



DAKOTA'S LEGISLATURE.

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

Fourteenth Session—Ninth Day.

Session Notes.
IN THE COUNCIL.

The council committee on elections has under consideration the contested case from the eleventh district, wherein J. F. Wallace, republican, makes application for the seat occupied by P. R. Smith, democrat. The committee held its first session yesterday afternoon and was again in session this afternoon. A large amount of testimony has been prepared for consideration. Bartlett Tripp appears before the committee as attorney for Mr. Smith and F. J. Cramer for the contestant.

Mr. Scooby gave notice in the council to-day that he would introduce a bill to create a board of immigration for the territory. We will give a synopsis of the bill as soon as it is introduced.

The council this morning sat down very hard on the house resolution authorizing the chief clerk of that body to subscribe for five copies of a daily paper or their equivalent in weeklies for each member, the cost thereof to be paid out of the territorial treasury. Nine members of the council, by their votes this morning, indicated that they were in favor of giving the house members the privilege of buying their own papers.

Councilman Shaw's penitentiary bill passed the council this morning, and was sent to the house for the concurrence of that body. It locates the institution at Sioux Falls.

Council.

Wednesday, January 19—The council met at 10 o'clock a. m., and was called to order by the president.

Prayer by the chaplain.
Roll called—members all present.
Minutes read and approved.

REPORTS OF COMMITTEES.

Mr. Jolley, from the committee on engrossed and enrolled bills, reported that council bill No. 1, relating to the employment of assistant clerks, had been presented to the governor.

The same gentleman, reporting the house joint resolution in regard to newspapers for the members, recommended that the same be not passed.

Mr. Shaw, from the committee on charitable and penal institutions, reported back council bill No. 8, providing for the location and construction of a territorial penitentiary, with amendments and recommending its passage as amended. The amendments reported by the committee were adopted.

Mr. Martin, of the special committee composed of the members from the Black Hills, to whom was referred the bill providing for extra compensation to the judge of the first judicial district, reported the same with amendments and a recommendation that it pass. Report adopted.

DESTINGUISHED VISITORS.

Delegate-elect Pettigrew and Judge J. P. Kidder, of the fourth district, being in the council chamber, were invited to seats upon the president's platform, the members rising to their feet as the distinguished gentlemen from the pickered district passed up the aisle.

NOTICE OF BILLS.

By Mr. Gamble—To amend sections 31 and 33, chapter 37, of the political code, entitled elections.

By Mr. Walsh—To extend the time when the penalty on delinquent taxes in Union county shall accrue.

By Mr. Scooby—To establish a territorial board of immigration and prescribe the powers, duties and compensation of the same.

INTRODUCTION OF BILLS.

By Mr. Day—To locate, establish and endow a state normal school, which was read a first time.

SECOND READING.

Council bills Nos. 11 and 12, amending sections 7 and 96 of the justices' code, were read a second time and referred to the judiciary committee.

THIRD READING.

Council bill No. 2, providing for the location of a territorial penitentiary, was read a third time.

Mr. Wilson moved that the bill be referred to the committee of the whole and made a special order for 11 o'clock to-morrow.

Which motion was lost, and the bill then passed.

Mr. Shaw moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which motion prevailed.

Council bill No. 6, to give the judge of the first district extra compensation, read third time and passed.

HOUSE BILLS.

No. 2, read second time and referred to the committee on finance and expenditures.

No. 3, to committee on finance and expenditures.

Joint resolution providing for printing of reports of territorial officers, to committee on printing.

Joint resolution authorizing the chief clerk of the house to subscribe for five copies of a daily paper or their equivalent in weeklies, was read a third time, and the question being upon its passage, it was lost—noes 9, yeas 3.

HOUSE MESSAGE.

A message announced the passage of house file No. 17, which was read a first time.

ADJOURNMENT.

On motion of Mr. Wilson, the council adjourned.

House.

House convened at 10 o'clock a. m., and exercises was opened with prayer by the chaplain.

Speaker in the chair and roll call showed all members in their seats.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Ellefson, for committee on agriculture, etc.—Mr. Speaker, your committee to whom was referred house bill No. 1, report the same back to the house and recommend its passage.

