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YANKTON, DAKOTA TERRITORY, THURSDAY EVENING, FEBRUARY 8, 1883.

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DAKOTA'S LEGISLATURE.

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

Fiftieth Session—Thirtieth Day.

Council.

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

Prayer by Rev. Wilmot Whitfield. The roll-call showed all members in their seats except Mr. Walsh.

The journal was read and approved.

REPORTS OF COMMITTEES.

Mr. McCauley, from the committee on engrossed and enrolled bills, reported council bill No. 90—to amend chapter 56 of the laws of 1879, council bill No. 23—authorizing county commissioners to grant licenses to sell intoxicating liquors in unorganized counties or territory attached to other counties for judicial purposes, and council bill No. 22—to amend section 45 of chapter 24 of the political code, as correctly enrolled.

BILLS INTRODUCED.

By Mr. Nickens—council bill No. 92, to provide for a charter for the city of Jamestown.

By Mr. Nickens—council bill No. 93, to provide for a board of education for the city of Jamestown.

MESSAGE FROM THE HOUSE.

A message was received from the house announcing it had appointed Messrs. Pyatt, Winn and Townner a committee of conference on the amendment to council bill No. 13, to amend section 163, chapter 2 of the criminal code. Also the passage unchanged of council bill No. 27—to define the boundaries of Foster county, and council bill No. 45—authorizing the printing of the biennial reports of the territorial auditor and treasurer. Also the passage of house file No. 82, to legalize the acts of the village of Flandrau in issuing bonds, and house file No. 83—to incorporate the village of Flandrau.

SECOND READING.

The following bills were given their second readings and referred to the committees indicated:

Council bill No. 84—to authorize Deadwood to issue \$100,000 in bonds for the aid of a railroad—committee on mines and mining.

Council bill No. 87—to amend section 546, article 14, of the civil code entitled religious corporations—committee on judiciary.

Council bill No. 87—to secure manufacturers and owners of railroad equipments in making conditional sales—committee on railroads.

Council bill No. 88—to regulate the practice of pharmacy and sale of poisons—committee on judiciary.

HOUSE FILES.

The following house files were given their first reading:

House file No. 82—legalizing the acts of the incorporated village of Flandrau in issuing bonds.

House file 83—to incorporate the village of Flandrau.

SECOND READING OF HOUSE FILES.

The following house files were then read a second time and referred to the committees indicated:

House file No. 56—to amend section 249 of the penal code—committee on judiciary.

House file No. 60—to amend section 28 chapter 23 of the political code—committee on territorial affairs.

House file No. 61—to amend section 31, chapter 23 of the civil code—committee on judiciary.

House file No. 69—to amend section 11, chapter 84 of the laws of 1881—committee on judiciary.

COMMITTEE OF THE WHOLE.

The council went into a committee of the whole for the consideration of reports of committees with Mr. Jackson in the chair.

When the committee arose it reported progress through its chairman, and requested that it have time to prepare its report.

The report of the committee of the whole was adopted, and on motion council took a recess until two, p. m.

House.

The house convened at ten a. m., Mr. Speaker in the chair.

Prayer by the chaplain. Roll call showed all members in their seats excepting Mr. Rice, who was excused.

The journal was read and approved.

COUNCIL MESSAGE.

A message was received from the council announcing the concurrence of that body in the house amendment to council bill 16; also that the council had passed council bills 66 and 73; also that the council had passed house files 22, 37, 39 and 53.

SIOUX FALLS CITY.

Mr. Thompson presented a petition signed by fifteen persons protesting against including the south half of sections 20, 21 and 22 within the limits of the city of Sioux Falls. The petition was referred to the committee on counties, towns and cities.

EXCUSED.

On their personal request, Messrs. Thompson and Van Woert were excused from attendance during Friday, Saturday and Monday, and Mr. Ellis from Friday until Wednesday.

COMMITTEE REPORTS.

Mr. Sterling, from the judiciary committee, reported house file 26—relating to service of summons in district courts—with amendments and a recommendation that it pass; also house file 66—to repeal certain parts of the funding act for Pennington and Custer counties of the session of 1879—with a recommendation that it pass; also house file 62—to amend chapter 59, laws of 1879, entitled townships—reported by substitute with a recommendation that it pass; also house file 73—to vacate the town plat of Roscoe, Moody county.

NOTICE OF BILLS.

By Mr. Tybess—to establish school

district 26, Turner county, as independent school district number one.

By Mr. Phillips—to amend section 509, article 11, chapter 21 civil code.

By Mr. Lamb—to incorporate the town of Aberdeen.

By Mr. Lamb—granting the right to establish a ferry across the Missouri in Waiworth county.

By Mr. Inman—to repeal an act entitled an act to amend section two, chapter 21 (political code) laws of 1881.

BILLS INTRODUCED.

By Mr. Wagner—House file 89—to amend the act authorizing the employment of short hand reporters in district courts.

By Mr. Inman—House file 90—to amend sections 8, 31 and 63, chapter 69 of the laws of 1879, entitled townships.

By Mr. Harvey—House file 91—to provide for an increase to five members of boards of county commissioners.

