

DAKOTA'S LEGISLATURE.

The Press and Dakotian's Report of the Proceedings of the Council and House of Representatives.

Fourteenth Session—Fourth Day.

Session Notes. COUNCIL CHIPS.

James D. Hall, enrolling and engrossing clerk elect of the council has not yet arrived, being detained by the rigors of the borean boom. At last accounts he was at Sioux Falls and will doubtless arrive by the first train that can get through from the pickered district.

The reading in the council this morning of the house memorial for the division of the territory demonstrated that even an efficient and expert reading clerk may, to use a characteristic expression, "bite off more than he can chew," and impressed Jolley with the conviction that in order to secure the accomplishment of its object it should be accompanied by a copy of Webster's dictionary.

The council this morning accepted the invitation of the trustees of the insane asylum to visit and inspect that institution at 2 o'clock to-morrow afternoon. Jolley and Shaw will not join the procession but will go to Vermillion to spend the Sabbath. This determination on their part has no reference whatever to their voting with the democrats this morning to amend a house memorial recommending the reappointment of a federal official.

Mr. Wiggan's bill, which passed the council this morning, is to enable the commissioners of Lincoln county to comply with an order of Judge Kidder made at the late term of court requiring them to commence the construction of a jail within thirty days. The county is without a jail, and is compelled to send its criminals to other counties for safe keeping.

VARIOUS HOUSE MEASURES.

Mr. Van Osdel, of Yankton county, today introduced a bill in the house which will attract some attention. It provides that the property of railroad companies subject to taxation shall be treated in regard to assessment, equalization and taxation the same as the property of individuals.

Mr. Wells' bill for the employment of pages contemplates supplying a want that has always existed in the legislative operations of the territory. The intention is to place a couple of active boys in the house and one in the council, who shall receive a per diem of one dollar. Their duties will be the transmission of documents from the members to the speaker or clerk or from one to another. It will be a desirable innovation upon the habits of the past.

Mr. Hale, of Lawrence, designs introducing a bill to exempt the counties of Lawrence, Custer, Pennington, Mandan and Forsyth from the provisions of the herd law. This law is exceedingly unpopular in the Hills counties and it was first designed to attempt its repeal, but the cow counties kicked against this arrangement and this excellent provision will be presented in the interest of all sections.

Mr. Warner's memorial asking the president and congress to divide the territory of Dakota and admit the southern half into the Union is an elaborate document, containing a condensation of all the information congress is likely to desire upon the subject. It asks that the name of the state be "South Dakota," and the inference is that when the northern half is admitted it will be called "North Dakota," though we have no assurance of this fact. Mr. Warner is decidedly opposed to any division of the southern part of Dakota which will cut off the Black Hills from the cow counties. He enjoys his pleasant association with his southeastern neighbors and does not desire to be deprived of their society.

Council.

Friday, Jan. 14—Council met at 10 a. m., and was called to order by the president.

Prayer by the chaplain.
Roll call showed all the members present.
Minutes read and approved.

GOING TO THE ASYLUM.

A communication was received from Mayor Sanborn, chairman of the board of trustees of the territorial insane asylum, inviting the members of the council to visit the insane asylum at 2 o'clock to-morrow afternoon. The invitation was accepted and the council will go to the asylum at the hour named.

INTRODUCTION OF BILLS.

By Mr. Jolley—Defining the boundaries of the sub-divisions of the fourth judicial district and fixing the times of holding court therein, which was read the first time.

REPORTS OF COMMITTEES.

Mr. Day, from the committee on counties reported back council bill No. 8 for an act providing for the erection of a jail for the county of Lincoln, with sundry amendments.

On motion of Mr. Jolley the report of the committee was adopted.

On the bill coming up for its third reading, it was found necessary to make further amendments, and it was re-committed to the committee on counties with a request that the committee report it back in one hour.

SPECIAL ORDER.

On motion of Mr. Shaw the governor's message was made a special order at 8 o'clock p. m. Monday next.

BILLS ON SECOND READING.

Council Bill No. 3—For an act to confer jurisdiction upon justices of the peace for the town of Casselton, Cass county, concurrent with county justices. Referred to judiciary committee.

Council Bill No. 4—For an act to amend section 2, of chapter 28, of the

political code, entitled revenue. To judiciary committee.

Council Bill No. 5—For an act to amend section 1, of chapter 19, of the political code, entitled jurors. To judiciary committee.

Council Bill No. 6—To provide extra compensation to the judge of the first judicial district of the territory of Dakota.

On motion of Mr. Martin this bill was referred to the members from the first judicial district.

HOUSE FILES.

A memorial to the president of the United States asking for the reappointment of A. H. Barnes as judge of the third judicial district.

On motion of Mr. Fisher, the rules were suspended and the bill given its several readings.

Mr. Wilson stated that while he would cheerfully vote for a resolution endorsing the personal character and great legal ability of Judge Barnes and heartily recommend his re-appointment, he objected to the language of the preamble of the resolution under consideration, and moved that it be stricken out.

Messrs. Day and Smith took the same view, while the resolution as it came from the house was supported in short speeches by Messrs. Gamble and Fisher.

The ayes and nays being called on Mr. Wilson's motion to strike out the preamble, the vote stood:

Ayes—Messrs. Day, Jolley, Shaw, Smith, Walsh of Union, Wilson and Wiggan—7.

