



DAKOTA'S LEGISLATURE.

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

Fourteenth Session—24th and 25th Days.

House. AFTERNOON SESSION.

Thursday, Feb. 3.—The order of business was gone through with, to clear up the clerk's table.

BILLS INTRODUCED.

By Mr. Hale—House file seventy-five, providing for the sale and purchase of live stock in the counties of Lawrence, Pennington, Custer, Mandan and Forsyth.

COUNCIL BILLS.

Council Bill thirty-five—Authorizing the issue of bonds for the construction of a hospital for the insane and to authorize the building of the same, had its first reading.

Council Bill thirty-one—To provide funds for the construction of a penitentiary at Sioux Falls and for other purposes, had its second reading and was referred to the committee on penal and charitable institutions.

Council Bill thirty-nine—To make the town plat of Edwinton the legal plat of the city of Bismarck, had its second reading and was referred to the committee on counties and townships.

Council Bill forty-one—Amending the act providing a school board for the village of Sioux Falls, had its second reading and was referred to the committee on education.

HOUSE BILLS.

House files sixty-three—Creating the county of Ole Bull, was read a second time and referred to the committee on counties and townships.

House file sixty-four—For furnishing and maintaining the territorial hospital for the insane, had its second reading and was referred to the committee on charitable and penal institutions. The bill appropriates \$16,000 for the maintenance of patients and their necessary clothing and for the board of employees and officers, \$8,000 for wages of employees, \$2,500 for fuel and lights, \$500 for incidental expenses, \$1,000 for drugs, medicines, books, \$1,500 for repairs and improvements and \$2,500 for necessary improvements on the hospital farm—a total of \$32,000.

House file sixty-six—To protect and encourage sheep husbandry and to provide a bounty for wolf scalps, had its second reading and was referred to the committee on territorial affairs.

House file sixty-six—Relating to the re-location of the county seat of Grant county, had its second reading. The bill provides that a majority vote be considered sufficient to move the county seat of Grant county, while the general law provides that no county seat can be moved excepting by a two-thirds vote.

On motion of Mr. Dickey the rules were suspended.

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

Mr. Donaldson, the author of the bill, protested against this summary action and asked that the bill be put through its regular course under the rules.

Mr. Landman's motion was adopted and further consideration of the bill was indefinitely postponed.

COUNCIL BILL EIGHT.

Mr. Wells called the attention of the house to council bill eight, providing for the construction of a jail for Lincoln county, vetoed by the governor and his veto sustained by the house and moved a reconsideration of the vote by which such veto was sustained.

Mr. Thompson vigorously opposed this action and held that it was entirely out of order.

Mr. Van Osdel moved that the motion to reconsider be laid upon the table, and his motion was lost.

CALL OF THE HOUSE.

On motion of Mr. Hale, a call of the house was ordered and the roll call showed that Mr. Cross was absent.

On motion of Mr. La Moure, further proceedings under the call of the house were dispensed with, and, on motion of Mr. LaMoure, Mr. Cross was excused. He was busy on committee work.

COUNCIL BILL EIGHT.

Mr. Wells' resolution for a reconsideration of the vote by which the veto was sustained was put and lost—twelve to twelve.

HOUSE FILE NINETEEN.

The committee on enrollment reported house file nineteen, providing for the erection of a court house and jail in Richland county, as correctly enrolled, and the speaker called the attention of the house to the singing of the bill.

ADJOURNMENT.

On motion of Mr. Ellefson, the house, at 3:25 p. m., adjourned until ten o'clock to-morrow morning.

Council.

Friday, February 4.—The council met at 10 a. m., and was called to order by the president.

Prayer by the chaplain.

Roll call showed all members present. Minutes read and approved.

MESSAGE FROM THE HOUSE.

A message from the house announced the passage of council bill seventeen, to amend the act authorizing the bonding of the indebtedness of Bon Homme county, with amendments.

Council bill five, to amend section one, chapter nineteen, of the political code.

Council bill twenty-three, to amend section 1,748 of the civil code.

And house file 46, 49 and 54, and requesting the concurrence of the council thereon.

REPORTS OF STANDING COMMITTEES.

Mr. Shaw, from finance and expenditures, reported with amendments council bill 33, to amend section 48 of the political code, and chapter 49 of the laws of 1879, and recommended its passage.

Mr. Day, from the committee on counties, reported and recommended the passage of house file 30, to incorporate the village of Parker.

