affidavit and notice.

Which motion prevailed.

The question being upon the final passage of the bill as amended

The roll was called and there were ayes 38, nays 13, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Reade,
Bacon,	Keeler,	Severson,
Brisbin,	Lerom,	Stafne,
Cassell,	McLean,	Thomas,
Chevalier,	Miller,	Thordarson,
Davis,	Morgan,	Tubbs,
Dwire,	Nelson,	Tufte,
Gulack,	Nicholson,	Wade,
Gullikson,	Nevin,	Watson,
Hall,	Packard,	Willison,
Hare,	Parr,	Winslow,
Heath,	Ramsett,	Mr. Speaker,
Hill,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Hammond,	Restemayer,
Bjornson,	Johnson,	Rose,
Chaffee,	Lemke,	Strutz,
Chacey,	McClure,	Watts,
Dickson,	Phifer,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Leech,	Sargeant,
Bennett,	Mallough,	Swarthout,
Galbraith,	Michels,	Young,
Gronvold,	Palmer,	

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Cassell moved

That the house do concur in senate amendments to

House bill No. 213,

A bill for an act giving the state and counties precedence over liens in the enforcement of the collection of personal property taxes.

Which motion prevailed.

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

The roll was called and there were ayes 50, nays 3, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Rose,
Bacon,	Johnson,	Sargeant,
Bjornson,	Keeler,	Severson,

Messrs.—

Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Galbraith,
Gronvold,
Gulack,
Gullikson,
Hall,
Hare,
Heath,
Hill,

Messrs.—

Leech,
Lemke,
Lerom,
McLean,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Palmer,
Parr,
Phifer,
Reade,
Restemayer,

Messrs.—

Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Allshouse,

Messrs.—

McClure,

Messrs.—

Miller,

Absent and not voting:

Messrs.—

Axvig,
Bennett,
Brisbin,

Messrs.—

Dwire,
Hammond,
Mallough,

Messrs.—

Michels,
Ramsett,
Swarthout,

Messrs. Mallough and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Cassell moved

That the house take a recess until 10 o'clock a. m. tomorrow,

Which motion prevailed, and

The house took a recess until 10 o'clock a. m. Friday.

FIFTY-NINTH DAY—AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith
Senate bill No. 156,

A bill for an act entitled an act to amend section 3071L of the
Revised Codes of the state of North Dakota for 1899.

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

Very respectfully,
GEORGE L. TOWNES,
Secretary.

Mr. Packard moved
 That the rules be suspended and that
 Senate bill No. 156,
 A bill for an act entitled an act to amend section 3071L of the
 Revised Codes of the state of North Dakota for 1899.

Receive its first and second reading.

Which motion prevailed.

And

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071L of the
 Revised Codes of the state of North Dakota for 1899.

Was read the first and second times, and

Referred to the steering committee.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 125,

A bill for an act regulating water rights for irrigation purposes.

Also,

House bill No. 214,

A bill for an act to amend section 911 of the Revised Codes, relating to the meetings and compensation of the members of the board of trustees and the boards of management of the normal schools.

Also,

House bill No. 173,

A bill for an act to amend section 502 of the Revised Codes of 1899, relating to certificates of nomination and prescribing the qualifications of persons participating in nomination at caucuses or in conventions, or by petition, and prescribing the duties of the secretary of state in reference to the placing of nominees on the official ballot.

Also,

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Also.

House bill No. 105,

A bill for an act to amend section 4827 of the Revised Codes of North Dakota, relating to farm laborer's lien. How the same may be obtained, and extending the time for filing affidavit and notice.

Also,

Senate bill No. 218,

A bill for an act entitled an act to amend section 1115b of article 5 of chapter 11 of the Revised Codes of 1899, relating to the purchase of road machinery.

Also,

House bill No. 181,

A bill for an act to amend section 7264 of the Penal Code of the state of North Dakota.

Also,

House bill No. 129,

A bill for an act to amend section 1322, chapter 18, Revised Codes, 1899.

Also,

House bill No. 139,

A bill for an act to amend section 7671 of the Revised Codes of 1899, relating to unlawful obligations.

Also,

House bill No. 103,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, and charging the states attorney with the enforcement hereof.

Also,

House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

Also,

House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

Also,

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Also,

House bill No. 16,

Concurrent resolution amending the constitution of the state of North Dakota.

Also,

House bill No. 213,

A bill for an act giving the state and counties precedence over liens in the enforcement of the collection of personal property taxes.

Also,

House bill No. 167,

A bill for an act to prohibit the sale of certain game birds and animals within the state and providing a penalty for violation of the same.

Also,

House bill No. 73,

A bill for an act to amend sections 450, 453, 456 and 457 of the Revised Codes of North Dakota relating to jurors and the manner of drawing same.

And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The chief clerk announced that the speaker is about to sign

House bill No. 173,

A bill for an act to amend section 502 of the Revised Codes of 1899, relating to certificates of nomination and prescribing the qualifications of persons participating in nomination at caucuses or in conventions, or by petition, and prescribing the duties of the secretary of state in reference to the placing of nominees on the official ballot.

Also,

House bill No. 182,

A bill for an act to license and regulate the business of storage companies and public warehousemen (other than warehousemen of grain in bulk) and to provide penalty for violation of the same.

Also,

House bill No. 105,

A bill for an act to amend section 4827 of the Revised Codes of North Dakota, relating to farm laborer's lien. How the same may be obtained, and extending the time for affidavit and notice.

Also,

House bill No. 218,

A bill for an act entitled an act to amend section 1115b of article 5 of chapter 11 of the Revised Codes of 1899, relating to the purchase of road machinery.

Also,

House bill No. 181,

A bill for an act to amend section 7264 of the Penal Code of the state of North Dakota.

Also,

House bill No. 129,

A bill for an act to amend section 1322, chapter 18, Revised Codes, 1899.

Also,

House bill No. 213,

A bill for an act giving the state and counties precedence over liens in the enforcement of the collection of personal property axes.

Also,

House bill No. 167,

A bill for an act to prohibit the sale of certain game and animals within the state and providing a penalty for violation of the same.

Also,

House bill No. 73,

A bill for an act to amend sections 450, 453, 456 and 457 of the Revised Codes of North Dakota, relating to jurors and the manner of drawing same.

Also,

House bill No. 214,

A bill for an act to amend section 911 of the Revised Codes, relating to the meetings and compensation of the members of the board of trustees and the board of management of the normal schools.

Also,

House bill No. 139,

A bill for an act to amend section 7671 of the Revised Codes of 1899, relating to unlawful obligations.

Also,

House bill No. 103,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, and charging the states attorney with the enforcement hereof.

Also,

House bill No. 86,

A bill for an act to provide for the giving of proper official bonds by school district treasurers, and to provide for the payment of the premiums on same.

Also,

House bill No. 153,

A bill for an act to amend section 1722 of the Political Code of the Revised Codes of 1899, relating to weights and measures.

Also,

House bill No. 144,

A bill for an act to amend sections 1894 and 1895 of the Revised Codes of the state of North Dakota of 1899, relating to the procedure for redistricting county commissioners' districts.

Also,
House bill No. 16,
Concurrent resolution amending the constitution of the state
of North Dakota.

Also,
House bill No. 125,
A bill for an act regulating water rights for irrigation pur-
poses.

And the speaker signed the same in the presence of the house.

Senate bill No. 86,

A bill for an act to amend section 8494 of the Revised Codes
of 1899, relating to the governor demanding the return of fugi-
tives from justice in this state of the executive authority of
any other state or territory, within the United States, providing
for the appointment of agents to receive and return such fugi-
tives and providing for payment of such agents.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and
not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Hare,	Phifer,
Anderson,	Heath,	Ramsett,
Axvig,	Hill,	Reade,
Bacon,	Hjelmstad,	Restemayer,
Bennett,	Johnson,	Rose,
Bjornson,	Keeler,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Strutz,
Chacey,	Lerom,	Thomas,
Chaffee,	Mallough,	Thordarson,
Chevalier,	McClure,	Tubbs,
Davis,	McLean,	Tufte,
Dickson,	Michels,	Wade,
Dwire,	Morgan,	Watts,
Galbraith,	Nelson,	Watson,
Gronvold,	Nicholson,	Willison,
Cullikson,	Packard,	Winslow,
Hall,	Parr,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack,	Nevin,	Swarthout,
Hammond,	Palmer,	Young,
Miller,	Stafne,	

Mr. Swarthout being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

Which the senate has amended as follows:

Strike out all of the printed bill from and including line 5 to line 26 inclusive, and insert in lieu thereof the following:

1. Shoots or kills, any prairie chicken, pinnated grouse, sharp tailed grouse, ruffled grouse or woodcock between the fifteenth day of October and the first day of September following, or any song bird or insect-eating bird except snipe or plover at any time, or

2. Shoots, kills or takes any quail, English or Chinese pheasants or wild swan until after the first day of September, A. D. 1905. and after that time between the fifteenth day of October and the first day of September following, or

3. Shoots or kills any wild duck between the first day of May and the first day of September following, or

4. Shoots or kills any wild goose, crane or brant between the first day of May and the first day of September following, or

5. Shall at any time catch or kill any of the birds permitted to be killed by this act at any time in any other manner than by shooting them with a gun, held to the shoulder of the person discharging the same, or

6. Shall at any time set, lay or prepare any traps, snare, net, bird lime, medicated, drugged or poisoned food or grain, or swiveled gun or any contrivance or device whatever with intent to catch, take or kill any of the birds in this act mentioned, whether the same are caught or not, or make use of any artificial light, battery or any other deception, contrivance or device whatever with intent to attract or deceive any of the birds in this act mentioned except that decoys and blinds may be used in hunting wild geese, ducks and brants. No person shall at any time hunt or shoot from any boat, canoe, or contrivance or device whatever on any waters in this state between the hours of 5 p. m. and 8 a. m., and no person shall at any time make use of, hunt or shoot from any floating battery, sinkboat or sunken tub or any similar device on any of the waters of this state.

7. Wantonly destroys any nest or eggs of any of the birds mentioned in subdivisions 1, 2, 3 or 4 of this section, or

8. Shoots or kills any buffalo, moose, elk, caribou, or mountain sheep at any time or any deer between the first day of December and the tenth day of November following, or

And add at the end of the printed bill the following, or

13. All acts or parts of acts in conflict with this act are hereby repealed.

Also at the end of subdivision 6 add the word "or."

And passed as amended.

Also,

House bill No. 97,

A bill for an act to amend chapter 21 of the Revised Codes, governing the location, establishment and construction of drains, and relating to the allowance and taxation of costs and attorneys fees against the defendants in actions to enjoin drainage proceedings or the levy and collection of taxes and assessments therefor.

Also,

House bill No. 163,

A bill for an act to amend section 2564 of article 8 of chapter 31 of the Revised Codes, relating to the time when township officers shall qualify.

Which the senate has passed unchanged.

GEORGE L. TOWNES,

Secretary.

Mr. Bacon moved that a committee of five be appointed to look over the amendments to

House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

The committee to include the author of the bill.

Which motion prevailed, and

The speaker appointed as such: Messrs. Bacon, Morgan, Davis, Rose and Reade.

Senate bill No. 29,

A bill for an act entitled an act authorizing district courts and also the supreme court of the state to direct judgment to be entered in certain cases instead of granting a motion for a new trial.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bennett,
Bacon,
Brisbin,
Bjornson,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,

Messrs.—

Phifer,
Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,

Messrs.—

Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,

Messrs.—

Nelson,
Nevin,
Nicholson,
Packard,
Parr,

Messrs.—

Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Gulack,
Hammond,
Morgan,

Messrs.—

Palmer,
Sargeant,

Messrs.—

Stafne,
Swarthout,

Mr. Swarthout being excused

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 200,

A bill for an act authorizing the county commissioners to build and equip dipping tanks at county expense.

Which the senate has indefinitely postponed.

Also,

House bill No. 99,

A bill for an act to amend section 220, chapter 4 of the Revised Codes of 1899, relating to advertisements for leasing of school lands.

Also,

House bill No. 119,

A bill for an act to amend sections 5, 6 and 7 of chapter 82 of the session laws of 1897, being section 6676e of the Revised Codes of 1899, relating to garnishee procedure in justice court.

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Senate bill No. 198,

A bill for an act entitled an act regulating the filing and foreclosure of mechanic's liens upon land held or occupied under a filing under any of the land laws of the United States.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Phifer,
Anderson,	Hill,	Ramsett,
Axvig,	Hjelmstad,	Reade,
Bennett,	Johnson,	Restemayer,
Bjornson,	Keeler,	Severson,
Brisbin,	Leech,	Stafne,
Cassell,	Lemke,	Strutz,
Chacey,	Lerom,	Thomas,
Chaffee,	Mallough,	Thordarson,
Chevalier,	McClure,	Tubbs,
Davis,	McLean,	Tufte,
Lickson,	Michels,	Wade,
Dwire,	Miller,	Watts,
Galbraith,	Morgan,	Watson,
Gronvold,	Nelson,	Willison,
Gullikson,	Nevin,	Winslow,
Hall,	Packard,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Palmer,	Sargeant,
Gulack,	Rose,	Swarthout,
Nicholson,		

Mr. Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 152,

A bill for an act legalizing the levy of taxes for road and general purposes by the township board of supervisors for the years 1899 and 1900.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Phifer,
Anderson,	Hill,	Ramsett,
Axvig,	Hjelmstad,	Reade,
Bacon,	Johnson,	Restemayer,
Bennett,	Keeler,	Severson,
Bjornson,	Leech,	Stafne,
Brisbin,	Lemke,	Strutz,
Cassell,	Lerom,	Thomas,
Chacey,	Mallough,	Thordarson,
Chaffee,	McClure,	Tubbs,
Chevalier,	McLean,	Tufte,
Davis,	Michels,	Wade,

Messrs.—

Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hammond,

Absent and not voting:

Messrs.—

Gulack,
Hare,

Mr. Swarthout being excused.

So the bill passed and the title was agreed to.

Messrs.—

Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Parr,

Messrs.—

Palmer,
Rose,

Messrs.—

Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Messrs.—

Sargeant,
Swarthout,

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

Which the senate has amended as follows:

Add at end of bill: "III. Provided further, that it shall be unlawful between the first day of October and the following first day of May for any person to fish in any manner in any of the waters of this state wherein any fish have been placed for propogating or breeding, by either the state or national government, and the same penalty shall apply as provided elsewhere in this act."

. And passed as amended.

Also,

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

Also,

House bill No. 113,

Concurrent resolution.

That the following amendment to the constitution of the state of North Dakota be adopted by the seventh legislative assembly of the state of North Dakota, and by it submitted to the eighth legislative assembly of said state for approval.

Also,

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Which the senate has passed unchanged.

GEORGE L. TOWNES,

Secretary.

Senate bill No. 171,

A bill for an act to amend and re-enact section 334, Revised Codes, 1899, in reference to allowance of clerk hire in state offices.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Hall,
Hare,
Hammond,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,
Packard,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Anderson,
Bennett,

Messrs.—

Gulack,
Gullikson,
Palmer,

Messrs.—

Sargeant,
Swarthout,

Mr. Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Gronvold moved that the house concur in senate amendment to

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

Which motion prevailed.

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

Was read the third time.

The question being upon the final passage of the bill

¶ The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,
Phifer,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allhouse,
Gulack,

Messrs.—

Keeler,
Palmer

Messrs.—

Ramsett,
Swarthout,

Mr. Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved that the house recall

Senate bill No. 208,

An act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Which motion prevailed.

Mr. Morgan moved that the house concur in senate amendments to

House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899 relating to game and fish.

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

The roll was called and there were ayes 53, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hammond,
Heath,
Hill,
Hjelmstad,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Anderson,
Bacon,

Messrs.—

Dickson,
Gulack,
Palmer,

Messrs.—

Swarthout,
Winslow,

Mr. Bennett voting in the negative.

Mr. Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Senate bill No. 207,

A bill for an act entitled "an act to amend section 6346 of the Revised Codes of 1899, being section 21 of chapter 3 of the laws of 1897, providing the requisities for qualification of executors, administrators and guardians."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,

Messrs.—

Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,

Messrs.—

Parr,
Phifer,
Ramsett,
Reade,
Restemayer,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tufte,
Wade,
Watts,

Messrs.—
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,

Messrs.—
Miller,
Morgan,
Nelson,
Nicholson,
Nevin,

Messrs.—
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—
Bennett,
Gulack,
Packard,

Messrs.—
Palmer,
Rose,
Sargeant,

Messrs.—
Swarthout,
Tubbs,

Mr. Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 215,

A bill for an act requiring the payment of taxes by non-resident owners of live stock from other states herding and feeding on the ranges of the state of North Dakota, and providing for collection of such taxes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—
Allshouse,
Anderson,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Gullikson,
Hall,

Messrs.—
Hare,
Heath,
Leech,
Lerom,
Mallough,
McClure,
Michels,
Miller,
Morgan,
Nevin,
Nicholson,

Messrs.—
Packard,
Parr,
Ramsett,
Reade,
Severson,
Stafne,
Strutz,
Thomas,
Wade,
Watson,
Young,

Those voting in the negative were:

Messrs.—
Axvig,
Bennett,
Galbraith,
Gronvold,
Hammond,

Messrs.—
Johnson,
McLean,
Phifer,
Thorarson,
Tubbs,

Messrs.—
Tufte,
Watts,
Willison,
Winslow,
Mr. Speaker,

Absent and not voting:

Messrs.—
Bacon,
Dickson,
Gulack,
Hill,
Hjelmstad,

Messrs.—
Keeler,
Lemke,
Nelson,
Palmer,

Messrs.—
Restemayer,
Rose,
Sargeant,
Swarthout,

Mr. Swarthout being excused.

Mr. Thordarson explained his vote.

So the bill as amended passed and the title was agreed to.

Senate bill No. 53,

A bill for an act making an appropriation for deficit in fuel accounts at North Dakota hospital for the insane.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 49, nays 3, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Phifer,
Anderson,	Hill,	Ramsett,
Bennett,	Johnson,	Reade,
Bjornson,	Keeler,	Restemayer,
Brisbin,	Lemke,	Strutz,
Cassell,	Lerom,	Thomas,
Chacey,	Mallough,	Thordarson,
Chaffee,	McClure,	Tubbs,
Chevalier,	Michels,	Tufte,
Davis,	Miller,	Wade,
Dickson,	Morgan,	Watts,
Dwire,	Nelson,	Watson,
Gronvold,	Nicholson,	Willison,
Gullikson,	Nevin,	Winslow,
Hall,	Packard,	Young,
Hare,	Parr,	Mr. Speaker,
Hammond,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Galbraith,	Hjelmstad,	McLean,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig	Palmer,	Severson,
Bacon,	Rose,	Stafne,
Gulack,	Sargeant,	Swarthout,
Leech,		

Mr. Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Cassell moved that we expunge from the record of yesterday's Journal the following.