Nays—Messrs. Fisher, Gamble, Martin, Scooby and Mr. President—5.

So the motion prevailed and the preamble was stricken out.

[The preamble was as follows: "It is a part of the wise and just policy of the republican party to place in positions of trust and honor men of worth and integrity and to continue in public positions men who have been tried and found worthy."]

The resolution as amended was then passed by a unanimous vote.

The house concurrent resolution, asking congress to divide Dakota into the 46th parallel and admit the southern half as a state, was read a first time.

Also house resolution providing that each member of the legislature be provided with five copies of a daily paper or their equivalent in weekly papers, to be paid out of the territorial treasury.

COPIES OF THE MESSAGE.

Mr. Martin introduced a resolution providing for the printing of 1,500 copies of the governor's message for the use of the members of the council.

Mr. Day thought that as the amount appropriated by the government for public printing was small, the printing of the message as proposed by the resolution would be at the expense, probably, of the printing of the laws of the session, and as the message would be printed by nearly every newspaper in the territory, and thus reach all the people, moved that the resolution be indefinitely postponed.

After some discussion, on motion of Mr. Shaw, the resolution was laid upon the table.

REPORT OF A COMMITTEE.

Mr. Day from the committee on counties to which had been recommitted council bill No. 8, authorizing Lincoln county to issue bonds to build a jail, reported the same back with amendments and recommended its passage.

On motion of Mr. Jolley, the report of the committee was adopted, and the bill then passed by a unanimous vote.

THE DIVISION MEMORIAL.

The house memorial asking for the division of the territory and the admission of the southern portion, was, on motion taken up and read at length.

At the conclusion of the reading Mr. Jolly suggested that it be attached to Webster's dictionary and the whole forwarded as a memorial, but without action on the suggestion the memorial was placed on file and ordered printed.

ADJOURNMENT.

On motion of Mr. Gamble the council adjourned until 10 o'clock to-morrow morning.

House.

The house convened at ten o'clock a. m., Mr. Speaker in the chair, and was opened with prayer by the chaplain.

All members in their seats.
The journal of the previous day was read and approved.

NOTICE OF BILLS.

By Mr. Warner—To regulate the practice of medicine in the territory of Dakota; relating to sanitary measures; for the issuance of bonds for the construction of a court house and jail in Lawrence county.

By Mr. La Moure—To bond the indebtedness of Pembina county; to authorize school district number one to issue bonds to erect a school building.

By Mr. Hale—Exempting the counties of Lawrence, Custer, Pennington, Mandan and Forsyth from the provisions of chapter thirty-eight, code of civil procedure.

INTRODUCTION OF BILLS, ETC.

By Mr. Van Osdel—To amend chapter forty-six of the laws of 1879, relating to the taxation of railroad property.

By Mr. Warner—A memorial to the president of the United States and congress asking for the division of Dakota on the forty-sixth parallel and the admission of the state of South Dakota. Under a suspension of the rules the memorial passed, Messrs. Hale and Inman voting in the negative and all the others in the affirmative.

By Mr. Wells—for the employment of pages and their compensation. A motion to suspend the rules and pass the bill was lost and it went to its regular order.

COUNCIL MESSAGE.

A message was received from the council announcing the passage by that body of council bill number seven and asking the concurrence of the house.

ADDITIONAL PRINTING.

Mr. La Moure moved that the memorial relating to division and admission be printed. Adopted.

Mr. Kennedy presented a joint resolu-

tion calling for the printing of 150 copies of the reports of the officers of the insane hospital and 150 copies each of the reports of the auditor and treasurer of the territory. The resolution was laid on the table.

REFERENCES.

The remaining sections of the governor's message were referred as follows:

Education—Committee on education, on motion of Mr. McBratney.

Mining—Committee on mines and mining, on motion of Mr. Warner.

Election and municipal laws—Committee on judiciary, on motion of Mr. Wells.

Agriculture and manufactures—Committee on agriculture and manufactures, on motion of Mr. Ellefsen.

Territorial prison—Committee on charitable and penal institutions, on motion of Mr. McBratney.

Pardons—Committee on judiciary, on motion of Mr. Donaldson.

Revised codes—Committee on printing, on motion of Mr. Hale.

Territorial militia—Committee on territorial affairs, on motion of Mr. McBratney.

Transition from a territorial to a state government—Committee on territorial affairs, on motion of Mr. Warner.

On motion of Mr. Baynes, all portions of the message remaining unprovided for, if there are any, were referred to the committee on highways.

NOTICE OF BILL.

By Mr. French—to provide an appropriation to pay for territorial printing.

RECESS.

On motion of Mr. Dickey the house, at eleven o'clock, took a recess of thirty minutes.

AN INSANE PROPOSITION.

The speaker presented to the members an invitation from J. R. Sauborn, chairman of the board of trustees of the insane asylum, to visit the asylum at one o'clock to-morrow and investigate its workings.

Mr. Dickey asked if the visit was to be a permanent one or only a temporary one. His anxiety was dispelled by the assurance that he could come away whenever he chose.

Mr. Thorne suggested that the visit would interfere with his dinner, but the speaker assured him that a collation at the asylum would be a part of the programme, which banished this objection.

On motion of Mr. Inman, the hour was changed to 12:30, and the invitation accepted.

On motion of Mr. Wells the house adjourned.