



DAKOTA'S LEGISLATURE.

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

Fourteenth Session—14th and 15th Days.

HOUSE.

AFTERNOON SESSION.

Monday, Jan. 24—The house came to order pursuant to adjournment.

Roll call showed all members present except Nomland and Rohr. Six members rising and requesting a call of the house, it was so ordered and the sergeant-at-arms was directed to lock the door and call in the absent members.

Mr. Nomland was soon forthcoming and, on motion, his tardiness excused.

After some further delay Mr. Rohr made his appearance and was excused and business resumed by the

FIRST READING OF COUNCIL BILLS.

Council bill No. 11—Amending an act authorizing the commissioners of Bon Homme county to fund the outstanding indebtedness of said county.

SECOND READING OF HOUSE BILLS.

House file No. 9—Regulating the practice of medicine in the territory of Dakota. Before proceeding, on request of Mr. Warner, the introducer of the bill, and by consent of the house, the same was withdrawn.

House file No. 29—Regulating the rate of interest on money and for the amendment of sections 1,008 and 1,100 of title 3 chapter 41 of the revision of 1877. On motion of Mr. La Moure, the bill was referred to the committee on finance and revenue.

House file No. 32—Amending section 101 of the justice's code. Referred to the judiciary committee.

House file No. 30—Amending section 40 of an act to establish a public school law and relating to the teaching of the German language in the public schools, &c. Referred to the committee on education.

House file No. 32—Repealing section 501 of the civil code, relating to insurance corporations. Referred to the committee on banking and insurance.

House file No. 27—Regulating the herding and driving of stock. Referred to the committee on agriculture and manufacture.

THIRD READING OF HOUSE BILLS.

House file No. 11—Came up for its 3rd reading, but through some inadvertence the members had not yet received printed copies, and, on motion, further action on the same was postponed for printed copies.

House file No. 19—Providing for the erection of a court house and jail for the county of Richland. The question being on the final passage of the bill, there were 23 yeas and 1 nay. So the bill was passed and the title agreed to.

GENERAL ORDERS.

By Mr. Kennedy—Reconsidering the motion whereby Frank J. Mead be allowed within the bar of the house for other purposes than the performance of his duties as chief clerk.

Mr. Wells moved that the original resolution be laid on the table, and the motion was carried by 14 yeas and 10 nays.

Mr. Warner here asked consent to recall his motion concerning Mr. G. L. Ordway from the hands of the committee, but his request was objected to.

Mr. La Moure here gave notice that he would to-morrow move to reconsider the motion whereby the above resolution was laid on the table.

COMMITTEE OF THE WHOLE.

On motion the house went into committee of the whole and Mr. Dickey took the chair.

The bill for consideration was a council bill relating to the location and erection of a territorial penitentiary.

At 4:20 p. m. the committee reported sundry amendments to said bill and asked leave to sit again for its further consideration.

ADJOURNMENT.

House then adjourned till to-morrow at 10 o'clock.

Council.

Tuesday, Jan. 25.—Council met at 10 a. m., and was called to order by J. L. Jolley, president pro tem.

Prayer by the chaplain.

Roll called; all present except President Walsh.

Minutes read and approved.

MESSAGE FROM THE HOUSE.

A message was received from the house announcing the passage of house file No. 19, and requesting the concurrence of the council therein.

REPORTS OF COMMITTEES.

Mr. Day, from the committee on counties, reported back and recommended the passage of council bill No. 21, authorizing the commissioners of Charles Mix county to fund the outstanding indebtedness of that county.

MOTIONS.

On motion of Mr. Fisher the executive session appointed for 2 o'clock this afternoon was postponed to the same hour to-morrow afternoon.

On motion of Mr. Day, President Walsh was excused for non-attendance yesterday and to-day on account of sickness.

SECOND READING.

Council bill No. 29, to legalize the acts of Geo. H. Walsh as notary public, was read a second time, and placed on the calendar to come up for third reading in its regular order.

THIRD READING.

Council bill No. 24, authorizing Charles Mix county to fund its outstanding indebtedness, was read a third time and passed, yeas 19, nays 1.

HOUSE FILES.

No. 19, was read a first time. No. 7, was read a second time and laid on the president's table to come up in order for its third reading.

MESSAGES FROM THE HOUSE.

Announcing the passage of house file No. 40, and asking the concurrence of the council therein.

Mr. Gamble moved that the rules be suspended and the bill given its second reading, which motion was lost.

ADJOURNMENT.

On motion of Mr. Martin the council adjourned.

HOUSE.

Tuesday, Jan. 25.—The house convened at ten o'clock a. m. and was opened with prayer by the chaplain.

Mr. Speaker in the chair. Roll call showed all the members present, excepting Mr. Dickey, who was excused for a half an hour, on motion of Mr. Hale.

The journal of the preceding session was read and approved.

On motion of Mr. Ellefson, all reference to calls of the house in the journal of the preceding session was stricken out.

