



DAKOTA'S LEGISLATURE.

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

Fiftieth Session—Fiftieth Day.

Council.

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

Prayer by the chaplain.

Roll call showed all members in their seats.

Journal read and approved.

MESSAGE FROM THE HOUSE.

A message was received from the house announcing the passage unchanged of council bill 94, legalizing the water works contract of the city of Grand Forks, and council bill 95—to incorporate the city of Mitchell—and, with amendment, council bill 76, authorizing bonds for making improvements at the territorial penitentiary; also transmitting house files 104, 130, 143, 150, 160, 161 and 162.

On motion of Mr. Jackson the council concurred in the house amendment to council bill 70, which itemized, but did not reduce or increase the aggregate appropriation.

INTRODUCTION OF COUNCIL BILLS.

The following council bills were introduced and read the first time:

By Mr. Walsh—No. 190—appropriating funds for the necessary maintenance of the territorial university of north Dakota, if completed before another legislative session.

By Mr. Jerauld—191—to extend the provisions of chapter 26 of the laws of 1879 to organize townships in this territory.

By Mr. Jackson—192—to provide funds for the construction and furnishing of a main building for the Dakota school for deaf mutes.

By Mr. Dewey—193—concerning instruction in public schools.

By Mr. Dewey—194—to prevent sale of intoxicating liquor within 900 yards of the Yankton college.

By Mr. Dewey—195—to govern the introduction and use of text books in the common schools of Dakota and to provide for their continuance when adopted and the manner in which they may be changed.

By Mr. Nickes—196—authorizing Dickey county to issue bonds to fund outstanding indebtedness and for the erection and construction of county buildings.

Under a suspension of the rules council bills 190, 192 and 196, noted above, were read a second time and referred to the committee on appropriations.

SECOND READING OF COUNCIL BILLS.

The following council bills were read a second time and referred to committees as indicated:

No. 156—to regulate the practice of dentistry—committee on education.

No. 158—to annex certain territory to the Vermillion city school district—committee on education.

No. 164—to amend section 8, chapter 84 laws of 1881—committee on judiciary.

No. 170—Creating the county of Sterling and defining its boundaries—committee on counties.

No. 175—creating the county of Sterling and rearranging the boundaries of Hughes and Sully counties.

No. 179—providing for a constitutional convention for south Dakota—committee on judiciary.

No. 181—to amend section 18, of chapter 39, of the political code—committee on judiciary.

No. 182—to amend section 28 of chapter 21 of the political code—committee on judiciary.

No. 183—In relation to district attorneys and suits, in which the territory or any county is a party—committee on judiciary.

No. 186—providing for the salary of county treasurers—committee on judiciary.

No. 187—to repeal chapter 70 of the general laws of 1881 and for other purposes—committee on judiciary.

PASSAGE OF COUNCIL BILLS.

The following council bills were given their third reading and placed upon their final passage with the following result:

Council bill 148—to amend chapter 28 of the political code—passed unanimously.

Council bill 142—to authorize the county treasurer of Yankton county to purchase and cancel county bonds other than railroad bonds—Passed unanimously.

Council bill 132—to amend the incorporate act of the city of Vermillion—passed unanimously.

Council bill 119—to establish a board of health, and to regulate the practice of medicine. Lost.

Voting aye. Messrs. Walsh, Washabaugh, and Mr. President. Absent and not voting Mr. Dewey. The remainder voting nay.

SECOND READING OF HOUSE FILES.

The following house files were given a first and second reading, and were referred to committees as indicated:

104—to amend paragraph 446 of the code of civil procedure—judiciary.

120—requiring notaries public to affix time of expiration of term of office after their signature—judiciary.

143—to vacate a portion of the townsite of Running Water—incorporations.

150—to legalize certain acts of village officers, of Howard, Miner county.

160—to authorize county commissioners of Traill county to appropriate monies for a county poor farm and an asylum for the poor.

161—creating the county of Nickes—counties.

162—locating and establishing a normal school at Larimore—education.

PASSAGE OF HOUSE FILES.

The following house files were read a third time and placed on their final passage and disposed of as indicated:

House file 110—to create the county of Fall river—passed unanimously.

House file 76—to amend section 5,

chapter 19 of the political code—passed unanimously.

House file 149—to regulate the keeping of county, township and precinct offices—passed unanimously.

House file 154—authorizing county commissioners Richland county to use certain sinking funds for bridge purposes.

House file 96—to establish school district number 1, Turner county, Dakota territory.

JOINT RESOLUTION.

Mr Ziebach offered the following joint resolution which was adopted.

Resolved, by the council, the house concurring, that the secretary of the council and chief clerk of the house are hereby instructed to secure the printing of such bills only as are specially ordered by a vote of the respective houses.

COMMITTEE OF THE WHOLE.

The council then resolved itself into a committee of the whole, Mr. Ziebach in the chair. When the committee arose it reported progress and asked leave to sit again at 2:30 p. m.

MESSAGE FROM THE GOVERNOR.

A message was received from the governor announcing that he had signed and approved.