Mr. Gamble, from the judiciary committee, reported back council bills 44, 45, 46, 49, 58 and 63, recommending their passage.

Mr. Wiggin, from the committee on agriculture, reported back house files 39 and 42, and recommended their passage.

Mr. Wallace, from the committee on immigration reported back and recommended the passage of house file 38.

Mr. Scooby, from the committee on education, reported back house file 31, being the bill providing that the German and Scandinavian languages be taught one hour each day in the public schools of the territory, and recommended that the same do not pass.

Mr. Gamble moved that the report of the committee be laid on the table.

Upon this motion a discussion ensued, in which Messrs. Wilson, Gamble and Day supported the motion and the objects of the bill, and Messrs. Scooby, Wallace, Wiggin and Fisher opposed the motion and argued against the principles involved in the measure.

After the discussion had lasted for some time, Mr. Jolley stated that there were three members of the council who couldn't make speeches, and they were unable to comprehend what the debate was about. A motion to lay the report of a committee upon the table was an unusual proceeding and was discourteous to the committee. When the bill comes up in order for its third reading then is the time to give an opinion upon the report of the committee by voting the bill down, or up.

Mr. Gamble withdrew his motion.

INTRODUCTION OF BILLS.

By Mr. Martin—For an act to amend section 332 of the code of civil procedure.

HOUSE MESSAGES.

The message from the house coming up for consideration, on motion of Mr. Day the house amendments to council bill 17, amending the funding act of Bon Homme county were concurred in.

COUNCIL BILLS.

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

No. 50, a memorial asking for the vacation of that portion of Fort Randall military reservation lying east of the Missouri river. Laid on the table to come up in order for third reading.

No. 57, amending the act creating a board of education for the city of Fargo. Laid on table for third reading.

No. 59, relating to attorney fees in justices' court; to committee on judiciary.

No. 40, to amend section 2, chapter 26, of the 13th legislative assembly; to the judiciary committee.

No. 61, to amend sections 33, 37 and 50 of chapter 59 of the session laws of 1879; to the committee on finance and expenditures.

THIRD READING.

Council bill No. 33, to amend section 28 of the political code, and chapter 49 of the laws of 1879. Passed; Mr. Walsh of Union, alone voting in the negative.

Council bill 44, to provide for the taxation of costs in certain criminal proceedings. Passed by unanimous vote.

Council bill 45, to amend section 1 of chapter 22 of the political code, relating to the resignation of county officers. Passed.

Council bill 46, amending section 14 of chapter 21 of the political code. Passed.

Council bill 49, amending section 49 of chapter 28 of the political code. Passed.

Council bill 53, to amend section 65 of the civil code. Passed.

Council bill 56, to amend section 2 of chapter 24, of the political code. Passed.

Council bill 58, to amend section 14, of chapter 39 of the political code, relating to the fees of probate judges. Passed.

HOUSE FILMS.

House files 46, 49 and 54 were read a first time.

No. 5, providing for the erection of a jail in Lawrence county, was read a second time, and referred to a special committee consisting of Messrs. Wilson and Martin.

No. 21, relating to prairie fires in the counties of Lawrence, Pennington, Custer, Forsythe and Mandan, read third time and passed.

No. 30, to incorporate the village of Parker. Passed.

No. 31, to provide for teaching foreign languages in the public schools, coming up for its third reading, Mr. Shaw moved an amendment striking out "other foreign languages," confining the provisions of the bill to the German language, which amendment was adopted.

The bill was then passed, Mr. Wiggin alone voting in the negative.

No. 39, relating to fences in the Black Hills counties. Passed.

No. 42, relating to marks and brands on live stock. Passed.

No. 58, a memorial to congress. Passed.

ADJOURNMENT.

On motion of Mr. Scooby the council adjourned.

House.

Friday, February 4.—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.

The journal of the preceding session was read and approved.

COUNCIL MESSAGE.

A message was received from the council announcing the passage by that body of council bills thirty-two, fifty-one and fifty-two and asking the concurrence of the house. Also the passage of house file forty-one with amendments, and asking the concurrence of the house.

PETITIONS.

Mr. Thorne presented a remonstrance against the passage of house file seventy-one, creating the county of Vermillion.

signed by E. Corliss and fifty other.

Mr. Kennedy presented a petition asking for the passage of the same bill.

COMMITTEE REPORTS.

Mr. Boyles, from the committee on judiciary, reported back council bill thirty-eight with a recommendation that it do not pass.