Mr. Cassell moved that the vote by which

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

Was lost be reconsidered, and the motion to reconsider be laid on the table. Which motion prevailed.

Which motion prevailed.

Mr. Cassell moved that we recall from the senate

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

Which motion prevailed.

Mr. Young moved that the house take a recess untill 1.30 p. m., this afternoon.

Which motion prevailed, and

The house took a recess untill 1:30 p. m., this afternoon.

After recess.

REPORTS OF STANDING COMMITTEES.

The steering committee made the following report:

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Which the senate has amended as follows:

By inserting in line 4, section 1 of printed bill after the word "safety" the words "provided that this act shall not compel such person, company or corporation to cause its through railroad trains entering this state from any other state, or its trans-continental trains to stop at any station at any county seat of less than five hundred inhabitants."

Also,

House bill No. 202,

A bill for an act for the construction of an electric line from the penitentiary to the capitol building in the city of Bismarck.

Also,

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

Which the senate has passed unchanged.

Also

House bill No. 126,

A bill for an act providing stables and hitching posts on school sites in rural school districts.

Which the senate has amended as follows:

In line 2, section 2 of the printed bill, strike out the word "two" and insert in lieu thereof the word "four."

And passed as amended.

Also,

I have the honor to request the return of
House bill No. 200,

A bill for an act authorizing the county commissioners to build
and equip dipping tanks at county expense.

Which the senate indefinitely postponed, but which postpone-
ment it has reconsidered.

Also,

I have the honor to transmit herewith

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and
1173 of the Revised Codes of 1899, relating to ferries."

Also,

Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live
stock before shipment, creating the office of stock inspector and
prescribing his duties and compensation.

Which the house of representatives has asked to be returned.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071 l of the
Revised Codes of the state of North Dakota for 1899.

Have had the same under consideration, and recommend that
the further consideration thereof be indefinitely postponed.

M. B. CASSELL,

Chairman.

Mr. Speaker:

A minority of your steering committee to whom was referred

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071 l of the
Revised Codes of the state of North Dakota for 1899.

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

Mr. Leech moved the adoption of the majority report on

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071 l of the
Revised Codes of the state of North Dakota for 1899.

Be adopted.

Mr. Young moved as a substitute motion that the minority report on

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071 l of the Revised Codes of the state of North Dakota for 1899.

Be adopted.

Roll call demanded.

The roll was called and there were ayes 23, nays 24, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Anderson
Bjornson,
Dickson,
Heath,
Hjelmstad,
Keeler,
Lemke,
McClure,

Messrs.—

McLean,
Morgan,
Nelson,
Nevin,
Parr,
Ramsett,
Rose,
Sargeant,

Messrs.—

Severson,
Stafne,
Strutz,
Thomas,
Tufte,
Willison,
Young,

Those voting in the negative were:

Messrs.—

Allhouse,
Bacon,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,

Messrs.—

Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,
Hill,
Leech,
Miller,

Messrs.—

Packard,
Phifer,
Reade,
Restemayer,
Wade,
Watson,
Winslow,
Mr. Speaker.

Absent and not voting:

Messrs.—

Axvig,
Bennett,
Dwire,
Gulack,
Hammond,

Messrs.—

Johnson,
Lerom,
Mallough,
Michels,
Nicholson,

Messrs.—

Palmer,
Swarthout,
Thordarson,
Tubbs,
Watts,

Mr. Swarthout being excused.

So the motion was lost.

The question being on the original motion the same prevailed and

Senate bill No. 156,

A bill for an act entitled an act to amend section 3071l of the Revised Codes of the state of North Dakota for 1899.

Was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 145,

A bill for an act to amend section 1979 of the Revised Codes of 1899, relating to duties of state's attorney.

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

Strike out in line 24 of subdivision 9 of section 1 after the words "attorney at law" the remainder of said line, and all of lines 25, 26 and 27, also in line 33 of said subdivision after the word "amount" insert the words "if so ordered by the court."

And when so amended recommend that the same do pass.

M. B. CASSELL,
Chairman.

Mr. Cassell moved that the rules be suspended, and
The report be adopted,
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate bill No. 217,

A bill for an act entitled an act directing state auditors to pay over funds belonging to agricultural college and deaf and dumb asylum to the respective institution treasurers and providing for the application of such funds.

Also,

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes, 1899, relating to appointment of assistant examiner.

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

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate bill No. 227,

A bill for an act to amend section 3254 of the Revised Codes of 1899, relating to examination of banks by state examiner and the fees therefor, and his report thereon to the governor.

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

Strike out lines 25 and 26 of the engrossed bill and insert in lieu thereof the following: "Banks of twenty thousand dollars capital or less," and in line 14 of engrossed bill strike out the word "of" and insert in lieu thereof the word "to."

And when so amended recommend that the same do pass.

M. B. CASSELL,
Chairman.

Mr. Cassell moved that the rules be suspended, and
The report be adopted,
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The steering committee made the following report:

Mr Speaker:

Your steering committee to whom was referred
Senate bill No. 167,

A bill for an act to amend sections 3137 and 3142 of the Revised
Codes of 1899, relating to insurance premiums to be paid, condi-
tions of policy, assessments and liability of policy holders.

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

In line 23 of the engrossed bill after the word "note" insert the words
"which note."

And when so amended recommend that the same do pass.

M. B. CASSELL,
Chairman.

Mr. Cassell moved that the rules be suspended, and
The report be adopted.
Which motion prevailed, and
The report was adopted.

Mr. Leech moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

J. D. SCANLAN,
Chief Clerk.

SIXTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

The house assembled at 2 p. m., pursuant to adjournment.
The speaker presiding.
Prayer by the chaplain.
Roll call.

All members present except Mr. Swarthout who was excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to inform the house that the senate has appointed Messrs. Hale, Cox and Little as members of the conference committee on

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

Also a conference committee on

House bill No. 89,

A bill for an act to amend section 2073, chapter 27, of the Revised Codes of 1899 of the state of North Dakota relating to the salaries of county auditors.

Consisting of Messrs. Sanborn, Geer and Wolbert.

Very respectfully,

GEORGE L. TOWNES,
Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-eighth day, after recess, have carefully examined the same and recommend that the same be corrected as follows:

Page 8, strike out lines 16, 17, 18, 19 and 20, and insert in lieu thereof "Senate bill No. 145, "A bill for an act to amend section 1979 of the Revised Codes of 1899, relating to duties of states attorneys."

Page 14, strike out line 8 and insert in lieu thereof: "That the motion by which the report of the steering committee as to."

Page 14, line 14, change first word "Be" to "Was."

And when so amended recommend that the same be approved.

C. WINSLOW,
Chairman.

Mr. Winslow moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-ninth day, up to recess, have carefully examined the same and recommend that the same be corrected as follows:

Page 25, line 39, change name "W. H. Leech" to "W. F. Leech."

Page 32, line 44, change figures "31" to "32," and figures "20" to "19."

Page 32, line 48, insert name "Leech."

Page 33, line 12, strike out name "Leech."

Page 36, after line 2, insert: "the création of liens upon future interest and provided for writ."

Page 36, line 30, change name "Chaffee" to "Nevin."

Page 43, line 30, after figures "115," insert "recommend that the house."

Page 48, line 21, change figures "24" in both instances to "25" and in line 22, change figures "14" to "12."

Page 49, line 7, strike out the word "passed" and insert in lieu thereof "lost."

C. WINSLOW,
Chairman.

Mr. Winslow moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The chief clerk announced that the speaker was about to sign

Senate bill No. 147,

A bill for an act authorizing the issuance of bonds, based upon the normal school land grant, for the purpose of erection and completion of buildings for the use of the state normal schools at Valley City and Mayville.

Also

Senate bill No. 79,

A bill for an act entitled an act to amend section 5046 of the Revised Codes of 1899 relating to injunctions.

Also,

Senate bill No. 36,

A bill for an act entitled an act to provide for the settlement of estates of decedents.

Also,

Senate bill No. 42,

A bill for an act entitled an act to provide for the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Also,

Senate bill No. 85,

A bill for an act entitled an act to provide an appropriation for increased clerical work in the office of the state treasurer.

Also,

Senate bill No. 220,

A bill for an act providing for the collection of delinquent personal taxes by action.

Also,

Senate bill No. 149,

A bill for an act entitled an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed in the office of the register of deeds.

Also,

Senate bill No. 127,

A bill for an act entitled an act to amend and re-enact section 2082 of the Revised Codes of the Revision of 1899, relating to fees and compensation of sheriffs.

Also,

Senate bill No. 61,

A bill for an act to amend section 6633 of the Revised Codes of 1899, relating to commencement of actions in justice court.

Also,

Senate bill No. 84,

A bill for an act entitled an act to provide for making unknown persons parties defendant in certain civil actions and to amend section 5907 and repeal section 5907a, Revised Codes of 1899, relating to unknown parties defendant.

Also,

Senate bill No. 118,

A bill for an act entitled an act concerning covenants of warranty.

And the speaker signed the same in the presence of the house.

The steering committee made the following report:

Mr. Speaker:

Your steering committee beg leave to submit the following report: That the order of business for this session shall be the third reading and final passage of senate bills in the order following:

Senate bill No. 145.

A bill for an act to amend section 1979 of the Revised Codes of 1899 relating to duties of states attorney.

Also,

Senate bill No. 227,

A bill for an act to amend section 3254 of the Revised Codes of 1899 relating to examination of banks by state examiner and the fees therefor, and his report thereon to the governor.

Also.

House bill No. 167,

A bill for an act to prohibit the sale of certain game birds and animals within the state and providing a penalty for violation of the same.

Also,

House bill No. 176.

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Also,

Senate bill No. 217,

A bill for an act entitled an act directing state auditors to pay over funds belonging to agricultural college and deaf and dumb asylum to the respective institution treasurers and providing for the application of such funds.

Also,

Senate bill No. 158,

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspection of mines.

Also

Senate bill No. 137,

A bill for an act to amend sections 73 and 76 of the Revised Codes of 1899 relating to public printing and making an appropriation therefor.

Also,

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes,

1899, relating to bank stock "where and at what valuation to be listed."

Also,

Senate bill No. 209,

A bill for an act to prevent and punish the desecration of the flag of the United States.

Also,

Senate bill No. 197,

A bill for an act entitled an act to amend section 217 of the Revised Codes of 1899 providing for the leasing of public lands.

Also,

Senate bill No. 223,

A bill for an act to provide for the settlement of claims of the state against sureties on bonds of state depositories.

Also,

Senate bill No. 225,

A bill for an act to provide for the investment of the sinking funds of special school districts and to prescribe a mode of executing, satisfying and foreclosing mortgages taken upon such investments.

Also,

Senate bill No. 233,

A bill for an act to amend section 5658 of the Revised Codes of 1899 relating to attendance of witnesses for examination.

Also,

Senate bill No. 164,

A bill for an act entitled "An act to provide for transfer facilities at track crossings at grade of common carriers, determining how the expenses of such track crossings shall be paid, and empowering the board of railroad commissioners to establish reasonable joint through rate."

Also,

Senate bill No. 27,

A bill for an act authorizing the board of trustees of the North Dakota agricultural college to co-operate with the geological, agricultural and other surveys, organized under the department of the interior of the United States in completing a topographic, agricultural and geological survey and map of North Dakota and making an appropriation therefor.

Also,

Senate bill No. 195,

A bill for an act entitled an act to amend section 1311 of the Revised Codes of 1899 relating to extraordinary expenditures.

Also,

Senate bill No. 231,

A bill for an act to amend sections 136, 141 and 145 of the Re-

vised Codes of 1899 relating to the state examiner, his appointment, term of office, qualifications, examination of banks, salary, deputy and his salary and penalty for malfeasance.

Also,

Senate bill No. 214,

A bill for an act entitled "An act to amend section 2080 of the Revised Codes of 1899 relating to the salary of county treasurers.

Also,

Senate bill No. 232,

A bill for an act to amend section 3218 of the Revised Codes of 1899 relating to the examination of building and loan associations by the state examiner and the fees therefor.

That the consideration of messages from the senate be in order at any time.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Hall moved that the house do concur in senate amendment to

House bill No. 126,

For an act providing stables and hitching posts on school sites in rural school districts.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 47, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,

Messrs.—

Heath,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Phifer,
Ramsett,

Messrs.—

Reade,
Restemayer,
Rose,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Willison,
Winslow,
Young,
Mr. Speaker.

Absent and not voting:

Messrs.—

Axvig,
Bacon,
Dickson,
Gulack,
Hammond,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Miller,
Palmer,

Messrs.—

Parr,
Swarthout,
Wade,
Watts,
Watson,

Mr. Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Hall moved

That the house do concur in the senate amendments to

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Which motion prevailed.

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

The roll was called and there were ayes 51, nays 2, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse.	Heath,	Ramsett,
Anderson,	Hjelmstad.	Reade,
Bennett,	Johnson,	Restemayer,
Brisbin,	Keeler,	Rose,
Cassell,	Leech,	Severson,
Chacey,	Lemke,	Stafne,
Chaffee,	Mallough,	Strutz,
Chevalier,	McClure,	Thomas,
Davis,	McLean	Thordarson,
Dickson,	Michels,	Tubbs,
Dwire,	Miller,	Tufte,
Galbraith,	Morgan,	Watts,
Gronvold,	Nelson,	Watson,
Gullikson,	Nicholson,	Willison,
Hall,	Nevin,	Winslow,
Hare,	Packard,	Young,
Hammond,	Phifer,	Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Hill,	Sargeant,
Bacon,	Palmer,	Swarthout,
Gulack,	Parr,	Wade,

Messrs. Bjornson and Lerom voted in the negative.

So the bill as amended passed and the title was agreed to.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

Also,

House bill No. 124,

A bill for an act to amend section 51 of chapter 126 of the

Session Laws of 1897, being section 1229 of the Political Code, relating to the rate of state and county tax, prescribing the manner in which township taxes may be levied, fixing the rates of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases.

Also,

House bill No. 99,

A bill for an act to amend section 220, chapter 4 of the Revised Codes of 1899, relating to advertisements for leasing of school lands.

Also,

House bill No. 203,

A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

Also,

House bill No. 163,

A bill for an act to amend section 2564 of article 8 of chapter 31 of the Revised Codes, relating to the time when township officers shall qualify.

Also,

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

Also,

House bill No. 113,

Concurrent resolution.

Also,

House bill No. 119,

A bill for an act to amend sections 5, 6 and 7 of chapter 82 of the session laws of 1897, being section 6676e of the Revised Codes of 1899, relating to garnishee procedure in justice court.

Also,

House bill No. 97,

A bill for an act to amend chapter 21 of the Revised Codes, governing the location, establishment and construction of drains, and relating to the allowance and taxation of costs and attorney's fees against the defendants in actions to enjoin drainage proceedings or the levy and collection of taxes and assessments therefor.

Also,

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

• And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The chief clerk announced that the speaker was about to sign House bill No. 203.

A bill for an act to amend section 1474 of the Revised Codes providing for the issue of bonds for defraying the expenses of constructing drains.

Also,

House bill No. 67,

A bill for an act to amend section 7679 of the Revised Codes of 1899, being chapter 93 of the session laws of 1899, relating to game and fish.

Also,

House bill No. 99,

A bill for an act to amend section 220, chapter 4 of the Revised Codes of 1899, relating to advertisements for leasing of school lands.

Also,

House bill No. 12,

A bill for an act to amend section 278 of the Political Code of North Dakota, being section 4 of the act entitled "an act to regulate the practice of medicine in the state of North Dakota, to license physicians, surgeons and obstetricians and to punish persons violating the provisions of this act.

Also,

House bill No. 119,

A bill for an act to amend sections 5, 6 and 7 of chapter 82 of the session laws of 1897, being section 6676e of the Revised Codes of 1899, relating to garnishee procedure in justice court.

Also,

House bill No. 113,

Concurrent resolution.

Also,

House bill No. 163,

A bill for an act to amend section 2564 of article 8 of chapter 31 of the Revised Codes, relating to the time when township officers shall qualify.

Also.

House bill No. 97,

A bill for an act to amend chapter 21 of the Revised Codes, governing the location, establishment and construction of drains and relating to the allowance and taxation of costs and attorney's fees against the defendants in actions to enjoin drainage proceedings or the levy and collection of taxes and assessments thereof.

Also,

House bill No. 32,

A bill for an act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the state of North Dakota.

Also,

House bill No. 124,

A bill for an act to amend section 51 of chapter 126 of the Session Laws of 1897, being section 1229 of the Political Code, relating to the rate of state and county tax, prescribing the manner in which township taxes may be levied, fixing the rates of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases.

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to inform you that the senate has refused to concur in the house amendments to

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

And a conference committee consisting of Messrs. Sanborn, Hale and Fuller has been appointed by the senate.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Cassell moved that the vote by which

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1163 of the Revised Codes of 1899, relating to ferries."

Was lost be reconsidered.

Which motion prevailed.

Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 51, nays none, absent and not voting 11.

Those who voted in the affirmative were:

<p>Messrs.—</p> <p>Allshouse, Anderson, Bacon, Bennett, Bjornson, Brisbin, Cassell, Chacey, Chaffee, Chevalier, Dwire, Galbraith, Gronvold, Gullikson, Hare, Hammond, Heath,</p>	<p>Messrs.—</p> <p>Hill, Hjelmstad, Johnson, Leech, Lemke, Lerom, Mallough, McClure, Michels, Miller, Morgan, Nelson, Nevin, Nicholson, Packard, Parr, Phifer,</p>	<p>Messrs.—</p> <p>Ramsett, Reade, Restemayer, Sargeant, Severson, Stafne, Strutz, Thomas, Thordarson, Tubbs, Tufte, Wade, Watts, Watson, Willison, Young, Mr. Speaker,</p>
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Absent and not voting:

<p>Messrs.—</p> <p>Axvig, Davis, Dickson, Gulack,</p>	<p>Messrs.—</p> <p>Hall, Keeler, McLean, Palmer,</p>	<p>Messrs.—</p> <p>Rose, Winslow, Swarthout,</p>
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Mr. Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved

That the rules be suspended and

Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Be taken up at this time.

Which motion was lost.

Mr. Thomas moved

That the house appoint a conference committee on

House bill No. 52,

A bill for an act to amend section 717 of the Revised Codes of North Dakota.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Thomas, Chacey and Michels.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

Which the senate has amended as follows:

By inserting in line 5, section 1 of the printed bill, after the word "year" the words and figures "and the freight receipts of incoming freight shall amount to \$3,000 per annum or more."

