



DAKOTA'S LEGISLATURE.

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

Fourteenth Session—16th Day.

Council.

Wednesday, January 26.—The council met at 10 a. m., and was called to order by President Walsh.

Prayer by the chaplain.

Roll call showed members all present, except Mr. Day.

Minutes read and approved.

TERRITORIAL INSANE.

The president laid before the council the following communication from the trustees of the territorial insane asylum:

To the Council and House of Representatives of Dakota Territory—Gentlemen:—The trustees of the Dakota hospital for the insane would draw your attention to the immediate need of increased facilities to care for the insane of our territory.

Your own recent investigation of the hospital showed how inadequate are the accommodations for those already admitted. Others that ought to be received at once are kept away because we have no room for them, thus greatly diminishing the chances for their recovery.

We, therefore, ask that you consider the suggestions of Governor Ordway in his message to your body, and that you authorize the incoming board of trustees to erect a brick building (that shall subsequently be the wing of a larger structure), capable of properly caring for at least seventy-five patients. Before such a building could be erected it would be necessary to have a careful plan made of the grounds as they will be when all needed buildings are erected. Larger outlay for drainage and ventilation will also be called for than the building now contemplated would require, if it were to be the only one.

We however, estimate that the grounds can be laid out, the building properly erected, furnished and prepared for use for the sum of forty thousand dollars.

We therefore recommend the passage of an act directing the trustees of the Dakota hospital for the insane to erect such a building, at the same time authorizing the issue of the bonds of the territory in the sum of forty thousand dollars, in denominations of not less than five hundred dollars each, to bear interest at the rate of six per cent. per annum payable semi-annually in New York funds. These bonds should run for twenty years payable at the pleasure of the territory at any time after five years, and should be sold at not less than par value. The proceeds of the bonds should be placed in the territorial treasury subject to the order of the board of trustees for the Dakota hospital for the insane, to be drawn by them as they may need at any time in the construction and furnishing of the building or laying out the grounds.

J. R. SANBORN,
JOSEPH WARD,
ALEXANDER HUGHES,
Trustees, &c.

On motion of Mr. Gamble the communication was referred to the committee on charitable and penal institutions.

AURORA COUNTY.

The president presented a protest from citizens of Aurora county against an interference with the boundaries of that county, which, on motion of Mr. Wilson, was referred to the committee on counties.

REPORTS OF COMMITTEES.

Mr. Jolley, from the committee on engrossed and enrolled bills, reported Nos. 7, 8 and 19, correctly enrolled.

Mr. Shaw, from the committee on finance and expenditures, reported back the house file authorizing the use of certain funds by the trustees of the insane asylum, with a recommendation that it pass.

Mr. Jolley, from the committee on printing, reported back with amendments the joint resolution authorizing the printing of reports of certain territorial officers. The amendments place the number of copies of the reports to be printed at 300 instead of 500. The report of committee was adopted.

The same gentleman, from the committee on territorial affairs, reported back the memorial for the division of the territory and the admission of South Dakota, without recommendation; and a substitute for council bill No. 15, locating and establishing a normal school.

Mr. Gamble, from the committee on judiciary, reported back and recommended the passage of council bill No. 27, amending section 94 of chapter 21, of the political code, which bill was read a third time and passed.

INTRODUCTION OF BILLS.

By Mr. Jolley—For an act to provide for a commissioner of finance and banking and defining the duties thereof.

By Mr. Shaw—For an act to provide funds for the purpose of building a penitentiary at Sioux Falls, and for other purposes.

By Mr. Gamble—For an act to amend section 11, of chapter 39, of the political code.

THIRD READING OF COUNCIL BILLS.

No. 15, substitute for normal school bill, was read a third time.

Mr. Day, the author of the bill, not being present, on motion of Mr. Wilson, further action upon the substitute was postponed until day after to-morrow.

No. 29, legalizing the acts of Geo. H. Walsh, as notary public. Passed.

SECOND READING OF HOUSE FILES.

The following house files were read a second time and referred as follows:

No. 19, to the committee on counties.

No. 40, to the committee on counties.

THIRD READING.

The memorial asking for the division of the territory and the admission of South Dakota, coming up for passage, was lost—ayes, 2; noes, 8.

The joint resolution providing for the printing of the reports of the territorial officers, was passed by a unanimous vote.

Nos. 7 and 22 were read a third time and passed.

ANOTHER POSTPONEMENT.

The proposed executive session, postponed from 2 p. m. yesterday until 2 p. m. to-day, on account of the absence of President Walsh, was, on motion of Mr. Jolley, again postponed until 2 p. m. Friday, this time on account of the absence of Mr. Day.

RECONSIDERED.

On motion of Mr. Gamble, the vote by which house memorial praying for a division of the territory and the admission of South Dakota was lost, was reconsidered.

The members generally expressed themselves in favor of a memorial for a division of the territory and the admission of the southern portion as a state, but were opposed to the language and style of the one which had been under consideration, and in order to have one prepared which would meet approval the matter was referred to the committee on judiciary, with instructions to report not later than Friday next. Mr. Shaw was, on motion, added to the judiciary committee for the purpose of aiding in the preparation of a memorial.