Council bill 67—for an agricultural college at Brookings.

Council bill 71—providing funds for the completion of the university of Dakota at Vermillion.

Council bill 101—establishing a territorial university at Grand Forks, Dakota.

Council bill 162—providing funds for the construction of the university of North Dakota at Grand Forks.

Council bill 107—creating the counties of McCauley, Edgerton and Inman, and defining the boundaries of Brown county; and

Council bill 165—an act repealing certain sections of council bill 101.

The council then took a recess until 2:30 p. m.

AFTERNOON SESSION.

The council convened at 2:30 p. m., and immediately went into committee of the whole.

When the committee arose it reported to the council with recommendations as follows:

That house file 183—defining the boundaries of the county of Butte—be made a special order for to-morrow at two p. m.

That house file 12—creating the county of Sergeant—do pass.

That house file 155—creating the county of Schnasse—do pass.

That house file 173—to limit the liability of irrigating ditch owners and companies—do pass.

That council bill 117—amending section 22, chapter 33, of the revised codes—do pass.

That house file 45—defining the boundaries of Steele county—do pass with certain amendments.

That house file 48—amending an act for the registry of electors and to prevent fraudulent voting—do not pass.

That council bill 131—to reimburse Martin & Anderson for losses on contract for iron work for the Sioux Falls penitentiary, do pass.

That house file 134—establishing, locating and endowing a normal school at Pembina, do pass with amendments.

That house file 21, authorizing school district one, Dickey county, to issue bonds, do pass.

That house file 145—authorizing school district 6, McCook county, to issue bonds, do pass.

That house file 46—authorizing school district 3, Brown county, to issue bonds, do pass.

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.

The journal was read and approved.

COUNCIL MESSAGE.

A message was received from the council announcing the passage by that body of council bills 147 and 154 and house files 86, 135, 146, 148 and 168.

BILLS PASSED.

The speaker announced that he had signed council bills 49, 87 and 140.

MOTIONS.

Mr. Inman moved that Assistant Clerk Cressey be given leave of absence for to-morrow. Adopted.

Mr. Inman moved that the house rescind the resolution cutting off new business after the 28th inst. Adopted.

NOTICE OF BILLS.

By Mr. Ellis—to authorize the commissioners of Union county to levy taxes for certain purposes.

By Mr. Ellis—to authorize a tax levy for teachers' institutes.

By Mr. Van Woert—to locate, establish and endow territorial normal schools in the counties of Mollette, Billings, Bottineau, Traill, Rolette, Cavalier, Ramsey, De Smet, McHenry, Stevens, Mercer, Williams, Sheridan, Wells, Foster, Griggs, Kidder, Stark, Morton, Howard, La Moure, Dickey, Ransom, Richland, Logan, Emmons, Boreman, Harding, Martin, Rusk, Campbell, McPherson, Day, Edgerton, Brown, Grant, Edmunds, Walworth, Mandan, Bismarck, DeLano, Cheyenne, Potter, Faulk, Spink, Clark, Codington, Deuel, Hamlin, Hand, Hyde, Hughes, Stanley, Lawrence, Pennington, Custer, Forythe, Washington, Shannon, Lugenbeel, White River, Meyer, Tripp, Pratt, Presho, Stanley, Gregory, Todd, Brookings, Miner, Moody, Minnehaha, McCook, Hanson, Davison, Brule, Douglas, Charles Mix, Hutchinson, Turner, Lincoln, Bon Homme, Yankton, Clay, Union, Allred, Benson, Bowman, Choteau, Ellis, Harvey, Inman, Lamb, McCallister, Nelson, Nowlin, Pratt, Phillips, Rice, Rinehart, Robinson, Sterling, Thompson, Towner, Tychsen, Van Woert, Wagner, Wynn, Mr. Speaker, Burdick, Dewey, Jackson, Jerauld, McCauley, McIntosh, Nickes, Roberts, Walsh, Washabaugh, Ziebach, and Mr. President, and in all other counties yet to be organized by this session of the legislature; also at the Sisseton and Wahpeton,

Indian reservation, the Standing Rock agency, the White River agency, the Lower Brule agency and all other Indian agencies now established or that may be established in this territory before the second Tuesday in January, 1885—and to appropriate \$1,000 from the territorial treasury to pay for the location of each of said normal schools.

BILLS INTRODUCED.

By Mr. Sterling—house file 204—to change the second and fourth judicial districts and for other purposes.

By Mr. Nowlin—house file 206—to prevent the corruption of the waters of Rapid creek.

By Mr. Thompson—house file 206—to amend section 326, code of civil procedure.

CONCURRED IN.

The house concurred in the council amendments to the following house files:

No. 113—to amend section 597 of the civil code, relating to the foreclosure of mortgages by advertisement.

No. 125—relating to the disposition of the hides of neat cattle in the counties of Custer, Pennington, Lawrence and Mandan.

No. 127—to amend section 197, article 4, of the civil code, to secure creditors when debtors are about to remove from the county.

COUNCIL BILLS.