And passed as amended.

Also,

House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

Which the senate has amended as follows:

By inserting after the word "amount" in line 7 of section 1 the following words "shown by the records of such courts to be" and by inserting at the end of section 1, the following words: "provided, however, that such clerks shall not discharge any judgments until the time for perfecting any appeal provided by law therefrom has expired, and any discharge in violation of this proviso shall be void and without prejudice to a judgment creditor or his assigns in any way."

And passed as amended.

Also,

House bill No. 200,

A bill for an act authorizing the county commissioners to build and equip dipping tank at county expense.

Which the senate has passed unchanged.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Hill moved that the house do concur in senate amendments to

House bill No. 151,

A bill for an act entitled "an act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

Which motion prevailed.

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

House bill No. 151,

A bill for an act entitled "an act to amend section 2985 of the Revised Codes of 1899, relating to the maintenance of station houses.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 46, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Leech,	Reade,
Bacon,	Lemke,	Restemayer,
Bennett,	Lerom,	Rose,
Bjornson,	Mallough,	Severson,
Brisbin,	McClure,	Stafne,
Chaffee,	McLean,	Strutz,
Chevalier,	Miller,	Thordarson,
Davis,	Morgan,	Tubbs,
Dwire,	Nelson,	Tufte,
Galbraith,	Nevin,	Wade,
Gronvold,	Nicholson,	Watts,
Heath,	Packard,	Watson,
Hill,	Parr,	Winslow,
Hjelmstad,	Phifer,	Young,
Johnson,	Ramsett,	Mr. Speaker,
Keeler,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Gullikson,	Palmer,
Axvig,	Hall,	Sargeant,
Cassell,	Hare,	Swarthout,
Chacey,	Hammond,	Thomas,
Dickson,	Michels,	Willison,
Gulack,		

So the bill as amended passed and the title was agreed to.

Mr. Leech moved

That the house do concur in senate amendment to

House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

Which motion prevailed.

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

The roll was called and there were ayes 50, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse	Hill,	Phifer,
Anderson,	Hjelmstad,	Ramsett,
Bacon,	Johnson,	Reade,
Bennett,	Keeler,	Restemayer,
Bjornson,	Leech,	Rose,
Brisbin,	Lemke,	Severson,
Cassell,	Lerom,	Stafne,
Chacey,	Mallough,	Strutz,
Chaffee,	McClure,	Tubbs,
Chevalier,	McLean,	Wade,
Davis,	Miller,	Watts,
Dwire,	Nelson,	Watson,
Galbraith,	Nicholson,	Willison,
Gronvold,	Nevin,	Winslow,
Gullikson,	Packard,	Young,
Hare,	Palmer,	Mr. Speaker,
Heath,	Parr,	

Absent and not voting:

Messrs.—

Axvig,
Dickson,
Gulack,
Hall,

Messrs.—

Hammond,
Michels,
Morgan,
Sargeant,

Messrs.—

Swarthout,
Thomas,
Thordarson,
Tufte,

So the bill as amended passed and the title was agreed to.

The chief clerk announced that the speaker was about to sign Substitute for Senate bill No. 115,

A bill for an act to amend sections 1842, 1893, 1896 and 2095 of the Revised Codes of 1899, relating to commissioner districts, and the powers, election and compensation of county commissioners.

Also,

Senate bill No. 86,

A bill for an act to amend section 8494 of the Revised Codes of 1899, relating to the governor demanding the return of fugitives from justice in this state of the executive authority of any other state or territory, within the United States, providing for the appointment of agents to receive and return such fugitives and providing for payment of such agents.

Also,

Senate bill No. 29,

A bill for an act entitled an act authorizing district courts and also the supreme court of the state to direct judgment to be entered in certain cases instead of granting a motion for a new trial.

Also,

Senate bill No. 152,

A bill for an act legalizing the levy of taxes for road and general purposes by the township board of supervisors for the years 1899 and 1900.

Also,

Senate bill No. 215,

A bill for an act requiring the payment of taxes by non-resident owners of live stock from other states herding and feeding on the ranges of the state of North Dakota, and providing for collection of such taxes.

Also,

Senate bill No. 53

A bill for an act making an appropriation for deficit in fuel account at the North Dakota hospital for the insane.

Also,

Senate bill No. 171,

A bill for an act to amend and re-enact section 334, Revised Codes, 1899, in reference to allowance of clerk hire in state offices.

Also,

Senate bill No. 200,

A bill for an act entitled an act to define the system of free public schools of the state.

Also,

Senate bill No. 107,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

And the speaker signed the bills in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate.

SENATE CHAMBERS,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith:

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota, relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

Also,

House bill No. 223,

A bill for an act to amend section 2611 of the Revised Codes of the state of North Dakota of 1899, relating to duties and salaries of township treasurers.

Which the senate has passed unchanged.

Also,

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Which the senate has amended as follows:

At the end of section 1 of said bill strike out the words "a resident of the state of North Dakota, to be appointed by the governor within thirty days after the passage and approval of this act," and insert in place thereof the words "the lieutenant governor of this state."

After the word "and" in the fifth line of the engrossed bill of section 2 strike out the words "shall choose one of their number and insert in place thereof the words "may select some resident of the state."

And passed as amended.

Also.

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Which the senate has amended as follows:

In section 1 insert the word "dollars" after the words "ten thousand."

At the end of said section insert the following: "provided that none of the money appropriated under the provisions of this act shall be available or used if the exhibit of the state provided for herein is open on the Sabbath day."

And passed as amended.

Very respectfully yours,

GEORGE L. TOWNES,

Secretary.

Mr. Leech moved that the house concur in the senate amendment to

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Which motion prevailed.

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

The roll was called and there were ayes 37, nays 14, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Brisbin,
Cassell,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Hall,
Hare,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
Miller,
Nelson,

Messrs.—

Nevin,
Nicholson,
Packard,
Parr,
Ramsett,
Severson,
Thordarson,
Tubbs,
Tufte,
Watson,
Willison,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Bennett,
Bjornson,
Dickson,
McLean,
Morgan,

Messrs.—

Reade,
Restemayer,
Rose,
Stafne,
Strutz,

Messrs.—

Wade,
Watts,
Winslow,
Young,

Absent and not voting:

Messrs.—

Axvig,
Chacey,
Gulack,
Gullikson,

Messrs.—

Hammond.
Michels,
Palmer,
Phifer,

Messrs.—

Sargeant,
Swarthout,
Thomas,

Messrs. Palmer and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Packard moved that the vote by which

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Passed be reconsidered.

Which motion prevailed.

Mr. Packard moved that the vote by which the house concurred in senate amendments to

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Be reconsidered.

Which motion prevailed.

Mr. Leech moved that the house concur in senate amendments to

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Which motion prevailed.

The question being on the final passage of the bill as amended

The roll was called and there were ayes 45, nays 12, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Anderson,
Bacon,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevallier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,

Messrs.—

Heath,
Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
Michels,
Nelson,
Nevin,
Nicholson,
Packard.

Messrs.—

Parr,
Phifer,
Ramsett,
Reade,
Restemayer,
Severson,
Thordarson,
Tubbs,
Tufté,
Wade,
Watson,
Willison,
Winslow,
Young
Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bennett,	Miller,	Stafne,
Bjornson,	Morgan,	Strutz.
Dickson,	Rose,	Thomas,
McLean,	Sargeant,	Watts,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Hammond,	Swarthout,
Gulack,	Palmer,	

Messrs. Palmer and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Leech moved that the vote by which

House bill No. 176,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

As amended by the senate be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 145,

A bill for an act to amend section 1979 of the Revised Codes of 1899 relating to duties of state's attorney.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 38, nays 12, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Leech,	Ramsett,
Bennett,	Lemke,	Restemayer,
Brisbin,	Lerom,	Sargeant,
Cassell,	McClure,	Severson.
Chaffee,	McLean,	Stafne,
Chevalier,	Michels,	Thordarson,
Davis,	Morgan,	Tufte,
Gronvold,	Nelson,	Wade,
Hall,	Nevin,	Watts,
Hammond,	Nicholson,	Watson,
Hjelmstad,	Packard,	Willison,
Johnson,	Parr,	Winslow,
Keeler,	Phifer,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Heath,	Strutz,
Bjornson,	Hill,	Tubbs,
Galbraith,	Mallough,	Young,
Gullikson,	Reade,	Mr. Speaker,

Absent and not voting:

Messrs.—

Allshouse,
Bacon,
Chacey,
Dickson,

Messrs.—

Dwire,
Gulack,
Hare,
Miller,

Messrs.—

Palmer,
Rose,
Swarthout,
Thomas,

Messrs. Swarthout and Palmer being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved that the vote by which
Senate bill No. 145,

A bill for an act to amend section 1979 of the Revised Codes of 1899, relating to duties of state's attorney.

As amended by the house be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Cassell moved that the house do concur in senate amendments to

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Which motion prevailed.

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

The roll was called and there were ayes 43, nays 13, absent and not voting 6.

So the bill as amended passed and the title was agreed to.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Bacon,
Cassell,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hammond,
Heath,
Hjelmstad,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Miller,
Nelson,
Nevin,
Nicholson,
Packard,
Parr,

Messrs.—

Phifer,
Ramsett,
Restemayer,
Severson,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Axvig,
Bennett,
Bjornson,
Brisbin,
Dickson,

Messrs.—

Hare,
Morgan,
Reade,
Rose,

Messrs.—

Sargeant,
Stafne,
Strutz,
Thomas,

Absent and not voting:

Messrs.—

Chacey,
Gulack,

Messrs.—

Hill,
Michels,

Messrs.—

Palmer,
Swarthout,

Mr Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Leech moved that the vote by which

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed,

Senate bill No. 227,

A bill for an act to amend section 3254 of the Revised Codes of 1899, relating to examination of banks by state examiner and the fees therefor, and his report thereon to the governor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chaffee,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hall,
Hare,

Messrs.—

Hammond,
Heath,
Hjelmstad,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nicholson,
Nevin,
Packard,
Parr,
Phifer,

Messrs.—

Ramsett,
Reade,
Restemayer,
Sargeant,
Severson,
Wade,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufté,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker.

Absent and not voting:

Messrs.—

Chevalier,
Gulack,
Hill,

Messrs.—

Johnson,
Nelson,
Palmer,

Messrs.—

Rose,
Swarthout,

Messrs. Swarthout and Palmer being excused.

So the bill passed and the title was agreed to.

Senate bill No. 167,

A bill for an act to amend sections 3137 and 3142 of the Revised Codes of 1899, relating to insurance premiums to be paid, conditions of policy, assessments and liability of policy holders.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 50, nays 1, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Phifer,
Axvig,	Johnson,	Ramsett,
Bjornson,	Keeler,	Reade,
Brisbin,	Leech,	Restemayer,
Cassell,	Lemke,	Severson,
Chacey,	Lerom,	Stafne,
Chaffee,	Mallough,	Strutz,
Davis,	McClure,	Thomas,
Dickson,	McLean,	Tubbs,
Dwire,	Michels,	Tufte,
Galbraith,	Miller,	Wade,
Gronvold,	Morgan,	Watts,
Gullikson,	Nevin,	Watson,
Hare,	Nicholson,	Willison,
Hammond,	Packard,	Young,
Heath,	Parr,	Mr. Speaker,
Hill,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Gulack,	Rose,
Bacon,	Hall,	Sargeant,
Bennett,	Nelson,	Swarthout,
Chevalier,	Palmer,	Thordarson,

Mr. Winslow voting in the negative.

Messrs. Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

The committee on conference made the following report:

Mr. Speaker:

Your committee on conference to whom was referred

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

Have had the same under consideration and recommend that the house recede from its amendments to said bill.

A. W. THOMAS,
 JAMES MICHELS,
 R. C. SANBORN,
 HENRY HALE,
 J. Z. FULLER.

Mr. Thomas moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

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

The roll was called and there were ayes 30, nays 22, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Heath,	Rose,
Bjornson,	Hill,	Severson,
Brisbin,	Hjelmstad,	Stafne,
Cassell,	Michels,	Thomas,
Chacey,	Morgan,	Thordarson,
Chaffee,	Nevin,	Tubbs,
Dwire,	Nicholson,	Tufte,
Galbraith,	Phifer,	Watts,
Gullikson,	Ramsett,	Winslow,
Hammond,	Restemayer,	Mr. Speaker.

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Lemke,	Reade,
Axvig,	Lerom,	Sargeant,
Bennett,	McClure,	Strutz,
Dickson,	McLean,	Wade,
Hare,	Miller,	Watson,
Johnson,	Packard,	Willison,
Keeler,	Parr,	Young,
Leech,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gulack.	Nelson,
Chevalier,	Hall,	Palmer,
Davis,	Mallough,	Swarthout,
Gronvold,		

Messrs. Palmer and Swarthout being excused.

So the bill was lost.

Mr. Reade explained his vote.

Mr. Thomas explained his vote.

Mr. Chacey explained his vote.

Mr. Michels offered the following telegram.

DEVILS LAKE, N. D., March, 8, 1901.

Hon. Henry Hale, Bismarck, N. D.

Citizens here are exercised about the devastation of the military wood reservation instigated by Creel. He should be stopped at once. Can it be done? Have wired Governor White.

WM. H. BROWN, Mayor.

A. O. WHIPPLE, for Citizens Com.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 184,

A bill for an act to amend section 207 of the Revised Codes, relating to the taxation of school and institutional lands after the contract for the sale thereof has been made and prohibiting the issuance of tax deeds therefor and providing for dropping the same from the tax lists after the cancellation of said contract.

Which the senate has passed unchanged.

House bill No. 122,

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon county courts.

Which failed of passage.

Also,

House bill No. 140,

A bill for an act to amend section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.

Also,

House bill No. 22,

A bill for an act to amend section 225 of the Revised Codes of 1899, so as to enable the lessee of common school and public lands of the state during and within one year after his term shall have expired to remove from such lands any fencing, buildings or improvements he may have made thereon or have purchased from his predecessor.

Also,

House bill No. 188

A bill for an act to amend section 3597 of the Revised Codes of the state of North Dakota in regard to the record of certain instruments and the admissability in evidence of instruments entitled to record, without further proof.

Also,

House bill No. 66,

A bill for an act to amend section 441 of the Revised Codes of North Dakota, relating to jurors.

Which the senate has passed unchanged.

Very respectfully,
GEORGE L. TOWNES,
 Secretary.

The chief clerk announced that the speaker was about to sign
 Senate bill No. 95,

A bill for an act prescribing the duties of county auditor in
 reference to the certification of abstracts of titles to real estate:

Also,

Senate bill No. 205,

A bill for an act to amend section 5961 of the Code of Civil Pro-
 cedure, and to facilitate the assessment of damages under the law
 of eminent domain, and to regulate procedure in actions brought
 thereunder.

Also,

Senate bill No. 198,

A bill for an act entitled an act regulating the filing and fore-
 closure of mechanic's liens upon land held or occupied under a
 filing under any of the land laws of the United States.

Also,

Senate bill No. 180,

A bill for an act to amend section 527 of the Revised Codes of
 1899 relating to abstract of votes. Certificate of election. Pub-
 lication of returns.

Also,

Senate bill No. 216,

A bill for an act entitled an act to amend and re-enact sections
 1636 and 1636a of the Revised Codes of the revision of 1899.

Also,

Senate bill No. 207,

A bill for an act entitled "An act to amend section 6346 of the
 Revised Codes of 1899, being section 21 of chapter 3 of the laws
 of 1897, providing the requisities for qualification of executors,
 administrators and guardians."

And the speaker signed the same in the presence of the house.

The committee on conference made the following report:

Mr. Speaker:

Your committee on conference to whom was referred

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code
 of North Dakota, relating to bounty for killing wolves.

Have had the same under consideration and report as follows:
 That the senate recedes from its amendments

And adds after word "repealed" on line 2 of section 2 of the printed
 bill: "Provided, however, that this act shall not conflict with any act pro-
 viding for any bounty for the destruction of grey or timber wolves."

And when so amended recommend that the same do pass.

GEO. W. H. DAVIS,
C. WINSLOW,
For the House.

HENRY HALE,
C. B. LITTLE,
A. B. COX,
For the Senate.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

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

The roll was called and there were ayes 39, nays 10, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hill,	Ramsett,
Bennett,	Hjelmstad,	Reade,
Bjornson,	Johnson,	Restemayer,
Brisbin,	Keeler,	Rose,
Cassell,	Lemke,	Severson,
Chacey,	Lerom,	Stafne,
Davis,	Mallough,	Strutz,
Dickson,	McLean,	Thomas,
Dwire,	Michels,	Tufte,
Galbraith,	Miller,	Watts,
Gronvold,	Nicholson,	Winslow,
Hare,	Phifer,	Young,
Heath,	Parr,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allhouse,	Nevin,	Tubbs,
Axvig,	Packard,	Wade,
McClure,	Thoruarson,	Willison,
Nelson,		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon,	Hall,	Palmer,
Chaffee,	Hammond,	Sargeant,
Chevalier,	Leech,	Swarthout,
Gulack,	Morgan,	Watson,
Gullikson,		

So the bill as amended passed and the title was agreed to.

Mr. Davis moved that the vote by which

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Chacey moved that the house take a recess of ten minutes.

Which motion prevailed.

House reassembled.

Mr. Reade moved that the vote by which

Senate bill No. 52,

A bill for an act to promote the efficiency of the national guard of the state of North Dakota.

Was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes of 1899, relating to appointment of assistant examiner.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 23, nays 28, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Bjornson,
Cassell,
Davis,
Hill,
Keeler,
Mallough,
Michels,
Miller,

Messrs.—

Nelson,
Nicholson,
Packard,
Parr,
Sargeant,
Thomas,
Thordarson,

Messrs.—

Tubbs,
Tuftte,
Wade,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bennett,
Brisbin,
Chacey,
Chevalier,
Lickson,
Dwire,
Galbraith,

Messrs.—

Gronvold,
Hare,
Heath,
Hjelmstad,
Johnson,
Leech,
Lemke,
Lerom,
McClure,

Messrs.—

McLean,
Morgan,
Nevin,
Phifer,
Reade,
Stafne,
Strutz,
Watts,
Watson,

Absent and not voting:

Messrs.—

Bacon,
Chaffee,
Gulack,
Gullikson,

Messrs.—

Hall,
Hammond,
Palmer,
Ramsett,

Messrs.—

Restemayer,
Rose,
Severson,
Swarthout,

Messrs. Palmer and Swarthout being excused.

So the bill was lost.

Mr. Packard explained his vote.

