

STATE OF NORTH DAKOTA

JOURNAL OF THE HOUSE

OF THE

EIGHTH SESSION

OF THE

Legislative Assembly

BEGUN AND HELD

AT THE CAPITOL AT BISMARCK

January 6 to March 6, 1903, Inclusive.

BISMARCK, N. D.:
TRIBUNE, STATE PRINTERS AND BINDERS,
1903.

OFFICERS

SPEAKER.....THOMAS BAKER, JR.
CHIEF CLERK.....A. O. ANDERSON
ASSISTANT CHIEF CLERK.....W. D. AUSTIN
SECOND ASSISTANT CLERK.....G. M. HOGUE
CHIEF ENROLLING AND ENGROSSING CLERK.....W. A. KELLOGG
BILL CLERK.....WELLINGTON IRYSH
STENOGRAPHER.....BESSIE WAGGONER
SERGEANT-AT-ARMS.....ALEX McFADDEN
DOORKEEPER.....HARRY WEILAND
MESSENGER.....R. M. WIGNESS
POSTMASTER.....JOHN W. CARROLL
CHAPLAIN.....REV. GULLSTROM
WATCHMAN.....GUY REEMS
JOURNAL CLERK.....S. B. DONAHUE
CLERK JUDICIARY COMMITTEE.....ALFRED ZUGER
PAGES.....PERRY EMBERTSON, WALTER WHITE,
OSCAR SUNDQUIST, NEIL McHUGH, WARD PRESTON, CLARENCE ANDERSON

MEMBERS AND OFFICERS

OF THE

House of Representatives of North Dakota

FOR THE EIGHTH LEGISLATIVE ASSEMBLY

1903

MEMBERS

Dist.	NAME	Post Office	Occupation	Where born	Came to State	Married or Single	Age
38	Aandahl, Samuel, r.	Svea	Farmer	Norway	1881	Married	33
7	Allea, Alonzo E., r.	Thompson	Farmer	New York	1879	Married	43
21	Aslakson, Henry A., r	Edmore	Merchant	Minnesota	1880	Married	45
9	Baker, Thomas Jr., r.	Fargo	General Ins.	Vermont	1880	Married	44
21	Baker, Charles H., r.	Devils Lake		Wisconsin	1882	Married	36
35	Bartz, Henry, r.	Anamoose	Farmer	Germany	1898	Married	32
23	Beck, Morris, r.	Jamestown	Merchant	Germany	1885	Married	38
30	Blank, Phillip, r.	New Salem	Merchant	Germany	1884	Married	45
27	Bostrom, John, i-d	Bismarck	Real estate	Sweden	1892	Single	28
19	Bourassa, Alfred N. d.	St. Johns	Farmer	Canada	1883	Married	44
39	Braaten, Halstein G. r.	Mayville	Farmer	Norway	1879	Married	49
33	Brown, Charles V. r.	Cathay	Merchant		1882	Married	43
6	Burtness, Emery O. r.	Mekinock	Merchant	Iowa	1879	Married	28
14	Buttz, Charles W. r.	Buttzville	Lawyer	Penn.	1880	Married	64
16	Cassell, Morton B. r.	Clifford	Farmer	Indiana	1882	Married	41
32	Chaffee, F. N., r.	Carrington	Merchant	Vermont	1883	Married	41
1	Chevalier, Israel J. r.	Bathgate	Farmer	Canada	1882	Married	50
18	Chisholm, Charles, r.	Langdon	Merchant	Canada	1881	Married	45
29	Cole, Percy M., r.	Kenmare	Mer.-banker	Canada	1882	Married	40
12	Connolly, Henry T., d.	Wahpeton	Builder	Wisconsin	1879	Married	43
17	Dahl, Samuel L. r.	McVillie	Farmer	Norway	1883	Married	50
21	Davis, George W. H. r.	Evanston	Farmer	Canada	1884	Married	50
11	Dickinson, Frank H. r.	Ayr	Merchant	Michigan	1883	Married	44
35	Dieball, William, r.	Hebron	Farmer	Illinois		Married	43
7	Elton, James, r.	Grand Forks	Farmer	England	1870	Married	56
24	Ellison, O. O., r.	LaMoure	Farmer	Sweden	1880	Married	45
3	Ferguson, John J., r.	Park River	Farmer	Canada	1881	Married	33
13	Flados, John, r.	Rutland	Merchant	Norway	1887	Married	33
23	Fried, Anton, r.	Fancher	Farmer	Wisconsin	1879	Married	41
4	Gagnon, F. A., r.	Grafton	Merchant	Canada	1886	Married	42
10	Gilbert, Franklin E., r.	Casselton	Merchant	Ohio	1882	Married	48
20	Gullerud, Nils E., r.	Viking	Farmer	Norway	1882	Married	42
12	Hammer, George A., d	Abercrombie	Merchant	Minnesota	1881	Married	42
37	Hanson, John J., d.	Wyncdmore	Farmer	Norway	1883	Married	45
22	Harvey, John L., d.	Maza	Farmer	Iowa	1882	Married	43
10	Heath, Thomas, r.	Gardner	Farmer	England	1879	Married	50
11	Hill, John A., r.	Wheatland	Farmer	Canada	1880	Married	45
3	Johnson, Thomas, r.	Park River	Merchant	Wisconsin	1882	Married	50
34	Knudson, O. A., r.	Harvey	Real estate	Minnesota	1895	Married	33
39	Kraabel, Anton T. r.	Clifford	Merchant	Norway	1882	Married	42
29	Lee, Christian P., r.	Mtnot	Merchant	Minnesota	1889	Married	30
1	Leech, William Findley, r.	Fargo	Farmer	Penn.	1880	Single	44
28	Lillie, George L., r.	Sergus		Iowa	1902	Married	30
1	Lish, Frank, d.	Dickinson	Merchant	Germany	1879	Married	54
26	Lyons, Patrick J., r.	Steele	Merchant	Penn.	1883	Married	43
20	Maddock, Michael, r.	Goa	Farmer	Wisconsin	1883	Married	41
11	Mallough, Benjamin H., r.	Wheatland	Farmer	Canada	1880	Married	42
32	Mattson, Matt, Jr., r.	Sheyenne	Farmer	Sweden	1888	Married	43
31	McClure, William A., r.	Taylor	Merchant	Indiana	1884	Married	44
1	McCrea, George A., r.	Drayton	Banker	Canada	1879	Married	41
40	McDowell, James, r.	Langdon	Farmer	Scotland	1882	Married	60
27	McGahan, Luther D. i-d	Bismarck	Publisher	Ohio	1884	Married	37
23	McKenzie, George B., r.	Kensal	Farmer	Michigan	1883	Married	44

MEMBERS—Continued.

Dist.	NAME	Post Office	Occupation	Where born	Came to State	Married or Single	Age
18	McKnight, Matthew, d....	Hannah.....	Farmer.....	Canada.....	1888	Married.	48
5	McLain, John H., r.....	Inckster.....	Druggist....	Canada.....	1883	Single....	44
38	Meidinger, Adam, Sr., r....	Hellwig.....	Farmer.....	Russia.....	1885	Married..	56
3	Midgarden, Gunder N., r....	Grafton.....	Farmer.....	Norway....	1879	Widower..	52
4	Miller, John, r.....	Minto.....	Farmer.....	Canada.....	1878	Married..	46
5	Mooney, Thomas F., r.....	Larimore.....	Farmer.....	Minnesota.	1880	Married..	41
37	Movius, Emil A., r.....	Lidgerwood..	Banker.....	Germany... 1879	1879	Married..	44
4	Noben, Nels O., d.....	Grafton.....	Farmer.....	Norway....	1880	Married..	62
38	Noltmier, Charles H., d....	Lovana.....	Farmer.....	Minnesota.	1886	Married..	39
34	Oksendahl, Thomas H., r....	Rugby.....	Farmer.....	Norway....	1884	Widower..	40
16	Palfrey, John S., r.....	Hope.....	Farmer.....	Wisconsin..	1886	Single....	36
29	Palmer, Edward C., r.....	Williston... 1887	Surveyor... 1887	New York.. 1887	1887	Married..	42
26	Patterson, Charles A., r....	Linton.....	Publisher... 1881	Iowa..... 1881	1881	Married..	31
22	Peterson, Charles P., d....	Bisbee.....	Carpenter... 1882	Sweden.... 1882	1882	Married..	43
33	Peterson, August, r.....	Harvey.....	Banker.....	Sweden.... 1882	1882	Single....	37
13	Phifer, George B., r.....	Hamble.....	Farmer.....	New York.. 1883	1883	Married..	52
20	Richmond, Edward L., r....	Minnewaukan	Real estate..	Michigan... 1885	1885	Married..	35
40	Robillard, Noel, r.....	Olga.....	Merchant....	Canada..... 1891	1891	Married..	39
15	Rogers, Joseph H., r.....	.....	Farmer.....	Nova Scotia	1879	Married..	50
25	Rose, George, r.....	Ellendale... 1882	Farmer..... 1882	..... 1882	1882	Married..	42
6	Ryan, Hugh P., r.....	Grand Forks.	Farmer.....	Canada..... 1879	1879	Single....	42
33	Scheer, Herman C., r.....	Fessenden... 1883	Farmer..... 1883	Wisconsin.. 1883	1883	Married..	42
12	Schouweller, B. W., d....	Fairmount... 1884	Banker..... 1884	Iowa..... 1884	1884	Married..	46
31	Senour, George A., r.....	Dickinson... 1886	Merchant.... 1886	Indiana.... 1886	1886	Single....	44
10	Severson, Elling, r.....	Kindred.....	Farmer.....	Wisconsin.. 1889	1889	Married..	48
24	Sheils, Chester H., r.....	Edgeley.....	Merchant....	Minnesota.	1887	Married..	42
2	Skjold, Peter J., r.....	Hallson.....	Merchant....	Iceland.... 1885	1885	Married..	41
30	Simpson, William, r.....	Mandan.....	Merchant....	Michigan... 1881	1881	Married..	50
17	Smart, Arthur H., r.....	Michigan City	Merchant....	Michigan... 1890	1890	Married..	39
8	Smart, Alexander, r.....	Hendrum.....	Farmer.....	Canada..... 1878	1878	Married..	50
16	Stavens, Gunder H., r.....	Hatton.....	Farmer.....	Norway.... 1876	1876	Married..	47
17	Steinberg, Henry, r.....	Reynolds... 1882	Farmer..... 1882	Germany... 1882	1882	Married..	44
25	Stevens, Eugene F., r.....	Glover.....	Farmer.....	Mass'ch ts	1882	Married..	44
8	Thompson, Tobias H., r....	.....	Farmer.....	Norway.... 1882	1882	Married..	43
2	Truemner, John E., r.....	Cavalier.... 1878	Merchant.... 1878	..... 1878	1878	Married..	49
5	Tufte, Thorsten E., r.....	Northwood.. 1879	Farmer..... 1879	Norway.... 1879	1879	Married..	46
14	Underwood, Fred W., r....	Enderlin... 1883	Insurance... 1883	Michigan... 1883	1883	Married..	37
37	Van Arnam, George, d....	Walcott.....	Publisher... 1881	Illinois... 1881	1881	Married..	..
19	Wagner, C. I. F., r.....	Rolla.....	Abstracter..	New Jersey	1882	Married..	44
9	Wall, Aurelius L., r.....	Fargo.....	Merchant....	New York.. 1882	1882	Widower..	54
28	Watson, James M., r.....	Willow City..	Real estate..	..... 1889	1889	Married..	48
1	Watts, W. J., r.....	Hyde Park... 1879	Not'ry pub'c 1879	England... 1879	1879	Married..	52
36	Weed, James A., r.....	Napoleon... 1882	Real estate.. 1882	New York.. 1882	1882	Married..	41
30	Weigel, Charles C., r.....	Hebron.....	Merchant....	Germany... 1890	1890	Married..	33
34	Welo, Tobias, r.....	Velva.....	Merchant....	Norway.... 1887	1887	Married..	45
2	Wing, Charles W., r.....	Crystal.....	Merchant....	Canada..... 1882	1882	Married..	42
15	Young, George M., r.....	Valley City..	Lawyer.....	Canada..... 1894	1894	Married..	31

r, republican; d, democ at; i-d, independent-democrat.

Journal of the House

EIGHTH SESSION

FIRST DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 6, 1903.

At the hour of 12 o'clock meridian, the 6th day of January, A. D. 1903, being the day and hour designated by law for the convening of the legislative assembly of the state of North Dakota, the members-elect of the house of representatives of the eighth session of the legislative assembly assembled in the house chamber in the capitol at Bismarck and were called to order by J. D. Scanlon, chief clerk of the house of representatives of the seventh legislative assembly of the state of North Dakota.

The session opened with prayer by the Rev. L. W. Gullstrom, of Bismarck.

The roll being called the following members responded to their names:

First District—Geo. A. McCrea, I. J. Chevalier, W. J. Watts.

Second District—John Truemner, P. J. Skjold, C. K. Wing.

Third District—G. N. Midgarden, Thos. Johnson, J. J. Ferguson.

Fourth District—John Miller, Nels O. Noben, J. W. Boeing.

Fifth District—T. F. Mooney, J. H. McLain, T. E. Tufte.

Sixth District—H. P. Ryan, E. O. Burtness.

Seventh District—James Elton, Henry Steinberg, A. E. Allen.

Eighth District—Alex Smart, T. H. Thompson.

Ninth District—Thos. Baker, Jr., W. F. Leech, A. L. Wall.

Tenth District—E. F. Gilbert, Thos. Heath, E. Severson.

Eleventh District—John A. Hill, B. H. Mallough, F. H. Dickinson.

Twelfth District—H. T. Connolly, Geo. Hammer, B. W. Schouweiler.

Thirteenth District—G. B. Phifer, John Flados.

Fourteenth District—C. W. Buttz, Fred Underwood.

Fifteenth District—Geo. M. Young, Jos. H. Rogers.

Sixteenth District—M. B. Cassell, G. H. Stavens, J. S. Palfrey.

Seventeenth District—S. L. Dahl, A. H. Smart.

Eighteenth District—Chas. Chisholm, M. McKnight.

Nineteenth District—C. I. F. Wagner, A. N. Bourassa.

Twentieth District—E. L. Richmond, N. E. Gullerud, M. Maddock.

Twenty first District—G. W. H. Davis, C. H. Baker, H. R. Aslakson.

