



DAKOTA'S LEGISLATURE.

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

Fourteenth Session—Eleventh & Twelfth Days.

Council.

Friday, January 21.—Council met at 7 p. m. and was called to order by the president.

Prayer by the chaplain.
The minutes read and approved.

INTRODUCTION OF BILLS.

By Mr. Wiggin—For an act making provision for the schooling of all children living in organized districts.

By Mr. Jolley—For an act providing for the salary of county treasurers.

Also, for an act to amend paragraph 3, section 693 of the civil code of the territory of Dakota, approved February 16, 1877.

Also, for an act authorizing and empowering boards of county commissioners to levy a tax of not more than eight mills on the dollar for ordinary county revenue including the support of the poor.

Also, for an act to amend section 1748 of the civil code of the territory, approved February 13, 1877.

Also, for an act authorizing the county commissioners of the several counties to act as a board of health for their respective counties.

By Mr. Day—For an act to amend chapter eight of the code of civil procedure.

Also for an act authorizing the county commissioners of Charles Mix county to fund the outstanding indebtedness of said county.

SECOND READING OF BILLS.

The following council bills were read a second time and referred as follows:

No. 15—To locate, establish and endow a state normal school. To committee on territorial affairs.

No. 17—To amend an act authorizing the commissioners of Bon Homme county to fund the outstanding indebtedness of that county. To the committee on counties.

PASSAGE OF BILLS.

On motion of Mr. Jolley, the rules were suspended and the bill authorizing county commissioners to act as boards of health for their respective counties, passed.

On motion of Mr. Day the bill fixing the time when taxes shall become delinquent in Union county was passed under a suspension of the rules.

MESSAGE FROM THE GOVERNOR.

A message was received from the governor at the hands of his private secretary, announcing the approval of council bill No. 1, authorizing the employment of assistant clerks.

ADJOURNMENT.

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

Session Notes.

The bill introduced by Mr. Jolley at last night's session of the council, and which passed under a suspension of the rules, authorizing county commissioners to act as a board of health for their respective counties, confers upon these officers, under certain contingencies, the power to adopt such measures and make such expenditures of the county funds as they deem may necessary to exterminate and prevent the spread of contagious and epidemic diseases. The bill has special reference to those counties in which the small pox has broken out, and authorizes the commissioners among other things to pay for the vaccination of persons too poor to meet the expense themselves.

Mr. Day's bill to locate, establish and endow a state normal school, provides for the location of the institution at Springfield, provided the people of that town will donate for that purpose eighty acres of land within or adjoining the town site. Provisions for the usual course of studies, regulations, etc., of such schools are contained in the bill.

The council committee on elections has heard all the testimony and the arguments of council in the contested case of Watson vs Smith from the eleventh district, but has not yet presented its report to the council; and what the nature of the report will be is something which no fellow can find out.

The bill introduced by Mr. Wiggin in regard to the schooling of children living in organized districts, provides that where no school is held in an organized district, that children of lawful school age residing therein, may attend any school in the county, and that the expense of their tuition, not exceeding fifty cents per week for each pupil, shall be paid by the district to which such pupil belongs.

Paragraph No. 3 of section 693, of the civil code, for the amendment of which Mr. Jolley yesterday introduced a bill in the council, prescribes the form of the certificate of acknowledgement of a married woman; and section 1748 of the same code, for the amendment of which the same gentleman has a bill before the council, has reference to the filing and tenure of chattel mortgages.

The first measure to receive executive consideration was council bill No. 1, providing for the employment and compensation of assistant clerks of the council and house, which was approved by the governor yesterday.

Council.

Saturday, January 22.—The council met at 10 a. m. and was called to order by the president.

Prayer by the chaplain.

Councilmen all present.

Minutes read and approved.

MESSAGE FROM THE HOUSE.

Announcing the passage of council bill No. 7, authorizing the county commissioners of Lincoln county to settle with Geo. W. Naylor, ex-county treasurer, with amendments; council bill No. 8,

authorizing the issue of bonds by Lincoln county to build a jail; also, house files Nos. 4, 19 and 22 and asking the concurrence of the council therein.

REPORTS OF COMMITTEES.

Mr. Jolley, from the committee on territorial affairs, reported back council bill No. 14, a memorial asking the repeal of the law requiring the publication of notices of intention to prove up, with a recommendation that it pass.

INTRODUCTION OF BILLS.

By Mr. Gamble—For an act to amend sections 31 and 33 of chapter 27 of the political code.

By Mr. Scobey—For an act to amend section 94, chapter 21, of the political code.

Also, for an act to amend section 325 of the code of civil procedure.]

Which bills were read a first time and ordered printed.

AMENDMENT CONCURRED IN.

On motion of Mr. Wiggin, the council concurred in house amendments to council bill No. 7, relating to a settlement with the ex-treasurer of Lincoln county. The amendment requires that the amount accepted shall not be less than \$7,000.

PASSAGE OF A MEMORIAL.

Council bill No. 14, introduced by Mr. Day, a memorial asking for the repeal of the law requiring the publication in newspapers of proving up notices, was read a third time and passed—ayes 7, noes, 5.

HOUSE FILES.

House files Nos. 4, 10 and 22 were read a first time.

REPORTS OF COMMITTEES.

