



DAKOTA'S LEGISLATURE.

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

Fourteenth Session—26th Day.

Council.

Saturday, February 5.—Council met at 10 a. m., and was called to order by the president.

Prayer by the chaplain.

Roll called—all the members present. Minutes read and approved.

MESSAGE FROM THE HOUSE.

A message was received from the house announcing the passage by that body of council bill twenty-one authorizing the levy of a county tax of eight mills including support of the poor, with amendments, and house file 38 and 47, and requesting the concurrence of the council therein.

REPORTS OF COMMITTEES.

Mr. Jolley, from the committee on enrolled and engrossed bills, reported that council bill two, to locate and construct a territorial penitentiary, had been presented to the governor.

Mr. Scooby, from the committee on education, reported a substitute for council bill 18, providing for the schooling of children residing in organized districts, and recommended its passage.

Mr. Gamble, from the judiciary committee, reported back council bill 22, to amend section 8 of the code of civil procedure, with a recommendation that it do not pass; and council bill 36, recommending its passage with amendments.

Mr. Wilson, from the special committee to which was referred house file 5, reported it back and recommended its passage.

Mr. Jolley, from the conference committee on the disagreement of the two houses on the joint resolution providing for the printing of the reports of territorial officers, reported in favor of the council receding from its amendments.

On motion of Mr. Gamble the report of the conference committee was adopted and the council receded from its amendments.

INTRODUCTION OF BILLS.

By Mr. Gamble—No. 63—for an act to amend section 53 of chapter 21 of the political code.

Also No. 64—for an act to fund the bonds and coupons issued by the county of Yankton under and by virtue of an act of the legislative assembly of the territory of Dakota, entitled an act to enable counties and townships to vote aid to any railroad and provide for their payment, and an act of congress entitled an act in relation to the Dakota Southern railroad, and for other purposes.

By Mr. Jolley, No. 64—Providing for the election of county commissioners in the territory of Dakota.

Also, No. 66—For an act defining the jurisdiction of township justices of the peace.

By Mr. Wilson, No. 67.—For an act to amend sections 39 and 40 of the justices code.

By Mr. Scooby, No. 68—For an act to amend section 7 of chapter 39 of the political code.

By Mr. Martin, No. 69—For an act exempting the counties of Lawrence, Pennington, Custer, Forsythe and Mandan from the provisions of certain sections of chapter 34 of the revised codes of Dakota territory.

By Mr. Day, No. 70—For an act authorizing the commissioners of Bon Homme county to regulate the liquor license of Bon Homme county.

By Mr. President No. 71—For an act to re-district the county of Grand Forks.

Also, No. 72—For an act authorizing the several school districts of Grand Forks county to issue bonds.

By Mr. Shaw, No. 73—For an act to authorize the president and trustees of the village of Sioux Falls to fund its outstanding indebtedness and to issue bonds to protect said village against loss by fire.

CONCURRED IN.

On motion of Mr. Jolley the house amendments to council bill 21, were concurred in. The amendment limits the levy of tax for county purposes to six mills on the dollar, instead of eight as provided for in the original bill.

COUNCIL BILLS.

No. 62, to amend section 332 of the code of civil procedure, was read a second time and referred to the committee on judiciary.

No. 36, to amend section 1,804 of the civil code, coming up for its third reading, was, on motion of Mr. Day, postponed until Monday next.

No. 18, being a substitute for the bill providing for the schooling of children living in organized districts, was read the third time, and on motion re-committed to the committee on education.

No. 25, to amend chapter eight of the code of civil procedure, was read a third time and lost—ayes, 5; noes, 6.

No. 50, a memorial to congress, asking for the vacation of that part of the Fort Randall military reservation lying east of the Missouri river. Passed.

No. 57, to amend the act establishing a board of education for the city of Fargo. Passed.

HOUSE FILES.

House files 47 and 38 were read a first time.