Twenty-second District—C. P. Peterson, J. L. Harvey.

Twenty-third District—Anton Fried, Geo. B. McKenzie, Morris Beck.

Twenty-fourth District—O. O. Ellison, C. H. Shiels.

Twenty-fifth District—Geo. Rose, E. F. Stevens.

Twenty-sixth District—C. A. Patterson, P. J. Lyons.

Twenty-seventh District—L. D. McGahan, John Postrom.

Twenty-eighth District—G. A. Lillie, Jas. M. Watson.

Twenty-ninth District—Percy M. Cole, C. P. Lee, E. C. Palmer.

Thirtieth District—W. Simpson, Philip Blank, Chas. Weigel.

Thirty-first District—Geo. A. Senour, W. A. McClure, Frank Lish.

Thirty-second District—F. N. Chaffee, M. Mattson, Jr.

Thirty-third District—H. C. Scheer, C. V. Brown, A. Peterson.

Thirty-fourth District—T. Welo, Thos. Oksendahl, O. A. Knudtson.

Thirty-fifth District—Henry Bartz, Wm. Dieball.

Thirty-sixth District—A. Meidinger, J. A. Weed.

Thirty-seventh District—Emil A. Movius, John I. Hanson, G. Van Arnam.

Thirty-eighth District—S. J. Aandahl, C. H. Noltimier.

Thirty-ninth District—A. T. Kraabel, H. G. Braaten.

Fortieth District—N. Robillard, Jas. McDowell.

The following named members were absent and excused:

Messrs. Elton, Smart and Lillie.

The oath of office was then administered to the members-elect by the Hon. W. H. Winchester, judge of the Sixth Judicial district.

The house proceeded to its organization.

Mr. Young, of Barnes, nominated Mr. Baker, of Cass, for speaker.

Mr. Davis and Mr. Tufte seconded the nomination of Mr. Baker. The roll being called, there were 97 votes cast, of which Mr. Baker received 97.

Those who voted for Mr. Baker were:

Aandahl, Allen, Aslakson, Baker of Cass, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Notimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Nelson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young.

Absent and not voting:

Elton, Lillie, Smart of Nelson.

Absent and not voting:

Elton, Lillie, Smart of Nelson.

Mr. Baker having received a majority of the votes cast was declared duly elected speaker of the house.

Mr. Scanlon appointed Messrs. Young, Cassell and Lish as a committee to escort Mr. Baker to the chair.

The oath of office was administered to the speaker by the Hon. W. H. Winchester, judge of the Sixth Judicial district.

The speaker announced the order of business to be the election of a chief clerk.

Mr. McLain, of Grand Forks county, nominated A. O. Anderson, of Grand Forks county, for chief clerk; the roll being called there were 95 votes cast, of which Mr. Anderson received 95, and was declared the duly elected chief clerk of the house.

Those who voted for Mr. Anderson were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Notimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg,

Stevens, Thompson, Truemner, Tufte, Underwood, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Elton, Lillie, Smart of Nelson, Van Arnam.

The speaker appointed Messrs. Tufte and Richmond to escort the chief clerk-elect to his chair.

The oath of office was administered to the chief clerk by the speaker.

Mr. Gilbert nominated W. D. Austin, of Cass county, for first assistant chief clerk.

The roll being called, there were 96 votes cast, of which Mr. Austin received 96, and was declared the duly elected first assistant chief clerk.

Those who voted for Mr. Austin were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltmier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Bourassa, Elton, Lillie, Smart of Nelson.

Mr. Lyons nominated Mr. Hogue for second assistant chief clerk.

The roll being called there were 96 votes cast, of which Mr. Hogue received 96 and was declared the duly elected second assistant chief clerk.

Those who voted for Mr. Hogue were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltmier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg,

Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Blank, Elton, Lillie, Smart of Nelson.

Mr. Smart, of Traill, nominated W. A. Kelley, of Traill county, for chief enrolling and engrossing clerk.

The roll being called there were 97 votes cast, of which Mr. Kelley received 97, and was declared the duly elected chief enrolling and engrossing clerk.

Those who voted for Mr. Kelley were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knudtson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

The committee from the senate, consisting of Senators Simpson, Bacon and Cox, notified the house that the senate was organized and ready for business.

Mr. Mallough nominated Mr. W. Irysh, of Cass county, for bill clerk.

The roll being called there were 97 votes cast, of which Mr. Irysh received 97, and was declared the duly elected bill clerk.

Those who voted for Mr. Irysh were: .

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knudtson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stav-

ens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Cassell nominated Miss Bessie Waggoner for house stenographer.

The roll being called there were 97 votes cast, of which Miss Waggoner received 97 votes and was declared the duly elected stenographer.

Those who voted for Miss Waggoner were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Trail, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 6, 1903.

Mr. Speaker:

I have the honor to inform the house that the senate has organized by the election of the following officers, and is ready to receive any communications from the house:

President pro tem.—J. B. Sharpe.

Secretary of the Senate—R. M. Tuttle.

First Assistant Secretary of the Senate—Geo. L. Townes.

Second Assistant Secretary of the Senate—James Twamley.

Chief Enrolling and Engrossing Clerk—W. E. Clark.

Bill Clerk—I. J. Moe.

Stenographer—Ed LaMoire.

Sergeant at Arms—W. H. Brown.

Doorkeeper—D. B. Wellman.

Messenger—Theodore Johnson.
 Postmaster—M. J. Freeman.
 Watchman—John Young.
 Journal Clerk—Miss Catherine Coleman.
 Assistant Journal Clerk—Mrs. J. M. Brown.
 Clerk of the Judiciary Committee—Chas. Donnelly.
 Chaplain—Rev. A. W. Hayes.
 Proof Reader—J. M. Stewart.
 Bill Room Clerk—L. Wells.
 Clerk Appropriation Committee—J. W. Foley.

Very respectfully,

R. M. TUTTLE,

Secretary.

Mr. Ryan nominated Miss H. N. Hamilton as members' stenographer.

The roll being called there were 97 votes cast, of which Miss Hamilton received 97 and was declared duly elected members' stenographer.

Those who voted for Miss Hamilton were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Townner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

W. J. Watts nominated Alex McFadden for sergeant at arms.

The roll being called there were 97 votes cast, of which Mr. McFadden received 97 votes and was declared the duly elected sergeant at arms.

Those who voted for Mr. McFadden were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, Mc-

Kenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Chisholm nominated Harry Weiland for first door keeper.

The roll being called there were 97 votes cast, of which Mr. Weiland received 97 votes, and was declared the duly elected first door keeper.

Those who voted for Mr. Weiland were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Simpson nominated James Flannigan for second door keeper.

The roll being called there were 97 votes cast, of which Mr. Flannigan received 97 votes, and was declared duly elected second door keeper.

Those who voted for Mr. Flannigan were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Rich-

mond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Midgardèn placed in nomination the name of R. M. Wigness as messenger.

The roll being called there were 97 votes cast, of which Mr. Wigness received 97 votes, and was declared duly elected messenger of the house.

Those who voted for Mr. Wigness were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Leech placed in nomination John W. Carroll for postmaster of the house.

The roll being called there were 97 votes cast, of which Mr. Carroll received 97 votes, and was declared duly elected postmaster of the house.

Those who voted for Mr. Carroll were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stav-

ens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. McGahan nominated Rev. Gulstrom for chaplain.

The roll being called there were 97 votes cast, of which Mr. Gulstrom received 97 votes and was declared duly elected chaplain.

Those who voted for Rev. Gulstrom were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stevens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Bostrom nominated Mr. Albin Headstrom for first janitor.

The roll being called there were 97 votes cast, of which Mr. Lampson received 97 votes and was declared duly elected janitor.

Those who voted for Mr. Lampson were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stevens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Bostrom nominated Mr. Henry Anderson for second janitor.

The roll being called there were 97 votes cast, of which Mr. Headstrom received 97 votes and was declared duly elected second janitor.

Those who voted for Mr. Headstrom were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Rose nominated C. W. Salie for third janitor.

The roll being called there was 97 votes cast, of which Mr. Salie received 97 votes and was declared duly elected third janitor.

Those who voted for Mr. Salie were.

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Buttz nominated Montieth Locke for fourth janitor.

The roll being called there were 97 votes cast, of which Mr. Locke received 97 votes and was declared duly elected fourth janitor.

Those who voted for Mr. Locke were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Allen nominated Mr. Walter Staub for first bill room clerk.

The roll being called there were 97 votes cast, of which Mr. Staub received 97 votes and was declared duly elected first bill room clerk.

Those who voted for Mr. Staub were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Underwood nominated Mr. T. J. Dwire as second bill room clerk.

The roll being called there were 97 votes cast, of which Mr. Dwire received 97 votes and was declared duly elected second bill room clerk.

Those who voted for Mr. Dwire were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness,

Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Madison, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stevens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Rose nominated Mr. Guy Reams as watchman.

The roll being called there were 97 votes cast, of which Mr. Reams received 97 votes and was declared duly elected watchman of the house.

Those who voted for Mr. Reams were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stevens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Young nominated Alfred Zuger for clerk of judiciary committee.

The roll being called there was 97 votes cast, of which Mr. Zuger received 97 votes and was declared duly elected clerk of the judiciary committee.

Those who voted for Mr. Zuger were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados,

Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Beck nominated S. P. Donahue as journal clerk.

The roll being called there were 97 votes cast, of which Mr. Donahue received 97 votes and was declared duly elected journal clerk.

Those who voted for Mr. Donahue were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Davis nominated W. Merrick for second assistant journal clerk.

The roll being called there were 97 votes cast, of which Mr. Merrick received 97 votes and was declared duly elected second assistant journal clerk.

Those who voted for Mr. Merrick were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock,

Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Weed nominated Lamont Miles for first assistant journal clerk.

The roll being called there were 97 votes cast, of which Lamont Miles received 62 votes and was declared duly elected first assistant journal clerk.

Those who voted for Lamont Miles were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Leech nominated Perry Embertson as page.

The roll being called there were 97 votes cast, of which Mr. Embertson received 97 votes and was declared duly elected page.

Those who voted for Mr. Embertson were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer,

Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stevens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Leech nominated Walter White for page.

The roll being called there were 97 votes cast, of which Walter White received 97 votes and was declared duly elected page.

Those who voted for Walter White were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stevens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Leech nominated Oscar Sundquist for page.

The roll being called there were 97 votes cast, of which Oscar Sundquist received 97 votes and was declared duly elected page.

Those who voted for Oscar Sundquist were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stav-

ens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Leech nominated Mr. Neil McHugh as page.

The roll being called there were 97 votes cast, of which Mr. McHugh received 97 votes and was declared duly elected page.

Those who voted for Mr. McHugh were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Leach nominated Ward Preston for page.

The roll being called there were 97 votes cast, of which Ward Preston received 97 votes and was declared duly elected page.

Those who voted for Ward Preston were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Leech nominated Clarence Anderson as page.

The roll being called there were 97 votes cast, of which Mr. Anderson received 97 votes and was declared duly elected page.

Those who voted for Mr. Anderson were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maldo r, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Bartz nominated Adolph Walker for cloak room attendant.

The roll being called there was 97 votes cast, of which Mr. Walker received 97 votes and was declared duly elected cloak room attendant.

Those who voted for Mr. Walker were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

Mr. Richmond nominated T. M. Gillihan for first cloak room attendant.

The roll being called there were 97 votes cast, of which Mr. Gillihan received 97 votes and was duly declared elected.

Those who voted for Mr. Gillihan were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Buttz, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ellison, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Hanson, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltimier, Oksendahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stevens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Elton, Lillie, Smart of Nelson.

The speaker administered the oath of office to the following named persons:

Miss Bessie Waggoner, W. D. Austin, G. W. Hogue, W. A. Kelley, Wellington Irish, Miss H. N. Hamilton, Alex McFadden, Harry Weiland, James Flannigan, R. M. Wigness, John W. Carroll, Rev. Gulstrom, E. K. Lampson, Albin Headstrom, Montieth Locke, Walter Staub, T. J. Dwire, Guy Reems, A. B. Zuger, S. B. Donahue, Lamont Miles, W. Merrick, Perry Emberston, Nels White, Oscar Sunderquist, Neil McHugh, Ward Preston, Chas. Anderson, T. M. Gillihan, Adolph Walker.

Mr. Buttz moved

That a committee of three be appointed to inform the governor that the house is organized and ready to receive any message or communication that he may desire to transmit.

Which motion prevailed, and

The speaker appointed as such committee, Messrs. Buttz, McCrea and Hanson.

Mr. Davis offered the following resolution:

Resolved, That the speaker is hereby requested and authorized to appoint a committee of three on mileage and per diem.

Which motion prevailed, and

The resolution was adopted.

Mr. Young offered the following resolution and moved its adoption:

Resolved, That there be printed and furnished each member of the legislature five extra copies of the journals and bills of the respective houses, and that all correspondents of the press be supplied with files of the bills and journals.

Which motion prevailed, and

The resolution was adopted.

Mr. McClure offered the following resolution and moved its adoption:

Resolved, That the speaker appoint a committee of three to select and rent necessary committee rooms and to recommend for appointment of janitors to care for the same.

Which motion prevailed, and
The resolution was adopted.

The speaker appointed as such committee Messrs. McClure, McGahan and Weigel.

Mr. Rose moved

That the speaker be authorized to instruct the chief clerk to notify the senate that the house is organized.

Which motion prevailed, and

The chief clerk was so instructed.

Mr. Watts offered the following resolution and moved its adoption:

Be it Resolved by the House of Representatives, That the chief clerk of the house of the Seventh Legislative Assembly be allowed 10 cents per mile and \$12 for two days' service in calling the house to order.

Roll call demanded.

The roll being called there were 94 votes cast.

Those who voted in the affirmative were:

Aandahl, Allen, Aslakson, Baker of Ramsey, Bartz, Beck, Blank, Boeing, Bostrom, Bourassa, Braaten, Brown, Burtness, Cassell, Chaffee, Chevalier, Chisholm, Cole, Connolly, Dahl, Davis, Dickinson, Dieball, Ferguson, Flados, Fried, Gilbert, Gullerud, Hammer, Harvey, Heath, Hill, Johnson, Knutson, Kraabel, Lee, Leech, Lillie, Lish, Lyons, Maddock, Mallough, Mattson, McClure, McCrea, McDowell, McGahan, McKenzie, McKnight, McLain, Meidinger, Midgarden, Miller, Mooney, Movius, Noben, Noltmier, Oksnedahl, Palfrey, Palmer, Patterson, Peterson of Towner, Peterson of Wells, Phifer, Richmond, Robillard, Rogers, Rose, Ryan, Scheer, Schouweiler, Senour, Severson, Sheils, Skjold, Simpson, Smart of Traill, Stavens, Steinberg, Stevens, Thompson, Truemner, Tufte, Underwood, Van Arnam, Wagner, Wall, Watson, Watts, Weed, Weigel, Welo, Wing, Young, Mr. Speaker.