Mr. Young explained his vote.

Mr. Galbrath explained his vote.

Mr. Johnson moved that the vote by which

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes, 1899 relating to appointment of assistant examiner.

Was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 217,

A bill for an act entitled an act directing state auditors to pay over funds belonging to agricultural college and deaf and dumb asylum to the respective institution treasurers and providing for the application of such funds.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Hare,
Hammond,
Heath,

Messrs.—

Hjelmsstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,
Parr,
Phifer,

Messrs.—

Reade,
Restemayer,
Sargeant,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Chaffee,
Gulack,
Cullikson,
Hall,

Messrs.—

Hill,
Nicholson,
Palmer,

Messrs.—

Ramsett,
Rose,
Swarthout,

Messrs. Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved that the vote by which

Senate bill No. 217,

A bill for an act entitled an act directing state auditors to pay over funds belonging to agricultural college and deaf and dumb asylum to the respective institution treasurers and providing for the application of such funds.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 158,

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspection of mines.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 46, nays 6, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Hammond,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Packard,

Messrs.—

Parr,
Phifer,
Ramsett,
Reade,
Restemayer,
Stafne,
Strutz,
Thordarson,
Tubbs,
Tuftte,
Wade,
Watson,
Willison,
Winslow,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Chaffee,

Messrs.—

Dickson,
Thomas,

Messrs.—

Watts,
Young,

Absent and not voting:

Messrs.—

Gulack,
Gullikson,
Hall,
Hare,

Messrs.—

Nicholson,
Palmer,
Rose,

Messrs.—

Sargeant,
Severson,
Swarthout,

Messrs. Hall and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 158,

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspection of mines.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 137,

A bill for an act to amend sections 73 and 76 of the Revised Codes of 1899, relating to public printing and making an appropriation therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 52, nays 3, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Allshouse,	Johnson,	Reade,
Anderson,	Keeler,	Restemayer,
Bacon,	Leech,	Sargeant,
Bjornson,	Lemke,	Severson,
Brisbin,	Lerom,	Stafne,
Cassell,	Mallough,	Strutz,
Chacey,	McClure,	Thomas,
Chaffee,	McLean,	Thordarson,
Davis,	Michels,	Tubbs,
Dickson,	Miller,	Tufte,
Dwire,	Morgan,	Wade,
Galbraith,	Nelson,	Watts,
Gronvoid,	Nevin,	Watson,
Hare,	Packard,	Willison,
Hammond,	Parr,	Winslow,
Heath,	Phifer,	Young,
Hill,	Ramsett,	Mr. Speaker,
Hjelmstad,		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Bennett,	Chevalier,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack,	Nicholson,	Rose,
Gullikson,	Palmer,	Swarthout
Hall,		

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock "where and at what valuation to be listed."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 31, nays 24, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Bacon,
Bjornson,
Brisbin,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Hare,
Heath,

Messrs.—

Hill,
Johnson,
Keeler,
Leech,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,

Messrs.—

Nevin,
Nicholson,
Parr,
Phifer,
Ramsett,
reade,
Thomas,
Thordarson,
Watson,
Willison,

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Cassell,
Chacey,
Dickson,
Gronvold,
Hammond,

Messrs.—

Hjelmstad,
Lemke,
Morgan,
Nelson,
Packard,
Restemayer,
Severson,
Stafne,

Messrs.—

Strutz,
Tubbs,
Tuftte,
Wade,
Watts,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Gulack,
Gullikson,
Hall,

Messrs.—

Palmer,
Rose,

Messrs.—

Sargeant,
Swarthout,

Messrs. Palmer and Swarthout being excused.

So the bill was lost.

Mr. Tuftte moved that the vote by which

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock "where and at what valuation to be listed."

Was lost be reconsidered, and the motion to reconsider be laid on the table.

Roll call demanded.

The roll was called and there were ayes 29, nays 28, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bennett,
Bjornson,
Chacey,
Chaffee,
Chevalier,
Dickson,
Gronvold,
Hammond,

Messrs.—

Heath,
Hjelmstad,
Lemke,
McLean,
Morgan,
Nelson,
Phifer,
Ramsett,
Restemayer,
Rose,

Messrs.—

Severson,
Strutz,
Thordarson,
Tuftte,
Watts,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Allshouse,
Bacon,
Brisbin,
Cassell,
Davis,
Dwire,
Galbraith,
Gullikson,
Hare,
Hill,

Messrs.—

Johnson,
Keeler,
Leech,
Lerom,
Mallough,
McClure,
Michels,
Miller,
Nevin,

Messrs.—

Nicholson,
Packard,
Parr,
Reade,
Sargeant,
Thomas,
Tubbs,
Wade,
Watson,

Absent and not voting:

Messrs.—

Gulack,
Hall,

Messrs.—

Palmer,
Stafne,

Messrs.—

Swarthout,

Messrs. Palmer and Swarthout being excused.

So the motion prevailed.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Also,

House bill No. 126,

A bill for an act providing stables and hitching posts on school sites in rural school districts.

Also,

House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

Also,

House bill No. 202,

A bill for an act for the construction of an electric line from the penitentiary to the capitol building in the city of Bismarck.

Also,

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Also,

House bill No. 151,

A bill for an act entitled "An act to amend section 2985 of the Revised Codes of 1899 relating to maintenance of station houses."

Also,

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session

laws of 1899, relating to fees of the clerks of the district courts.

Also,

House bill No. 223,

A bill for an act to amend section 2611 of the Revised Codes of the state of North Dakota of 1899, relating to duties and salaries of township treasurers.

And find the same correctly enrolled.

ASA SARGEANT,
Chairman.

The chief clerk announced that the speaker was about to sign House bill No. 18,

A bill for an act to amend section 7677 of chapter 72 of the Revised Codes of 1899, relating to game and fish.

Also,

House bill No. 38,

A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

Also,

House bill No. 151,

A bill for an act entitled "an act to amend section 2985 of the Revised Codes of 1899, relating to maintenance of station houses."

Also,

House bill No. 202,

A bill for an act for the construction of an electric line from the penitentiary to the capitol building in the city of Bismarek.

Also,

House bill No. 126,

A bill for an act providing stables and hitching posts on school sites in rural school districts.

Also,

House bill No. 58,

A bill for an act to amend section 175 of the Revised Codes, relating to the collection of moneys arising from the disposal of university, school and other public lands, and authorizing the foreclosure of mortgages held by the state, and assignment of same in certain cases.

Also,

House bill No. 83,

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Also,

House bill No. 223,

A bill for an act to amend section 2611 of the Revised Codes of the state of North Dakota of 1899, relating to duties and salaries of township treasurers.

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith
House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Which the senate has amended as follows:

By striking out of section 1, the figures and letters 1570b, 1570c, 1570d and 1570i;

Also amended the title by striking out of the same the following: "1570b, 1570c, 1570d, and 1570i.

And passed as amended.

Also,

House bill No. 198,

A bill for an act fixing a penalty for any corporation, association, person or persons, for in any manner interfering with, or hindering, any persons in charge of any live stock being or about to be, transported over any railway in this state, in furnishing the feed or bedding in cars at any feeding station in this state.

Which the senate has passed unchanged

Very respectfully,
GEORGE L. TOWNES,

Secretary.

Mr. Young moved that the house concur in senate amendments to

House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h, 1570i of the Revised Codes of 1899, providing for a state wolf bounty, and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Which motion prevailed.

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

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse.	Hill,	Reade,
Axvig,	Hjelmstad,	Restemayer,
Bacon,	Johnson,	Rose,
Bjornson,	Keeler,	Sargeant,
Brisbin,	Leech,	Severson,
Cassell,	Lemke,	Stafne,
Chacey,	Lerom,	Strutz,
Chaffee,	Mallough,	Thomas,
Chevalier,	McClure,	Thordarson,
Davis,	McLean,	Tubbs,
Dickson,	Michels,	Tufte,
Dwire,	Miller,	Wade,
Galbraith,	Morgan,	Watts,
Gronvold,	Nelson,	Watson,
Gulack,	Nevin,	Willison,
Gullikson,	Packard,	Winslow,
Hare,	Parr,	Young,
Hammond,	Phifer,	Mr. Speaker.
Heath,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hall,	Palmer,
Bennett,	Nicholson,	Swarthout,

Messrs. Hall and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Restemayer moved that the vote by which House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h, 1570i of the Revised Codes of 1899, providing for a state wolf bounty, and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 209,

A bill for an act to prevent and punish the desecration of the flag of the United States.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 36, nays 13, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Hjelmstad,	Phifer,
Allshouse,	Johnson,	Ramsett,
Bjornson,	Keeler,	Reade,

Messrs.—

Brisbin,
Cassell,
Davis,
Dickson,
Dwire,
Galbraith,
Gullikson,
Heath,
Hill,

Messrs.—

Leech,
Lerom,
Mallough,
McClure,
McLear,
Miller,
Morgan,
Nelson,
Nevin,

Messrs.—

Restemayer,
Strutz,
Thomas,
Thordarson,
Tubbs,
Wade,
Watts,
Willison,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Bacon,
Chacey,
Gronvold,
Lemke,
Michels,

Messrs.—

Nicholson,
Packard,
Parr,
Sargeant,

Messrs.—

Severson,
Stafne,
Tufte,
Young,

Absent and not voting:

Messrs.—

Axvig,
Bennett,
Chaffee,
Chevalier,
Gulack,

Messrs.—

Hiall,
Hare,
Hammond,
Palmer,

Messrs.—

Rose,
Swarthout,
Watson,
Winslow,

Messrs. Hall and Swarthout being excused.

Mr. Packard explained his vote.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to return herewith
House bill No. 88,

A bill for an act to create a state farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Which the senate has amended

by adding after the words "treasurer of the state" in section 4, the words "upon the approval of the state board of audit," and strike out the words "upon the warrant of the state auditor."

Also,

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section

5519 of the Revised Codes of said state, all of said sections relating to exemptions.

By striking out "seven hundred and fifty dollars" where it appears and inserting in lieu thereof "one thousand dollars."

And passed as amended.

Very respectfully,
GEORGE L. TOWNES,
 Secretary.

Mr. Winslow moved that the house recall

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock "where and at what valuation to be listed."

Which motion prevailed.

Mr. Tufte moved that the house do concur in senate amendment to

House bill No. 88,

A bill for an act to create a state farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Which motion prevailed.

The question being upon the final passage of the bill as amended

The roll was called and there were ayes 55, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hill,	Phifer.
Anderson,	Hjelmstad,	Ramsett,
Axvig,	Johnson,	Reade,
Bennett,	Keeler,	Restemayer,
Bjornson,	Leech,	Rose,
Brisbin,	Lemke,	Severson,
Cassell,	Lerom.	Stafne,
Chacey,	Mallough,	Strutz,
Chaffee,	McClure,	Thomas,
Davis,	McLean,	Tubbs,
Dickson,	Michels,	Tufte,
Dwire,	Miller,	Wade,
Galbraith,	Morgan,	Watts,
Gronvold,	Nelson,	Watson,
Gullikson,	Nevin,	Willison,
Hare,	Nicholson,	Young,
Hammond,	Packard,	Mr. Speaker.
Heath,	Parr,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier,	Palmer,	Thordarson,
Gulack,	Sargeant,	Winslow,
Hall,	Swarthout,	

Mr. Bacon voting in the negative.

Messrs. Hall, Palmer and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Heath moved that the house do concur in senate amendments to

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions.

Which motion prevailed.

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

The roll was called and there were ayes 45, nays 10, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Axvig,
Bacon,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Gronvold
Hare,
Hammond,
Heath,
Hill,
Hjelmstad,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Phifer,
Reade,

Messrs.—

Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Allshouse,
Anderson,
Bennett,
Bjornson,

Messrs.—

Dwire,
Galbraith,
Miller,

Messrs.—

Parr,
Ramsett,
Young,

Absent and not voting:

Messrs.—

Gulack,
Gullikson,
Hall,

Messrs.—

Packard,
Palmer,

Messrs.—

Sargeant,
Swarthout,

Messrs. Hall, Palmer and Swarthout being excused.

So the bill as amended passed and the title was agreed to.

Mr. Severson moved that the vote by which

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326, 328 and 333 of the Code of Civil Procedure of the state of North

Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 197.

A bill for an act entitled an act to amend section 217 of the Revised Codes of 1899 providing for the leasing of public lands.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 58, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Keeler,	Reade,
Anderson,	Leech,	Restemayer,
Bjornson,	Lemke,	Rose,
Brisbin,	Lerom,	Sargeant,
Cassell,	Mallough,	Stafne,
Chacey,	McClure,	Strutz,
Chevalier,	McLean,	Thomas,
Dickson,	Michels,	Tubbs,
Galbraith,	Miller,	Tufte,
Gronvold	Morgan,	Wade,
Hare,	Nelson,	Watts,
Hammond,	Nevin,	Watson,
Heath,	Nicholson,	Willison,
Hill,	Parr,	Young,
Hjelmstad,	Phifer,	Mr. Speaker,
Johnson,	Ramsett,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Dwire,	Palmer,
Bacon,	Gulack,	Severson,
Bennett,	Gullikson,	Swarthout,
Chaffee,	Hall,	Thordarson,
Davis,	Packard,	Winslow,

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 223,

A bill for an act to provide for the settlement of claims of the state against sureties on bonds of state depositories.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 50, nays 1, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.
Allshouse,	Keeler,	Restemayer,
Anderson,	Leech,	Rose,
Bjornson,	Lemke,	Sargeant,
Brisbin,	Lerom,	Severson,
Cassell,	Mallough,	Stafne,
Chacey,	McClure,	Strutz,
Davis,	McLean,	Thomas,
Dickson,	Michels,	Thordarson,
Dwire,	Miller,	Tubbs,
Galbraith,	Nelson,	Tufte,
Gronvold,	Nevin,	Wade,
Hare,	Nicholson,	Watts,
Hammond,	Packard,	Watson,
Heath,	Parr,	Willson,
Hill,	Phifer,	Young,
Hjelmstad,	Ramssett,	Mr. Speaker,
Johnson,	Reade,	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Axvig,	Gulack,	Palmer,
Bacon,	Gullikson,	Swarthout,
Chaffee,	Hall,	Winslow,
Chevalier,	Morgan,	

Mr. Bennett voting in the negative.

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved that the vote by which
Senate bill No. 223,

A bill for an act to provide for the settlement of claims of the state against sureties on bonds of state depositories.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 225,

A bill for an act to provide for the investment of the sinking funds of special school districts and to prescribe a mode of executing, satisfying and foreclosing mortgages taken upon such investments.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 51, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Heath,	Packard,
Anderson,	Hill,	Phifer,
Bacon,	Hjelmstad,	Reade,
Bennett,	Johnson,	Restemayer,
Bjornson,	Keeler,	Stafne,

Messrs.—

Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dickson,
Dwire,
Galbraith,
Gronvold,
Hare,
Hammond.

Messrs.—

Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,

Messrs.—

Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Axvig,
Gulack,
Gullikson,
Hall,

Messrs.—

Palmer,
Parr,
Ramsett,
Rose,

Messrs.—

Sargeant,
Severson,
Swarthout,

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Nelson moved that the vote by which

Senate bill No. 225,

A bill for an act to provide for the investment of the sinking funds of special school districts and to prescribe a mode of executing, satisfying and foreclosing mortgages taken upon such investments.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 164,

A bill for an act entitled "An act to provide for transfer facilities at track crossings at grade of common carriers, determining how the expenses of such track crossings shall be paid, and empowering the board of railroad commissioners to establish reasonable joint through rates."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Allhouse,
Anderson,
Axvig,
Bacon,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chacey,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,

Messrs.—

Phifer,
Reade,
Restemayer,
Rose,
Severson,
Strutz,
Thomas,
Thordarson,
Tubbs,

Messrs.—

Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Hammond,
Heath,
Hill,

Messrs.—

Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Palmer,
Parr,

• Messrs.—

Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Dickson,
Gulack,
Gullikson,

Messrs.—

Hall,
Hare,
Ramsett,

Messrs.—

Sargeant,
Stafne,
Swarthout,

Messrs. Hall and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Gronvold moved that the vote by which

Senate bill No. 164,

A bill for an act entitled "An act to provide for transfer facilities at track crossings at grade of common carriers, determining how the expenses of such track crossings shall be paid and empowering the board of railroad commissioners to establish reasonable joint through rates."

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 233,

A bill for an act to amend section 5658 of the Revised Codes of 1899 relating to attendance of witnesses for examination.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 47, nays 2, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Anderson,
Axvig,
Bacon,
Bjornson,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Galbraith,
Gronvold,
Gullikson,
Hare,
Hammond,
Heath,

Messrs.—

Hill,
Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,

Messrs.—

Parr,
Phifer,
Reade,
Restemayer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tubbs,
Wade,
Willison,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Packard,	Swarthout,
Brisbin,	Palmer,	Watts,
Dickson,	Ramsett,	Watson,
Gulack,	Sargeant,	Winslow,
Hall,		

Messrs. Bennett and Tufte voting in the negative.

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Senate bill No. 27,

A bill for an act authorizing the board of trustees of the North Dakota agricultural college to co-operate with the geological, agricultural and other surveys, organized under the department of the interior of the United States in completing a topographic, agricultural and geological survey and map of North Dakota and making an appropriation therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 38, nays 9, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	McClure,	Severson,
Bjornson,	McLean,	Stafne,
Cassell,	Michels,	Strutz,
Chacey,	Miller,	Thomas,
Chaffee,	Morgan,	Thordarson,
Dwire,	Nelson,	Tubbs,
Hall,	Nevin,	Wade,
Heath,	Packard,	Watson,
Hill,	Parr,	Willison,
Johnson,	Phifer,	Winslow,
Leech,	Reade,	Young,
Lerom,	Restemayer,	Mr. Speaker,
Mallough,	Rose,	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Arvig	Gullikson,	Lemke,
Bennett.	Hare,	Tufte,
Galbraith,	Hjelmstad,	Watts,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson,	Dickson,	Nicholson,
Bacon,	Gronvold,	Palmer,
Brisbin,	Gulack,	Ramsett,
Chevalier,	Hammond,	Sargeant,
Davis,	Keeler,	Swarthout,

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved that the vote by which

Senate bill No. 27,

A bill for an act authorizing the board of trustees of the North Dakota agricultural college to co-operate with the geological, agricultural, and other surveys, organized under the department of the interior of the United States, in completing a topographic, agricultural and geological survey and map of North Dakota and making an appropriation therefor.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Winslow moved that the motion by which

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock "where and at what valuation to be listed."

Was reconsidered, and that motion laid on the table be expunged from the record.