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

No. 46, to the judiciary committee.

No. 49, to a special committee consisting of Messrs. Day, Jolley, Walsh of Union and Wiggin.

No. 54, to the committee on insurance, banks and banking.

House file 5, relating to the issue of bonds by Lawrence county for court house and jail purposes, was read a third time and passed.

A BILL REPORTED.

Mr. Scooby, from the committee on education, reported back council bill 18,

relating to schooling of children residing in organized districts, with amendments, and recommended its passage.

The said bill was then read a third time and passed.

ADJOURNMENT.

On motion of Mr. Martin the council adjourned.

COMMITTEE ON CHROMOS.

After the adjournment of the council an informal meeting was held to consider propositions from the photographers of the members of the council for the use of themselves and friends. A committee was appointed, consisting of President Walsh and Messrs. Shaw and Martin, to make a contract for the taking of such groups, the members to be bound by the acts of the committee.

House.

Saturday, February 5.—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 Messrs. Ellefson and French, who were excused from attendance on motion of Mr. Baynes.

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 44, 45, 46, 49, 53, 56 and 50, and house bills 21, 30, 31 (with amendments) 42 and 58 and asking the concurrence of the house.

Also that the council had concurred in the house amendments to council bill seventeen.

COMMITTEE REPORTS.

Mr. Cross, from the committee on charitable and penal institutions, reported back, with amendments, council bill twenty-one, recommending its passage. It provides for the construction of a penitentiary at Sioux Falls.

Mr. Warner, from the committee on education, reported back council bill forty-one, amending the Sioux Falls board of education act, and council bill forty, amending the public school law, with a recommendation that it pass.

Mr. Baynes, from the committee, on enrollment, reported that house bills four, thirteen and seventeen had been delivered to the governor for approval. Number four authorizes the commissioners of Pembina county to fund the indebtedness of the county. Number thirteen provides for the erection of a court house and jail in Pembina county. Number seventeen legalizes the acts of J. Parker Hayward as notary public.

Mr. Moore, from the committee on incorporations, reported back council bill thirty-four with amendments and a recommendation that it pass. It amends the act incorporating the city of Elk Point.

Mr. La Moure, from the committee on counties and townships, reported back house file sixty-three, to create the county of Ole Bull, recommending its passage with an amendment changing the name of the county to Griggs.

Also house file fourteen, with amendments, and recommending its passage. It provides a registry law for the Black Hills and Missouri river counties, and for cities of over 3,000 population.

Also house file sixty-two, creating the county of Ordway, with a recommendation that it do not pass.

On motion of Mr. Dickey, further consideration of house file sixty-two was indefinitely postponed.

Mr. Kennedy, from the committee on enrollment, reported as correctly enrolled house file forty, defining the boundaries of Morton county.

Mr. McBratney, from the special committee consisting of the Lawrence county delegation, recommended the passage of house file fifty-nine, to incorporate the city of Deadwood.

NOTICES OF BILLS.

By Mr. Thielman—To amend chapter twenty-six of the laws of 1879.

By Mr. Donaldson—to legalize certain acts of W. T. Burman, county commissioner of Grant county.

By Mr. McBratney—To define the boundaries of Mandan county.

By Mr. Landman—For the punishment of cruelty between husband and wife.

By Mr. La Moure—To create the county of Wells.

INTRODUCTION OF BILLS.

By Mr. Donaldson—House file seventy-nine—to locate, establish and endow a state normal school.

By Mr. Miller—House file 80—to define the boundaries of the county seat of of Richland county.

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

COUNCIL BILLS.

The following council bills had their first reading:

Number thirty-three, to amend chapter twenty-eight of the political code and chapter forty-nine of the laws of 1879, relating to revenue.

Number forty-nine, to provide for the collection of costs in certain criminal proceedings.

Number forty-five, to amend section one, chapter two of the political code.

Number forty-six, to amend section fourteen, chapter twenty-five of the political code.