Also house file sixty, amending section 166 of the code of criminal procedure, with a recommendation that it do not pass.

Also council bill twenty-two, relating to the certificates of married women, with a recommendation that it pass.

Also council bill twenty-four, authorizing Charles Mix county to fund its indebtedness, with a recommendation that it pass.

Mr. La Moure, from the committee on counties and townships, reported back a substitute for house file thirty-five with a recommendation that it pass. It provides for the creation of the county of Walsh.

Mr. Rohr, from the committee on territorial affairs, reported house file sixty-six with a recommendation that it pass. It provides for the protection of sheep husbandry and for bounties for wolf scalps.

Mr. Kennedy, from the committee on engrossment, reported corrections to house file 38, authorizing the commissioners of Hutchinson county to fund the indebtedness of the county, and reported bill correctly engrossed. House file forty-seven, legalizing certain acts of the commissioners of Lawrence county, was also reported correctly engrossed.

Mr. Kennedy, from the committee on enrollment, reported house file eleven correctly enrolled. It legalizes acts of officers of Dell Rapids village.

NOTICES OF BILLS.

By Mr. Boyles—to protect manufacturers of and dealers in beer, soda water, &c., from the loss of cases and kegs.

By Mr. Miller—to define the boundaries of the county seat of Richland county.

By Mr. La Moure—to amend section nine of chapter thirty-nine of the political code.

By Mr. Rohr—to provide for the election of commissioners in Union county and to limit their terms of office.

INTRODUCTION OF BILLS.

By Mr. Baynes—House file seventy-six—to vacate a portion of Foster's addition to the village of Rockport.

By Mr. Baynes—House file seventy-seven—to repeal the act relating to corporations and persons engaged in the business of banking.

By Mr. Donaldson—House file seventy-eight—to authorize school districts in Grant and Deuel counties to issue bonds for the construction of school houses.

COUNCIL BILLS.

The following council bills had their first reading:

Number thirty-two—amending section eleven of chapter thirty-nine of the political code, fixing fees of coroners.

Number fifty-one—giving permission to residents of the counties of Lawrence, Pennington, Custer, Mandan and Forsyth to contract for any rate of interest.

Number fifty-two—to repeal section 427 of the penal code so far as it relates to the Black Hills counties.

Council bill thirty-five—Authorizing the issue of bonds for the construction of an insane hospital, was read a second time and referred to the committee on penal and charitable institutions.

Council bill forty—Amending the public school law, had its second reading and was referred to the committee on education.

Council bill twenty-one—Authorizing county commissioners to levy a tax of not more than six mills on the dollar, had its third reading and was passed; Messrs. Dickey and Hale voting in the negative and all the rest in the affirmative.

HOUSE BILLS.

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

Number sixty-nine—For the protection of game and fish, to the committee on territorial affairs.

Number seventy—Providing for the equalization of taxes in certain townships, to the committee on counties and townships.

Number seventy-one—creating the county of Vermillion, to the committee on counties and townships.

Number seventy-four—to amend section 1,101 of the civil code, to the committee on judiciary.

House file forty-seven—legalizing certain acts of the commissioners of Lawrence county, had its third reading and was passed by a unanimous vote.

THE GENERAL ORDER.

Council bills, twenty-two, twenty-four, twenty-seven and thirty-eight and house files thirty-five, sixty and sixty-six came up for consideration under the general order, and on motion of Mr. Inman, the house at 11:15 o'clock went into

COMMITTEE OF THE WHOLE.

on this order, Mr. Wells in the chair.

THE COMMITTEE ROSE

at 11:30 o'clock and made the following report:

That council bill twenty-two, a substitute, pass. It provides for the taking acknowledgments of married women in the same manner in which the acknowledgments of married men are taken.

That council bill twenty-four pass. It authorizes the commissioners of Charles Mix county to fund the outstanding indebtedness of the county.

That council bill twenty-seven be referred to the judiciary committee. It relates to the office attendance of county treasurers.

That council bill thirty-eight does not pass. It relates to the fees of registers of deeds.

That house file sixty does not pass. It refers to the right of challenge in criminal cases.

That house file sixty-six pass. It provides for the protection of sheep husbandry and authorizes the payment of bounties for wolf scalps.

That the substitute for house file thir-

ty-five pass. It creates the county of Walsh.

On motion the report of the committee of the whole was accepted and adopted.

ADJOURNMENT.

The house, at noon, adjourned until ten o'clock to-morrow morning.