Absent and not voting:

Baker of Cass, Buttz, Elton, Ellison, Hanson, Lillie, Smart of Nelson.

Mr. McLain offered the following resolution and moved its adoption:

Resolved, That the speaker be authorized to appoint a temporary committee on revision and correction of the Journal.

Which motion prevailed, and

The resolution was concurred in.

The resolution was adopted, and the speaker appointed as such committee Messrs. McLain, Palfrey and Aslakson.

The roll was called for Mr. Elton and the oath administered by the speaker.

REPORT OF COMMITTEE APPOINTED TO WAIT ON THE GOVERNOR.

To the Speaker: Your committee appointed to inform the governor that the house has been duly organized and ready to receive any message he may see proper to make, have the honor to report that they have performed their duties, and report that his excellency will send a communication in writing at 2 p. m. on Thursday next.

Mr. Leech offered the following resolution and moved its adoption:

Resolved, That the speaker be requested at his earliest convenience to appoint and announce the standing committees on privileges and elections.

Which motion prevailed, and

The motion was adopted.

The speaker appointed as such committee Messrs. Leech, Ryan, McKenzie, Robillard, Buttz, Peterson, Weed, Maddock and Harvey.

COMMUNICATION FROM THE SECRETARY OF STATE.

The following message was received from the secretary of state:

To the Honorable House of Representatives:

I submit herewith contest papers in the case of T. A. Gagnon, contestant, vs. J.W. Boeing, filed in this department January 2, 1903, for your consideration.

Very respectfully,

E. F. PORTER,
Secretary of State.

Referred to committee on privileges and elections.

The speaker announced the following committee on mileage and per diem:

Messrs. Davis, Richmond and Wagner.

Mr. Rose offered the following resolution and moved its adoption:

Resolved, That in the judgment of the house it is deemed necessary for the proper transaction of its business to appoint twelve (12) assistant clerks; therefore, the speaker is hereby authorized and empowered to appoint such clerks and assign them to such committee and other duties as the business of the house may require.

Which motion prevailed, and

The resolution was adopted.

Mr. Rose moved

That the house take a recess until 1 o'clock tomorrow, January 7,

Which motion prevailed, and

The house took a recess until 1 o'clock, January 7.

A. O. ANDERSON,
Chief Clerk.

AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 7, 1903.

The house reassembled at 1 o'clock p. m.

Mr. Buttz offered the following resolution and moved its adoption:

Resolved, That the house hereby adopts temporarily as its rules to govern its proceedings, the rules in force during the last (Seventh) legislative assembly.

Which motion prevailed, and
The resolution was adopted.

REPORT OF SPECIAL COMMITTEE.

The committee on privileges and elections made the following report:

The committee on election and privileges, to whom was referred the contest from the Fourth Legislative district, Gagnon vs. Boeing, respectfully submit the following report:

After a full investigation, we find that the canvassing board of Walsh county erred both in law and in fact in refusing to canvass the precinct of St. Andrews in the Fourth Legislative district and count its vote as certified to by the election officers. That if said precinct had been counted according to law Thomas A. Gagnon would have had a majority of four votes and would have received the certificate of election and a seat in this house, while by the unlawful action of the canvassing board Julius W. Boeing, on the face of the returns canvassed had a majority of four votes and received the certificate of election, contrary to the will of the voters as expressed by the ballots cast.

We therefore unanimously find as a matter of fact and law that Julius W. Boeing was not entitled to the certificate of election nor to a seat in this house, and that Thomas A. Gagnon was entitled to the certificate of election and to a seat in this house, and recommend to the house that such action be taken to restore him his rights.

The papers referred to us are herewith returned.

Respectfully,

W. F. LEECH,

Chairman.

Mr. Leech moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

The oath of office was administered to Mr. T. A. Gagnon.

Mr. Tufte offered the following resolution, and moved its adoption:

Resolved, That the secretary of state is hereby authorized and instructed to furnish the speaker and the chief clerk of the house with necessary postage stamps during this session.

Which motion prevailed, and
The resolution was adopted.

Mr. Rose offered the following resolution, and moved its adoption:

Resolved, That all bills, joint and concurrent resolutions to be introduced at this session shall be in typewritten form.

Which motion prevailed, and
The resolution was adopted.

Mr. Young offered the following resolution, and moved its adoption:

Resolved, That the speaker be requested to appoint the committee on rules as soon as can be done conveniently.

Which motion prevailed, and
The resolution was adopted.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committee on the selection of necessary committee rooms beg leave to make the following report:

That we have secured for the use of the speaker and journal clerk one room in the Patterson building, on Main street, steam heated and lighted, for the season, at \$150.00.

One room for the judiciary committee, heated and lighted, for the session, in Patterson building on Main street, for \$150.00.

For the committee on railroads, in Tatley building on Fourth street, for \$60.00

For the committee on banking, in Tatley building on Fourth street, for \$60.00.

For committee on ways and means, G. A. R. hall on Main street, at \$100.00.

For committee on warehouses, grain, grading and dealing, W. R. C. hall, Main street, at \$60.00.

For committee on appropriations, Hoagland block, Main street, at \$75.00.

For committee on agriculture, room No. 8 in Dakota block, at \$60.00.

For committee on counties and county boundaries, room in Raymond block, at \$60.00.

For committee on insurance, Faunce block, Sixth street, at \$50.00.

For committees on tax and tax laws, coal lands and mining, Dakota block, Bentley's rooms, at \$75.00.

For committee on temperance, room on Fifth street in Judge T'bbil's residence, at \$40.00.

For committees on sheep industry, public highways, bridges and ferries, room in Douglas block, at \$75.00.

For committees on military affairs, and elections and privileges, and state affairs, room in Faunce block, \$50.00.

Your committee recommend that the speaker provide rooms from those selected for other committees not herein provided for, and that he be empowered to appoint janitors and messengers for each committee.

Respectfully submitted,
 W. A. McCLURE,
 L. D. McGAHAN,
 CHARLES WEIGEL,

Mr. McClure moved
 The adoption of the report as read,
 Which motion prevailed, and
 The report was adopted.

Mr. Buttz offered the following resolution and moved its adoption:

Resolved, That in the judgment of the house it is deemed necessary for the proper transaction of its business that the chairman of the judiciary committee and the speaker be supplied with stenographers, and two assistant clerks are needed by the house; therefore, the speaker is requested and authorized to appoint the such stenographers and clerks.

Which motion prevailed, and
 The resolution was adopted.

The speaker administered the oath of office to Claud Newman.
 Mr. Rose moved

That the house do now adjourn until 2 o'clock,
 Which motion prevailed, and
 The house adjourned.

A. O. ANDERSON,
 Chief Clerk.

SECOND DAY

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present, excepting Messrs. Baker of Ramsey, Bostrom, Gilbert, Hammer, Lillie, Schouweiler, Smart of Nelson, and Van Arnam. Messrs. Lillie, Schouweiler, Smart of Nelson and Van Arnam being excused.

The speaker called Mr. Young to the chair.

REPORT OF SPECIAL COMMITTEE.

The committee on mileage and per diem made the following report and moved its adoption:

Mr. Speaker:

The committee on mileage and per diem respectfully report that Mr. Boeing is entitled to 606 miles and one day's per diem.

GEO. W. H. DAVIS,

Chairman.

Which motion prevailed, and
The report was adopted.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee to revise and correct the journal of the first day respectfully report that they have examined the journal and find the same correct with the following exceptions, and when so corrected recommend that the journal be approved.

On page 2, line 26, printed journal, change the name W. M. Simpson so as to read W. Simpson, and wherever the same occurs.

On page 8, line 33, W. Simpson, not Mr. Chisholm, nominated James Flannigan for second door keeper.

On page 1, line 12, change the name Rev. B. W. Gullstrom to Rev. L. W. Gullstrom.

On page 14, line 14, change the name S. B. Donahoe to S. P. Donahoe, and wherever same occurs.

Page 19, line 21, change the name T. M. Hoague so as to read G. W. Hogue.

Page 16, line 9, change the name Nels White to Walter White, and wherever same occurs.

Page 7, line 37, change the name Mr. Chevalier to read W. J. Watts.

Page 10, line 27, change the name Mr. E. K. Lampson to read Albin Hedstrom, and whenever same occurs.

Page 11, line 1, change the name Mr. Headstrom to read Henry Anderson.

Page 2, line 4, change the name B. Schouweiler to read B. W. Schouweiler, and wherever same occurs.

Page 2, line 9, change the spelling Cassel to Cassell.

Page —, line 31, change the spelling Cassel to Cassell, and wherever same may occur.

Page 3, line 12, change the spelling Meidgarden to Midgarden, and wherever the same occurs.

Page 4, line 4, omit name Knudtson.

Page 3, line 42, insert name Knudtson after Johnson.

Page 20, line 40, insert "The resolution was concurred in."

Page 21, line 44, change the name O. A. Anderson to A. O. Anderson.

J. H. McLAIN,

Chairman.

Mr. Buttz moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

Mr. Rose moved
That the house take a recess for 10 minutes,
Which motion prevailed, and
The house took a recess.

HOUSE REASSEMBLED.

The speaker presiding.

The speaker administered the oath of office to Mr. Lillie.

The speaker announced the following committee on rules:

Messrs. Cassell, chairman; Chaffee, McKenzie, Watts, Leech, Young, Rose, Scheer and Elton.

INTRODUCTION OF BILLS.

Mr. Heath introduced

House Bill No. 1,

A bill for an act entitled "To amend Section 2 of Chapter 151, of the Session Laws of 1901, relating to Taxation."

FIRST READING OF HOUSE BILLS.

House Bill No. 1,

A bill for an act to amend section 2 of chapter 151, of the Session Laws of 1901, relating to taxation,

Was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 1,

A bill for an act to amend section 2 of chapter 151, of the Session Laws of 1901, relating to taxation,

Was read the second time and referred to the committee on taxation and tax laws when appointed.

Mr. Buttz moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

Chief Clerk.

A. O. ANDERSON,

THIRD DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 8, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present, except Messrs. Beck, Connolly, Fried, Hammer, Schouweiler, Simpson, Smart of Nelson, Stevens and Van Arnam. Messrs. Connolly, Hammer, Schouweiler, Smart of Nelson, and Van Arnam being excused.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 8, 1903.

To the Members of the Senate and House of Representatives:

Gentlemen: I have the honor to inform you that I am ready to meet you in joint session at such time as suits your convenience.

I have the honor to be,

Very respectfully,
FRANK WHITE,
Governor.

Mr. Young moved

That a committee of three be appointed by the chair to wait upon the senate and inform that body that the house is now ready to go into joint session for the purpose of hearing the governor's message.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Young of Barnes, Shiels of LaMoure, and Tufte of Grand Forks.

The sergeant at arms announced the members of the senate.

JOINT SESSION.

Mr. Little moved

That a committee of two members of the senate and three members of the house be appointed to wait upon the governor and notify him that the joint session is ready to receive him.

Which motion prevailed, and

The president appointed as such committee Senators Lavayea and Robinson, and Representatives Brown, Wall and Young.

The sergeant at arms announced the arrival of the committee escorting the governor.

Governor White was introduced to the members of the joint session by the president.

Governor White then delivered his message:

GOVERNOR'S MESSAGE.

To the Members of the Eighth Legislative Assembly:

Gentlemen: I have the honor to submit herein for your consideration a review of the conditions of the state for the past two years together with a few recommendations for your action which seem to me expedient and for the best interests of the state.

At no period since statehood have the conditions that promote thrift and growth been so uniform and general over the entire state as have prevailed for the biennial period just closed. Our farms and ranges have produced in abundance. Prices of all products have been in excess of the usual average. The man of business, the mechanic and the laborer have all been profitably employed. Our gain in wealth is almost unprecedented. It is evidenced by the increased comfort in our homes, by the increased number of depositors and deposits in our banks, by the large amount of indebtedness that has been paid off, by the prompt and almost complete payment of taxes and interest on obligations.

I congratulate you and the people of this state that this prosperity has been with us and that we enter upon this new year with every assurance that these conditions will continue.

I desire particularly to draw your attention to the improved condition of our state treasury and the reduction made in our state debt. On January 1, 1901, there was less than \$10,000 in the general fund. The accounts against the state were six months past due, upon the auditor's table were \$80,000 of funding warrants issued to pay current expenses and more than \$150,000 of vouchers awaiting payment. This intolerable condition was not new but the result of almost continuously since statehood exceeding our revenues by our expenditures. It had been a common practice, and usually one of the first acts, for

the legislature each two years to authorize the issuing of sufficient short time warrants to square accounts. These warrants drew a high rate of interest, were not considered good by investors and were often only sold upon the personal assurance of the officers issuing them that they would be taken care of. During the past two years \$270,000 of these warrants were issued. It gives me and those who have been associated with me much pleasure to be able to report to you that all of these warrants have been gradually paid off as they became due, that all other obligations of the state have been promptly met and the biennial period closed with practically all bills paid and with a small balance in the general fund. During the same time by a special tax \$153,000 of asylum bonds have been paid off and the bonded debt reduced to that extent.

This has been accomplished principally by reason of increased revenues. Our assessed valuation and tax levy for general purposes has grown very materially, as shown in the following table taken from the proceedings of the state board of equalization.

Year	Valuation	Tax Levy	Rate in Mills
1899	\$114,334,428	\$431,818	3.8
1900	117,204,485	447,600	3.8
1901	124,592,785	498,371	4.0
1902	133,880,414	535,521	4.0

The valuation in each one of these years in the process of equalization was arbitrarily raised by the state board more than ten per cent above the returns of the county boards and the maximum amount permitted by law was levied. This action was made necessary in order to come somewhere near meeting the fixed charges and the special appropriations made by the various legislatures.