ADJOURNMENT.

The council then adjourned until 10 a. m. to-morrow.

House.

Wednesday, Jan. 26.—The house convened at ten a. m. and was opened with prayer by the chaplain.

Mr. Speaker in the chair and all the members in their seats.

The journal of the preceding session was read and approved.

COMMITTEE REPORTS.

Mr. French, from the committee on printing, stated that he had yesterday introduced a resolution authorizing the clerks to procure stationery for the members. He had since ascertained that the secretary had an abundant supply in his possession, which would be given out on the orders of the members.

Mr. Boyles, from the committee on judiciary, reported back council bill four with a recommendation that it pass. The report was adopted.

Also council bill six with a recommendation that it pass after striking out section six. The report was adopted. The bill provides extra compensation for the judge of the first judicial district.

Also council bill twelve with a recommendation that it pass. The report was adopted.

Also house file twelve, with a recommendation that it do not pass. The report was adopted. The bill related to the election of clerks of the court by the people.

Also house file thirty-two, with a recommendation that it pass with certain amendments. It requires that non-resident plaintiffs before bringing actions before justices shall give security for costs.

Mr. La Moure, from the committee on towns and townships, reported back house file twenty-one, with a recommendation that it pass with certain amendments.

Also house file thirty, with a recommendation that it be referred to a special committee, consisting of the delegation from the thirteenth district, which was adopted. It refers to the incorporation of the village of Parker.

RECONSIDERATION.

On motion of Mr. Dickey, the vote by which the joint resolution providing stationery was passed, was reconsidered.

NOTICES OF BILLS.

By Mr. Baynes—For the encouragement and protection of sheep husbandry.

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

By Mr. Thielman—To define the boundaries of McCook county.

By Mr. Donaldson—For recording mortgages in unorganized counties.

By Mr. Boyles—To amend section five of the justice code, relating to change of place of trial.

By Mr. Warner—For the relief of the inhabitant of Lawrence county.

By Mr. Thompson—To amend the general law authorizing counties to issue bonds for public purposes.

INTRODUCTION OF BILLS.

By Mr. Cross—House file 42—relating to the use of marks and brands on live stock.

By Mr. Nomland—House file 43—to protect the passage of fish in the rivers of Dakota.

By Mr. Baynes—House file 44—to amend section three of the justices code.

By Mr. Nomland—House file 45—a joint resolution asking congress to pass Delegate Campbell's bill providing for the election by the people of territorial officials paid out of territorial treasurers. It was referred to the committee on territorial affairs.

By Mr. Boyles—House file 46, to amend section 68 of chapter 28 of the political code.

By Mr. Warner—House file 47, to legalize certain acts of the commissioners of Lawrence county.

COUNCIL BILLS.

Council bills thirteen and twenty-four had their first reading.

Council bill two, for the location and construction of a penitentiary at Sioux Falls, came up for its third reading, and passage, but upon motion of Mr. French action was suspended pending report of committee on engrossment.

Council bill four, to amend the revenue act, and council bill twelve, to amend section seven of the justice's code, were passed by unanimous vote.

Council bill six, providing extra compensation for the judge of the first judicial district, passed by a vote of twenty four, Messrs. Ellefson, Hale, Nomland and Thompson voting in the negative.

HOUSE BILLS.

House file thirty-four had its second reading and was referred to the committee on territorial affairs. It provides for the protection of stock.

House file thirty-six, limiting county commissioners to twenty-four days official work in each year, came up for a second reading.

Mr. McBratney moved that further consideration of the bill be indefinitely postponed.

On motion of Mr. Baynes, the motion to postpone was laid on the table.

On motion of Mr. Ellefson, the bill was referred to the committee on counties and townships.

House file thirty-eight, authorizing Hutchinson county to fund its indebted-

ness, etc., was referred to the committee on insurance, banks and banking.

House file eleven, legalizing the acts of the trustees of Dell Rapids, and for other purposes, was passed by unanimous vote.

House file twenty-one, regulating the burning of prairies in the Black Hills counties, was passed by unanimous vote.

House file twenty-six, to provide for labor on the highways, was passed, Mr. Thorne voting in the negative and all the rest in the affirmative.

House file twenty-seven, providing for the herding and driving of stock, was passed by unanimous vote.

House file thirty-two, to amend section 101 of the justices code, was passed by a vote of twenty-two to two, Messrs. French and Landman voting in the negative.

House file twelve, reported adversely this morning from the judiciary committee was put upon its passage and lost, Mr. Nomland voting for it and all the rest against it.

House file twenty-one, authorizing the commissioners of Barnes county to issue \$30,000 bonds to build a court house and jail, was read a second time and referred to the committee on charitable and penal institutions.

NOTICES OF BILLS.

By Mr. French—To amend the act establishing the Dakota hospital for the insane.

By Mr. Wells—To define the boundaries of the third judicial district, and provide for holding court therein.

ADJOURNMENT.

The house, at noon, adjourned until 10 o'clock a. m. to-morrow.