Number forty-nine, to amend section forty-nine, chapter twenty-eight of the political code.

Number fifty-three, to amend section sixty-five of the civil code.

Number fifty-six, to amend section sixty-two, chapter twenty-four of the political code.

Number fifty-eight, to repeal section fourteen, chapter thirty-nine of the political code.

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

Number thirty-two, to amend section eleven, chapter thirty-nine of the political code.

cal code, relating to coroners' fees, to the committee on judiciary.

Number fifty-one, to amend section 1,008, chapter three, exempting the Black Hills counties from the provisions of the interest law, to the committee on insurance, banks and banking.

Number fifty-two, to repeal section 437 of the penal code so far as it relates to the Black Hills counties.

THE FOREIGN LANGUAGE BILL.

House file thirty-one, Mr. Landman's bill providing for the teaching of foreign languages in the public schools, having been omitted in its order, was brought up by general consent. The council amended the bill by confining such instruction to the German language.

Mr. Thompson opposed any action on the bill until next Monday, but his motion was voted down and the house concurred in the amendment by a vote of thirteen to nine.

COUNCIL BILLS.

The following council bills had their third reading and came up for final passage.

Number twenty-two, relating to the acknowledgements of married women, was passed; Messrs. Cross, Dickey, Rohr and Thompson voting in the negative, and all the rest in the affirmative.

Number twenty-four, authorizing the commissioners of Charles Mix county to find the indebtedness of the county, was passed; Mr. Cross alone voting in the negative.

Number thirty-eight, to amend section seven of chapter twenty-nine of the political code, recommended adversely from committee, was defeated, Messrs. Thompson, Thorne, Van Osdel and Wells voting in the affirmative and all the rest in the negative.

HOUSE BILLS.

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

Number seventy-two, amending the act authorizing counties to issue bonds for the construction of court houses and jails, to the committee on counties and townships.

Number seventy-three, authorizing school district one of Hughes county to issue \$3,000 bonds for the construction of a school house, to the committee on education.

Number seventy-five, relating to the sale, purchase and disposition of live stock in the Black Hills counties, to a special committee consisting of the Black Hills delegation.

Number seventy-seven to repeal the act concerning corporations and persons engaged in the banking business, to the committee on banks and banking.

Number seventy-eight, authorizing school districts in Grant and Deuel counties to issue bonds for the construction of school houses, to the committee on education, with instructions to draft a general law upon the subject.

The following house bills had their third reading and came up for final action:

Number thirty-five, to create the county of Welch. Passed by unanimous vote.

Number sixty, to amend section 166 of the code of criminal procedure, relating to challenge, reported adversely from the committee, was defeated by unanimous vote.

Number sixty-six, for the protection of sheep husbandry, passed by unanimous vote.

OFFICIAL REPORTS.

Mr. Cross, from the special conference committee, appointed to arrange the difference between the council and the house regarding the number of copies of the reports of territorial officers, reported that the council was willing to recede from its amendment.

The report of the committee was received, and, on motion of Mr. LaMoure, the committee was thanked for its work.

A MEMORIAL.

Mr. Speaker, (Mr. Miller in the chair), presented a memorial to congress asking for the establishment of a mint in Deadwood.

Under a suspension of the rules the memorial had its second reading and was passed by unanimous vote.

COMMITTEE OF THE WHOLE.

At 11:45, on motion of Mr. Thorne, the house went into committee of the whole, on the general order, Mr. Thielman in the chair.

THE COMMITTEE ROSE,

after twenty minutes work, reported back house files fourteen, fifty-nine and sixty-three with amendments and a recommendation that they pass, and asked leave to sit again, which report was adopted.

BILL SIGNED.

The speaker called attention to the signing of house file forty, defining the boundaries of Morton county.

ADJOURNMENT.

On motion of Mr. Hale, the house, at 12:10 p. m. adjourned until ten o'clock Monday morning.