Our collections of taxes during the past two years have been extremely good and amounted for general purposes to \$935,654.46 and as will be observed almost equals the total amount of the levy of those years. Quite a considerable part of this was from taxes of prior years that has been brought in as one of the results of the activity in the real estate market and the numerous changes and clearing up of titles. Our miscellaneous fees, too, have been unusually large, especially the insurance tax, land office, and incorporation fees, and amounted all told to something over \$150,000.

ESTIMATES OF RECEIPTS AND EXPENDITURES.

In estimating the probable receipts for the coming biennial period I have taken into consideration the probable increase of valuation as equalling and proportionate to the increase of the

last two years and a levy the maximum permitted by law. I have not, however, considered quite as close a collection as probable nor that the amount from taxes of prior years will equal the collections of the past two years.

ESTIMATES OF RECEIPTS—GENERAL FUND.

Balance January 1, 1903	\$ 27,275.16
General taxes, 1903	445,000.00
Miscellaneous receipts	80,000.00
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Total for year	\$ 552,275.16
General taxes, 1904	490,000.00
Miscellaneous receipts	85,000.00
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Total for the two years	\$1,127,275.16

This amount exceeds somewhat the collections of the past two years and in my judgment represents the high limit and to quite an extent is dependent upon conditions favorable to the collection of taxes. It should not under any consideration be exceeded by your appropriations and if equaled will necessitate the issuing of a large amount of funding warrants to carry us through the first year of the period, that year being called upon to pay, outside of the ordinary expenses, the expenses of the Legislative Assembly and usually many special appropriations.

EXPENDITURES.

Our expenditures are of three classes.

First. The standing appropriations, the amounts of which are fixed by law such as officers' salaries, amounts allowed for clerk hire and limited annual appropriations.

Second. The standing appropriations, the amounts of which are unlimited but depend upon and are governed by the operation of some law.

Third. The biennial appropriations of the Legislative Assembly.

The first class can be accurately figured, the second quite accurately estimated and will not vary greatly from those of the past two years, and the third will be governed by what you may deem the needs of the various institutions and the miscellaneous appropriations.

ESTIMATE OF EXPENDITURES.

FIRST CLASS.

Salaries of state officers	\$	67,200
Clerk hire state officers		50,400
Judges of district courts		49,000
District veterinarians		12,000
Salary adjutant general		2,000
Clerk hire adjutant general		1,000
Salary public examiner		4,000
Salary deputies public examiner		6,600
Salary assistant dairy and food commissioner..		1,200
Salary state librarian		1,000
Salary superintendent state board of health...		1,800
Agent for prevention of cruelty to animals.....		1,000
Contingent fund, governor		1,000
State library		2,000
Expenses dairy and food commissioner		800
Expenses wool market		400
Traveling and educational library		2,100
Aid to high schools		8,000
Traveling expenses superintendent public in- struction		1,200
Traveling expenses railroad commission and secretary		1,600
Office expenses railroad commission		1,000
Expenses state veterinarians		1,000
Expenses state board of health		600
Expenses state militia		22,000
Aid to volunteer firemen		2,000
Appropriation state fair		2,500
Weather bureau		1,000
Promoting immigration		1,000
Board of pardons		1,200
Geological surveys		1,600
Farmers' institutes		3,000
Twine plant certificates, due 1904		75,000
Unpaid bills and warrants unrepresented		52,000
Total	\$	418,200

SECOND CLASS.

Expenses of supreme court	\$	3,200
Maintenance of capitol		36,000
Expenses land department		25,000
Public printing		40,000
Eighth legislative assembly		95,000
Fire companies, 2 per cent insurance tax		16,000
Transportation of convicts penitentiary		7,000
Transportation of convicts reform school		2,000
Transportation patients hospital for insane		20,000
Expenses trustees institutions		14,000
Expenses executive mansion		1,000
Coductors a lecturers, teachers' institutes ..		7,000
Expenses state examiner and deputies		3,000
Care and transportation of blind		4,000
Arrest and return of fugitives		3,500
Rewards for conviction or horse thieves		2,000
Rewards		1,500
Expense for lists of new taxable lands		1,000
Burial of deceased soldiers		600
Expenses state board of equalization		300
Expenses district veterinarians		250
Expenses attorney general		500
Care of convicts at reform school		10,000
Total		\$ 308,850
Total for first and second classes of expenditures		\$ 727,050

THIRD CLASS.

This class includes the following institutions for whose maintenance appropriations must be made:

State Penitentiary.

Soldiers' Home.

Hospital for Insane.

Industrial school.

Reform School.

Institution for the Feeble Minded.

And the miscellaneous appropriations.

I have made no estimate for this class. The reports of the institutions will be placed upon your desks and therein are fully set forth their various needs. Their growth and the increased cost of living necessitates increased cost of maintenance but all can be well provided for if reasonable prudence is made in your appropriations.

NEW BUILDINGS.

In the way of new buildings the first and most pressing need is at the hospital for the insane. The increase in inmates keeps most accurate pace with the increase in population, making it necessary to constantly enlarge the accommodations for patients. The last building was built under an appropriation made six years ago. Since that time there has been an increase of more than thirty-five per cent in the number asking for admittance until the institution has become overcrowded and it has been necessary to refuse the admittance of many cases, and to discharge some patients sooner than advisable. The management have also been unable to give the special care desired and necessary in many cases for adequate treatment. I do not need to call your attention to the duty the state owes to these most unfortunate of our citizens and trust that ample provision will be made to give them the very best care possible.

The next most needed relief is at our normal schools. Twelve years ago \$40,000 of bonds, pledging the income of their land grant, were authorized. Two buildings were constructed, one at Mayville and one at Valley City, since which time no appropriations have been made for the erection of others. The institutions have made a wonderful growth and today more than six hundred students are preparing themselves to become teachers within these two small buildings. These institutions are no longer of doubtful utility. The value of normal training is thoroughly recognized by all our best educators and the time is not far distant when every teacher in the state will by law be required to have a certain amount of normal training or its equivalent in order to become qualified to teach in our schools. No money can be spent by the state that will bring quicker and more valuable returns than that spent in the education of its teachers. I desire especially to call your attention to the reports of the normal schools where the needs of these institutions are more particularly treated.

LAND DEPARTMENT AND SCHOOL FUNDS.

There are three matters in relation to the trust funds of the common schools and our institutions that I desire to bring to your consideration, the principal one of which is the investment of the permanent funds. During the preceding two years the board of university and common school lands have caused quite a large amount of the state school lands to be placed upon the market and sold. These sales have been well attended and in the main the lands have brought satisfactory prices. As a result of these sales quite a large amount of money and land contracts are to the credit of the various funds. For your information I have had a

special report prepared by the land commissioner, bringing the funds down to date. The following table shows the amount to the credit of each separate fund.

COMMON SCHOOL FUND.

Bonds	\$ 1,226,350.00
Farm loans	66,481.10
Deferred payments bearing 6 per cent	2,621,134.98
Cash	554,285.84
Total	\$ 4,468,251.92

AGRICULTURAL COLLEGE.

Bonds, 4 per cent	4,000.00
Deferred payments bearing 6 per cent	264,785.80
Cash	62,981.80
Total	\$ 331,762.60
Acres sold	30,350
Acres unsold	99,650

BLIND ASYLUM.

Deferred payments	65,105.24
Cash on hand	16,013.61
Total	\$ 81,118.85
Acres sold	7,345
Acres unsold	23,935

CAPITOL BUILDING.

Deferred payments	123,786.00
Cash	31,543.87
Total	155,329.87
Acres sold	14,105
Acres unsold	67,895

SCHOOL FOR DEAF.

Bonds	900.00
Deferred payments	72,756.02
Cash on hand	17,374.92
Total	\$ 91,030.94
Acres sold	8,155
Acres unsold	31,845

INSANE ASYLUM.

Deferred payments	37,033.92
Cash on hand	9,303.98
	<hr/>
Total	\$ 46,337.90
Acres sold	4,355
Acres unsold	15,645

INDUSTRIAL SCHOOL.

Bonds	\$ 700.00
Deferred payments	66,859.28
Cash on hand	15,919.28
	<hr/>
Total	\$ 83,478.56
Acres sold	7,940
Acres unsold	32,060

NORMAL SCHOOLS.

Bonds	\$ 3,300.00
Deferred payments	149,141.38
Cash on hand	34,188.09
	<hr/>
Total	\$ 186,629.47
Acres sold	16,911
Acres unsold	63,089

REFORM SCHOOL.

Bonds	\$ 850.00
Deferred payments	77,882.64
Cash on hand	18,681.08
	<hr/>
Total	\$ 97,413.72
Acres sold	9,014
Acres unsold	30,986

SCIENTIFIC SCHOOL.

Deferred payments	\$ 66,888.53
Cash	16,775.13
	<hr/>
Total	\$ 83,663.56
Acres sold	7,855
Acres unsold	32,145

UNIVERSITY AND SCHOOL OF MINES.

Bonds	\$	5,000.00
Deferred payments		261,235.95
Cash on hand		64,467.53
		<hr/>
Total	\$	330,703.48
Acres sold		29,763
Acres unsold		96,317

SOLDIERS' HOME.

Deferred payments	\$	80,660.84
Cash		20,330.21
		<hr/>
Total	\$	100,991.05
Acres sold		8,875
Acres unsold		31,125

TOTAL IN ALL FUNDS.

Bonds and loans	\$	1,307,581.10
Deferred payments		3,887,270.58
Cash on hand		861,865.24
		<hr/>
Total	\$	6,056,716.92

This fund of over six millions of dollars is but a small part of the magnificent endowment that eventually and at no distant time will accrue for the benefit of our common schools and public institutions and it seems to me most timely that adequate provision be made for its judicious investment. Our constitution provides that these "funds shall be invested only in bonds of school corporations within the state, bonds of the United States, bonds of the state of North Dakota, or in first mortgages on farm lands in the state." Since June 30, 1900, our University and Common School Lands Board has purchased nearly all of the common school bonds that have been issued by the districts of the state, but the total amount purchased over the total amount of bonds paid only equals \$126,840. Our farm loans, too, during the same period have decreased more than \$27,000. The total amount of cash on hand has grown from \$12,000, on June 30, 1900, to the very large sum of \$861,865.24 on January 1, 1903. This also does not include quite a large amount of deferred payments on land contracts and farm loans which became due on January 1st, and which will further increase this amount. What to do with this money is a serious problem with our school board. Our present law has proven inefficient and too cumbersome. Under its provisions it takes from two to three months to get a

farm loan through and many of our best loans are lost because the small saving of interest is not sufficient to offset the inconvenience of the delay. Then, too, the limit of \$1,000 to one person takes our loans practically out of the best part of our state. I would recommend that the law be amended to provide for the direct purchase of real estate mortgages; to provide that the limit of the amount loaned be measured entirely by the value of the property; to provide for a more expeditious manner of appraising and completing the loans. I would also recommend that an amendment to the constitution be submitted, authorizing in addition to the present provisions, the investment of the permanent funds in county, township and municipal bonds within the state. The second matter in connection with these funds is the reimbursement of the permanent fund for losses sustained by reason of premiums paid for bonds purchased. In 1892 the board purchased a large block of bonds bearing 8 to 10 per cent interest upon a basis of net 4 per cent. The premium on this purchase amounted to \$71,854.55, a part of which was paid out of the permanent fund and has never been returned to that fund. These bonds have now been nearly all paid and it seems time that the permanent fund be made good. The benefit of the high rate of interest has accrued to the interest and income fund and it would be no injustice to that fund to provide that it reimburse the permanent fund for all losses on this account.

The third matter is in relation to the institution bonds that pledge the interest and income fund of their land grant for their payment. They all provide for a sinking fund but do not specifically make it the duty of any board or officer to set aside any part of this income for this purpose. As yet no such sinking funds have been started, presumably because it has not been the apparent duty of any one to do so. I recommend that the University and Common School Land Board be authorized and it be their duty to set apart a sufficient amount annually from the interest and income of each of these institutions to take up these bonds at maturity.

BOARD OF CONTROL FOR OUR EDUCATIONAL INSTITUTIONS.

The experience of other states has proven beyond a doubt that the management of our state educational institutions by a single board of control has many advantages that are worthy of your consideration.

Our constitution and laws have made them an inseparable part of our educational system. Their work and development should be in harmony with that system. Unnecessary duplication of courses of study should be avoided. Each institution should be kept within its special sphere. Buildings should only be erected

when needed and when funds have been appropriated for the purpose. Local influences and jealousies should be eliminated. Such results I am convinced can only be obtained by placing them under a single control. I commend it to you for your investigation.

Additional remedial legislation is needed upon the following subjects:

To provide for the more complete supervision of our state banks.

To provide for the more adequate control of mutual insurance companies, especially those doing a hail insurance business.

To provide for the reassessment of all property subject to taxation that has for any cause escaped taxation.

To provide for the more rigid enforcement of our pure food laws.

To provide for the organization of new counties and the attaching of unorganized territory to organized counties for judicial and other purposes.

To provide for common control of our two geological surveys.

THE LOUISIANA PURCHASE EXPOSITION.

There will be held next year at St. Louis probably the largest and grandest exposition the world has ever seen. It will be both national and international in its character.

It will present in a special degree, and in a most comprehensive manner, the history, resources and the development of the states and territories lying within the boundaries of the Louisiana purchase.

This exposition is under the direct patronage of our government and every state and territory will probably be represented. North Dakota being a part of the Louisiana purchase territory, should also be represented in a creditable manner. The exhibit made by the state at the Pan-American exposition at Buffalo in 1901 proved a benefit to the state and amply repaid the small expenditure made.

The much more extended scope of the exposition at St. Louis will necessitate a much larger appropriation to fully and advantageously present the state's resources.

Since the last meeting of the legislative assembly of this state the nation has mourned the loss of the great and good President William McKinley. His work and potent life cut down in its fullness has left an impress upon this nation that will endure for all time.

In our own state we have lost quite a number of citizens who have been identified prominently in its young growth. Among them are Judge J. M. Bartholomew, an able jurist and for many years judge of the supreme court of this state.

Charles Cavalier, the pioneer and earliest settler of the state, whose life has been an honor to us.

George W. Harmon, also an early settler, who was forcefully identified with our history.

Major R. E. Fleming, whom we all knew and loved.

In my own official household my secretary, Charles W. Getchell, a young man true and trustworthy, just on the edge of a life of great usefulness.

Let us not too soon forget their memories.