Which motion prevailed.

Also,

Senate bill No. 195,

A bill for an act entitled an act to amend section 1311 of the Revised Codes of 1899 relating to extraordinary expenditures.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 46, nays 5, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Bennett,
Bjornson,
Brisbin,
Cassell,
Chaffee,
Davis,
Dwire,
Galbraith,
Gullikson,
Hare,
Hammond,
Heath,
Hill,

Messrs.—

Hjelmstad,
Johnson,
Keeler,
Leech,
Lemke,
Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,

Messrs.—

Packard,
Phifer,
Rose,
Severson,
Stafne,
Strutz,
Thomas,
Thordarson,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Chacey,
Parr,

Messrs.—

Restemayer,
Tubbs,

Messrs.—

Young,

Absent and not voting:

Messrs.—

Bacon,
Chevalier,
Dickson,
Gronvold,

Messrs.—

Gulack,
Hall,
Palmer,
Ramsett,

Messrs.—

Reade,
Sargeant,
Swarthout,

Messrs. Hall, Palmer and Swarthout being excused.

Mr. Davis moved that the vote by which

Senate bill No. 195,

A bill for an act entitled an act to amend section 1311 of the Revised Codes of 1899 relating to extraordinary expenditures.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 231,

A bill for an act to amend sections 136, 141 and 145 of the Revised Codes of 1899, relating to the state examiner, his appointment, term of office, qualifications, examination, of banks, salary, deputy and his salary, and penalty for malfeasance.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 44, nays 6, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Anderson,
Axvig,
Brisbin,
Cassell,
Chacey,
Chaffee,
Davis,
Gronvold
Hare,
Hammond,
Heath,
Hill,
Hjelmstad,
Johnson,

Messrs.—

Keeler,
Leech,
Lerom,
Mallough,
McClure,
Michels,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Phifer,
Reade,
Restemayer,
Rose,

Messrs.—

Severson,
Stafne,
Strutz,
Thomas,
Thorndarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Bjornson,
Gullikson,

Messrs.—

Lemke,
McLean,

Messrs.—

Miller,
Parr,

Absent and not voting:

Messrs.—

Bacon,
Bennett,
Chevalier,
Dickson,

Messrs.—

Dwire,
Galbraith,
Gulack,
Hall,

Messrs.—

Palmer,
Ramsett,
Sargeant,
Swarthout,

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

The speaker called Mr. Tubbs to the chair.

Mr. Leech moved that the vote by which

Senate bill No. 231,

A bill for an act to amend sections 136, 141 and 145 of the Revised Codes of 1899 relating to the state examiner, his appointment, term of office, qualifications, examination of banks, salary, deputy and his salary, and penalty for malfeasance.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock "where and at what valuation to be listed."

As requested by the house of representatives.

Very respectfully,
GEORGE L. TOWNES,
Secretary.

Senate bill No. 232,

A bill for an act to amend section 3218 of the Revised Codes of 1899 relating to the examination of building and loan associations by the state examiner and the fees therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 43, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Axvig,
Bjornson,
Cassell,
Chacey,
Chaffee,
Davis,
Gronvold,
Hare,
Heath,
Hill,

Messrs.—

Lerom,
Mallough,
McClure,
McLean,
Michels,
Miller,
Morgan,
Nelson,
Nicholson,
Packard,
Parr,

Messrs.—

Rose,
Severson,
Strutz,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watts,
Watson,
Willison,

Messrs.—

Johnson,
Keeler,
Leech,
Lemke,

Messrs.—

Phifer,
Reade,
Restemayer,

Messrs.—

Winslow,
Young,
Mr. Speaker,

Absent and not voting:

Messrs.—

Anderson,
Bacon,
Bennett,
Brisbin,
Chevalier,
Dickson,
Dwire,

Messrs.—

Galbraith,
Gulack,
Gullikson,
Hall,
Hammond,
Hjelmstad,

Messrs.—

Nevin,
Palmer,
Ramsett,
Sargeant,
Stafne,
Swarthout,

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. McClure moved that the vote by which

Senate bill No. 232,

A bill for an act to amend section 3218 of the Revised Codes of 1899 relating to the examination of building and loan associations by the state examiner and the fees therefor.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The speaker resumed the chair.

Mr. Davis moved that the vote by which

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes, 1899, relating to appointment of assistant examiner.

Be expunged from the record.

Which motion prevailed,

Mr. Davis moved that the house ask the senate to return

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes, 1899, relating to appointment of assistant examiner.

Which motion prevailed.

Senate bill No. 214,

A bill for an act entitled "An act to amend section 2080 of the Revised Codes of 1899, relating to the salary of county treasurers."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 36, nays 13, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
Bacon,
Bennett,

Messrs.—

Heath,
Hill,
Leech,

Messrs.—

Ramsett,
Reade,
Rose,

Bjornson,
Brisbin,
Cassell,
Chaffee,
Davis,
Dwire,
Gullikson,
Hare,
Hammond,

Lerom,
Mallough,
McClure,
McLean,
Michels,
Nevin,
Nicholson,
Packard,
Parr,

Sargeant,
Severson,
Thomas,
Thordarson,
Wade,
Watts,
Willison,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Axvig,
Chacey,
Gronvold,
Keeler,

Messrs.—

Lemke,
Morgan,
Phifer,
Stafne,

Messrs.—

Strutz,
Tubbs,
Tufte,
Winslow,

Absent and not voting:

Messrs.—

Chevalier,
Dickson,
Galbraith,
Gulack,
Hall,

Messrs.—

Hjelmstad,
Johnson,
Miller,
Nelson,

Messrs.—

Palmer,
Restemayer,
Swarthout,
Watson,

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 214,

A bill for an act entitled "An act to amend section 2080 of the Revised Codes of 1899, relating to the salary of county treasurers."

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Messrs. Tufte, Chacey and Bacon explained their votes.

Mr. Leech moved that the house take a recess for thirty minutes.

Which motion prevailed.

After recess.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 36,

An act to amend section 1566 of the Political Code of North Dakota relating to bounty for killing wolves.

Also,

House bill No. 66,

A bill for an act to amend section 441 of the Revised Codes of North Dakota, relating to jurors.

Also,

House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

Also,

House bill No. 200,

An act authorizing the county commissioners to build and equip dipping tanks at county expense.

Also,

House bill No. 140,

A bill for an act to amend section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.

Also,

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Also,

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota, relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

Also,

House bill No. 176.

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the Pan-American exposition to be held at the city of Buffalo, state of New York, in the year 1901.

Also,

House bill No. 184,

A bill for an act to amend section 207 of the Revised Codes, relating to the taxation of school and institutional lands after the contract for the sale thereof has been made and prohibiting the issuance of tax deeds thereof and providing for dropping the same from the tax lists after the cancellation of said contract.

Also,

House bill No. 22,

A bill for an act to amend section 225 of the Revised Codes of

1899, so as to enable the lessee of common school and public lands of the state during and within one year after his term shall have expired to remove from such lands any fencing, buildings or improvements he may have made thereon or have purchased from his predecessor.

Also,

House bill No. 188

A bill for an act to amend section 3597 of the Revised Codes of the state of North Dakota in regard to the record of certain instruments and the admissability in evidence of instruments entitled to record, without further proof.

And find the same correctly enrolled.

ASA SARGEANT,

Chairman.

The chief clerk announced that the speaker was about to sign

House bill No. 36,

A bill for an act to amend section 1566 of the Political Code of North Dakota, relating to bounty for killing wolves.

Also,

House bill No. 66,

A bill for an act to amend section 441 of the Revised Codes of North Dakota, relating to jurors.

Also,

House bill No. 176.

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota, at the Pan-American exposition, to be held at the city of Buffalo, state of New York, in the year 1901.

Also,

House bill No. 188

A bill for an act to amend section 3597 of the Revised Codes of the state of North Dakota in regard to the record of certain instruments and the admissability in evidence of instruments entitled to record, without further proof.

Also,

House bill No. 22,

A bill for an act to amend section 225 of the Revised Codes of 1899, so as to enable the lessee of common school and public lands of the state during and within one year after his term shall have expired to remove from such lands any fencing, buildings or improvements he may have made thereon or have purchased from his predecessor.

Also,

House bill No. 184,

A bill for an act to amend section 207 of the Revised Codes, relating to the taxation of school and institutional lands after the contract for the sale thereof has been made and prohibiting

the issuance of tax deeds thereof and providing for dropping the same from the tax lists after the cancellation of said contract.

Also,

House bill No. 140,

A bill for an act to amend section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.

Also,

House bill No. 166,

A bill for an act to provide for the satisfaction of judgments when any person having the power or authority to satisfy the same cannot be found.

Also,

House bill No. 7,

A bill for an act to amend section 1941 of the Revised Codes of the state of North Dakota relating to the presentation and acceptance of proposals for the deposit of county funds, and the bonds of county depositories.

Also,

House bill No. 177,

A bill for an act to make an appropriation for the collection, arrangement and display of the products of the state of North Dakota at the Pan-American exposition of 1901, and to provide for the expenses of the state commissioners thereof.

Also,

House bill No. 200,

A bill for an act authorizing the county commissioners to build and equip dipping tanks at county expense.

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1901.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 160,

A bill for an act to amend section 1936 of the Revised Codes of North Dakota, relating to the publication of proceedings of board of county commissioners.

Which the senate has amended as follows:

By striking out in line 2 of engrossed bill, section 1936, the words "it shall be the duty of the board to," and inserting in lieu thereof the following: "The board may in their discretion."

Also,

House bill No. 109,

A bill for an act to amend section 1786 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mills.

Which the senate has passed unchanged.

Also,

House bill No. 137, substitute for House bill No. 110,

A bill for an act to amend section 1199 and to repeal section 1200 of the Revised Codes of the state of North Dakota, edition of 1899, relating to the mode of listing, assessing and taxing property, including grain in elevators, warehouses and grain houses.

Which the senate has indefinitely postponed.

Very respectfully,

GEORGE L. TOWNES,

Secretary.

Mr. Cassell moved that the house do not concur in senate amendments to

House bill No. 160,

A bill for an act to amend section 1936 of the Revised Codes of North Dakota, relating to the publication of proceedings of board of county commissioners.

And that a conference committee of three be appointed,

Which motion prevailed.

And the speaker appointed as such committee Messrs. Cassell, Packard and Sargeant.

Mr. Packard offered the following resolution and moved its adoption:

Resolved, that when the time arrives to adjourn sine die the speaker request the Hon. P. P. Chacey, our senior member, to make said motion to adjourn sine die, and to recognize no other member of the house in offering a similar motion.

Which motion prevailed.

Mr. Tufte offered the following resolution and moved its adoption:

Whereas, the legislative manual contains a large amount of useful information,

Therefore be it resolved, that the secretary of state be instructed to forward five copies to each member of the house for distribution.

Which motion prevailed.

Mr. Tufte offered the following resolution and moved its adoption:

Resolved, that the secretary of state be requested to forward copies of the last days' journal to the members and officers of the legislature, together with a correct list of all bills that shall have become law.

Which motion prevailed.

Mr. Gronvold offered the following resolution:

Be it resolved by the House of Representatives of the state of North Dakota of the Seventh legislative session:

That the thanks of this body are hereby tendered to its speaker, Hon. R. M. Pollock, for the able, fair, courteous and imparital manner in which he has presided over its deliberations, and as a token of our respect, esteem and warm friendship he is hereby presented with the gavel which he has so honorably wielded and the chair in which he has so gracefully sat during the session.

The chair ruled that so much of this resolution as referred to the property of the state is out of order.

The house appealed from the decision of the chair, and the speakers' decision was not sustained.

The speaker thanked the members for courtesy and consideration shown him.

The committee on conference made the following report:

Mr. Speaker:

Your committee on conference to whom was referred
House bill No. 89,

A bill for an act to amend section 2073, chapter 27, of the Revised Codes of 1899 of the state of North Dakota relating to the salaries of county auditors.

Have had the same under consideration, and refuse to concur.

F. N. CHAFFEE,
C. WINSLOW,
OLE AXVIG,

Mr. Chaffee moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Leech moved that all reference to the indefinite postponement of

Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Be expunged from the record.

Which motion prevailed.

Mr. Winslow moved to reconsider the vote by which

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes,

1899, relating to bank stock "where and at what valuation to be listed."

Was lost.

Which motion prevailed.

Mr. Winslow asked unanimous consent to make an amendment, which was objected to.

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

The roll was called and there were ayes 30, nays 18, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson,	Johnson,	Reade,
Cassell,	Keeler,	Rose,
Chacey,	Leech,	Severson,
Chaffee,	Lerom,	Stafne,
Chevalier,	McClure,	Thomas,
Davis,	Morgan,	Thordarson,
Dwire,	Nevin,	Tubbs,
Heath,	Nicholson,	Wade,
Hill,	Packard,	Watson,
Hjelmstad,	Ramsett,	Mr. Speaker,

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.
Anderson,	Gullikson,	Sargeant,
Axvig,	Lemke,	Strutz,
Brisbin,	McLean,	Tufte,
Dickson,	Nelson,	Watts,
Galbraith,	Phifer,	Willison,
Gronvold,	Restemayer,	Winslow,

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allshouse,	Hare,	Palmer,
Bacon,	Hammond,	Parr,
Bennett,	Mallough,	Swarthout,
Gulack,	Michels,	Young,
Hall,	Miller,	

Messrs. Hall, Palmer and Swarthout being excused.

So the bill was lost.

Mr. Galbraith moved that the vote by which

Senate bill No. 165,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock "where and at what valuation to be listed."

Was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes of 1899, relating to appointment of assistant examiner.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 42, nays 10, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Allhouse.
Axvig,
Brisbin,
Cassell,
Chacey,
Chaffee,
Chevalier,
Davis,
Dwire,
Gronvold.
Gullikson,
Hare,
Heath,
Hill,

Messrs.—

Hjelmstad.
Keeler,
Leech,
Lemke,
Lerom,
McClure,
Miller,
Morgan,
Nelson,
Nevin,
Nicholson,
Packard,
Ramsett,
Reade,

Messrs.—

Rose,
Sargeant,
Severson,
Stafne,
Thomas,
Thordarson,
Tubbs,
Tufte,
Wade,
Watson,
Willison,
Winslow,
Young,
Mr. Speaker,

Those voting in the negative were:

Messrs.—

Anderson,
Bjornson,
Dickson,
Galbraith,

Messrs.—

Johnson,
McLean,
Phifer,

Messrs.—

Restemayer,
Strutz,
Watts,

Absent and not voting:

Messrs.—

Bacon,
Bennett,
Gulack,
Hall,

Messrs.—

Mallough,
Hammond,
Michels,

Messrs.—

Palmer,
Parr,
Swarthout,

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved that the vote by which

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a, Revised Codes, 1899 relating to appointment of assistant examiner.

Was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Leech moved that we take up

Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Which motion prevailed.

Mr. Speaker:

I have the honor to report that the president has appointed Messrs. Wolbert, Cooper and Cox on the part of the senate as a conference committee on

House bill No. 160,

A bill for an act to amend section 1936 of the Revised Codes of North Dakota, relating to the publication of proceedings of board of county commissioners.

Very respectfully,
 GEORGE L. TOWNES,
 Secretary.

Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 47, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Allshouse,
 Anderson
 Axvig,
 Bjornson,
 Brisbin,
 Cassell,
 Chacey,
 Chaffee,
 Chevalier,
 Dickson,
 Dwire,
 Galbraith,
 Gullikson,
 Hare,
 Heath,
 Hill,

Messrs.—

Hjelmstad,
 Keeler,
 Leech,
 Lemke,
 Lerom,
 Mallough,
 McClure,
 McLean,
 Miller,
 Morgan,
 Nelson,
 Nevin,
 Nicholson,
 Packard,
 Phifer,
 Ramsett,

Messrs.—

Reade,
 Rose,
 Sargeant,
 Severson,
 Stafne,
 Strutz,
 Thomas,
 Thordarson,
 Tufte,
 Wade,
 Watts,
 Watson,
 Winslow,
 Young,
 Mr. Speaker.

Absent and not voting:

Messrs.—

Bacon,
 Bennett,
 Davis,
 Gronvold,
 Gulack.

Messrs.—

Hall,
 Hammond,
 Johnson,
 Michels,
 Palmer,

Messrs.—

Parr,
 Restemayer,
 Swarthout,
 Tubbs,
 Willison,

Messrs. Hall, Palmer and Swarthout being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved that the vote by which

Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Brisbin offered the following resolution and moved its adoption:

Appreciating the services of Mr. B. W. Shaw, assistant chief clerk, and the fact that it has been necessary for him to pay out considerable in hack fare between Mandan and the capitol; therefore be it resolved, that this house allow Mr. Shaw the sum of \$25 to cover said expenses.

Which motion prevailed.

Mr. Packard offered the following motion and moved its adoption:

Whereas, this body has reason to highly appreciate the able and courteous manner in which its chief clerk, Mr. J. D. Scanlan, Assistant Clerks W. D. Austin and B. W. Shaw; Miss Bessie Waggoner, stenographer; Miss Katie Gallagher, assistant to stenographer; W. J. Staub, tally clerk; W. E. Clark, chief enrolling and engrossing clerk; E. E. Ellis, bill clerk; Hon. Thomas Harrison, sergeant-at-arms; Sergeant James Flannigan, doorkeeper; Cassius Lisk, postmaster; B. L. Weld, messenger; Rev. Guernsey, chaplain; and the clerks of the enrolling and engrossing force and of committees, pages, janitors and cloakroom keepers for the careful and attentive manner in which they have performed their duties. No house was ever better served by an abler clerical force and their faithfulness is appreciated by the members of the house of the Seventh legislative assembly.

Which motion prevailed.

Mr. Hall moved the adoption of the following:

Resolved by the House of Representatives, that the clerk of the committee on revision and correction of the Journal having worked on the Journal through the session and being well informed as to the matters contained in the Journal, be appointed by the speaker to assist the committee appointed to revise the Journal and be allowed the sum of \$5 per day for five days. The speaker and chief clerk are hereby authorized and directed to sign the necessary voucher for said service.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign Senate bill No. 194,

A bill for an act entitled "an act to amend sections 1168 and 1173 of the Revised Codes of 1899, relating to ferries."

Also,

Senate bill No. 145,

A bill for an act to amend section 1979 of the Revised Codes of 1899, relating to duties of state's attorney.

And the speaker signed the same in the presence of the house.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House bill No. 88,

A bill for an act to create a farmers' institute board of directors

and prescribing its powers and duties and making an appropriation for conducting farmers' institutes.

