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## DAKOTA LEGISLATURE.

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

### T W E L F T H D A Y .

#### GENERAL COMMENTS.

Mr. Brown's promised bill for the consolidation of several counties along the Jim river has not yet taken form. His notice of the bill has raised a breeze all along the Jim and a heavy remonstrance is hinted at from that quarter.

The house committee appointed to examine into the books and accounts of the territorial treasurer promises to make public its report on Monday, in the regular order of business. Not much is publicly known about the forthcoming report, except that it will differ materially from the report returned by the council committee.

Notice of a bill was given in the house to-day, Mr. Maukch, which will provide for the payment of C. J. B. Harris for his labors in making a revision of the laws several years ago. Chapter thirty-six of the laws of 1872-3 designates Mr. Harris as the person to whom that work was intrusted. He performed it and made his report. Payment has been refused Mr. Harris upon some technicality which has been taken advantage of, but the law as it stands seems to be explicit and Mr. Harris' claims are again to be urged.

#### THE COUNCIL.

Saturday, Jan. 25.—The council met at 10 o'clock a. m. and was called to order by the president.

Prayer by the chaplain.

Roll called; all members present except Mr. Day.

The reading of journal was dispensed with.

#### REPORTS OF COMMITTEES.

Mr. Ellis from the committee on counties, reported back council bills No's. 25 and 29, and recommended their passage.

Mr. Roberts from the judiciary committee reported back council bill No. 26, and recommended its passage.

The same committee also reported a substitute for council bill No. 7 in regard to the relations of landlord and tenant.

Mr. Edmunds from the special committee to which was referred the bill in regard to the insane, made a report accompanied by a substitute for the original bill.

Mr. Miner, from the committee on agriculture, reported back council bill No. 16, in relation to protection of stock, and to regulate the branding and herding thereof, with an amendment making it apply only to the counties west of the Missouri river.

Mr. Pettigrew asked leave, which was granted, to postpone the motion for the reconsideration of the vote by which council bill No. 18 was lost.

#### NOTICE OF BILLS.

By Mr. Miner—For an act to amend an act providing a board of education of the city of Vermillion.

#### MESSAGE FROM THE HOUSE.

A message informed the council that the house had passed house file No. 6, in reference to fraudulent banking, and asked the concurrence of the council therein.

#### INTRODUCTION OF BILLS.

By Mr. Miner—A bill for an act to amend the act to incorporate the city of Vermillion.

#### FIRST READING OF BILLS.

Substitute for council bill No. 7—A bill for an act to amend sections 1118 and 1119 of the civil code.

Substitute for council bill No. 3—A bill for an act establishing the Dakota hospital for the insane, providing for the government of the same, and for the care of the insane, and for the organization of a board of commissioners of insanity in each organized county of this territory.

Council bill No. 31—A bill for an act to amend the act incorporating the city of Vermillion.

#### SECOND READING OF BILLS.

Substitute for council bill No. 7 was read a second time.

#### THIRD READING AND PASSAGE OF BILLS.

Council bill No. 16—A bill for an act for the protection of stock and to regulate the branding and herding thereof, was read a third time, and on motion of Mr. Roberts, was recommitted to the committee on territorial affairs.

Council bill No. 25—A bill for an act enlarging the boundaries of the county seat of Clay county.

The question rose as to whether the passage of the bill would not operate or be construed as a removal of the county seat of Clay county, and after some discussion on motion of Mr. Rohr the bill was laid over until Monday.

Council bill No. 26—A bill for an act to amend section 510 of article 11 of the civil code, was read a third time. As the author of the bill, Mr. Day, was absent, on motion of Mr. Roberts the further consideration of the bill was postponed, until Monday next.

Council bill No. 29—A bill for an act authorizing the county of Grand Forks to issue bonds for the purpose of building a court house and jail. Passed.

#### MESSAGE FROM THE GOVERNOR.

A message from the governor informed the council that he had approved council bill No. 9, to authorize the employment of assistant clerks of the legislative assembly.

On motion of Mr. Miner, Judge Bennett, who was in the corridor of the hall, was invited to a seat within the bar of the council. The judge took a seat at the president's desk, and thanked the council for the courtesy extended.