In conclusion permit me to assure you that I will gladly cooperate with you in every manner possible in the interest of good legislation. With prudence we can maintain the good credit of our state. Much legislation is rather to be avoided. To use the words of Speaker Reed, whose illustrious life has just closed, "If you don't know what to do, do nothing." Stability of foundation and improvement by slow growth is more to be desired than radical change.

Mr. Buttz moved

That the joint session do now dissolve.

The joint session dissolved.

House reassembled.

REPORT OF COMMITTEE ON RULES.

The committee on rules submitted the following report:

Mr. Speaker:

Your committee on rules beg leave to report and recommend that this house be governed by the following rules, to-wit:

1. The speaker shall take the chair at the time to which the house stands adjourned, and the house shall then be called to order, and the roll of the members called and the names of the absentees entered upon the journal of the house.

2. Upon the appearance of a quorum the journal of the preceding day shall be referred to the committee on revision and correction. Any mistake therein shall be corrected by the committee and reported to the house for action.

3. Twenty-one members of the house may order a call of the house and cause absent members to be sent for, but a call must not be made while a vote is being taken. The call being moved, the speaker shall require those desiring the call to rise, and if twenty-one or more members shall rise the call shall be ordered. The call being ordered the sergeant at arms shall close the door and allow no member to leave the room. The clerk shall then call the roll and furnish the sergeant at arms with a list of those members absent without leave, and that officer must proceed

forthwith to find and bring in such absentees. While the house is under call no business can be transacted except to receive and act upon the report of the sergeant at arms and no motion is in order except a motion to suspend further proceedings under the call, and said motion shall not be adopted unless a majority of all members-elect vote in favor thereof. Upon a report of the sergeant at arms showing that all members who were absent without leave, naming them, are present, the call shall be at an end, and the doors shall be opened, and the business pending at the time the call was made be proceeded with.

4. The speaker shall preserve order and decorum and decide all questions of order subject to an appeal to the house.

5. The speaker shall vote on all questions taken by ayes and nays (except on appeals from his own decisions) and in all elections or decisions called for by any member.

6. When the house adjourns the members shall keep their seats until the speaker announces the adjournment.

7. Every member previous to his speaking, shall rise from his seat and respectfully address "Mr. Speaker," and remain standing in his place before proceeding to speak until he is recognized by the chair.

8. When two or more members rise at the same time to speak the speaker must designate the member who is to speak, but in all cases the member who shall first rise and address the chair may speak first.

9. No member shall speak more than twice on the same subject without leave of the house, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten minutes at the first time, nor more than five minutes at the second time, without unanimous consent of the house.

10. No motion shall be debated or put unless the same be seconded. It must then be stated by the speaker before the debate and any such motion must be reduced to writing if the speaker or any member desires it.

11. After the motion shall be stated by the speaker, it shall be deemed to be in possession of the house, but may be withdrawn at any time before amendment or decision, but all motions, resolutions or amendments must be entered on the journal, whether rejected or adopted.

12. When a question is under debate no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely—which several motions shall have precedence in the order in which they shall stand arranged.

13. A motion to adjourn shall always be in order, except when a member is addressing the chair, or a vote is being taken; that, and the motion to lay upon the table, shall be decided without debate.

14. The previous question shall be in this form: "Shall the main question be now put?" It shall be admitted only when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the house to a direct vote upon the amendments reported by a committee, if any, upon the pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the house shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to decision of the main question.

15. When the previous question is decided in the negative it shall leave the main question under debate for the remainder of the sitting unless sooner disposed of in some other manner.

16. All incidental questions of order arising after motion is made for the previous question, during the pendency of such motion, or after the house shall have determined that the main question shall be now put, shall be decided, whether on appeal or otherwise, without debate.

17. Petitions, memorials and other papers addressed to the house shall be presented by the speaker or by a member in his place.

18. Every member who is present, before the vote is declared from the chair, must vote for or against the question before the house, unless the house excuses him or unless he is immediately interested in the question, in which case he must not vote.

19. When the speaker is putting the question, no member shall walk out of, or across the house, nor when a member is speaking, shall any person entertain any private discourse, or pass between the person speaking and the chair.

20. If a question in debate contains several propositions, any member may have the same divided.

21. A member called to order must immediately sit down unless permitted to explain, and the house, if appealed to, must decide the case. If there be no appeal, the decision of the chair shall stand. On appeal no member shall speak more than once without leave of the house. When a member is called to order for offensive language there shall be no debate.

22. A bill can only be introduced on the report of a committee, or on a call for bills, or by a motion for leave.

23. Every bill, before being introduced, shall be in typewritten form and shall have endorsed thereon its title, and every

bill and resolution shall have endorsed thereon the name of the member introducing the same, and when ordered by a committee the name of such committee shall be endorsed thereon.

24. Every bill, memorial, order and resolution, requiring the approval of the governor, or a change in the constitution of the state of North Dakota, shall, after second reading, be referred to its appropriate committee, and if reported without amendment shall pass to its third reading, unless otherwise ordered, and when amended it shall go to committee of the whole house.

25. All bills shall be properly engrossed before their final passage.

26. No amendment shall be received on the third reading, except to fill blanks, without unanimous consent of the house, but all bills and resolutions may be recommitted at any time previous to their passage. If any amendment be reported on such recommitment by any other than a committee of the whole, it shall be read a second time, and the question of third reading and passage then put.

27. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; no bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the house.

28. In forming a committee of the whole house the speaker shall appoint a chairman to preside.

29. Bills committed to the committee of the whole house shall be read, be open to amendment and debated by sections, unless otherwise ordered, leaving the title to be last considered; all amendments shall be noted in writing and reported to the house by the chairman.

30. All questions, whether in committee, or in the house, shall be put in the order in which they are moved, except in the case of privileged questions, and in filing blanks the largest sum and the longest time shall be first put.

31. A similar mode of procedure shall be observed with bills which have originated in and passed the senate, as with bills which have originated in the house, except that they shall not be printed nor engrossed, nor enrolled.

32. No motion for reconsideration shall be in order unless on the same day or the day following that on which the decision proposed to be considered took place, nor unless one of the majority shall move a reconsideration.

33. When notice of intention to move the reconsideration of any bill or joint resolution shall be given by a member, the clerk of the house shall retain the said bill or joint resolution until

after the time during which the said motion can be made unless the same can previously be disposed of.

34. Any member who votes on the prevailing side of a question may move a reconsideration of the same, which motion shall be decided by a majority vote.

35. The rules of the house shall be observed in committee of the whole house so far as may be applicable except that the ayes and nays shall not be called, the previous question enforced nor the time of speaking limited.

36. A motion that the committee rise shall always be in order and shall be decided without debate.

37. No bill reported from standing or select committees or from the committee of the whole shall come up for a third reading until the first day after such report unless the house by a two-thirds vote otherwise orders.

38. Standing committees shall be appointed on the following subjects:

- On rules to consist of nine members.
- On mileage and per diem to consist of three members.
- On judiciary to consist of fifteen members.
- On ways and means to consist of eleven members.
- On railroads to consist of fifteen members.
- On appropriations to consist of fifteen members.
- On engrossment to consist of nine members.
- On enrollment to consist of nine members.
- On education to consist of nine members.
- On elections and privileges to consist of nine members.
- On municipal corporations to consist of nine members.
- On corporations other than municipal to consist of nine members.
- On agriculture to consist of thirteen members.
- On public printing to consist of nine members.
- On irrigation to consist of nine members.
- On insurance to consist of nine members.
- On banking to consist of eleven members.
- On labor to consist of nine members.
- On immigration to consist of nine members.
- On apportionment to consist of a member from each senatorial district.
- On schools and public lands to consist of nine members.
- On public health to consist of nine members.
- On military affairs to consist of nine members.
- On warehouses, grain grading and dealing to consist of fifteen members.
- On federal relations to consist of nine members.
- On mines and mining to consist of nine members.
- On temperance to consist of nine members.

On highways, bridges and ferries to consist of nine members.
On state affairs to consist of fifteen members.
On supplies and expenditures to consist of nine members.
On forestry to consist of nine members.
On public debt to consist of nine members.
On woman suffrage to consist of nine members.
On manufactures to consist of nine members.
On counties and county boundaries to consist of nine members.
On taxes and tax laws to consist of fifteen members.
On coal lands and mining to consist of nine members.
On live stock industry to consist of eleven members.
On revision and correction of the journal to consist of seven members.

Also joint committees on the following subjects:

On public buildings to consist of nine members.
On charitable institutions to consist of nine members.
On penal institutions to consist of nine members.
On educational institutions to consist of nine members.
On state library to consist of nine members.
On joint rules to consist of nine members.

39. The first named member of each committee shall be the chairman and in his absence or being excused by the house the next named member and so on as often as the case shall happen, shall act as chairman.

40. The committee on engrossment shall examine all bills after they are engrossed and report the same to the house correctly engrossed before their third reading; said committee may report at any time.

41. The committee on enrollment shall examine all house bills and memorials which have passed the two houses, and when reported correctly enrolled, they shall be presented to the presiding officers of the house and senate for their signatures, and when so signed, presented to the governor for his approval; said committee may report at any time.

42. Select committees to whom reference shall have been made, must, in all cases, report a state of facts and their opinion thereon to the house.

43. In all cases where a bill, order or resolution, or motion shall be entered upon the journal of the house, the name of the member moving the same shall be entered on the journal.

44. No person shall be admitted within the bar of the house except the executive, members of the senate, state officers, judges of the supreme and district courts, members of congress, ex-members of the legislative assembly, delegates to the state constitutional convention, all federal officers of the state and reporters for newspapers, except by vote of the house.

45. After calling the house to order, the order of business for the day shall be as follows:

1. Prayer by the chaplain.
2. Calling the roll.
3. Reference of the journal.
4. Presentation of petitions and communications.
5. Reports of standing committees.
6. Reports of select committees.
7. Motions and resolutions.
8. Unfinished business.
9. Introduction of bills and memorials.
10. First reading of house bills and memorials.
11. Second reading of house bills and memorials.
12. Third reading of the same.
13. Consideration of messages from the senate.
14. First reading of senate bills and memorials.
15. Second reading of senate bills and memorials.
16. Third reading of the same.
17. Consideration of general orders.

46. Whenever the report of any committee of conference contains several modifications or amendments, any member may have the same divided, and the question of concurrence taken separately upon each modification or amendment.

47. When the house has arrived at "the general orders of the day" it shall go into committee of the whole upon such orders, or a particular order designated by a vote of the house; and no other business shall be in order until the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up the committee of the whole shall consider, act upon, or pass the general order, according to the order of reference.

48. The speaker may leave the chair, appoint a member to preside, but not for a longer time than one day, except by leave of the house.

49. The rules of parliamentary practice adopted by the house of representatives of the United States shall govern the house in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the house, and the joint rules and orders of the senate and house of representatives.

50. No rule of the house shall be suspended, altered or amended without the concurrence of two-thirds of the members of the whole house.

51. The hour of daily meeting of the house shall be 2 o'clock in the afternoon, until the house directs otherwise.

52. The ayes and nays shall not be ordered unless demanded by twenty-one members, except on the final passage of bills, concurrent resolutions to amend the constitution, and memorials, in which case ayes and nays shall be had without any demand.

53. In case all the members of any committee, required or entitled to report on any subject to them, cannot agree upon any report, the majority and minority may each make a special report, and any member dissenting in whole or in part from the reasoning and conclusions of both majority and minority may also present to the house a statement of his reasonings and conclusions; and all reports, if decorous in language and respectful to the house, shall be entered at length on the journal.

54. No smoking shall be allowed in the house while in session.

55. No member or other person shall remain by the clerk's desk when the ayes and nays are being called.

56. In case of any disturbance or disorderly conduct in the lobby or gallery, the speaker or chairman of the committee of the whole shall have power to order the same to be cleared.

57. No member or officer of the house, unless he from illness or other cause shall be unable to attend, shall absent himself from a session of the house during an entire day without having first obtained leave of absence, and no one shall be entitled to draw pay while absent more than one day without leave.

58. Neither the chief clerk nor his assistants shall permit any records or papers belonging to the house to be taken out of their custody otherwise than in the regular course of business. The chief clerk shall report all missing bills, resolutions and papers to the speaker; shall have general supervision of all clerical duties appertaining to the business of the house; shall perform, under the direction of the speaker, all duties pertaining to the office, and shall also keep a book showing the situation and progress of all bills, memorials and joint resolutions.

59. At least one day's notice shall be given of the introduction of any motion or resolution calling for or involving the expenditure of any money.

60. The chairmen of the different standing committees shall send to the chief clerk's desk, to be read previous to adjournment, notice of the time and place of meeting of such committees.

M. B. CASSELL,

Chairman.

Mr. Cassell moved

That the report as made be adopted,

Which motion prevailed, and

The report was adopted.

REPORT OF SPECIAL COMMITTEES.

Mr. Speaker:

Your committee on mileage and per diem find the members entitled to mileage as follows:

Name	Miles	Amount
Aandahl	466	\$46.60
Allen	522	52.20
Aslakson	726	72.60
Baker, of Cass	388	38.80
Baker, of Ramsey	746	74.60
Bartz	528	52.80
Beck	204	20.40
Blank	70	7.00
Boeing	606	60.60
Bostrom	2	.20
Bourassa	866	86.60
Braaten	446	44.60
Brown	438	43.80
Burtness	576	57.60
Buttz	490	49.00
Cassell	430	43.00
Chaffee	292	29.20
Chevalier	692	69.20
Chisholm	752	75.20
Cole	740	74.00
Connolly	480	48.00
Dahl	678	67.80
Davis	782	78.20
Dickinson	384	38.40
Dieball	178	17.80
Elton	544	54.40
Ellison	312	31.20
Ferguson	676	67.60
Flados	376	37.60
Fried	332	33.20
Gilbert	348	34.80
Gullerud	416	41.60
Gagnon	624	62.40
Hammer	458	45.80
Hanson	408	40.80
Harvey	778	77.80
Heath	438	43.80
Hill	380	38.00
Johnson	672	67.20
Knudtson	508	50.80
Kraabel	420	42.00
Lee	640	64.00
Leech	388	38.80
Lillie	998	99.80
Lish	234	23.40
Lyons	86	8.60
Maddock	426	42.60
Mallough	378	37.80
Mattson	362	36.20
McClure	196	19.60
McCrea	672	67.20
McDonnell	772	77.20

Name	Miles	Amount
McGahan	2	.20
McKenzie	366	36.60
McKnight	794	79.40
McLain	638	63.80
Meidinger	190	19.00
Midgarden	654	65.40
Miller	606	60.60
Mooney	600	60.00
Movius	406	40.60
Noben	624	62.40
Noltimier	286	28.60
Oksendahl	836	83.60
Palfrey	450	45.00
Palmer	882	88.20
Patterson	138	13.80
Peterson, of Towner	818	81.80
Peterson, of Wells	496	49.60
Phifer	330	33.00
Richmond	384	38.40
Robillard	788	78.80
Rogers	286	28.60
Rose	664	66.40
Ryan	544	54.40
Scheer	482	48.20
Schouweiler	458	45.80
Senour	234	23.40
Severson	426	42.60
Shiels	364	36.40
Skjold	706	70.60
Simpson	14	1.40
Smart, of Nelson	646	64.60
Smart, of Traill	508	50.80
Stavens	466	46.60
Steinberg	516	51.60
Stevens	334	33.40
Thompson	518	51.80
Truemner	686	68.60
Tufte	480	48.00
Underwood	338	33.80
Van Arnam	406	40.60
Wagner	854	85.40
Wall	388	38.80
Watson	878	87.80
Watts	728	72.80
Weed	118	11.80
Weigel	154	15.40
Welo	598	59.80
Wing	660	66.00
Young	274	27.40

We further report Joseph Scanlan entitled to a mileage amounting to \$54.40 for 544 miles traveled and a per diem amounting to \$12.00, a total of \$66.40 as per resolution adopted by the house on Tuesday, January 6th, 1903.

