



DAKOTA'S LEGISLATURE.

A Complete Report of the Proceedings of the Council and the House.

Fiftenth Session—Twenty-Second Day.

Council.

Council convened at 10 a. m., Mr. President in the chair.

Prayer by the chaplain.
Roll call showed that all the members were in their seats except Mr. Jerauld. Journal read and approved.

HOUSE MESSAGE.

A message was received from the house announcing the passage by that body of house file 42. Also announcing that the house had refused to concur in council amendment to house file nine, and that Messrs. Pyatt, Nowlin and Rice had been appointed a committee to confer with a similar committee of the council to adjust the difference.

CONSIDERATION OF MESSAGES.

The message from the house was then taken up for consideration.

Mr. Walsh moved that a committee of three be appointed by the council to confer with the committee appointed by the house to consider council amendments to house file nine. Carried. Messrs. McIntosh, Roberts and Dewey were appointed as such committee.

BILLS INTRODUCED.

By Mr. Roberts—Council bill forty-seven—to amend sections 377 and 381 of the code of civil procedure. In relation to attorneys fees.

By Mr. Roberts—Council bill forty-eight—relating to costs in civil actions.

By Mr. Jackson—Council bill forty-nine—to incorporate the city of Sioux Falls.

By Mr. Walsh—Council bill fifty—to allow supervisors of townships to issue bonds for the purpose of improving public highways.

By Mr. Walsh—Council bill fifty-one—to locate the seat of government of the territory and to provide for the removal of the records and other property of the territory to the seat of government.

SECOND READING.

The following council bills were given their second reading and referred to committees as indicated:

Forty-six—to provide for the collection of delinquent taxes by suit—committee on appropriations.

Forty—to provide for the collection of debts by garnishment—committee on judiciary.

Forty-five—A joint resolution providing for the printing of the reports of the territorial auditor and treasurer—committee on public printing.

THIRD READING.

The following council bills were read a third time and put upon their final passage:

Thirty-eight—for the relief of the tax payers of Davison county. On its passage all voted aye.

HOUSE FILES.

House file 42 was given its first reading.

SECOND READING.

The following house files were then given their second reading and referred to committees as indicated:

Thirty—committee on counties.
Thirty-two—committee on incorporations.

THIRD READING.

The following house files were then given their third reading and put upon their final passage.

Twenty-three—on the question of its passage the vote was as follows:

Ayes—Burdick, Donaldson, Roberts, Walsh, Washabaugh, Ziebach, Scooby. Total 6.

Nays—Dewey, Jackson, McIntosh, Nickens. Total 4.

Mr. Jackson announced that he had heard from Mr. Jerauld, and that he was still unable to leave his family. Mr. Jackson moved that he be excused from to-day's session. Carried.

The third reading of house files was then resumed.

Twenty-five—all voted aye.

COMMITTEE OF THE WHOLE.

At 10:30 the council went into committee of the whole to consider the reports of committees. Mr. McIntosh in the chair.

At 10:45 the committee arose to report. The report was as follows:

House file twenty-four—Committee on judiciary recommends its passage.

House file twenty-seven—Committee on judiciary report adversely to it.

House file twenty-eight—Committee on judiciary report adversely to it.

House file twenty-nine—Committee on judiciary recommends its passage.

Council bill thirty-seven—Committee on judiciary report adversely to it.

Council bill thirty-five—Committee on judiciary recommends its passage.

Council bill forty-two—Committee on judiciary recommends its passage. Report accepted.

RECESS.

At 11 o'clock the council took a recess of fifteen minutes.

Called to order at 11:20.

The council reverted to the order of introduction of bills and Mr. Scooby introduced council bill fifty-two—to amend section 14, sub-division 2 of chapter 28 of the political code.

ADJOURNMENT.

At 11:30 council adjourned to ten o'clock to-morrow.

House.

The House convened at ten a. m., Mr. Speaker pro tem in the chair.

Prayer by the chaplain.

Roll call showed all members in their seats, excepting Mr. McAllister and Mr. Speaker. Mr. McAllister was excused from attendance.

The journal was read and approved.

COUNCIL MESSAGE.

A message was received from the council announcing the passage by that body of council bills 16, 23, 22, 23 and 20 and

asked the concurrence of the house therein. Also house file 15—to amend the act incorporating the village of Mandan, with amendments. Also house file 16—to fix the compensation of assessors in Pennington and Custer counties. Also house file 26—to fund the indebtedness of Moody, Brookings, Burleigh and Grand Forks counties.