#### HOUSE BILLS.

H. F. No. 6—A bill for an act to prevent fraudulent banking, was read a first time.

House file No. 2—A bill for an act concerning corporations and persons engaged in the business of banking, was read a second time and referred to the committee on education.

House file No. 5—A bill for an act authorizing the employment of short hand reporters in the district courts of Dakota territory, was read a second time and referred to committee on judiciary.

House file No. 8—A bill for an act to amend section 336 of the code of civil procedure, was read a second time and referred to the committee on judiciary.

#### ADJOURNMENT.

On motion of Mr. Wynn, the council adjourned until 10 o'clock Monday.

#### THE HOUSE.

The house convened, pursuant to adjournment, at ten o'clock a. m.

Mr. Speaker in the chair.

Prayer by the chaplain, Rev. J. P. Coffman.

Roll call showed all the members in their seats, except Messrs. Stephens and Weeks, excused.

The journal of yesterday's session was read and approved.

#### COMMITTEE REPORTS.

Mr. Gamble, from the judiciary committee reported back council bill number thirteen without amendment and recommended its passage; also, council bill number six and recommended its reference to the committee of the whole.

On motion of Mr. Trygstad, the report was adopted.

Mr. Gunderson, from the select committee appointed to consider council bill number twelve, reported the same back with the recommendation that it do not pass.

Mr. Gamble moved that the report be referred to the committee of the whole. So ordered.

#### EXCUSED.

On motion of Mr. Flick, Mr. Brown was excused from attendance on to day's session.

#### NOTICE OF BILLS.

By Mr. Walton—For an act to amend section fifty-six of the justice code.

By Mr. Maukch—For an act providing for payment of a commission appointed to revise the laws of Dakota under the provisions of chapter 36 of the laws of 1872-3.

#### INTRODUCTION OF BILLS, &c.

By Mr. Gray—H. F. No. 16—For an act to amend section 325 of chapter thirteen,

By Mr. Stewart—H. F. No. 17—For an act to amend chapter twenty-seven, of the political code, relating to elections.

By Mr. Burbank—H. F. No. 11—Memorial to congress praying for a division of Dakota territory and protesting against the passage of the bill for the admission of the whole territory as a state.

#### COUNCIL MESSAGE.

A message was received from the council announcing the passage of council bills number 15, 17, 19, 20, 22 and 24.

Also, the passage by the council of house file number 11, under suspension of rules. The bill was referred to the committee on engrossment and enrollment.

#### COUNCIL BILLS.

Council bills number 15, 17, 19, 20, 22 and 24 had their first reading.

Council bill number eight had its second reading and, upon motion of Mr. Whitfield the rules were suspended, the bill went to its third reading and was passed, on motion of Mr. Burbank, by a unanimous vote of the house.

Council bills number six, twelve and thirteen had their third reading and were referred to the committee of the whole.

#### HOUSE BILLS.

Mr. Stewart asked for and received unanimous consent to withdraw, for correction house file number fourteen.

House file number fifteen was referred to the committee on engrossment and enrollment.

#### SPECIAL ORDER.

The hour of eleven o'clock having arrived the speaker announced the special order, which was house file number nine.

Mr. Gamble moved as an amendment to the bill that section three be stricken out. Adopted.

On motion of Mr. Gamble, the bill was put upon its final passage and passed, Messrs. Burbank, Cross, Gunderson and Fockler voting in the negative, and the other members present in the affirmative.

Mr. Burbank changed his vote from no to aye.

On motion of Mr. Gamble, the title of the bill was amended to conform to the bill as amended.

#### COMMITTEE OF THE WHOLE.

On motion of Mr. Gamble, the house went into committee of the whole on council bill number six, Mr. Burbank in the chair.

After consideration of the bill the committee rose and recommended that further action upon the bill be indefinitely postponed.

#### FINAL ACTION.

The report was accepted, on motion of Mr. Burbank.

Mr. Burbank moved that the rules be suspended and the bill taken up for third reading and final passage. So ordered, and the bill read a third time.

Mr. Burbank moved that further action upon the bill be indefinitely postponed. Adopted.

#### EXCUSED.

Mr. Walton asked to be excused from attendance until Tuesday morning. He was excused.

#### ADJOURNMENT.

On motion of Mr. Gamble, the house, at 11:30 a. m. adjourned to ten o'clock a. m. January 27th.