GEORGE W. H. DAVIS,
Chairman,
E. L. RICHMOND,
C. I. F. WAGNER,
Committee.

Mr. Davis moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The oath of office was administered by the speaker to the following:

Geo. Robideau, janitor Railroad Committee; Fred Truman, janitor Warehouse Committee; John Dieball, janitor Appropriation Committee; Pat Kennedy, janitor Agricultural Committee; George Strong, janitor Temperance Committee; P. D. Bast, janitor Ways and Means Committee; F. E. Davis, janitor Speaker's Room Committee; S. A. Hopson, janitor Live Stock Committee; Harry Woodmansee, janitor Insurance Committee; W. H. Bohannon, janitor Banking Committee; Ernest Johnson, Assistant Clerk; Arne Arneson, Assistant Clerk; Harry McLain, Assistant Clerk; Ed Johnson, Assistant Clerk; L. Delamater, janitor County Boundry Committee.

Mr. Rose moved
That the House do now adjourn.
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FOURTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 9, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present, except Messrs. Baker, Beck, Blank, Chaffee, Chevalier, Chisholm, Connolly, Dahl, Flados, Gilbert, Hammer, Hanson, Leech, Lillie, Lish, Mattson, McCrea, McKenzie, Meidinger, Movius, Noltimier, Oksendahl, Phifer, Richmond, Schouweiler, Smart of Nelson, Smart of Traill, Steinberg, Stevens, Van Arnam and Weed.

Messrs. Chaffee, Chevalier, Dahl, Flados, Gilbert, Hammer, Leech, Lish, Mattson, McCrea, McKenzie, Movius, Noltimer, Oksendahl, Phifer, Richmond, Schouweiler, Smart of Nelson, Smart of Traill, Steinberg, Van Arnam and Weed were excused.

Mr. Buttz offered the following concurrent resolution and moved its adoption:

Resolved by the House of Representatives of the Eighth Session of the Legislative Assembly, the Senate concurring:

That when the house adjourns on Saturday, the 10th inst., it shall stand adjourned until Monday, the 19th day of January, A. D. 1903, at 2 o'clock p. m.

Which motion prevailed, and
The resolution was adopted.

INTRODUCTION OF BILLS AND MEMORIALS.

Mr. Chevalier introduced
House Bill No. 2,

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the Blind Asylum at Bathgate, North Dakota.

Which was read the first time.

Mr. Midgarden introduced

House Bill No. 3,

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Which was read the first time.

Mr. Midgarden introduced

House Bill No. 4,

A bill for an act limiting the number of consecutive terms of office to be held by county officials.

Which was read the first time.

Mr. Midgarden introduced

House Bill No. 5,

A bill for an act to provide for the cancellation of judgments against persons discharged under the United States bankruptcy law, and the mode of procedure to obtain such relief.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 2,

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the Blind Asylum at Bathgate, North Dakota.

Was read the second time, and

Referred to the committee on appropriations, when appointed.

Also,

House Bill No. 3,

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Was read the second time, and

Referred to the committee on elections and privileges when appointed.

Also,

House Bill No. 4,

A bill for an act limiting the number of consecutive terms of office to be held by county officials.

Was read the second time, and

Referred to the committee on state affairs, when appointed.

Also,

House Bill No. 5,

A bill for an act to provide for the cancellation of judgments against persons discharged under the United States bankruptcy law, and the mode of procedure to obtain such relief.

Was read the second time, and

Referred to the committee on judiciary, when appointed.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the third day, have carefully examined the same and recommend that the same be corrected as follows:

On page 23, line 21, change the name "Otto Remmur" to read "George Robideau."

And when so amended recommend that the same be approved.

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the second day, have carefully examined the same and recommend that the same be corrected as follows:

On page 4, line 24, omit the name "Gilbert."

On page 4, line 23, omit the name "Bostrom."

And when so amended recommend that the same be approved.

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the first day, have carefully examined the same and recommend that the same be corrected as follows:

On page 3 omit lines "22 and 23."

On page 3, line 5, omit "Baker of Cass," and in each roll call thereafter.

On page 2, line 24, change the name "G. A. Lillie" to "G. L. Lillie."

And when so amended recommend that the same be approved.

J. H. McLAIN,

Chairman.

Mr. McLain moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

January 9, 1903.

Mr. Speaker:

I have the honor to report that the senate has considered the

house concurrent resolution relative to adjournment, and has amended the same to read as follows:

Resolved by the House of Representatives of the Eighth Session of the Legislative Assembly, the Senate concurring:

That when the house adjourns on Saturday, the 10th inst., it shall stand adjourned until Thursday, the 15th day of January, 1903, at 2 p. m.

And that the senate has passed said resolution as amended.

R. M. TUTTLE,

Secretary.

Mr. Buttz moved

That the house insist on concurrent resolution and ask for conference committee.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Buttz, Ryan and Brown.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

January 9, 1903.

Mr. Speaker:

I have the honor to inform you that the president of the senate has appointed as a conference committee on adjournment Senators Little, Robinson and Hale.

R. M. TUTTLE,

Secretary.

Mr. Young stated to the house that Mr. Alfred Zuger, elected as clerk of the judiciary committee, cannot accept the position owing to sickness in his family, and moved that the resignation of Mr. Zuger as clerk of the judiciary committee be accepted.

Which motion prevailed.

Mr. Young nominated Jerome Parks for clerk of judiciary committee.

The roll being called there were 68 votes cast, of which Mr. Parks received 68 votes and was declared the duly elected clerk of the judiciary committee.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Rose
Allen	Johnson	Ryan
Aslakson	Knudtson	Scheer
Bartz	Kraabel	Senour
Bostrom	Lee	Severson
Bourassa	Lyons	Shiels
Braaten	Mallough	Skjold

Messrs.—

Brown
Burtness
Buttz
Cassell
Cole
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Fried
Gagnon
Gullerud
Harvey
Heath

Messrs.—

McClure
McDowell
McGahan
McKnight
McLain
Midgarden,
Miller
Mooney
Noben
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer
Robillard

Messrs.—

Rogers
Simpson
Stavens
Thompson
Truemner
Tuftø
Underwood
Wagner
Wall
Watson
Watts
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Beck
Blank
Chaffee
Chevalier
Chisholm
Connolly
Dahl
Flados
Gilbert
Hammer

Messrs.—

Hanson
Leech
Lille
Lish
Maddock
Mattson
McCrea
McKenzie
Meidinger
Movius

Messrs.—

Noltimier
Oksendahl
Richmond
Schouweiler
Smart of Nelson
Smart of Traill
Steinberg
Stevens
Weed
Van Arnam

Messrs. Chaffee, Chevalier, Dahl, Flados, Gilbert, Hammer, Leech, Lish, Mattson, McCrea, McKenzie, Movius, Noltimier, Oksendahl, Phifer, Richmond, Schouweiler, Smart, of Nelson, Smart, of Traill, Steinberg, Van Arnam, Weed being excused.

REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

To the President of the Senate and the Speaker of the House:

Gentlemen: Your committee of conference on the disagreeing votes of the senate and house as to adjournment respectfully report—that after a full conference they have agreed to recommend, and do recommend, that the senate recede from its amendment to adjourn to Thursday, January 15, 1903, and agree to an amendment to adjourn to Saturday, January 17, 1903, and that the house concur in this amendment to the original concurrent resolution.

C. B. LITTLE,
W. H. ROBINSON,
HENRY HALE,

Senate Conferees.

C. W. BUTTZ,
C. V. BROWN,
H. P. RYAN,

House Conferees.

Mr. Davis moved
That the report of the conference committee be adopted.
Which motion prevailed, and
The report was adopted.

REPORT OF SPECIAL COMMITTEE.

The committee on mileage and per diem made the following report:

Mr. Speaker:

Your committee on per diem and mileage recommend that the following correction be made as follows:

That the mileage of Mr. Sheils be changed from "608 miles" to "364 miles," and that the voucher be corrected accordingly.

And when so amended recommend that the same be approved.

GEO. W. H. DAVIS,
Chairman.

The report was adopted.

The oath of office was administered by the speaker to the following: R. L. Walters, janitor; L. C. Oefstedahl, assistant clerk, assigned to committee on warehouses, grain grading and dealing; Aaron Mason, janitor for ways and means committee rooms; W. W. Brookings, janitor enrolling and engrossing rooms; T. H. Skaarer, assistant clerk; Ormiston Kermott, W. H. Pray, assistant clerks.

Mr Tufte moved
That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FIFTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 10, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment, and was called to order by the chief clerk, who announced that the speaker had designated Mr. Davis, of Ramsey, as speaker pro tem. for the day.

Prayer by the chaplain.

Mr. McGahan moved

That the rules be suspended and that the roll call be dispensed with.

Which motion prevailed, and

The roll call was dispensed with.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fourth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 4, line 39 change the name "James Parks" to read "Jerome Parks."

On page 5, line 32, omit the name "Phifer" as "absent and not voting," and add name as voting in the "affirmative."

And when so amended recommend that the same be approved.

J. H. McLAIN,

Chairman.

Mr. McLain moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Buttz offered the following resolution and moved its adoption.

Resolved, That it is deemed necessary by this house that an assistant clerk be appointed by the speaker to be assigned to assist the stenographer for house members, and that the speaker be and is hereby requested to appoint as such assistant stenographer Jay Phifer, of Sargent county.

Which motion prevailed, and

The resolution was adopted.

Mr. Peterson, of Towner, introduced the following concurrent resolution:

Be it resolved by the house of representatives of the state of North Dakota, the senate concurring:

That the speaker of the house and the president of the senate of the Eighth legislative assembly of the state of North Dakota are hereby authorized and instructed to appoint a committee of five, three from the house and two from the senate, for the purpose of conferring with the board of trade of the city of West Superior and the legislature of the state of Wisconsin for the purpose of perfecting a grain inspection law for the state of North Dakota.

Mr. Young moved

That further consideration of the concurrent resolution be deferred until the next legislative day,

Which motion prevailed, and

Further consideration was so deferred.

The speaker pro tem. administered the oath of office to the following persons:

H. W. Cross, Jerome Parks, clerks of judiciary committee; Eva B. Smith, stenographer to judiciary committee; Charles Bentley, janitor; J. W. Phifer, assistant stenographer to house members; Gust Solberg, janitor.

The committee on revision and correction of the journal reported the following omission in the journal of the first day:

The oath of office as assistant clerk was administered to Thos. Harrison by the speaker.

And the following omission in the journal of the fourth day:

The speaker administered the oath of office to Gust Anderson, janitor.

Mr. McGahan moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,

Chief Clerk.

TWELFTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 17, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment, and was called to order by the chief clerk, who announced that the speaker had designated Mr. Mallough of Cass county as speaker pro tem for the day.

Prayer by the chaplain.

Mr. McGahan moved

That the rules be suspended and the roll call be dispensed with,

Which motion was lost.

The roll was called and there were 45 present and 55 absent and excused.

Messrs. Aandahl, Allen, Baker of Ramsey, Bartz, Blank, Brown, Burtness, Chaffee, Chisholm, Cole, Dahl, Dieball, Elton, Ellison, Ferguson, Fried, Gilbert, Hammer, Hanson, Harvey, Hill, Johnson, Knudtson, Kraabel, Lee, Leech, Lillie, Lish, McClure, McKenzie, McLain, Miller, Mooney, Movius, Oksendahl, Palmer, Patterson, Peterson of Towner, Richmond, Robillard, Rogers, Ryan, Senour, Skjold, Smart of Nelson, Smart of Traill, Steinberg, Thompson, Truemner, Wall, Watson, Watts, Weigel, Welo and Mr. Speaker being absent and excused.

OMISSION IN JOURNAL OF FIFTH DAY.

The oath of office was administered to J. H. Stevenson, clerk, by the speaker pro tem.

Mr. Buttz moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FOURTEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 19, 1903.

The house assembled at 2'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the Reverend Green.

Roll call.

All members present except Messrs. Chaffee, Johnson and Lillie, who were excused.

MOTIONS AND RESOLUTIONS.

Mr. Buttz offered the following joint resolution:

JOINT RESOLUTION.

Whereas, It is a well known fact that the state has not sufficient buildings or rooms at its capitol in which to transact public business; and

Whereas, Only part of the capitol buildings, as originally planned, has been built, making it necessary to rent, and locate the respective committees of the two houses at a great cost, and inconvenience to the members of the legislature in different parts of the city; and

Whereas, It is with great difficulty and expense that suitable committee rooms are obtained for the committees of the respective houses and when they are obtained, great delay occurs in the furnishing and preparing said rooms for occupancy, in which the public business must be transacted; and

Whereas, It costs the state about eighteen hundred dollars annually for rent, additional help, care and expenditures, by reason of its not completing the capitol building; and

Whereas, The state has the money now in the treasury or can borrow it from the school fund to complete its own building, and save money thereby; therefore, be it

Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

That the joint committee on public buildings are hereby authorized and directed to investigate the matters named in this resolution, with a view of providing permanent and suitable rooms, and properly furnish them, in which the public business may be transacted, either by completing the capitol building or otherwise.