Also,

House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Also,

House bill No. 198,

A bill for an act fixing a penalty for any corporation, association, person or persons, for in any manner interfering with, or hindering, any persons in charge of any live stock being or about to be transported over any railway in this state, in furnishing the feed or bedding in cars at any feeding station in this state.

Also,

House bill No. 24,

A bill for an act entitled an act to amend sections 324, 326, 328 and 333 of the code of civil procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 552 of the Revised Codes of 1899 of the state of North Dakota, and to repeal section 325 of the code of civil procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions.

Also,

House bill No. 109,

A bill for an act to amend section 4827 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mills.

And find the same correctly enrolled.

ASA SARGENT,
Chairman.

The chief clerk announced that the speaker was about to sign

House bill No. 198,

A bill for an act fixing a penalty for any corporation, association, person or persons, for in any manner interfering with, or hindering, any persons in charge of any live stock being or about to be, transported over any railway in this state, in furnishing the feed or bedding in cars at any feeding station in the state.

Also,

House bill No. 24,

A bill for an act entitled "An act to amend sections 324, 326,

328 and 333 of the Code of Civil Procedure of the state of North Dakota, being sections 5518, 5520, 5522 and 5528 of the Revised Codes of 1895 of the state of North Dakota, and to repeal section 325 of the Code of Civil Procedure of North Dakota, being section 5519 of the Revised Codes of said state, all of said sections relating to exemptions.

Also,

House bill No. 88, substitute for House bill No. 33,

A bill for an act to create at state farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Also,

House bill No. 179,

A bill for an act entitled "An act providing for the repeal of sections 1570a, 1570b, 1570c, 1570d, 1570e, 1570f, 1570g, 1570h and 1570i of the Revised Codes of 1899, providing for a state wolf bounty and authorizing the state board of equalization at their session in the year 1901 to levy a special tax to pay the amount due on outstanding certificates existing at the time of the taking effect of this act."

Also,

House bill No. 109,

A bill for an act to amend section 1786 of the Revised Codes of the state of North Dakota, edition of 1899, relating to and defining public warehouses, by striking out so much of said section as relates to grist mills.

And the speaker signed the same in the presence of the house.

Mr. Cassell made the following motion:

That the speaker appoint a committee of three to notify the governor that the house was about to adjourn and to ask if he has any further communication to make to the house.

Which motion prevailed, and

The speaker appointed as such committee, Messrs. Cassell Willison and Chaffee.

The chief clerk announced that the speaker was about to sign.

Senate bill No. 217,

A bill for an act entitled an act directing state auditors to pay over funds belonging to agricultural college and deaf and dumb asylum to the respective institution treasurers and providing for the application of such funds.

Also,

Senate bill No. 137,

A bill for an act to amend sections 73 and 76 of the Revised Codes of 1899, relating to public printing and making an appropriation therefor.

Also,

Senate bill No. 167,

A bill for an act to amend sections 3137 and 3142 of the Revised Codes of 1899, relating to insurance premiums to be paid, conditions of policy, assessments and liability of policy holders.

Also,

Senate bill No. 233,

A bill for an act to amend section 5658 of the Revised Codes of 1899 relating to attendance of witnesses for examination.

Also,

Senate bill No. 227,

A bill for an act to amend section 3254 of the Revised Codes of 1899 relating to examination of banks by state examiner and the fees therefor, and his report thereon to the governor.

Also,

Senate bill No. 197,

A bill for an act entitled an act to amend section 217 of the Revised Codes of 1899 providing for the leasing of public lands.

Also,

Senate bill No. 195,

A bill for an act entitled an act to amend section 1311 of the Revised Codes of 1899 relating to extraordinary expenditures.

Also,

Senate bill No. 158,

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspector of mines.

Also,

Senate bill No. 176,

A bill for an act entitled an act to amend section 144a. Revised Codes, 1899, relating to appointment of assistant examiner.

Also,

Senate bill No. 27,

A bill for an act authorizing the board of trustees of the North Dakota agricultural college to co-operate with the geological, agricultural, and other surveys, organized under the department

Also,

Senate bill No. 223,

A bill for an act to provide for the settlement of claims of the state against sureties on bonds of state depositories.

Also,

Senate bill No. 232,

A bill for an act to amend section 3218 of the Revised Codes of

1899 relating to the examination of building and loan associations by the state examiner and the fees therefor.

Also,
Senate bill No. 209,

A bill for an act to prevent and punish the desecration of the flag of the United States.

Also,
Senate bill No. 164,

A bill for an act entitled "An act to provide for transfer facilities at track crossings at grade of common carriers, determining how the expenses of such track crossings shall be paid and empowering the board of railroad commissioners to establish reasonable joint through rates."

Also,
Senate bill No. 225,

A bill for an act to provide for the investment of the sinking funds of special school districts and to prescribe a mode of executing, satisfying, and foreclosing mortgages taken upon such investments.

Also,
Senate bill No. 208,

A bill for an act entitled an act concerning the inspection of live stock before shipment, creating the office of stock inspector and prescribing his duties and compensation.

Also,
Senate bill No. 231,

A bill for an act to amend sections 136, 141 and 145 of the Revised Codes of 1899 relating to the state examiner, his appointment, term of office, qualifications, examination of banks, salary, deputy and his salary, and penalty for malfeasance.

Also,
Senate bill No. 214,

A bill for an act entitled "An act to amend section 2080 of the Revised Codes of 1899, relating to the salary of county treasurers."

And the speaker signed the same in the presence of the house.

A special committee from the senate waited on the house and informed them that the senate was about to adjourn sine die.

Mr. Bacon moved

That a committee of three be appointed by the speaker to notify the senate that the house is about to adjourn sine die.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Bacon, Morgan and Ramsett.

The committee reported that the senate had adjourned.
Mr. Chacey moved
That the house do now adjourn sine die.
Which motion prevailed, and
The house adjourned sine die.

J. D. SCANLAN,
Chief Clerk.

REPORT OF SPECIAL COMMITTEE.

The special committee to revise and correct the printed journal and compare same with the written journal of the session, submit the following report of corrections to be made in the written journal :

On page 5, the names "Restemayer, Rose, Sargeant, Severson, Stafne, Strutz, Swarhout" were omitted from the list of those voting for Mr. Flanagan for doorkeeper.

On page 50, in line 18, after the word "losses" the following was omitted.

"This state is strong enough to carry its own insurance. The \$6,000 paid annually to insurance companies would, if set aside for the purpose, soon create a fund that would much more than replace our losses."

Pages 76 and 77 were left blank.

On page 135, between the 5th and 6th lines from the bottom the following line was omitted:

"Those voting in the affirmative were:"

On page 154 the following appears in the wrong place. It should have appeared after line 10 on page 155:

"House bill No. 38,

"A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts."

On page 169, after line 16, the following was omitted:

"Was passed."

On page 238, after line 23, the following was omitted:

"HOUSE OF REPRESENTATIVES,
"BISMARCK, NORTH DAKOTA,
"February 4, 1901."

On page 244, the following was omitted after line 34:

"The committee on judiciary made the following report:

"Mr. Speaker:

"Your committee on judiciary to whom was referred

"House bill No. 47,

"A bill for an act to amend section 4064 of the Revised Codes of the state of North Dakota, 1895, in regard to usury, and providing that a contract or agreement providing for a greater rate of interest after than before maturity shall be deemed usurious.

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

"GEO. M. YOUNG,
Chairman.

"Mr. Young moved

"The adoption of the report,

"Which motion prevailed, and

"The report was adopted."

On page 261, the following was omitted after line 9:

"SENATE CHAMBER,
"BISMARCK, NORTH DAKOTA,
"February 5, 1901."

On page 317, the following was omitted after line 33:

"To the committee on railroads.

"Mr. Nevin moved

"As a substitute motion that the rules be suspended and

"House bill No. 17."

On page 340, the name "Dixon" was omitted from the affirmative vote on House bill No. 92.

On page 416, the name "Brisbin" was omitted from the affirmative vote on House bill No. 139.

On page 460, the following was written in the middle of the vote on House bill No. 95, instead of near the top of the page where it belongs:

"SECOND READING OF HOUSE BILLS.

"House bill No. 174,

"A bill for an act entitled "An act making it unlawful for any person to hold the office of city justice and county justice or township justice and county justice at the time.

"Was read the second time, and

"Referred to the committee on judiciary."

On page 480, the following was omitted from the report of the committee on military affairs:

"Also,

"Substitute for Senate bill No. 51,

"A bill for an act amending sections 1392 and 1393, Revised Codes of North Dakota, relating to state military boards.

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

On page 499, the following was omitted:

"The committee on judiciary made the following report:

"Mr. Speaker:

"Your committee on judiciary to whom was referred

"House bill No. 181,

"A bill for an act to amend section 7264 of the Penal Code of the state of North Dakota.

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

"By inserting in line 15 of the printed bill before the word 'all' the word and figure 'section 2.'

"And when so amended recommend that the same do pass.

"GEO. M. YOUNG,
Chairman.

"Mr. Young moved

"That the rules be suspended and the report adopted.

"Which motion prevailed, and

"The report was adopted."

On page 501, the following was omitted:

"The committee on appropriations made the following report:

"Mr. Speaker:

"Your committee on appropriations to whom was referred

"House bill No. 145,

"A bill for an act entitled an act authorizing the board of trustees of the state penitentiary to issue bonds to obtain funds for the operation of the

twine and cordage factory thereat, and providing for the sale and redemption of the same.

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

"JOSEPH HARE,
Chairman.

"Mr. Hare moved

"That the report be adopted.

"Which motion prevailed, and

"The report was adopted."

On page 592, one-half of the page is written twice.

On page 705, the following was omitted:

"Also,

"Senate bill No. 198,

"A bill for an act entitled an act regulating the filing and foreclosure of mechanic's liens upon land held or occupied under a filing under any of the land laws of the United States.

"Was read the first and second times, and

"Referred to the committee on judiciary."

On page 739, in the affirmative vote on House bill No. 218, the names "Willison, Winslow, Young, Mr. Speaker," were omitted; also "absent and not voting: Messrs. Allshouse, Hammond, Mallough, Miller, Palmer, Stafne, Swarthout;" also "Stafne and Swarthout" are wrongly recorded in the affirmative vote.

On page 767, the name "Young" was omitted from the affirmative vote on Senate bill No. 121.

On page 769, the name "Allshouse" was omitted from those being excused.

On page 772, the name "Allshouse" was omitted from those being excused.

On page 793, after the line "House bill No. 8," the following was omitted "a bill for an act concerning land titles."

The committee further states that at the time of the revision and correction of the written Journal by the committee the written Journal was not complete, it lacking the proceedings of the fifty-eighth, fifty-ninth and sixtieth days. But so far as written, with the exception of the corrections heretofore noted in our report, we find the written Journal correct.

The special committee to correct the journal of the Sixtieth day submit the following report containing corrections to be made in the printed journal of the Sixtieth day:

Page 15, line 22, change figures "52" to "34," and the word "none" to "15," and line 23, change figures "10" to "13."

Page 21, strike out line 6.

Page 31, line 36, change figures "1163" to "1173."

Page 33, strike out lines 38 to 42 inclusive.

Page 61, line 40, change figures "56" to "53," and in line 41, change figure "6" to "9."

Page 64, strike out line 20.

Page 78, line 24, change figures "552" to "5528," and in line 25, change "we" to "the."

The special committee to revise and correct the printed journal and compare same with the written journal of the session, submit the following report of corrections to be made in the printed journal :

On page 6, line 35 strike out name "Stafne."

On page 7, line 7, strike out name "Wade" and insert "Packard."

On page 9, line 20, strike out name "Cassell" and insert "Winslow," and in lines 35, 38 and 40, correct spelling of name "Surerus."

On page 15, after line 30, insert "Mr. Hammond was excused on account of illness."

On page 23, line 30, change "1901" to "1900."

On page 42, line 26, strike out "Michels," and in line 27, strike out "Miller."

Pages 33 to 48 inclusive were printed without changing the folios, so the second form is numbered "48a, 48b, 48c, etc., and are so referred to in the index and in following corrections:

On page 48j, line 32, change "Hare" to "Leech."

On page 45m, after line 37, insert "Mr. Wilson was declared duly elected."

On page 52, strike out lines 35 to 41 inclusive.

On page 54, line 21, substitute "sheep industry" for "judiciary."

On page 58, after line 13, insert "and the speaker signed the bill in the presence of the house."

On page 65, line 10, substitute "sheep industry" for "judiciary."

On page 80, line 40, change word "deferred" to "adopted."

On page 81, line 3, the name "Swenson" should be "Severson."

On page 83, line 28, after word "Revised," insert "Codes."

On page 84, line 8, the word "industries" should be "industry."

On page 89, line 22, "I" should be substituted for "O."

On page 95, after line 11, insert "Those voting in the affirmative were."

On page 96, in line 29, substitute "C" for "M."

On page 106, line 14, change figure "6" to "7." and insert name "Rose" in line 38.

On page 109, line 39, insert the name "Johnson."

On page 110, line 45, insert name "Johnson."

On page 111, line 2, change figure "8" to "6," and in line 3, change "4" to "6," and in line 28, insert name "Johnson."

On page 112, strike out lines 5 to 10 inclusive, and insert after line 21; "House bill No. 38,

"A bill for an act to amend section 5 of chapter 64 of the session laws of 1899, relating to fees of the clerks of the district courts.

"Was read the third time."

On page 112, strike out line 37.

On page 121, line 10, correct spelling of name "Lerom."

On page 124, line 42, change name "Allshouse" to "Gulack;" line 48, strike out all after second word "the" and insert "motion to reconsider the vote by which;" and after line 52 insert "was passed."

On page 125, line 17, change name "Hall to "Hale."

On page 130, lines 4 and 13, strike out name "John Abrahamson" and insert "A. Anderson."

On page 131, line 27, change "A" to "E."

On page 140, line 40, change second word "the" to "in."

On page 142, lines 36 and 37, correct spelling of name "Watts."

On page 143, lines 18 and 19, correct spelling of name "Watts."

On page 147, line 51, change name "Cassell" to "Winslow."

On page 153, after line 40, insert:

"Mr. Bacon gave notice that he would move to reconsider the vote by which House bill No. 74 was passed."

On page 159, strike out line 49 and insert in lieu thereof:

"GEO. M. YOUNG,
Chairman.

"Mr. Young moved

"That the report as read be adopted,

"Which motion prevailed, and

"The report was adopted.

"The committee on judiciary made the following report:

"Mr. Speaker:

"Your committee on judiciary to whom was referred."

On page 160, line 33, change name "Mallory" to "Mallough."

On page 166, line 30, change figure "4" to "3."

On page 173, strike out lines 6 to 23 inclusive.

On page 175, after line 32, insert:

"Have has the same under consideration and recommend that the same be adopted."

On page 175, line 24, insert after word "Revised" the word "Codes."

On page 178, line 28, strike out "trespassing" and insert "trespass of."

On page 192, strike out line 9, and insert:

"That House bill No. 49 be referred to general orders."

On page 192, line 10, strike out word "and," and strike out line 11.

On page 197, line 27 and line 29 should be transposed.

Page 236, after line 28, insert:

"Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed."

On page 238, strike out line 4 and insert:

"GEO. M. YOUNG,
Chairman.

"The committee on judiciary made the following report:

"Mr. Speaker:

"Your committee on judiciary to whom was referred."

On page 240, after line 22, insert:

"Mr. Winslow introduced."

On page 264, line 27, word "second" should be "first."

On page 277, line 6, figures "1890" should be "1895."

On page 290, line 38, name "Roserald" should be Rorapaugh."

On page 297, line 20, strike out "passing to the 16th," and insert "return to the 5th."

On page 306, line 32, figures "1890" should be "1895."

On page 308, lines 17 and 18 should appear after line 12.

On page 309, after the last line there should appear

"GEO. M. YOUNG,
Chairman."

On page 313, line 15, figures "1890" should be "1895."

On page 315, line 24, figures "92" should be "98," and strike out lines 25, 26 and 27, and insert in lieu thereof:

"A bill for an act requiring notaries public to endorse on acknowledgments the date of the expiration of their commissions."

On page 320, lines 42 and 45, the name "Cassell" is misspelled.

On page 332, line 6, word "none" should be figure "2," and in line 7 the figure "7" should be "4."

On page 340, line 49, figure "2" should be "5."

On page 342, lines 6 and 7, and lines 19, 20, 21 and 22 should be transposed.

On page 343, line 13, all after word "passed" should be stricken out.

On page 343, line 23, the words "title of the" should be stricken out.

On page 344, line 2, should be stricken out.

On page 346, after line 12, the name "Brisbin" should appear.

On page 347, the names "Packard" and "Winslow" should not appear in the affirmative vote.

On page 355, line 35, the figures "1890" should be "1895."

On page 366, line 9, substitute word "pass" for word "return."

On page 368, line 24, substitute word "pass" for word "return."

On page 369, line 50, substitute word "pass" for word "return."

On page 371, line 45, substitute word "pass" for word "return."

On page 375, line 9, substitute word "pass" for word "return."

On page 376, line 7, strike out name "Young" and insert "Young" in line 25.

On page 380, line 40, word "pardons" should be "pardon."

On page 381, strike out line 47, and insert in lieu thereof:

"GEO. M. YOUNG,
Chairman."

"The committee on judiciary made the following report:

"Mr. Speaker:

"Your committee on judiciary to whom was referred."

On page 382, lines 43 and 44, strike out "concurrence therein," and insert "consideration thereof."

On page 383, line 31, strike out all after "1899," and strike out line 32.

On page 387, line 16, figures should be "39," word "none" should be figures "17," and insert in line 46 after the word "passed" "without the emergency clause."

On page 406, line 38, the name "Little" should be "Lemke."

On page 419, line 47, "W. W." should be "M. B."

On page 431, lines 3, word "Was" should be "Be."

On page 438, line 4, substitute word "pass" for "return."

On page 459, after line 2, insert:

"The report was adopted."

On page 459, strike out lines 3, 4, 5, 6 and 7.

On page 483, strike out line 33 and insert:

"GEO. M. YOUNG,
Chairman.

"The committee on judiciary made the following report:

"Mr. Speaker:

"Your committee on judiciary to whom was referred."

On page 488, line 44, substitute word "pass" for "return."

On page 524, in lines 36 and 38, the name "Cassell" is misspelled.

On page 544, strike out line 3, and in line 19, strike out name "Hare."

On page 589, line 35, after word "examined" insert word "the."

On page 601, line 24, after the word "that" insert "the rules be suspended and."

On page 608, line 15, insert after the word "bill" the word "at."

On page 625, line 23, insert name "Davis."

On page 630, strike out line 2.

On page 643, line 45, figures "54" should be "53," figure "1" should be "2."