Mr. Day, from the committee on counties, reported council bill No. 17, to amend the act authorizing the commissioners of Bon Homme county to fund its outstanding indebtedness, with a recommendation that it pass.

The bill was read a third time and passed.

Mr. Gamble, from the judiciary committee, reported favorably house file No. 17, legalizing the acts of J. Parker Hayward as a notary public, and the bill was read a third time and passed.

Mr. Shaw, from the committee on finance and expenditures, reported a substitute for house file No. 3, appropriating \$250 for printing the reports of territorial officers. The substitute provides for the printing of the reports of the territorial treasurer, auditor and superintendent of the insane hospital, and that the compensation therefor shall not exceed the government rates for public printing.

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

Mr. Day moved that the printing of the reports be let to the lowest bidder. Upon it being agreed that the printing provided for should be contracted for by the committees on printing of the two houses, Mr. Day withdrew his motion.

The substitute was then read a third time and passed.

ADJOURNMENT.

On motion of Mr. Gamble, the council adjourned.

House

House convened at 10 o'clock this morning.

Prayer by the chaplain.

Roll call showed all members in their seats and the speaker in the chair.

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

NOTICES OF BILLS.

By Mr. Thorne—Authorizing the commissioners of Minnehaha county to issue the bonds of said county, to complete the county jail and for other purposes.

By Mr. Dickey—Allowing the people of Barnes county to issue bonds for a court house and jail.

By Mr. Hale—For the protection of stock in the territory of Dakota.

INTRODUCTION OF BILLS.

By Mr. Ellefson—House file No. 29, regulating the interest on money and for the amendment of section 1,008 and 1,100 of title 3, chapter 4, of the revision of 1877.

By Mr. Theilman—House file No. 30, incorporating the village of Parker.

By Mr. Lundman—House file No. 31, amending section 40 of an act to establish a public school law for Dakota territory.

SECOND READING OF COUNCIL BILLS.

Council bill No. 9.—Amending chapter 13 of the political code, relating to the sub-division of judicial districts, approved February 22, 1879. Referred to judiciary committee.

Council bill No. 12.—Amending sec. 7, of the justice code. Referred to judiciary committee.

SECOND READING OF HOUSE BILLS.

House file No. 21—Respecting the burning of prairies and setting of prairie fires in the counties of Lawrence, Pennington, Mandan and Forsyth. Referred to the committee on counties and townships.

House file No. 24—Amending section 28 of chapter 28 of the political code. Referred to the judiciary committee.

House file No. 28.—Amending an act entitled an act providing a board of education for the city of Yankton, D. T., and regulating the public schools therein. Referred to the judiciary committee.

House file No. 26.—amending section 29 of the political code and to provide for compelling the performance of labor on the highways. Referred to the committee on highways, roads and bridges.

House file No. 28.—Repealing section 4, chapter 9, of the session laws of 1872-3. Referred to the judiciary committee.

THIRD READING OF HOUSE BILLS.

House file No. 7.—Bill for an act exempting the counties of Lawrence, Custer, Pennington, Mandan and Forsyth from the provisions of chapter 38, of the code of civil procedure, relating to the herding of stock. The question being on the passage of the bill it was carried by a unanimous vote.

House file No. 11—Read a third time, but the printed copies not having yet arrived, action on the same was deferred, according to the action taken yesterday.

REPORT OF SPECIAL COMMITTEES.

Mr. Cross reported back from the committee of the members of the 5th district, house file No. 15—Exempting

the counties of Lawrence Pennington, Custer, Forsyth and Mandan from the provisions of certain sections of chapter 34 of the revised codes of Dakota. The committee recommended that said bill do not pass, and on motion, said bill was laid on the table.

Also council bill No. 6—Providing extra compensation for the judge of the first judicial district. Reported back with a recommendation for its passage, and that it be referred to the committee on judiciary. This report was adopted and the bill so referred.

COUNCIL MESSAGE.

A message was received from the council notifying the house of the passage of council bill No. 19, authorizing the board of county commissioners of the several counties of Dakota to act as a board of health in their respective counties.

Also council bill No. 16—Extending the time at which taxes shall become delinquent in the county of Union in the year 1881.

Also council bill No. 14—A memorial to the congress of the United States relating to an act of congress approved March 3, 1879.

Moved by Mr. Inman that the rules be suspended and that council bill No. 19, above reported from the council, be placed on its first, second and third readings and final passage.

The motion was adopted, the bill read first, second and third time and passed by a unanimous vote.

Mr. Wells gave notice that he would on to-morrow move a reconsideration of the bill.

CLINCHERS.

Mr. Dickey moved that the vote whereby house file No. 16 was laid on the table be reconsidered and the motion to reconsider laid on the table. Motion aded.

Mr. La Moure moved that the vote on council bill No. 19 be reconsidered and that the motion to reconsider be laid on the table. Adopted.

RECESS.

On motion of Mr. Landman the house took a recess for fifteen minutes.

REPORTS OF STANDING COMMITTEES.

By Mr. Kennedy—Reporting back from the committee on enrollment and engrossment, bills No. 2 and No. 13, finding them correctly engrossed.

INTRODUCTION OF BILLS.

By Mr. Dickey—House file No. 31. Amending section 111, of the justice code.

By Mr. Kennedy—House file No. 33, repealing section 501 of the civil code, relating to insurance corporations.

Adjourned until Monday morning at 10 o'clock.