The following council bills had their first and second reading (under suspension of rules) and were referred to committees as indicated:

No. 154—providing for the payment of \$2,000 to C. J. B. Harris for revising laws—judiciary.

No. 147—to amend the incorporation act of Canton—had its third reading and was passed.

No. 139—to amend chapter 2 of the political code—judiciary.

No. 174—to revise and re-enact the act to locate, establish and endow a normal school—judiciary.

No. 173—to amend the charter of Fargo—counties, towns and cities.

No. 140—requiring sheriffs, and other officers, to make returns in certain cases—judiciary.

No. 46—relative to the collection of taxes—judiciary.

The following council bills had their third reading and were disposed of as indicated:

No. 164—to authorize Union county to issue bonds to fund its indebtedness—referred to committee of the whole.

No. 72—to erect a court house in La Moure county—passed unanimously.

No. 127—to incorporate the city of Brookings—passed unanimously.

No. 55—to establish an independent school district in Grand Forks county—re-referred to the committee on education.

No. 163—amending the Fargo board of education act—re-referred to the committee on education.

No. 84—authorizing Deadwood to issue bonds in aid of railroad construction—passed, Messrs. Inman and Rice voting in the negative, Messrs. Tychner and Phillips being excused, and all the rest voting in the affirmative.

No. 103—empowering district 28, Spink county, to issue bonds—passed unanimously.

HOUSE FILES.

House file 182—authorizing an election to change the county seat of Bon Homme county—was referred to the committee on counties, towns and cities.

The following house files had their third reading and were disposed of as indicated:

No. 106—to create the county of Towner and define the boundaries of Rolette and Cavalier counties—passed unanimously.

No. 165—to create the county of Harvey—passed unanimously.

No. 134—to attach unorganized territory to Richland county—passed unanimously.

No. 184—to create the counties of Villard, Bowman, Ewing, Burdick, Billings and Harding—passed unanimously.

No. 181—to incorporate the city of Grafton—passed unanimously.

No. 185—to vacate that portion of a territorial road which runs through the insane asylum grounds—passed unanimously.

No. 174—to stock the waters of Dakota with food fish—passed, Messrs. Inman, Pyatt, Rice, Ellis, Sterling and Thompson voting in the negative and all the rest in the affirmative.

No. 188—to regulate sale of intoxicating liquors, giving aowns and cities exclusive right to issue licenses—referred to the judiciary committee.

FROM THE GOVERNOR.

A message was received from the governor announcing that he had signed and signed approved:

House file 30—defining the boundaries of Hyde county.

House file 70—authorizing school district one, Clark county, to issue bonds.

House file 83—to amend the incorporation act of the village of Flandrau.

House file 129—providing for the building and government of a territorial penitentiary at Bismarck.

House file 152—to provide funds to the amount of \$50,000 for the construction of a penitentiary at Bismarck.

A COUNCIL BILL.

Under suspension of the rules, Mr. Sterling, from the judiciary committee, reported council bill 46—authorizing bringing of suits for the recovery of delinquent taxes—with a recommendation that it pass. The rules were further suspended and the bill was passed by unanimous vote.

BILLS SIGNED.

The speaker announced that he had signed house files 85, 68, 92, 91, 78 and 142 and council bills 93, 48 and 47.

RECESS.

The house, at 11:40 a. m., took a recess until two o'clock p. m.

Session Notes.

Few members of the house have suspected that there was so much humor in Mr. Van Woert as was indicated this morning in his notice of a bill for the

establishment of normal schools, which is fully set forth in the regular report. Mr. Van Woert proposes to cover the whole ground at one fell swoop and give to each neighborhood a normal school. His proposed process is better than the stereotyped method of establishing these institutions one at a time.

Last night's meeting of the special committee on capital removal, for the reception and consideration of bids and proposals, was rather a tame and uninteresting affair. Watertown carried off the honors with a bid of—

Cash\$250,000
Forty acres of land worth 30,000
Total 280,000

Huron came in with a bid of—

Cash\$100,000
Forty acres of land 2,000
Total 102,000

Flandrau not to be entirely out of the race, offered—

Cash \$10
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The committee will probably report the original Huron bill in some shape to-morrow or next day.

Colonel Lamb feels considerably elated over his success in passing through the house the bill to locate the deaf and dumb asylum at Watertown.

Mr. Eno, of Egan, is not a member of the legislature, but he is a public spirited citizen of the county of Moody and is everlastingly looking out for its interests. He is preparing a bill to give to some member to introduce which will locate, establish and endow a territorial creamery at Egan. This enterprise he believes to be fully as important as the proposed agricultural college at Brookings. While others are going for the milk of legislation he reaches out after the cream.

If there is anything which Huron has failed to ask for at the hands of the legislature it is because of any lack of industry on the part of those who are here to boost it along. The latest proposition comes in the shape of a bill, introduced to-day by Mr. Sterling, to attach Yankton and Bon Homme counties to the fourth judicial district and to locate the United States court for the second district at Huron. That the move is premature is apparent from the fact that Huron has not even a courthouse in which to put the court it is trying to secure.