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DAKOTA LEGISLATURE.

Thirteenth Session—Daily Report of the Proceedings of the Council and House of Representatives.

FOURTH DAY.

GENERAL COMMENTS.

The bill introduced into the council yesterday by Gov. Edmunds, providing for the establishment of a hospital for the insane, locates the hospital on the school section north of Yankton. It provides for the appointment, by the governor, subject to confirmation by the council, of a board of four trustees, of which the governor shall be *ex officio* president. These trustees are to receive no remuneration for their services, but their actual expenses are to be paid. They are to have absolute control of the management of the affairs of the hospital, and are to appoint its superintendents and subordinates. The bill provides that the superintendent shall be a physician of skill, that he shall be chief executive officer of the hospital, and that he shall hold his position only during the pleasure of the board. He shall also employ all attendants, nurses and servants, who shall be under his control. The salaries of hospital officials are not fixed in the bill, but the board of trustees is given full authority to decide upon that point. The proposed enactment is complete in all its details and if adopted will overcome the many difficulties now encountered in the management of the insane.

Before the regular opening of house proceedings this morning, the speaker announced that it was the wish of Gov. Howard that the members of the legislature visit the hospital for the insane. He said that carriages would be in attendance at the Merchants hotel at two o'clock p. m. and all members of the legislature were invited to take a ride to the hospital. The matter was talked over last night between the governor and several members of the legislature and it was informally agreed that a portion of the day would be devoted to the legislative visit suggested by Speaker Jackson. In conformity with this arrangement, both houses adjourned at noon to-day and members have devoted the afternoon to a visit to the hospital.

The bill of which notice was given in the council this morning to amend sections 324 and 325 of chapter 13 and section 8 of chapter 8 of the code of civil procedure has in view the modification of the exemption law. A strong sentiment appears to prevail among members that the provisions of the exemption law have too wide a scope, and that the credit and prosperity of the territory would be enhanced by a reasonable modification of its provisions. The proposition, however, will meet with a determined opposition from those who believe that the people are entitled to all the protection which the present law affords, and it is probably safe to say that any proposition to modify its provisions will meet with defeat.

The council judiciary committee, which was charged with the consideration of that part of the governor's message relating to the insane, reported to the council this morning a recommendation that the finance committee take immediate action in the premises, to the end that a place may be provided for the care of the insane by the time they must be withdrawn from the institutions where they are now cared for. This prompt action on the part of the committee indicates that the legislature is determined to make no delay in giving this important subject early and thorough attention.

THE COUNCIL.

The council met at 10 o'clock, and was called to order by the president.

Prayer by the chaplain.

Roll called; members all present except Messrs. MacNider and Pettigrew.

The minutes of yesterday's proceedings were read and approved.

Messrs. MacNider and Pettigrew came in and took their seats.

REPORTS OF COMMITTEES.

Mr. Roberts, from the judiciary committee, to which was referred that part of the governor's message relating to the care of the insane, reported it back to the council, and recommended immediate action thereon by the committee on finance and expenditures.

MOTIONS AND RESOLUTIONS.

Mr. Roberts moved that when the council adjourn to-day, it adjourn until 10 o'clock Monday morning.

Mr. Wynn stated that if the motion prevailed the members would forfeit their per diem for the days adjourned over.

Mr. Roberts then withdrew his motion.

NOTICE OF BILLS.

By Mr. Valentine—For the better protection of young timber planted and growing on section line roads.

By Mr. Day—To amend sections 324 and 325 of chapter 13, of the code of civil procedure, relating to exemptions.

INTRODUCTION OF BILLS.

By Mr. Rohr—An act in relation to penalty on taxes.

By Mr. Pettigrew—A bill for an act to amend an act in regard to funding the debt of Minnehaha and Lincoln counties.

By Mr. Cuppett—To amend section 1748 of the political code referring to the renewal of chattel mortgages.

By Mr. Kuykendall—Concerning the relations of landlord and tenant; also, a bill for an act creating a lien for miners and laborers in certain cases.

READING OF BILLS.

The bills introduced this morning were read a first time, and

Council bill No. 1, a bill for an act to amend the charter of the village of Sioux Falls;

Council bill No. 2, a bill for an act to increase the number of justices of the peace

and constables and providing for their election, were read a second time.