Moved by Mr. Thompson, to reconsider the action taken yesterday, referring council bill No. 7 to the committee on engrossment. Carried.

NOTICES OF BILLS.

By Mr. La Moure—Providing for the purchase of 1,000 copies of the revised code for the use of the territory.

By Mr. Warner—An act to incorporate the city of Deadwood; also an act to amend section 28, chapter 28, of the political code.

By Mr. Thielman, to incorporate the village of Parkier, Turner county.

By Mr. Inman, legalizing the acts of notaries public prior to September 13th, 1879.

INTRODUCTION OF BILLS.

By Mr. Hale—Exempting the counties of Lawrence, Pennington, Custer, Mandan and Forsyth, from the provisions of certain sections of chapter 34, of the revised code.

By Mr. Boyles—A bill to legalize the acts of J. Parker Hayward as notary public. The rules were suspended and the bill read a second and third time and passed by a unanimous vote.

By Mr. Kennedy—To repeal section 501 and amend section 510 of the civil code.

By Mr. Miller—House file No. 19, providing for the erection and construction of a court house and jail for the county of Richland.

By Mr. Bohr—House file No. 20, for the protection of game.

By Mr. McBratney—House file No. 21, respecting the burning of prairies and setting of prairie fires in the counties of Lawrence, Pennington, Custer, Mandan and Forsyth.

By Mr. Miller—House file No. 22, joint resolution authorizing the use of funds heretofore appropriated for the support of the hospital for the insane to be used in the payment of all accounts against the same. Referred to the committee on penal and charitable institutions.

SECOND READING OF COUNCIL BILLS.

Council bill No. 7, authorizing the board of county commissioners of Lincoln county to settle with and accept from George W. Nayler, ex-county treasurer of said county, such sum as they may deem advisable. The bill was referred, after certain amendments moved by Mr. Kennedy, to the committee on enrollment and engrossment.

RECESS.

On motion of Mr. Van Osdel the house took a recess for twenty minutes.

AFTER RECESS.

Moved that Hon. J. P. Kidder, who was on the floor of the house, be invited to a seat with the speaker of the house. Motion carried and Mr. Boyles and Mr. Inman as a committee introduced Mr. Kidder to the chair, and the speaker introduced him to the members of the house.

COMMITTEE REFERENCE.

The committee on ways and means, to whom house bill No. 8 was referred, reported certain amendments and Mr. Boyles moved that the bill be referred to a committee of the whole house.

Mr. Baynes made an effective speech, in favor of the passage of this bill without delay. He had proceeded to some length with his argument when Mr. Wells called Mr. Baynes to order, on the ground that he was speaking on the original question instead of the amendment. The speaker ruled that Mr. Baynes was out of order.

But, on motion of Mr. LaMoure, it was shown to be the choice of the house that Mr. Baynes be allowed to proceed with his remarks, which he did, and on closing, Mr. Dickey moved that the bill be referred to committee of the whole and considered one week from to-day.

After remarks from Mr. Inman, opposing the motion of Mr. Dickey, and remarks of Mr. Wells and Mr. Boyles in favor of such motion, the motion was lost as amended by Mr. Dickey—noes 14; yeas 10.

Mr. French presented an argument in favor of further deliberation on this bill and some further remarks pro and con followed.

The motion of Mr. Boyles, referring the whole to be taken up and considered in its regular order, was carried—yeas 17; noes 7.

SECOND READING OF HOUSE BILLS.

House file No. 10—More definitely defining the boundaries of Lawrence county, read and referred to the committee on towns and counties.

House file No. 11—Read and referred to the committee on corporations.

House file No. 12—Read and referred to the committee on judiciary.

House bill No. 15—Read and referred to the committee on judiciary.

UNFINISHED BUSINESS.

Under a suspension of the rules the report of the committee on penal and charitable institutions, recommending the passage of the bill providing for the construction and erection of a jail for Lincoln county, was adopted.

A motion to suspend rules and send the bill to its third reading and final passage, was moved and seconded, and a motion to lay this on the table was lost—15 yeas; 8 noes.

After further argument the motion to suspend rules was lost, by 20 yeas and 4 noes.

The house adjourned till 10 o'clock to-morrow.