STANDING COMMITTEE REPORTS.

Mr. Boyles, from the judiciary committee, reported back council bill number sixteen, extending the time in which taxes shall become delinquent in Union county, with a recommendation that it pass. The report was accepted and adopted.

Mr. Miller, from the committee on finance and revenue, reported back house bill number twenty-nine, with a recommendation that it do not pass, and the report was accepted and adopted. It amends sections 1,008 and 1,100, of chapter three of title four of the civil code, revision of 1877, for the regulation of interest, and attempted to fix the rate of interest at ten per cent.

Mr. Ellefson, from the committee on agriculture and manufactures, reported back house bill number twenty-seven, recommending its passage with corrections and amendments. The report was accepted and adopted. The bill relates to the driving of stock into and through Dakota.

Mr. Rohr, from the committee on territorial affairs, reported back the resolution calling for the admission of George L. Ordway to a seat upon the floor of the house, with a recommendation that it pass, provided Mr. Ordway furnish evidence showing that he was chosen a member of the lower house.

Mr. Warner moved that the report and the resolution be laid upon the table and it was so ordered.

A RESOLUTION.

Mr. Thorne presented the following resolution:

Resolved, That any person not now entitled to come within the bar of the house may be admitted to all the privileges on the first day of March, 1881, and not before.

Mr. Baynes desired information, it being partially understood that the bar of the house was under the Merchants hotel.

The resolution was put to vote and was lost.

NOTICES OF BILLS.

By Mr. Baynes—To amend section three of the justice code.

By Mr. Warner—To legalize the acts of the board of county commissioners of Lawrence county.

By Mr. Nomland—For the preservation of fish in the rivers of Dakota territory.

By Mr. Boyles—To amend section sixty-eight of chapter twenty-eight of the political code.

BILLS INTRODUCED.

By Mr. Thompson—House file No. 36, to amend section eighteen, chapter twenty-one of the revised code, relating to counties and county officers.

By Mr. Warner—House file 37—to establish a board of health and examiners and to regulate the practice of medicines in Dakota territory.

By Mr. Baynes—House file 38—to authorize the commissioners of Hutchinson county to fund the outstanding indebtedness of the county and to legalize the warrants issued by Armstrong county up to the time of turning their books over.

By Mr. Cross—House file 39, to establish a fence law for the counties of Lawrence, Pennington, Custer, Mandan and Forsyth.

By Mr. Wells—House file 40, to establish and define the boundaries of Morton county.

On motion of Mr. Wells, the bill, under suspension of the rules, passed to its first and second readings.

Frank J. Mead was given an opportunity to explain the situation and at the conclusion of his remarks the bill had its third reading and was passed by an unanimous vote. It restores nearly the boundaries of Morton county as they existed prior to the changes made at the last session of the legislature.

COUNCIL BILLS.

The following council bills had their second reading and were referred as indicated:

C. B. 14—A memorial to congress. To the committee on territorial affairs.

C. B. 17—Authorizing the commissioners of Bon Homme county to fund the indebtedness of the county. To the committee on finance and revenue.

C. B. 16 came up for its third reading and final passage and was passed by unanimous vote. It extends the time for the payment of delinquent taxes in Union county.

HOUSE BILLS.

The following house bills had their second reading and were referred as indicated:

House file 30—To incorporate the village of Parker. To the committee on counties and townships.

House file 35—Defining the boundaries of Walsh county. To the committee on counties and townships.

RECONSIDERATION NOTICE.

Mr. Ellefson gave notice that he would to-morrow move a reconsideration of the vote by which the report on house file twenty-nine was adopted.

YEAS.

The house, at half-past eleven, took a recess for fifteen minutes.

A RESOLUTION.

Mr. French, of the printing commit-

tee, submitted a joint resolution instructing the chief clerks of the two houses to furnish stationery to the members to an amount not exceeding forty dollars, to be paid for from the fund already provided.

A DELAYED BILL.

Mr. Dickey, having been absent early in the day's session, by unanimous consent, introduced house bill number forty-one, to authorize the commissioners of Barnes county to issue bonds for public improvements.

ENGROSSMENT AND ENROLLMENT.

Mr. Kennedy, from the committee on engrossment and enrollment reported house file three correctly engrossed and house files two and thirteen ready for transmission to the governor.

COUNCIL MESSAGE.

A message was received from the council announcing the passage of council bills thirteen and twenty-four.

COMMITTEE OF THE WHOLE.

The house, at twelve o'clock, on motion of Mr. Boyles, went into committee of the whole for the consideration of the general order, Mr. French in the chair.

Council bill number two, providing for the location and management of a territorial penitentiary at Sionx Falls, was taken up by the committee and acted upon section by section.

At one o'clock the committee rose and reported the bill back to the house as amended.

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

Mr. Thorne moved that under a suspension of the rules, the bill have its third reading and be put upon its final passage.

The motion was lost and the house adjourned.