On page 644, line 23, insert name "Thomas."

On page 652, the folios should be "652" instead of "452," and the name "Lerom" should appear in affirmative vote, instead of in the negative, and in line 9 the figures "50" should be "51," and "5" should be "4."

On page 654, second line should be "Fifty-Sixth Day—After Recess."

On page 657, line 44, the words "Mr. Speaker" should appear instead of the word "the president."

On page 659, strike out line 32, and insert in lieu thereof:

"GEO. M. YOUNG,
Chairman.

"The committee on judiciary made the following report:

"Mr. Speaker:

"Your committee on judiciary to whom was referred."

Page 684, line 6, the word "passed" should be "adopted."

Page 695, lines 10 and 11 should be transposed.

Page 831, line 22, figures "52" should be "34," the word "none" should be "15," and in line 23 the figures "10" should be "13."

Page 837, strike out line 6.

Page 847, line 36, figures "1163" should be "1173."

Page 849, strike out lines 38 to 42 inclusive.

Page 877, line 40, figures "56" should be "53," and in line 41, figure "6" should be "9."

Page 880, strike out line 20.

Page 894, line 24, figures "552" should be "5528," and in line 25, "ne" should be "the."

C. WINSLOW, Chairman.
H. L. READE,
J. D. SCANLAN.

GEO. A. MONTEITH,
Committee Clerk.



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48	Axvig	Threshers liens	73	93
49	Watts	Foreclosure real estate mortgages	73	164 193
50	Chaffee	Exemptions of homesteads	73	83
51	Bacon	Hunting permits	73	94
52	Winslow	Amending 717, Revised Codes	74	94
53	Chacey	Repeal old soldiers law	74	83
54	Severson	Amending 683, Revised Codes	81	93
55	Reade	Fire companies tax	81	93
56	Thordarson	Repealing 1811, Revised Codes	81	93
57	Michels	Veterinarian districts	81	232
58	Michels	Collection of moneys from school lands	81	104
59	Young	Fees from sale and lease school lands	82	93
60	Rose	Appropriation industrial school	90	104

HOUSE BILLS—CONTINUED.

Reported Back	Amended	Amendments Adopted	Third Reading	Passed	Indefinitely Postponed	Reconsidered	Received from Senate	Amended	Unchanged	Amendments Concurred in	Conference Committee	Further Action	Lost
360	490	497	573	574	....	....	759	759	....	760			
64	64	128	152	152	....	....	423	....	423				
77	....	....	105	105	....	....	....	....	....
63	110	110	110	110	....	....	188	....	188				
63	....	....	110	111	....	....	188	....	188				
77	77	78 108	109	109	....	....	424	....	524				
268	417	419	473	474	....	....	852	....	852				
603	....	....	697	698	....	....	....	....	....
172	....	....	....	....	172	....	....	....	....
79	....	....	....	....	79	....	....	....	....
88	140	140	168	168	....	....	758	....	758				
134	170	170	223	223	....	....	827	....	827				
174	....	....	389	....	....	....	....	....	....
70	....	....	95	90	....	....	758	758	....	762	....	....	390
115	140	140	182	183	....	....	....	....	....	....	....	....
80	219	219	219	220	....	....	813	....	813				
157	....	....	262	263	....	....	....	....	....
57	128	129	166	167	....	....	823	823	....	829			
79	79	79	107	107	....	....	....	....	....	....
562	....	....	610	611	....	....	....	....	....	....
80	80	80 106	108	108	....	....	....	....	....	....
97	709	709	709	710	....	....	860	....	860				
214	246	248	319	319	....	....	....	....	....	....
158	208	209	242	243	....	....	872	872	....	874			
116	....	....	....	....	116	....	....	....	....	....
77	....	....	....	....	78	....	....	....	....	....
86	141 167	141 167	167	167	....	....	....	....	....	....
116	....	....	....	....	116	....	....	....	....	....
147 290	....	....	....	....	....	....	....	....	....	....
403	489	497	575	275	....	....	758	758	....	759			
296	....	....	....	....	....	....	....	....	....	....
197	197	200	241	242	....	....	804	....	804				
173	....	....	....	....	173	....	....	....	....	....
215	245	248	338	339	....	....	....	....	....	....
77	....	....	....	....	77	....	....	....	....	....
70	170	170	234	224	....	....	809	809	....	....	813	861	
77	112	112	112	112	....	....	833	....	833				
291	....	....	....	....	418	....	....	....	....	....
480	496	497	539	539	....	....	....	....	....	....
404	....	....	....	....	....	....	....	....	....	....
175	....	....	....	....	550	....	....	....	....	....
87	....	....	....	....	176	....	....	....	....	....
175	247	248	106	106	....	....	275	....	275	....		
328	....	....	316	317	....	....	678	....	678				
89	....	....	....	....	329	....	....	....	....	....
162	....	....	218	218	....	....	....	....	....	....
235	235	....	....	....	....	....	....	....	....	....
191	....	....	....	....	....	....	....	....	....	....
116	....	....	....	....	116	....	....	....	....	....
146	....	....	....	....	....	....	....	....	....	....
183	170	170	183	184	....	....	750	750	....	....	750	771	
....	....	....	224	225	....	....	....	....	....	....	848	....
133	....	....	....	....	....	....	....	....	....	....	....	....
133	....	....	....	....	433	....	....	....	....	....	....	....
235	235 299	301	340	341	....	....	758	....	758				
191	....	....	....	....	191	....	....	....	....	....
250	251	251	251	252	....	....	297	....	297				
177	246	243	320	321	....	....	828	....	828				
272	272	....	506	506	....	335	....	....	....	....	....	353	
427	....	....	472	473	....	....	752	....	752				

HOUSE BILLS—CONTINUED.

Bill Number	Introduced by	Title	Introduction—First Reading	Second Reading and Reference
	Messrs.—			
61	Leech	Reason for decision district judges	90	105
62	Leech	Practice on appeals	90	105
63	Leech	Practice on appeals	90	104
64	Leech	Tax commissioner	90	105
65	Leech	Sham answers	90	108
66	Bjornson	Jurors	90	125
67	Gronvold	Game and fish	90	103
68	Chaffee	Insurance agents' license	91	125
69	Thomas	Abolish provisions of 1549, Revised Codes	91	125
70	Thomas	State veterinarian	91	125
71	Hare	Eminent domain	91	103
72	Anderson	School treasurers' reports	91	103
73	Cassell	Drawing jurors	91	92
74	Cassell	Deficiency dairy commissioner	91	92
75	McClure	Compensation county commissioners	92	255
76	Gulack	Addresses grantor and grantee	92	125
77	Davis	Meetings of town supervisors	92	104
78	Davis	Assessors' supplies and meeting	92	103
79	Davis	Annual town meeting	92	103
80	Bjornson	Amending 1233, Revised Codes	92	104
81	Bjornson	Repeal of publication election returns	93	126
82	Tufte	Reapportionment	102	126
83	Hall	Trains stop at county seats	102	126
84	Nevin	Duties county judges	102	126
85	Nevin	Duties of attorneys in county courts	102	154
86	Keeler	Fidelity bonds school treasurers	102	126
87	Keeler	Fuel for public schools	102	126
88	Tufte	Substitute for House bill No. 33	102	126
89	Reade	County auditors' salaries	127	154
90	Stafne	Museum at Fort Abercrombie	134	154
91	Packard	Liability for killing stock	134	154
92	Chaffee	Legalizing tax levies	134	137
93	Rose	Amending 5442, Revised Codes	135	154
94	Michels	Regulating railroads	135	180
95	Leech	Amending 5454a, Revised Codes	135	155
96	Leech	Repeal 5454a, Revised Codes	135	155
97	Leech	Costs in damage suits	136	155
98	Bacon	Acknowledgments of notaries	136	155
99	Ramsett	Leasing school lands	137	155
100	Young	Slander females	137	155
101	Swarthout	Agricultural fairs	153	180
102	Strutz	Amending 1322, Revised Codes	154	180
103	Thomas	Adulteration of food	154	181
104	Brisbin	Liability of railroads	164	194
105	Hjelmstad	Farm laborers' lien	164	194
106	Bjornson	Depositories	164	182
107	Leech	Apportionment	164	182
108	Bennett	Anti-cigarette bill	165	181
109	Bennett	Public warehouses	165	181
110	Bennett	Taxation of grain in warehouses	165	194
111	Hjelmstad	Transportation of stock shippers	165	181
112	Cassell	Bonds of county treasurers	165	181
113	Chaffee	Concurrent resolution	165	195
114	Leech	Payment of taxes	165	193
115	Gronvold	Amending 704, Revised Codes	166	207
116	Keeler	Contents of telegrams protected	166	181
117	Ramsett	Foreclosure of liens	166	182
118	Cassell	School district bonds	178	195
119	Cassell	Garnishee procedure	178	194
120	Leech	Abandonment of children	178	194
121	Leech	Support of step children	178	193

HOUSE BILLS—CONTINUED.

Bill Number	Introduced by	Title	Introduction—First Reading	Second Reading and Reference
Messrs.—				
122	Watson	Jurisdiction of county courts.....	178	193
123	Thomas	Real estate title in justice court.....	179	193
124	Morgan	Township taxes.....	179	194
125	Palmer	Irrigation.....	180	.....
126	Hall	Stables at rural schools.....	205	217
127	Lerom	State board equalization.....	205	217
128	Dwire	Disposal of estate of intestates.....	205	217
129	Com. on Sheep Husbandry ..	Amend 1322, Revised Codes.....	206	217
130	Young	Competency of certain evidence.....	206	217
131	McClure	Insurance agents' license fees.....	206	217
132	Gronvold	Public scales.....	206	217
133	Watson	Liability of railroads to employes.....	206	206
134	Nevin	Duties of county judges.....	216	240
135	Brisbin	Noxious weeds.....	216	240
136	Michels	Repeal special tax university.....	216	240
137	Com. on Warehouses — Sub. H. B. 110	Taxation of grain in warehouses.....	216	216
138	Hjelmstad	Amending bridge law.....	239	260
139	Reade	Unlawful obligations.....	.....	260
140	Galbraith	Revenue and taxation.....	240	160
141	Gulack	Fees of justices.....	240	260
142	Allshouse	Penalty for usury.....	240	260
143	Winslow	Repeal official estray paper.....	240	260
144	Staine	Commissioners districts.....	259	259
145	Twine Plant Committee	Bonds for maintenance twine plant.....	259	275
146	Hammond	Editors to receive documents.....	259	294
147	Leech	Crime of rape.....	284	286
148	Leech	Age of consent.....	284	286
149	Reade	Rights of purchaser at tax sale.....	284	408
150	Thomas	Salary reporter supreme court.....	284	296
151	Hill	Maintenance station houses.....	284	295
152	Nelson	Taxes paid before record.....	293	295
153	Rose	Weights and measures.....	293	295
154	Thordarson	Term and bond of commissioners.....	294	295
155	Cassell	Duties land commissioner.....	294	295
156	Keeler	Reports of school moneys.....	294	235
157	Com. on State Affairs	Concurrent resolution.....	313	337
158	Nicholson	Enumeration of deaf and dumb.....	315	337
159	Leech	License of architects.....	313	.....
160	Cassell	Publication commissioners' proceedings.....	336	337
161	Packard	Publication school board proceedings.....	337	337
162	Allshouse	Assessment of grain.....	337	337
163	Davis	Township officers.....	337	337
164	Davis	Engrossing and enrolling by contract.....	337	337
165	Leech	Divorce law.....	338	338
166	Leech	Satisfaction of judgments.....	338	338
167	Bacon	Prohibit sale of game birds.....	361	362
168	Reade	County physician.....	362	362
169	Reade	Certificates of fire departments.....	362	362
170	Leech	Voting machines.....	362	362
171	Leech	Support of bastard children.....	362	362
172	Morgan	Repeal road machine law.....	362	362
173	Thomas	Amending election law.....	362	362
174	Bacon	Qualification of justices.....	363	367
175	Bacon	Transfer of cemetery lots.....	363	363
176	Com. on Ways and Means.....	Exhibit at Pan-American exposition.....	385	385

HOUSE BILLS—CONTINUED.

Reported Back	Amended	Amendments Adopted	Third Reading	Passed	Indefinitely Postponed	Reconsidered	Received from Senate	Amended	Unchanged	Amendments Con- curred In	Conference Committee	Further Action	Lost
274	274 416	.....	476	476	.....	.....	860	.....	.....	.....	.....	.....	860
292	.....	.....	346	347	.....	.....	.....	.....	.....	.....	.....	.....	.....
270	270	270	270	271	.....	.....	805	805	.....	805	.....	.....	.....
237	.....	.....	321	322	.....	.....	763	.....	763	.....	.....	.....	.....
253	.....	.....	313	314	.....	.....	833	833	.....	843	.....	.....	.....
311	.....	.....	578	579	.....	.....	.....	.....	.....	.....	.....	.....	.....
562	.....	.....	.....	.....	562	.....	.....	.....	.....	.....	.....	.....	.....
273	273 300	301	342	343	.....	.....	813	.....	813	.....	.....	.....	.....
402	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
357	.....	.....	.....	.....	357	.....	.....	.....	.....	.....	.....	.....	.....
269	.....	.....	391	392	.....	.....	.....	.....	.....	.....	.....	.....	.....
407	.....	.....	339	334	.....	.....	434	.....	434	.....	.....	.....	.....
.....	.....	.....	.....	.....	550	.....	.....	.....	.....	.....	.....	136	.....
.....	.....	.....	241	241	888	.....	888	.....	.....	.....	.....	.....	.....
308	.....	.....	.....	.....	308	.....	.....	.....	.....	.....	.....	.....	.....
292	292	292	346	346	.....	.....	805	.....	805	.....	.....	.....	.....
530	530	530	700	701	.....	.....	860	.....	860	.....	.....	.....	.....
309	.....	.....	.....	.....	309	.....	.....	.....	.....	.....	.....	.....	.....
341	.....	.....	542	.....	.....	.....	.....	.....	.....	.....	.....	.....	542
290	.....	.....	.....	.....	550	.....	.....	.....	.....	.....	.....	.....	.....
358	489	497	538	538	.....	.....	809	809	.....	810	.....	.....	.....
426	509	509	508	509	.....	.....	633	.....	633	.....	.....	.....	.....
430	.....	.....	.....	.....	431	.....	.....	.....	.....	.....	.....	.....	.....
381	491	497	539	540	.....	.....	.....	.....	.....	.....	.....	.....	.....
382	491	397	540	541	.....	.....	.....	.....	.....	.....	.....	.....	.....
432	.....	.....	510	510	.....	.....	678	.....	678	.....	.....	.....	.....
402	.....	.....	.....	.....	492	.....	.....	.....	.....	.....	.....	.....	.....
341	393	393	393	394	.....	.....	849	849	.....	849	.....	.....	.....
358	.....	.....	413	413	.....	.....	.....	.....	.....	.....	.....	.....	.....
453	496	497	542	543	.....	.....	808	.....	808	.....	.....	.....	.....
428	.....	.....	.....	.....	494	.....	.....	.....	.....	.....	.....	.....	.....
327	489	497	543	544	.....	.....	752	.....	752	.....	.....	.....	.....
356	.....	.....	511	412	.....	.....	678	.....	678	.....	.....	.....	.....
.....	.....	.....	391	391	.....	.....	633	.....	633	.....	.....	.....	.....
429	494	497	580	581	.....	.....	.....	.....	.....	.....	.....	.....	.....
425	.....	.....	.....	.....	425	.....	.....	.....	.....	.....	.....	.....	.....
428	.....	.....	510	511	.....	.....	887	888	.....	.....	888	.....	.....
429	.....	.....	.....	.....	429	.....	.....	.....	.....	.....	.....	.....	.....
428	494	497	545	546	.....	.....	824	.....	824	.....	.....	.....	.....
407	496	497	537	537	.....	.....	692	692	.....	701	.....	.....	.....
436	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	507	.....
404	492	497	544	545	.....	.....	849	849	.....	850	.....	.....	.....
405	.....	.....	513	514	.....	.....	813	.....	813	.....	.....	.....	.....
529	577	577	578	578	.....	.....	.....	.....	.....	.....	.....	.....	.....
433	.....	.....	433	434	.....	.....	.....	.....	.....	.....	.....	.....	.....
426	.....	.....	581	581	.....	.....	511	.....	512	.....	.....	.....	.....
459	.....	.....	.....	.....	459	.....	.....	.....	.....	.....	.....	.....	.....
597	.....	.....	.....	.....	597	.....	.....	.....	.....	.....	.....	.....	.....
427	.....	.....	512	513	.....	.....	805	.....	805	.....	.....	.....	517
458	.....	.....	.....	.....	458	.....	.....	.....	.....	.....	.....	.....	.....
458	.....	.....	516	.....	.....	678	.....	678	.....	.....	.....	.....	.....
452	495	497	579	580	.....	.....	852	852	.....	854	.....	.....	.....

HOUSE BILLS—CONTINUED.

Bill Number	Introduced by	Title	Introduction—First Reading	Second Reading and Reference
	Messrs—			
	Com. on Ways and Means	Appropriation for exhibit.....	385	408
177	Nelson	Liability of husband and wife.....	386	386
178	Restemayer	Repeal of wolf bounty.....	386	386
180	Leech	Protection of soft drink manufacturers.....	386	386
181	Leech	Amending §7264 R. C.....	386	386
182	Bacon	Storage companies.....	386	386
183	Nicholson	Governing conveyance of land.....	409	409
184	Nevin	Taxation of school lands.....	409	409
185	Mallough	Lignite coal in public schools.....	409	409
186	Tufte	Gophers common nuisance.....	409	409
187	Chaffee	Restrict sale of cigarettes.....	410	410
188	Galbraith	Amending §3597 R. C.....	410	410
189	Galbraith	Governing fidelity companies.....	410	410
190	Leech	Employment agencies.....	410	410
191	Leech	Who may be sentenced to reform school.....	410	410
192	Leech	Conviction of minors.....	410	410
193	Leech	Commitment of incorrigibles.....	411	411
194	Leech	Defective acknowledgments.....	411	411
195	Tubbs	Fees of county surveyors.....	411	411
196	Tubbs	Duties of county surveyors.....	411	411
197	Nevin	Sale of public lands.....	436	437
198	Packard	Feed of stock in transit.....	437	437
199	Bacon	Repeal of druggists permits.....	437	437
200	Hare	County dipping tanks.....	437	437
201	Tubbs	Qualifications of county surveyors.....	437	437
202	Ramsett	Electric line penitentiary to capitol.....	437	437
203	Chacey	Bonds for drains.....	437	437
204	Gulack	Local option amendment.....	437	438
205	Stafne	Granting medical certificates.....	472	472
206	Strutz	Duties of overseers of highways.....	472	472
207	Chaffee	Fees secretary of state.....	472	472
208	Tubbs	Dissolution of marriage.....	472	472
209	Rose	Concurrent resolution.....	487	487
210	Young	Education.....	487	487
211	Leech	Claims against estates.....	487	487
212	Leech	Commencement civil action.....	487	487
213	Cassell	Personal property taxes.....	488	488
214	Cassell	Normal school board.....	508	508
215	Galbraith	Fees county surveyors.....	508	508
216	Bacon	Mechanics' liens.....	508	508
217	Palmer	Legal highways.....	536	536
218	Morgan	Purchase of road machinery.....	536	536
219	Judiciary Com.	Salary county judges.....	536	536
220	Severtson	Board of supervisors.....	536	536
221	Lemke	Capitol removal.....	572	572
222	Young	Cases in supreme court.....	573	573
223	Rose	Duties township treasurers.....	573	573
224	Chacey	Payment of threshers.....	576	576

HOUSE BILLS—CONTINUED.