MESSAGE FROM THE HOUSE.

A message from the house informed the council that the house had this morning rescinded its resolution passed yesterday ordering six copies of the Daily Press and Dakotian for each member and officer of the legislative assembly; and also that the speaker had appointed as the house members of the joint committee on apportionment Messrs. Gamble, Burbank, Stephens, Whitfield and Langness.

ASSISTANT CLERK.

Mr. Valentine, by unanimous consent, introduced a bill entitled a bill to employ assistant clerks and to provide for the compensation of the same, which was read a first time.

On motion the rules were suspended and the bill read a second and third times and placed upon its final passage.

The roll being called those who voted in favor of the bill were Messrs. Cuppett, Day, Edmunds, Ellis, Kuykendall, MacNider, Pettigrew, Roberts, Rohr, Valentine, Wynn and Mr. President—12.

Mr. Miner voted in the negative.

APPORTIONMENT.

On motion of Mr. Edmunds, the council concurred in the house resolution in relation to the appointment of a joint committee on apportionment.

ADJOURNMENT.

On motion of Mr. Valentine the council adjourned until ten o'clock to-morrow.

THE HOUSE.

The house came to order at 10 o'clock a. m.

Mr. Speaker in the chair.

Mr. Stephens moved that the minutes of preceding day be first read and the special order not called. Adopted.

The minutes of yesterday's session were read and approved.

NOTICE OF BILLS.

Mr. Langness gave notice of a bill providing for granting permission to sell intoxicating liquor.

Mr. Weeks gave notice of a bill to amend section 59 of chapter 28 of the revised codes, entitled revenue.

APPORTIONMENT COMMITTEE.

The speaker announced the following as the house members of the joint committee on apportionment: Messrs. Gamble, Burbank, Whitfield, Stephens, Langness.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Stephens, the house returned to the order of motions and resolutions.

Mr. Stephens moved that the chaplain be excused until Tuesday, as he was compelled to go to Portlandville to dedicate a church. Adopted.

Mr. Burbank asked to be excused for non-attendance at roll call, and, on motion of Mr. Gamble, he was accordingly excused.

Mr. Stephens moved to rescind the resolution adopted yesterday, by which each member and officer was voted six copies of the Daily Press and Dakotian at the expense of the territory. Adopted.

COMMITTEE OF THE WHOLE.

The house went into committee of the whole, on the special order of yesterday, being the governor's message, Mr. Gray in the chair.

Mr. Gamble moved that the message be taken up by paragraphs and referred to its appropriate committees. Adopted.

COUNCIL MESSAGE.

A message was received from the council announcing the passage of a joint resolution providing a committee of three on apportionment to act with a like committee of the house; also that an additional member of said committee be appointed by the president. The message gave notice of the appointment of Messrs. Roberts, Pettigrew, Kuykendall, and Edmunds as the council committee under this resolution.

COMMITTEE OF THE WHOLE.

The house resumed business as committee of the whole and the various subjects of the governor's message were referred as follows:

Insane—to committee on charitable and penal institutions.

Prisons—to committee on charitable and penal institutions.

Finances—to committee on ways and means.

Educational interests—to committee on education.

Railroads—to committee on railroads.

Immigration—to committee on immigration.

Care of poor—to committee on towns and townships.

Pardoning power—to committee on judiciary.

Territorial expenses—to committee on territorial affairs.

Rewards for arrest—to committee on judiciary.

Apportionment—to the special joint committee on apportionment.

Territorial library—to the committee on territorial affairs.

Reports—to the committee on judiciary.

Preamble—to the committee on territorial affairs.

The committee rose and reported its business finished.

REPORT ADOPTED.

On motion of Mr. Gamble, the report of the committee of the whole was adopted.

VARIOUS MOTIONS.

Mr. Burbank moved a suspension of the rules and that the message from the council on apportionment be taken up. Adopted.

After considerable discussion and the introduction of several motions on the subject, a motion, introduced by Mr. Burbank, that previous action of to-day on the subject of the council apportionment message be expunged from the record, was adopted.

On motion of Mr. Gamble, the council resolution referring to apportionment was

amended to conform to the provisions of the
house resolution on the same subject.

ADJOURNMENT,

Mr. Gray moved that the house adjourn
to 10 o'clock a. m. January 18 h. Adopted.