Said committee are further instructed to report a bill to meet the intent of this resolution, together with a full report of the amount paid out by reason of the state not owning sufficient buildings in which to transact its business, together with the estimated cost of completing the capitol building, if advisable; also report on the question, if found necessary, of borrowing from the school fund sufficient money to complete said capitol building.

Mr. Buttz moved that the resolution be entered in the journal and made a special order for Wednesday after the election of a United States senator.

Which motion prevailed.

Mr. Peterson offered the following resolution as a substitute to the resolution offered by him on the 10th inst:

Whereas, The people of North Dakota are not satisfied with the inspection and grading of our grain by the grain inspectors for the state of Minnesota, and especially those located in and about Duluth in that state, and

Whereas, the state of Wisconsin has by law created a board of grain graders, located at West Superior, in that state, and are anxious to have the people of the northwest ship grain to that market; and

Whereas, the board of trade of the said city of West Superior has sent to us a committee to lay the facts before our legislative body, with a view of obtaining the co-operation of the people of North Dakota in establishing a proper and just board of grain inspectors at said city; therefore, be it

Resolved by the House of Representatives of North Dakota:

That said committee from said board of trade of West Superior, now in our city, be and they are hereby invited to state their views to the committee on warehouses, grain grading and dealing, who are hereby authorized, after investigation, to report by bill or otherwise.

Mr. Buttz moved

That the resolution be adopted.

Which motion prevailed.

Mr. Wagner offered the following resolution and moved its adoption:

Resolved, That the house permit the use of the chamber Tuesday evening next to the militia of the state for the reception and ball to Governor White and staff and to the officers of the regular army from Forts Lincoln and Yates, it being understood the desks are to be replaced, contents undisturbed, as they now are, before noon of Wednesday; and it is further understood that a like privilege be not again granted during the session.

Mr. McGahan moved

To amend by inserting that the same privilege be granted to the Typographical Union on February 10th.

Which amendment was lost.

The question being on the adoption of the original resolution.

The resolution was adopted.

Mr. Davis offered the following resolution and moved its adoption:

Resolved, That the minutes of the republican senatorial caucus be spread upon the journal of the house.

Which motion prevailed, and

The resolution was adopted.

Mr. Leech offered the following resolution and moved its adoption:

Whereas, The long experience and familiarity of J. G. Hamilton with legislative procedure, covering a period from early territorial days to the present time, makes his services, in an advisory way, of great value to a body of new members, and conducive to a more speedy and accurate dispatch of its business; therefore, be it

Resolved, That Mr. Hamilton be requested to remain during the session of this legislature, in an advisory capacity, to assist the speaker, the clerical force and the members of this body in the expediting of its business.

Which motion prevailed, and
The resolution was adopted.

Mr. Young introduced the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Whereas, A committee from the Superior board of trade of the city of Superior, Wis., is now in the city of Bismarck for the purpose of conferring with the members of the legislature of this state, looking to the establishment of a joint grain inspection between the states of Wisconsin and North Dakota; now, therefore, be it

Resolved by the House of Representatives, the Senate Concurring:

That a committee of seven be appointed to confer with the said committee of the Superior board of trade, with instructions to recommend to this legislature a plan for the establishment of such joint inspection of grain; said committee to be selected as follows: Three members of the house, to be appointed by the speaker; two members of the senate, to be appointed by the president of the senate, the commissioner of agriculture of North Dakota, and the attorney general of North Dakota.

Which motion prevailed, and
The resolution was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Ryan introduced
House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross-examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Which was read the first time.

Mr. Beck introduced
House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane.

Which was read the first time.

Mr. Beck introduced

House Bill No. 8,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Which was read the first time.

Mr. Wagner introduced

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.

Which was read the first time.

Mr. Wagner introduced

House Bill No. 10,

A bill for an act to amend chapter 109 of the session laws of 1901, to amend section 3137 of the Revised Codes of 1899, relative to the limitation of hail insurance.

Which was read the first time.

Mr. Buttz introduced

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member of Battery A, State National guard.

Which was read the first time.

Mr. Davis introduced

House Bill No. 12,

A bill for an act to amend section 7683 of chapter 72 of the penal code of 1899 relating to game and fish.

Which was read the first time.

Mr. Buttz moved

To reconsider the vote by which the joint resolution relating to coal lands was ordered printed in the journal and that the same be introduced as a bill.

Which motion prevailed.

Mr. Young introduced

House Bill No. 13,

A bill for an act to amend chapter 61 of the laws of 1901 relating to the commencement of actions in justice court.

Which was read the first time.

Mr. Tufte introduced

House Bill No. 14,

A bill for an act preventing and restraining operation of pools, trusts and conspiracies.

Which was read the first time.

Mr. Tufte introduced

House Bill No. 15,

A bill for an act to regulate the marriage of persons having been divorced and the issuing of marriage licenses to such persons.

Which was read the first time.

Mr. Rose introduced

House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

Which was read the first time.

Mr. McKenzie introduced

House Bill No. 17,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Which was read the first time.

Mr. Beck introduced

House Bill No. 18,

A bill for an act to regulate the practice of optometry in the state of North Dakota.

Which was read the first time.

The Speaker called Mr. Elton to the chair.

Mr. McGahan introduced

House Bill No. 19,

A bill for an act providing how the unoccupied lots of townsites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

Which was read the first time.

Mr. Buttz introduced

House Bill No. 20,

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Which was read the first time.

Mr. Leech introduced

House Bill No. 21,

A bill for an act making an annual appropriation to the North Dakota Poultry Association, of Fargo, N D., to aid it in defraying the expenses and paying premiums of annual exhibitions of poultry and to aid the development of the poultry industry in this state.

Which was read the first time.

Mr. McClure introduced
House Bill No. 22,

A bill for an act requiring mutual fire insurance companies hereafter organized in this state to deposit funds with the state treasurer as security for the performance of their contracts.

Which was read the first time.

Mr. Tufte introduced
House Bill No. 23,

A bill for an act to amend section 7524 of the Revised Codes of North Dakota prescribing penalty for receiving deposits by any bank, banking house, exchange broker, deposit office, firm, company or corporation when becoming insolvent.

Which was read the first time.

The speaker in the chair.

Mr. Buttz introduced
House Bill No. 24,

A bill providing for a joint committee to investigate and report upon the coal deposits of the state and to provide for the development of same.

Which was read the first time.

The house returned to the fourth order of business.

Mr. Tufte offered the following concurrent resolution and memorial and moved its adoption:

CONCURRENT RESOLUTION AND MEMORIAL.

Whereas, Under the present method of the election of United States senators by the legislatures of the several states, protracted contents frequently result in no election at all, and in all cases interfering with needed state legislation; and

Whereas, Experience has demonstrated that the interest of the people would be best served by the election of United States senators by a vote of the people of the various states; and

Whereas, A large number of state legislatures have at various times adopted memorials and resolutions in favor of election of United States senators by popular vote; and

Whereas, The national house of representatives has on several occasions, within recent years, adopted resolutions in favor of this proposed change in the method of electing United States senators, which were not adopted by the senate; and

Whereas, Article V of the Constitution of the United States provides that congress, on the application of legislatures of two-thirds of the several states, shall call a convention for proposed amendments, and believing there is a general desire upon the part of the citizens of the state of North Dakota that United States senators should be elected by a direct vote of the people; therefore, be it

Resolved by the House of Representatives, the Senate Concurring:

That the legislative assembly of the state of North Dakota favors the adoption of an amendment to the constitution, which shall provide for the election of United States senators by popular vote, and joins with other states of the union in respectfully requesting that a convention be called for the purpose of proposing an amendment to the Constitution of the United States, as

provided for in Article V of said constitution, which amendment shall provide for a change in the present method of electing United States senators, so that they can be chosen in each state by direct vote of the people;

Resolved, further, That copies of this resolution, properly attested, be sent to our senators and representatives in congress of the United States; and be it hereby further

Resolved, That a copy of this concurrent resolution and application to congress for the calling of a convention, duly signed and certified, be sent to the proper officials of each of the states in the union, together with the request, hereby expressed, that such resolution and application be laid before the legislative assembly of each state, to be by it approved in its discretion, and notice of such approval when given communicated to the senators and representatives acting for such states in the congress of the United States.

Mr. Buttz moved

That the concurrent resolution and memorial be referred to the committee on privileges and elections.

Which mot'on prevailed, and

The resolution was so referred.

Mr. Tufte moved

That the resolution be adopted,

Mr. Buttz moved

As a substitute that the resolution be referred to the committee on privileges and elections.

Which substitute motion prevailed.

SECOND READING OF HOUSE BILLS.

House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross-examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane.

Was read the second time, and

Referred to the committee on appropriations.

Also,

House Bill No. 8,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Was read the second time, and

Referred to the committee on appropriations.

Also,

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 10,

A bill for an act to amend chapter 109 of the session laws of 1901, to amend section 3137 of the Revised Codes of 1899, relative to the limitation of hail insurance.

Was read the second time, and

Referred to the committee on insurance.

Also,

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member of Battery A, North Dakota National Guard.

Was read the second time, and

Referred to the committee on military affairs.

Also,

House Bill No. 12,

A bill for an act to amend section 7683 of chapter 72 of the penal code of 1899 relating to game and fish.

Was read the second time, and

Referred to the committee on game laws.

Also,

House Bill No. 13,

A bill for an act to amend chapter 61 of the laws of 1901 relating to the commencement of actions in justice court.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 14,

A bill for an act preventing and restraining operation of pools, trusts and conspiracies.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 15,

A bill for an act to regulate the marriage of persons having been divorced and the issuing of marriage licenses to such persons.

Was read the second time, and

Referred to the committee on judiciary.

MAYNARD CRANE,
Acting Chairman.

Also,

House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 17,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Was read the second time, and

Referred to the committee on railroads.

Also,

House Bill No. 18,

A bill for an act to regulate the practice of optometry in the state of North Dakota.

Was read the second time, and

Referred to the committee on public health.

Also,

House Bill No. 19,

A bill for an act providing how the unoccupied lots of townships heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city, as provided in section 2387, may be sold or leased.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 20,

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Was read the second time, and

Referred to the committee on military affairs.

Also,

House Bill No. 21,

A bill for an act making an annual appropriation to the North Dakota Poultry Association, of Fargo, N D., to aid it in defraying the expenses and paying premiums of annual exhibitions of poultry and to aid in the development of the poultry industry in this state.

Was read the second time, and

Referred to the committee on appropriations.

Also,

House Bill No. 22,

A bill for an act requiring mutual fire insurance companies here-

after organized in this state to deposit funds with the state treasurer as security for the performance of their contracts.

Was read the second time, and

Referred to the committee on insurance.

Also,

House Bill No. 23,

A bill for an act to amend section 7524 of the Revised Codes of North Dakota prescribing penalty for receiving deposits by any bank, banking house, exchange broker, deposit office, firm, company or corporation when becoming insolvent.

Was read the second time, and

Referred to the committee on banking and bank laws.

Also,

House Bill No. 24,

A bill providing for a joint committee to investigate and report upon the coal deposits of the state and to provide for the development of same.

Was read the second time, and

Referred to the committee on judiciary.

The privileges of the floor were extended to Mrs. G. W. H. Davis, Thomas Lonnevik. E. S. Petterson, H. G. Sprague, T. H. Tharaldson, Chas. Nick and Mr. LaMoure.

The speaker administered the oath of office to the following persons:

P. D. Bart, janitor; A. A. Hassard, clerk; Thomas Sonstrud, clerk; Ernest Johnson, clerk; Onneston Kermott, clerk; A. D. South, clerk; Martin Knudston, janitor;; Christ Roffler, janitor; Rose Gallagher, clerk; G. T. Richmond, clerk.

Mr. Peterson moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FIFTEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 20, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

Prayer by Rev. Stickney.

Roll call.

All members present except Messrs. Chaffee and Johnson, who were excused.

ELECTION OF UNITED STATES SENATOR.

Mr. Elton moved

That the house now proceed to the election of a United States senator to represent North Dakota in the congress of the United States for the term of six years, beginning March 4, 1903.

Which motion prevailed.

Mr. Davis of Ramsey county placed in nomination Henry C Hansbrough of Ramsey county.

Mr. Beck on behalf of Stutsman county.

Mr. Van Arnam of Richland county placed in nomination Max A. Wipperman of Richland county.

The nomination of Mr. Hansbrough was seconded by Mr. Buttz on behalf of Ransom county.

Mr. Ryan on behalf of Grand Forks county.

Mr. Beck on behalf of Stutsman county.

Mr. McCrea on behalf of Pembina county.

Mr. Mattson on behalf of Eddy and Foster counties.

Mr. Wall on behalf of Cass county.

Mr. Hammer seconded the nomination of Mr. Wipperman.

The roll was called and there were 98 votes cast, of which Henry C. Hansbrough received 86 votes, and Max A. Wipperman received 12 votes.

Those who voted for Mr. Hansbrough were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Rogers
Allen	Knudtson	Rose
Aslakson	Kraabel	Ryan
Baker of Ramsey	Lee	Scheer
Bartz	Leech	Schouweiler
Beck	Lillie	Senour
Blank	Lyons	Severson
Bostrom	Maddock	Shiels
Braaten	Mallough	Simpson
Brown	Mattson	Skjold
Burtness	McClure	Smart of Nelson
Buttz	McCrea	Smart of Traill
Cassell	McDowell	Steinberg
Chevalier	McGahan	Stevens
Chisholm	McKenzie	Thompson
Cole	McLain	Truemner
Dahl	Meidinger	Tufte
Davis	Midgarden	Underwood
Dickinson	Miller	Wagner
Dieball	Mooney	Wall
Elton	Movius	Watson
Ellison	Oksendahl	Watts
Ferguson	Palfrey	Weed
Flados	Palmer	Weigel
Fried	Patterson	Welo
Gagnon	Peterson of Wells	Wing
Gilbert	Phifer	Young
Gullerud	Richmond	Mr. Speaker
Heath	Robillard	

Those who voted for Mr. Wipperman were:

Messrs.—	Messrs.—	Messrs.—
Bourassa	Harvey	Noltimier
Connolly	Lish	Peterson of Towner
Hammer	McKnight	Stavens
Hanson	Noben	Van Arnam

Messrs. Chaffee and Johnson being absent.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following communications were received and read:

University of North Dakota, Grand Forks, Jan. 14, 1903

Honorable Thomas Baker, Bismarck, N. D.:

Dear Sir: The report of the State Geological Survey is about ready for distribution. It deals largely with the extent and value of the lignite deposits of the state, the extent, nature and thickness of beds, conditions for mining, and other points of interest to the practical investor. A chapter on the fuel value of the lignite gives practical tests which demonstrate that its worth is much greater than commonly supposed. The report forms a book of two hundred and fifty pages, with forty full page illustrations of mines, coal outcrops, etc. A cloth bound copy will be sent to you at Bismarck unless you direct otherwise, and paper bound copies will be sent to any of your constituents whom you may recommend.

