



## DAKOTA'S LEGISLATURE.

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

Fourteenth Session—21st Day.

### Council.

Monday, Jan. 31—Council not in session.

### House.

Monday, Jan. 31—The house convened at ten o'clock a. m., and was opened with prayer by the chaplain.

Mr. Speaker in the chair and all the members present excepting Inman, Moore, Rohr and Thompson.

The journal of the two preceding sessions was read and approved.

### COMMITTEE REPORTS.

Mr. Ellefson, from the committee on agriculture and manufactures, reported back house file 42, with a recommendation that it pass.

Mr. Kennedy, from the committee on engrossment, reported house files five, forty-one and twenty-seven as correctly engrossed.

Mr. Warner, from the committee on education, reported back house file 48 with amendments and a recommendation that it pass as amended.

Mr. Miller, from the committee on finance and revenue, reported back council bill 17 with amendments and a recommendation that it pass as amended.

Mr. Thielman, from the select committee consisting of the delegation from 13th district, to whom was referred house file 30, to incorporate the village of Parker, reported the same back with the report that the committee was unanimously in favor of its passage.

### MOTIONS AND RESOLUTIONS.

Mr. La Moure presented a resolution calling for the appointment of a special committee of two members from each judicial district who shall draft a bill for the apportionment of representation in the next legislature, and that the speaker be a member of such committee. Also that the speaker be given time to report such committee. The resolution was adopted.

On motion of Mr. Ellefson, the absentees were excused from attendance.

### NOTICES OF BILLS.

By Mr. Dickey—To create the county of Ordway, define its boundaries, and provide for the organization thereof.

By Mr. Miller—To incorporate the village of Wahpeton.

By Mr. Thielman—To amend section 7 of chapter 21 of the political code.

By Mr. Boyles—To amend section ninety-four of chapter twenty-eight of the political code. Also for an act making an appropriation for the support of the hospital for the insane.

By Mr. Baynes—For the relief of Carl Winters.

By Mr. Kennedy—To incorporate the village of Egan, Moody county.

### BILLS INTRODUCED.

By Mr. LaMoure—House file fifty-one—to authorize the purchase of 1000 copies of the revised codes of Dakota.

By Mr. French—House file fifty-two—to amend sections two, four, five, six, seven and thirteen of chapter twenty-three of the laws of 1879, to provide for a building committee and for the better government of the hospital for the insane.

By Mr. French—House file fifty-three—to provide for the payment of costs in criminal actions in unorganized counties.

By Mr. French—House file fifty-four, to amend section 501 of the civil code and authorizing insurance corporations to invest in real estate in Dakota.

By Mr. Thorne—house file fifty-five, authorizing the county commissioners of Minnehaha county to issue bonds to complete a jail, and for other purposes.

By Mr. Warner—house file fifty-six—to repeal certain sections of the funding act of Lawrence county.

By Mr. Warner—house file fifty-seven—to incorporate the city of Deadwood.

By Mr. Warner—House bill fifty-eight—joint resolution providing that the legislative session adjourn on the 19th day of February. The preamble recites in effect that it is rumored that the session has been extended by congress to sixty days, but that it is the sense of the legislature that the business can be finished in forty days.

By Mr. Wells—House file fifty-nine—a memorial to congress asking for the passage of Mr. Washburn's bill to amend an act relating to settlers on public lands.

### ENROLLED BILLS.

Mr. Kennedy, from the committee on enrollment, reported house files three and twenty-two as correctly enrolled.

### COUNCIL BILLS.

Council bill five, to amend section one of chapter nineteen, had its second reading and was referred to the committee on insurance, banks and banking.

Council bill eleven, to amend section ninety-six of the justice's code, had its second reading and was referred to the committee on judiciary.

Council bill fifteen, substitute, to locate, establish and endow a territorial normal school, came up for second reading, but further action was suspended until the substitute be printed.

Council bill twenty-one, to authorize county commissioners to levy a tax of not more than eight mills for ordinary county expenses, including the support of the poor, had its second reading and was referred to the committee on finance and revenue.