Reported Back	Amended	Amendments Adopted	Third Reading	Passed	Indefinitely Postponed	Reconsidered	Received from Senate	Amended	Unchanged	Amendments Con- curred In	Conference Committee	Further Action	Lost
567	645	646	....	....	853	853	....	856			
503	582	582	....	....	870	870	....	870			
430	698	699	....	....	870	870	....	878			
425	514	515	....	....	811	803	....	811			
424	515	515	....	....	803	803	....	803			
459	546	547	....	....	860	....	860	....		
563	563	....	....	....	860	....		
532	583	583	583	584	....	....	860	....	860	....		
456	456	456	.....	.....	.....	....	....	....	860	....		
594	642	643	....	....	860	....	860	....		
530	576	577	....	....	860	....	860	....		
455	517	518	....	....	860	....	860	....		
559	559	559	.....	.....	.....	....	.....	.....	.....	.....
531	531	....	.....	.....	.....	.....
483	483	....	.....	.....	.....	.....
562	562	....	.....	.....	.....	.....
484	484	....	.....	.....	.....	.....
484	547	547	547	548	....	....	678	....	678	....		
456	457	....	.....	.....	.....	.....
456	456	....	.....	.....	.....	.....
531	584	584	....	....	870	....	870	....		
637	729	730	....	....	870	....	870	....		
529	529	....	849	....	849	....		
503	552	553	608	609	....	....	849	....	849	....		
503	503	....	833	....	833	....		
560	607	608	....	....	833	....	833	....		
500	551	553	608	608	....	....	808	808	....	813			
694	694	....	.....	.....	.....	.....
533	533	....	.....	.....	.....	.....
598	598	....	.....	.....	.....	.....
559	559	559	641	642	....	....	763	....	763	....		
505	585	585	....	....	738	....	758	....		
505			
679	699	....	....	....	.....	.....	.....	.....			700
563	605	606	....	....	.....	.....	.....	.....
561			
530	574	574	....	....	813	813	....	817			
571	609	610	....	....	803	....	803	....		
599	599	....	.....	.....	.....	.....
600	600	601	646	.....	.....	....	.....	.....	.....	.....			647
597	597	....	.....	.....	.....	.....
597	597	598	643	644	....	....	809	....	809	....		
.....	587	.....	.....	....	.....	.....	.....	.....
599	599	....	.....	.....	.....	.....			587
661	686	.....	.....	....	.....	.....	.....	.....
589	644	645	....	....	.....	.....	.....	.....			687
634	730	731	....	....	852	....	852	....		
637	638	....	.....	.....	.....	.....

SENATE BILLS.

Bill Number	Title	When Received	First Reading	Second Reading and Reference	Reported Back	Indefinitely Postponed	Amended	Third Reading	Passed	Lost	Concurrence	Further Action
1	Trials of civil actions.....	469	520	520	601	...	601	710	711	...	742	
2	Claims against estates of decedents.....	81	83	139	504	504						
3	Mailing summons and complaint.....	81	83	139	175	...	245	446	447			
4	Terms of court, Seventh Judicial district.....	188	225	280	310	...		434	435			
8	To waive service of citation.....	66	74	83	158	...		185	186			
11	Recording of marks and brands.....	66	74	83	163	...	209	244	244			
12	Legislative officers and employees and their compensation.....	48	48	48	484	...	48e	48f	48g			
16	Forbidding and preventing the practice of law by judges of courts having increased jurisdiction.....	289	298	298	484	485						
19	Depositories of county funds.....	267	276	284	634	634						
20	Admission of graduates from law department, university of North Dakota, to the bar to practice law.....	653	695	696	708	...		739	740			
21	Fraternal beneficiary societies, orders or associations.....	405	438	439	451	...	617	617	617			
23	Exemptions.....	136	138	185	197	...	247	441	441			
25	Granting highway across encampment grounds at Rock Island..	176	184	226	308	...		445	446			
26	Qualifications of voters.....	692	695	695	707	707						
27	Topographic, agricultural and geological survey and maps.....	653	696	696	708	...		879	879			
29	Directing judgment and granting motion for new trial by supreme and district courts.....	423	439	439	658	...		824	825			
30	Appropriation, expenses and improvements state penitentiary..	500	521	521	566	...		661	662			
32	Taxing hawkers and peddlers.....	144	169	185	233	550						
33	Securing from loss persons who furnish materials or labor in erecting or repairing public buildings.....	87	127	139	203	...	418	440	440			
34	Limitations of actions.....	89	127	139	381	...		798	798			
36	Settlement of estates of decedents.....	87	127	139	657	...		98	99			
37	Warrants and vouchers.....	94	94	95	98	...					123	127
38	Education, amending section 913.	677	695	695	707	707						
39	Education, amending section 888.	677	695	695	706	707						
40	Transaction of business by fire insurance companies or associations otherwise than through resident agents.....	87	128	128	173	...	173	226	227			
41	Rules and regulations of twine plant.....	136	137	137	148	...		150	150			
42	Creation of special school districts in incorporated cities, towns and villages.....	480	518	518	572	...	572	777	778			
43	Maintenance and support normal school at Valley City.....	501	522	522	566	...		665	666			
45	Salary of clerk of district court..	501	522	522	603	694						
46	Defective acknowledgments.....	100	127	139	238	...		523	524			
47	Stock running at large.....	252	264	281	500	...	552	619	620			
48	Liability of owner for trespass of animals.....	188	225	281	499	...		620	621			
50	Education, amending sections 867, 869, etc.....	632	650	650	682	682						
51	State military board.....	234	263	282	406	...		626	626			
52	Efficiency of national guard.....	234	263	282	531	...	531	778	779	859	858	

SENATE BILLS—Continued.

Bill Number	Title	When Received	First Reading	Second Reading and Reference	Reported Back	Indefinitely Postponed	Amended	Third Reading	Passed	Lost	Concurrence	Further Action
53	Appropriation for deficit fuel account, hospital for insane.....	591	613	613	631	...	...	832	882			
56	Objects and departments of university.....	330	385	385	571	571						
57	Drawing of warrants by state auditor upon state treasurer..	136	138	185	234	...	...	323	323			
58	Sales of real estate by executors and administrators.....	176	184	226	269	...	...	323	324			
59	Current and contingent expenses, hospital for insane.....	501	521	521	568	...	...	669	669			
60	Senatorial and representative districts and number of senators and representatives.....	266	275	283	349	...	349 377 397 399	397	400	...	415	419
61	Commencement of actions in justice court.....	136	138	185	601	...	601	764	764			
64	Manner of commencing civil actions.....	310	394	394	504	...	...	755	755			
65	Revenue and taxation.....	180	184	226	271	...	...			444	...	469
67	Appropriation for improvements and expense state normal school, Mayville.....	501	522	522	565	...	...	664	665			
68	Board of pardons and prescribing its powers and duties.....	289	298	298	380	...	418	614	619			
70	State auditing board.....	136	138	185	202	...	...	228	229			
71	Time of holding caucuses and issuance of certificates of election..	310	394	394	426	...	...	752	753			
72	Bounty on starch.....	136	138	185	203	...	...	441	442			
73	Divorce.....	176	184	226	254	...	...	322	323			
74	Elections.....	310	394	394	462	...	...	624	625			
75	Appropriation for soldiers' home.	501	521	521	566	...	...	666	667			
76	Kidnaping.....	176	184	184	191	...	...	227	228			
78	Special tax for payment of wolf bounties.....	535	549	549	569	673						
79	Injunctions.....	267	276	283	600	...	600	763	764			
80	Residence, salaries and clerk hire of state officers.....	480	519	519	561	561						
81	Appropriation for industrial school.....	501	521	521	567	...	...	667	668			
83	Appropriation for deaf and dumb school.....	501	521	521	564	...	...	662	663			
84	Parties defendant in certain civil actions and amending sections 5907 and 5907a.....	448	520	520	659	...	...	784	785			
85	Appropriation for increased clerical work in office of state treasurer.....	470	520	520	631	...	...	782	783			
86	Fugitives from justice.....	200	225	281	657	...	...	822	822			
87	Sale of dressed beef.....	289	298	298	560	...	...	720	720			
88	Compensation of county commissioners.....	176	184	226	328	...	495	622	622			
91	Erection, equipment and improvement, agricultural college.....	632	651	651	680	...	...	735	736			
92	Extirmination of antelope.....	266	275	283	327	...	...	756	757			
93	Bounties for manufacture of spinning fiber.....	211	263	282	359	...	...	746	747			
94	Manufacture of binding twine....	267	276	283	359	...	...	748	749			
95	Duties county auditor as to certification of abstracts of title...	252	264	282	406	...	493	751	751			
96	Deed not to be recorded without auditor's certificate of taxes paid.....	355	395	395	431	...	...	616	616			

SENATE BILLS—Continued.

Bill Number	Title	When Received	First Reading	Second Reading and Reference	Reported Back	Indefinitely Postponed	Amended	Third Reading	Passed	Lost	Concurrence	Further Action
99	Assessor's statement and return of auditor	188	225	281	312	...	...	444	445			
101	Embezzlement	252	264	281	309	...	...	717	717			
103	Additional bond to be furnished by city treasurers	234	263	282	435	...	...	749	749			
104	Division of school districts	200	226	281	308	...	...	623	624			
105	Liens in general	330	395	395	533	...	...	625	625			
106	Lien for grain to be used for seed	234	264	282	359	...	524	524	525			
107	Sale and use of dangerous and impure oils	595	614	614	648	...	648	711	712	...	742	
108	County mutual insurance companies	234	264	281	424	...	...	629	630			
111	Printing of briefs and abstracts on appeal to supreme court	355	395	395	424	...	...	525	526			
112	Punishment for refusal or neglect to support a minor child	535	549	549	602	...	...			
113	Bonds to secure seed grain for needy farmers	234	264	264	307	..	307	333	333			
114	Concurrent resolution, appropriating land for hospital for insane at Jamestown and locating institution for feeble minded at Grafton	234	264	282	331	...	...	383	384			
115	Number and election of county officers	535	549	549	560	...	560	780	781	...	797	809
116	Title to real estate	267	276	283	504	...	...	754	755			
117	Annual meeting board of trustees of soldiers' home	252	264	...	406	...	...	492	715	715		
118	Covenants of warranty	480	518	518	601	...	601	765	765			
119	Appeals from justice court and payment of transcript fees	480	518	519	602	...	602	746	746			
121	Appropriation for executive mansion	311	394	394	427	...	...	670	670			
122	Offset due on delinquent taxes	330	395	395	452	...	...	747	748			
123	Depositories for county funds	267	276	283	357	...	...	717	718			
124	Fund for retiring bonded indebtedness of the state	330	395	395	432	...	494	670	671			
125	Asylum and poor farm .....	...	440	440	...	...	...	...	...
127	Fees and compensation of sheriffs	423	...	...	485	...	551	723	761	754		
128	Vouchers and numbering same	330	395	395	422	...	...	621	622			
129	Manner of making and filing claims against state	330	395	395	431	...	...	628	629			
130	Jurisdiction of judges of conciliation	355	395	395	458	682						
131	Practice of medicine, surgery and obstetrics	267										
135	Collection of personal property tax judgments	382	439	439	455	...	...	523	523			
136	Issue of bonds for state university	556	...	...	637	...	...	738	739			
137	Public printing and appropriation therefor	591	613	613	665	...	...	866	866			
138	Amendment to section 182 of the constitution	330	394	394	422	...	...	622	...	622		
139	Making the state a preferred creditor in sales of binding twine on time	423	439	439	483	...	551	617	618			
140	Procedure for locating and moving county seats	330	395	395	453	...	...	615	615			
141	Stay of execution in civil actions	355	395	395	602	...	...	757	757			
142	Service of notices and papers	355	395	395	505	...	...	750	751			
143	Appropriation for capitol and executive mansion	310	395	395	565	...	...	663	664			
144	Duties of the attorney general	382	439	439	594	...	...	744	744			

SENATE BILLS—Continued.

Bill Number	Title	When Received	First Reading	Second Reading and Reference	Reported Back	Indefinitely Postponed	Amended	Third Reading	Passed	Lost	Concurrence	Further Action
145	Duties of states attorneys.....	405	439	439	593	...	593	855	856			
147	Issue of bonds for erection of normal school buildings at Valley City and Mayville.....	653	696	696	709	...	...	736	737			
148	Maintenance of state university, agricultural college, normal schools at Valley City and Mayville and deaf and dumb asylum	355	395	395	568	...	...	688	689			
149	Foreclosure of real estate mortgages.....	557	611	611	656	...	...	798	799			
150	Reports of state officers and payment of fees to state treasurer..	512	520	521	560	...	...	716	716			
151	Appropriation to pay expense of appraising, advertising and selling public lands.....	501	522	522	564	...	...	652	652			
152	Legalizing levy of taxes.....	557	612	612	633	...	...	826	827			
153	Property exempt from taxation ..	448	520	520	596	...	...	720	721			
154	Defining express companies and other public carriers and assessment of their property.....	677	696	696	708	...	...	741	741			
156	Rates for transportation of coal within the state.....	817	818	818	834	835	...	...	...
157	State depositories.....	480	519	519	595	...	...	744	745			
158	Protection of coal miners and inspection of mines.....	677	697	697	773	...	...	865	865			
160	Newspaper libel and action on same.....	481	519	519	563	...	...	756	756			
161	Legalizing assessment of taxes in territory under jurisdiction of counties.....	481	519	519	596	...	...	721	722			
162	Appropriation for North Dakota agricultural college.....	501	521	521	567	...	...	668	668			
163	Capital of banks.....	448	520	520	596	...	...	745	746			
164	Track crossings at grade of common carrier.....	677	695	695	708	...	...	877	878			
165	Assessment of bank stock.....	480	519	519	635	...	...	866	...	867		
166	Assessment of grain in warehouses	556	611	611	775	775	...	...	...
167	Insurance premiums and assessment of same.....	793	816	816	837	...	837	858	858			
168	Selling of game after close of hunting season.....	448	520	520	595	595	...	...	...
169	Levy of sinking fund tax by state board of equalization.....	423	439	439	454	...	...	626	627			
170	Certain records to be kept in the office of state treasurer.....	423	439	439	455	...	...	714	714			
171	Clerk hire in state offices.....	592	613	613	634	...	...	828	828			
172	Appropriation to promote immigration.....	501	522	522	565	...	...	671	672			
173	Fees for transportation of prisoners and patients.....	423	440	440	454	...	...	627	628			
174	Additional duties of adjutant general and prescribing his salary..	481	519	519	558	558	...	...	...
176	Appointment of assistant examiner.....	793	816	816	836	...	...	863	891	863		
180	Abstract of votes.....	725	733	733	774	...	774	776	776			
184	Issuing certificates of indebtedness for equipment of deaf and dumb asylum.....	481	519	519	558	...	...	672	673			
186	Board of trustees for institution of feeble minded.....	556	611	612	638	...	...	722	723			
188	Notice when time of redemption expires.....	557	612	612	658	...	...	734	735			
189	Assessors' districts.....	591	613	613	660	660	...	...	...

SENATE BILLS—Continued.

Bill Number	Title	When Received	First Reading	Second Reading and Reference	Reported Back	Amended	Indefinitely Postponed	Third Reading	Passed	Lost	Concurrence	Further Action
192	Cities	633	651	651	683	683						
194	Ferries	557	612	612	656	...	...	815	847	816		
195	Extraordinary expenditures.....	633	651	651	680	...	...	880	881			
197	Leasing of public lands.....	569	611	611	636	...	...	875	875			
198	Filing and foreclosure of mechanics' liens.....	592	613	613	...	...	...	825	826			
199	Renewal of judgments and continuation of lien.....	557	612	612	660	...	...	740	741			
200	System of free public schools.....	725	733	733	774	...	774	776	777			
205	Assessment of damages under the law of eminent domain.....	569	611	611	659	...	659	779	779			
207	Requisites and qualification of executors, administrators and guardians.....	592	612	612	659	...	...	830	831			
208	Stock inspector and inspection of stock before shipment.....	632	651	651	682	682	...	892	892			
209	Desecration of the flag of the United States.....	591	614	614	636	...	...	871	872			
211	Garnishment in justice courts....	592	613	613	650	650	...	873	884			
214	Salary of county treasurers.....	725	734	734	773	...	...	873	884			
215	Payment of taxes by nonresident owners of stock feeding on ranges.....	592	612	612	633	...	...	831	832			
216	Mechanics' liens.....	592	613	613	660	...	...	791	791			
217	Payment of funds to treasurers of public institutions.....	793	816	816	836	...	...	864	864			
218	Time of holding annual town meetings.....	632	651	651	...	...	690	690	691			
219	Duties of auditors to assessors...	632	651	651	707	...	...	713	714			
220	Collection of delinquent taxes by action.....	632	651	651	681	...	...	783	784			
221	Prize fighting.....	747	768	768	775	775	...	...	...
223	Settlement with sureties.....	653	696	696	707	...	...	875	876			
224	Free public libraries.....	676	697	697	708	...	...	739	739			
225	Sinking fund, special school districts.....	692	696	696	708	...	...	876	877			
227	Examination of banks.....	793	816	816	836	...	836	857	857			
228	Sale of public lands.....	691	695	695	708	...	...	737	738			
231	State examiner and assistants.....	724	734	734	773	...	...	881	881			
232	Examination of building and loan associations.....	725	733	733	773	...	...	882	883			
233	Attendance of witnesses.....	678	695	695	708	878	879			
234	Publication of list of licensed commission men.....	725	733	733	773	773			

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