By Mr. Townner—House file 92—to create the county of Nelson.

COUNCIL BILLS.

Council bill 66—providing for an appropriation for the maintenance and furnishing of the insane asylum; and council bill 73—to amend section 321 of the civil code—had their first reading.

Council bill 55—providing for the amendment of section 471 of the code of civil procedure—was referred to the judiciary committee.

Council bill 26, amended in judiciary committee, was referred to the committee of the whole.

HOUSE BILLS.

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

No. 73—to amend section 400 code of civil procedure—relating to corporations—judiciary.

No. 75—to authorize arrest in bail—judiciary.

No. 76—to amend section five, chapter 19 of the political code—judiciary.

No. 79—to repeal chapter 78 of the laws of 1881—to protect the passage of fish in Goose river—Indian affairs.

No. 81—to provide funds for construction and furnishing a building for a territorial normal school at Madison, Lake county—education.

No. 84—to provide for the election of county commissioners—counties, towns and cities.

No. 88—to amend chapter 18 of the political code—counties, towns and cities.

The following house bills had their third reading and were passed unanimously (see committee reports): No. 66 and No. 72.

House file 65—to amend the fence law in the Black Hills counties—passed by unanimous vote.

House file 62—to amend chapter 59, laws of 1879, relating to townships—was referred to the committee of the whole.

COMMITTEE OF THE WHOLE.

On motion of Mr. Inman, the house, 10:45 a. m., went into committee of the whole, Mr. Nelson in the chair.

At eleven o'clock the committee rose and reported as the recommendation of the committee of the whole, that the report of the judiciary committee on

house file 62—making supervisors of townships boards of equalization—be adopted, and that council bill 26—relating to service of summons in justice courts—be laid on the table.

On motion of Mr. Thompson the report of the committee of the whole was adopted.

MESSAGE FROM THE GOVERNOR.

A message was received from the governor, announcing that he had approved house files 23, 24 and 29.

No. 23 provides for the payment of attorney's fees in certain cases. No. 24 amends the law prescribing rules and regulations for the execution of a trust arising under an act of congress for the relief of the occupants of public lands. No. 29 legalizes the acts of E. T. White as notary public.

The governor also transmitted a letter from the superintendent of instruction and an accompanying bill for the reorganization of the school law. The governor recommended that the salary of the superintendent of instruction be made commensurate with his duties.

The message was referred to the committee on education.

A COMMITTEE REPORT.

By unanimous consent, Mr. Sterling, from the committee on judiciary, reported house file 55—to authorize the county of Barnes to fund its indebtedness—with an amendment to submit the proposition to a vote of the people, and a recommendation that it pass as amended.

ADJOURNMENT.

The house at 11:15 a. m., adjourned to ten o'clock Friday morning.

Session Notes.

The members from the north held their customary caucus last evening at the Merchants, the subject of their discussion, as usual, being the establishment of new counties with eligible and appropriate county seats. This particular caucus differed from its predecessors in the presence of an array of green seal glassware and a lunch in which head cheese was conspicuous by its absence. The discussion was loud and animated, but those who were on the inside aver that no result was reached. The northern members feel that they must meet again.

The chaplain of the house this morning placed in his prayer a special appeal in behalf of honesty, uprightness and integrity among newspaper men. The assistant clerk and the assistant sergeant-at-arms are both newspaper men and the members of the house are anxious to know what the chaplain has heard about them, but they haven't yet mustered up sufficient courage to ask him.

Mr. Pyatt rose in the house this morning and asked the speaker what had been done with the venerable resolution instructing the secretary to supply the members with copies of the laws of 1879. At that instant the blind leg of Mr. Inman's chair slipped and he went to the floor. As the squiry propounded by

Mr. Fyatt has been almost constantly before the house since the session opened. It was supposed for a moment that Mr. Inman had stood the strain as long as he could, and that exhausted nature refused to longer perform his functions. But this fear was dissipated when he gathered himself up and resumed his seat. Mr. Fyatt has promised to be more careful in the future, and so has Mr. Inman.

The school law is in a fair way to be reconstructed and it needs doctoring badly. A bill prepared by Superintendent Beadle was sent to the house to-day by the governor with a recommendation that it receive the consideration its importance demands.

Mr. Wagner's house bill to amend the act authorizing the employment of shorthand reporters in district courts provides that such reporters shall not be employed in the counties of Bon Homme and Union.

A bill has been introduced in the house by Mr. Harvey giving counties permission to increase the number of county commissioners from three to five, upon the petition of one hundred voters. It is a good measure and would be better still if it made it mandatory on all counties to elect five commissioners. Three is too small a number to safely and intelligently manage the affairs of a county of ordinary size and population.

Mr. Towner's house bill for the organization of the county of Nelson was introduced to-day. The proposed new county is to be made from portions of the counties of Grand Forks, Ramsey and Foster and is to be named after Representative Nelson, of Pembina.

At the council session this afternoon all the appropriation bills were favorably recommended from committee of the whole. They include appropriations for the insane asylum, for the agricultural college at Brookings, for the penitentiary and for normal schools at Springfield and Spearfish.