COMMITTEE REPORTS.

Mr. Nelson, from the committee on counties, towns and cities, reported house file 22—to incorporate the village of Buffalo—with amendments, and recommended its passage as amended.

Mr. Sterling, from the judiciary committee, reported council bill 12—to prevent the spread of glanders—with an amendment, and recommended its passage as amended.

NOTICES OF BILLS.

By Mr. Benson—to regulate the revenue and provide for the collection thereof derived from mining, and for other purposes.

By Mr. Wynn—to amend section 324 of the code of civil procedure and to limit the value of homesteads as provided by law. This is the law providing for exemption from seizure for debt.

By Mr. Benson—to fund the outstanding indebtedness of Barnes county.

BILLS INTRODUCED.

By Mr. Bowman—house file 51—to amend chapter 13 of the code of civil procedure—relating to exemptions from seizure for debt.

By Mr. Pyatt—house file 52—to require express companies to pay taxes the same as they are now paid by railroad companies.

COUNCIL MESSAGE CONSIDERED.

House file 26—to amend the act to fund the indebtedness of the counties of Moody, Brookings, Burleigh and Grand Forks—came from the council amended so as to strike out the word Brookings.

Mr. Rice moved that the house do not concur in the amendment, and that a committee of conference be appointed.

Adopted and Messrs. Rice, Rinehart and Wynn appointed as such committee.

COUNCIL BILLS.

The following council bills had their first reading:

No. 20—amending chapter 46, of the laws of 1879; No. 22, authorizing liquor license in unorganized counties; No. 23, to amend section 45, chapter 24, of the political code; No. 28, to amend the board of education act of Sioux Falls; No. 32, to amend section 615 of the code of civil procedure; No. 16, to amend section 366, chapter 33, of the penal code; No. 34, to authorize Jacob Branch, administrator, to sell certain real estate.

Council bill 12—substitute—to prevent the spread of glanders—amended in judiciary committee—passed unanimously as amended.

HOUSE BILLS.

The following house bill had their second reading and were referred to committees as indicated:

No. 47—to require railroad companies to construct fences in certain cases—agriculture.

No. 48—to repeal chapter 122 of the laws of 1881, providing for the registration of voters and to prevent fraudulent voting—elections.

No. 49—to repeal section 21, chapter 28 of the political code, entitled revenue—judiciary.

No. 50—to amend section three, chapter 21 of the political code—defining more particularly the time for which appointed county officers shall remain in office—counties, towns and cities.

House file 22—the incorporation act for the village of Buffalo—passed by unanimous vote as amended in the judiciary committee.

COUNCIL BILL THIRTEEN.

On motion of Mr. Pyatt, the vote by which council bill 13—increasing the maximum of grand jurors—was passed was reconsidered.

On motion of Mr. Nowlin, the house, at 10:40 a. m., went into committee of the whole for the consideration of council bill 13, Mr. Nowlin in the chair.

At 10:50 a. m., the committee rose and reported a recommendation that the bill pass as amended.

The report was adopted and the bill had its third reading and was passed, Messrs. Hauser, Inman, Nelson, Pyatt, Rinehart and Towner voting in the negative and all the rest present in the affirmative.

ADJOURNMENT.

The house, at 11:25 a. m., adjourned to ten o'clock Wednesday morning.

Session Notes.

A movement has been made to put into the legislature a bill to permit Yankton county to refund its bonded indebtedness upon a four per cent basis and there seems to be a willingness upon the part of the legislature to pass some such measure. Mr. Packard, attorney for the bond holders, is now on his way to Yankton to place his grievances before the legislature and is expected to-night.

Mr. Bowman introduced in the house to-day a bill modifying the exemption law and Mr. Wynn gave notice of a like bill in the house.

Mr. Walsh introduced in the council this morning an elaborate bill for the removal of the capital of Dakota. It provides that one day after the final adjournment of the present legislature the capital of Dakota shall be located at Huron and that within sixty days thereafter the various territorial officers shall remove all records to that place. The location is to be made at or within two miles of Huron. A. B. Melville, of Huron, M. W. Scott, of Grand Forks, and W. L. Dow, of Yankton, are appointed in the bill to select a location for the capital.

If the weather is favorable the governor and the legislature will visit the insane asylum in a body to-morrow and inspect that institution.