Council bill twenty-two, repealing or amending sections 660, 661 and 666 of the civil code, had its second reading and was referred to the committee on judiciary.

Council bill twenty-three, to amend section 1,748 of the civil code, had its second reading and was referred to the committee on insurance, banks and banking.

### HOUSE BILLS.

House file forty-nine, to amend the act

relative to the employment of short-hand reporters in district courts, had its second reading and was referred to the committee on insurance, banks and banking.

House-file fifty, defining the boundaries of the third judicial district and fixing the time for holding court therein, was, on motion of Mr. La Moure, referred to a special committee, consisting of the members from the third district.

House file thirty-one, to establish a public school law for Dakota, reported from the committee on education, with a recommendation that it pass, came up for its third reading.

Mr. Dickey moved that the order of third reading of bills be passed over until the return of the absent members. Adopted.

### RECESS.

At 11:10 the house took a recess of ten minutes.

### NON-CONCURRED IN.

Mr. La Moure moved that the vote by which the house concurred in the amendments of the council to house file three be reconsidered and, it was so ordered. The house then refused to concur in the council amendments. The bill orders the printing of the reports of territorial officers and the council amendments cut down the number of copies of each report from 500 to 300, the saving in expense thereby being seven dollars.

### COMMITTEE OF THE WHOLE.

On motion of Mr. Wells, the house, at 11:40 a. m., went into committee of the whole, Mr. Boyles in the chair, the subjects of consideration being house files five, thirty, forty-two and forty-eight.

### THE COMMITTEE ROSE

at 11:55 a. m. and reported back the bills under consideration with a recommendation that they pass as reported from the standing committees.

The report of the committee was adopted, on motion of Mr. Cross.

House file five provides for the erection of a court house and jail in Lawrence county.

House file thirty provides for the incorporation of the village of Parker.

House file forty-two relates to brands and marks on live stock.

House file forty-eight authorizes school district number one of Pembina county to issue bonds for the construction of a school house.

### AN ATTEMPT AT ADJOURNMENT.

Mr. Baynes moved that the house adjourn.

Mr. Dickey said he would like to have the house consider the subject of the engrossing clerk.

The roll was called and the resolution to adjourn was lost—ten to ten.

### THE ENGROSSING CLERK.

Mr. Dickey moved that the committee on engrossment and enrollment be given full authority to act as they see fit in regard to the engrossing clerk. He said that the committee had informed him that the work was all up in good shape and that the clerk desired to be given time to demonstrate that he could comply with the requirements.

On motion of Mr. French, the motion of Mr. Dickey was laid on the table.

### MORE ADJOURNMENT.

A motion was here made to adjourn and on a call of the roll it was lost—eight to twelve.

### FURTHER EXPLANATIONS.

Mr. Donaldson said he had conferred with the engrossing clerk and was satisfied that now that he fully understood the nature of his duties, he would prove satisfactory to the members of the house.

Mr. Warner stated that the engrossing clerk of the house had procured the assistance of the engrossing clerk of the council, which he did not think was proper. If he would procure outside assistance it would be satisfactory.

Mr. Nonland urged that the clerk should be given further trial and that present action would be an injustice.

Mr. French thought the matter should be definitely settled this morning.

### A MOTION.

Mr. Thorne moved that further action upon the subject be postponed until twelve o'clock to-morrow morning, when the house will be prepared to act upon the resignation of the engrossing clerk.

Mr. Ellefson moved as an amendment that further action be postponed until it was found that the clerk did not perform his duties satisfactorily.

The amendment was defeated—eleven to nine.

Mr. Dickey moved as an amendment that the last clause of Mr. Thorne's motion, relative to final action on the case, be stricken out.

The amendment was adopted—twelve to eight—and the motion as amended was passed—fourteen to six.

### ADJOURNMENT.

The house at 12:45 p. m. adjourned till 10 o'clock to-morrow morning.