Sincerely yours,

FRANK A. WILDER.

St. Louis, U. S. A., Jan. 15, 1903.

Honorable Thomas Baker, Jr., Bismarck, N. D.:

Dear Sir: An international exposition will be held in St. Louis to celebrate the centennial anniversary of the first expansion of the nation, a step which made possible the commercial and political development which has given the United States her present commanding position in the world's affairs.

The congress of the United States has stamped its approval upon this great undertaking by appropriating \$5,000,000 and the city of St. Louis has appropriated the magnificent sum of \$10,000,000 to aid in its installation in a manner commensurate with its great mission.

In extent and variety of interests as well as in the amount of money to be expended, it is designed on a larger scale than any preceding exposition in the world's history.

The Missouri legislature at its last session appropriated \$1,000,000 for its building and exhibit. The Illinois commission is now in the field backed with an appropriation of \$250,000, which probably will be doubled at the next session. In Iowa a bill appropriating \$125,000 was passed by the legislature; this amount probably will be increased. New York has made a preliminary appropriation of \$100,000, and Mississippi, a state that never before made an appropriation for exposition purposes, has provided \$50,000 for her participation in this great enterprise.

The enterprising state of North Dakota has always played a prominent part in the development of the country and in every line leading to the advancement of humanity. Her sons and daughters are among the best of every state and territory in the union, and her social, commercial and civil influence extends throughout the whole.

We ask you to do everything in your power to pave the way to a liberal appropriation by the legislature to enable North Dakota to be so well represented that it will not be second to any other state.

We are especially anxious to have North Dakota do her full duty in this matter on account of the moral effect it will have on the northwestern states. Laying aside all sentiment and state pride and considering it strictly in the light of a business proposition, a liberal appropriation by the legislature would be repaid many fold within the next few years.

We trust you will find in the foregoing and in the enclosed leaflet enough to stimulate your friendly interest in this enterprise.

If you should require specific rather than general information regarding any feature of this exposition or its development and progress, it will be sent you immediately upon application.

Yours very truly,

CHARLES M. REEVES,

Secretary Committee on Legislation.

P. S. In order that you may have a general idea of the magnitude of the Louisiana Purchase exposition, I beg leave to place before you a few important facts.

The world's fair of 1904 at St. Louis will be approximately twice as large as any former international exposition.

The Centennial exposition at Philadelphia covered 236 acres, the Paris exposition of 1899-1900, 336 acres, the Columbian exposition at Chicago, 633 acres.

The world's fair at St. Louis will cover 1,180 acres.

The construction cost of the Centennial exposition was \$8,500,000, that of the Paris exposition was \$9,000,000. The cost of the Columbian exposition was estimated at \$18,322,000 and the total cost was \$27,250,000.

The estimated construction cost of the St. Louis world's fair is \$30,000,000, and its total cost will be upwards of \$40,000,000 by the time the work is completed.

Before the exposition gates are open, the city of St. Louis will have expended the enormous sum of \$20,000,000. Of this amount \$5,000,000 was appropriated for the fair through the municipal assembly. Citizens of St. Louis raised \$5,000,000 additional by private subscription. By popular vote at a special election the charter amendments were carried, which will enable the city to expend \$10,000,000 for street paving and other public improvements.

Yours truly,
CHARLES M. REEVES.

MOTIONS AND RESOLUTIONS.

Mr. Davis offered the following resolution and moved its adoption:

Whereas, the seating capacity of this chamber is taxed almost to its limits, and whereas, the accoustic properties are such that it is difficult to be heard across the room; now therefore be it

Resolved, that the practice of extending the courtesies of the floor be discontinued, excepting in case of the wives of the members of the present legislature, who shall at all times be accorded the privileges of the floor, and excepting also those who are permitted such privileges under the rules of the house.

Which motion prevailed, and
The resolution was adopted.

Mr. Young offered the following resolution and moved its adoption:

Resolved, That the secretary of state be, and he is hereby authorized, to procure and cause to be sent to each regularly published newspaper in the state, copies of the daily journals and bills, and in the mailing of such documents the speaker of the house is authorized to detail one of the regularly employed house clerks, not otherwise engaged, to assist the secretary of state.

Which motion prevailed, and
The resolution was adopted.

Mr. Watts offered the following resolution and moved its adoption:

Resolved, That when the house adjourns today, Jan. 20, it shall stand adjourned until Wednesday, the 21st of January, at 11 o'clock a. m., so as to make proper arrangements for holding the joint session of both houses in the hall of the house of representatives.

Which motion prevailed, and
The resolution was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 19, 1903.

Mr. Speaker:

I have the honor to inform the house of representatives that the senate has concurred in the house concurrent resolution relating to

the appointment of a joint committee to meet a committee from the Superior board of trade, and that the president of the senate has appointed as members of said joint committee, Messrs. Sharpe and Jacobson.

R. M. TUTTLE,

Secretary.

REPORTS OF SPECIAL COMMITTEES.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the 14th day have carefully examined the same and recommend that the same be corrected as follows:

Page 10, line 24, add name G. T. Richmond, clerk.

And when so amended recommend that the same be approved.

J. H. McLAIN,

Chairman.

Also,

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the 5th day have carefully examined the same and recommend that the same be corrected as follows:

Page 2, line 31, change name Cora Shotwell to Eva B. Smith.

And when so amended recommend that the same be approved.

J. H. McLAIN,

Chairman.

Mr. McLain moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The speaker called Mr. Leech to the chair.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Kraabel introduced

House Bill No. 25,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

Which was read the first time.

Mr. Palmer introduced

House Bill No. 26,

A bill for an act to provide for the bonding of certain officers.
Which was read the first time.

Mr. Lyons introduced

House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Which was read the first time.

Mr. Hanson introduced

House Bill No. 28,

A concurrent resolution amending section 82 of the constitution of the state of North Dakota.

Which was read the first time .

Mr. Leech introduced

House Bill No. 29,

A bill for an act to provide for the participation of the state of North Dakota in the Louisiana Purchase Exposition, to be held in the city of St. Louis during the year 1904, in commemoration of the purchase of the Louisiana Territory by the United States, from the government of France, in the year 1803, and for an appropriation to pay the cost and expense of the same.

Which was read the first time .

Mr. Severson introduced

House Bill No. 30,

A bill for an act to regulate the sale of binding twine manufactured at the state prison at Bismarck, North Dakota.

Which was read the first time.

Mr. Bourassa introduced

House Bill No. 31,

A bill for an act to amend chapter 125 of the session laws of 1901, to amend section 4719 of the Revised Codes of North Dakota, 1899, relative to discharge of real estate mortgages.

Which was read the first time.

Mr. Underwood introduced

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Which was read the first time.

Mr. Buttz introduced

House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Which was read the first time .

Mr. Elton introduced

House Bill No. 34,

A bill for an act to repeal chapter 118 of the session laws of 1901 entitled "an act to amend section 4680 of article 2, chapter 72, of the Revised Codes of the state of North Dakota, entitled liens in general."

Which was read the first time.

The speaker in the chair.

Mr. Davis introduced

House Bill No. 35,

A bill for an act to amend sections 687, 692, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 25,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House Bill No. 26,

A bill for an act to provide for the bonding of certain officers.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Was read the second time, and

Referred to the committee on live stock industry.

Also,

House Bill No. 28,

A concurrent resolution amending section 82 of the constitution of the state of North Dakota.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 29,

A bill for an act to provide for the participation of the state of North Dakota in the Louisiana Purchase Exposition, to be held in the city of St. Louis during the year 1904, in commemoration of

the purchase of the Louisiana Territory by the United States, from the government of France, in the year 1803, and for an appropriation to pay the cost and expense of the same.

Was read the second time, and
To be referred to a special committee.

Also,

House Bill No. 30,

A bill for an act to regulate the sale of binding twine manufactured at the state prison at Bismarck, North Dakota.

Was read the second time, and
Referred to the committee on state affairs.

Also,

House Bill No. 31,

A bill for an act to amend chapter 125 of the session laws of 1901, to amend section 4719 of the Revised Codes of North Dakota, 1899, relative to discharge of real estate mortgages.

Was read the second time, and
Referred to the committee on judiciary.

Also,

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Was read the second time, and
Referred to the committee on insurance.

Also,

House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Was read the second time, and
Referred to the committee on insurance.

Also,

House Bill No. 34,

A bill for an act to repeal chapter 118 of the session laws of 1901 entitled "an act to amend section 4680 of article 2, chapter 72, of the Revised Codes of the state of North Dakota, entitled liens in general."

Was read the second time, and
Referred to the committee on judiciary.

Also,

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

Was read the second time and
Referred to the committee on education.

The speaker announced as the house members of the special joint committee on grain grading and dealing, Messrs. Young, Baker of Ramsey and Leech.

CORRECTION OF THE JOURNAL.

Omission in journal of second day.

The speaker administered the oath of office to Thomas Sons trud, assistant journal clerk.

The privileges of the floor were extended to F. R. Crumpton, W. P. Schmitt, C. K. Bassett, Captain Frank Henry, "Sargeant" Locke, F. W. Pearson, C. E. Robbins, W. C. Boyce, Thomas Driscoll, Dr. B. C. Taylor, Peter Reid and George Game.

Mr. McGahan moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

SIXTEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 21, 1903.

The house assembled at 11 o'clock a. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Chaffee, Johnson and Oksendahl who were excused.

MOTIONS AND RESOLUTIONS.

Mr. Kraabel offered the following resolution and moved its adoption:

Whereas, on the fourteenth day of this session a resolution was adopted requesting that Major Hamilton remain during the session and act as advisor to the speaker and to the members of this body; and,

Whereas, Major Hamilton's various other duties might make it a hardship for him to so magnanimously serve this body in the capacity of advisor; and,

Whereas, we believe that the speaker of this body is fully competent to preside over its deliberations, and,

Whereas, while we may be incompetent to perform the duties of the office to which we have been elected, we do not at this time wish to acknowledge such incompetency; therefore, be it

Resolved, That the action of this body in respect to the aforesaid resolution be and the same hereby is rescinded.

Mr. Buttz moved

That the resolution be laid on the table.

Which motion prevailed, and

The resolution was laid upon the table.

REPORT OF SENATORIAL CAUCUS.

STATE OF NORTH DAKOTA,
BISMARCK,
January 6, 1903.

A caucus of the republican members of the Eighth Legislative Assembly for the purpose of nominating a United States senator

was held in the United States courtroom. The meeting was called to order by Mr. Davis of Ramsey.

On motion of Mr. Buttz Senator LaMoure was made chairman and Senator Talcott secretary.

Upon the organization being perfected and nominations asked for by the chairman, Senator Hale of Ramsey placed in nomination Hon. Henry C. Hansbrough to succeed himself, which was duly seconded by Mr. Davis in behalf of Ramsey, Senator Lava-yea in behalf of Grand Forks, and Senator Lewis in behalf of Cass.

There being no further nominations Senator Lewis moved that the nomination be made by acclamation, which motion was carried unanimously.

The caucus then adjourned.

The speaker appointed as a committee to escort the senators to the house, Messrs. S. J. Aandahl, A. T. Kraabel, Hugh Ryan, C. H. Baker.

The speaker referred House bill No. 29, a bill for an act to provide for the participation of the state of North Dakota in the Louisiana Purchase Exposition, to be held in the city of St. Louis during the year 1904, in commemoration of the purchase of the Louisiana territory by the United States, from the government of France, in the year 1803, and for an appropriation to pay for the cost and expense of the same, to the committee on appropriations.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. McLain introduced

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

Which was read the first time.

Mr. McLain introduced

House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

Which was read the first time.

Mr. Wall introduced

House Bill No. 38,

A bill for an act to amend chapter 145, laws of 1901, and to provide that all taxes and assessments shall be paid before transfer of property.

Which was read the first time.

Mr. Wall introduced

House Bill No. 39,

A bill for an act fixing the time of making the annual tax levy and repealing all laws not in conformity therewith.

Which was read the first time.

Mr. Wall introduced

House Bill No. 40,

A bill for an act to amend section 2 of article 14 of chapter 73 of the laws of 1887, entitled an act to provide for the incorporation of cities.

Which was read the first time.

Mr. Wall introduced

House Bill No. 41,

A bill for an act to amend section 2 of chapter 142 of the laws of 1887, entitled an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota.

Which was read the first time.

Mr. Wall introduced

House Bill No. 42,

A bill for an act authorizing cities that have paved and otherwise improved streets, alleys and highways, and that have provided for the cost thereof and created improvement districts to reassess property in such improvement districts as are now created or may hereafter be created in all cases where for any reason the assessment has been made invalid or irregular because of failure to conform with existing laws or changes in the procedure relating thereto.

Which was read the first time.

Mr. Miller introduced

House Bill No. 43,

A bill for an act to amend section 4737 of the Revised Codes of 1899, relating to the renewal of chattel mortgages, and to provide for the contents of the affidavit for renewal.

Which was read the first time.

Mr. Palmer introduced

House Bill No. 44,

A bill for an act to amend chapter 50 of the general laws of 1891, the same being "an act to increase the revenues of the state by changing and increasing the boundaries of the counties of Pierce, McHenry, Bottineau, Ward, McLean, Williams, Billings, Stark, Morton and Mercer, and by repealing the act entitled "an act pertaining to the subdivision of the counties of Wallethe and Howard, Dakota Territory, approved March 9th, 1883."

Which was read the first time.

Mr. Simpson introduced

House Bill No. 45,

A bill for an act to exempt volunteer firemen from the payment of poll tax.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

Was read the second time, and

Referred to the committee on public health.

Also,

House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

Was read the second time, and

Referred to the committee on public health.

Also,

House Bill No. 38,

A bill for an act to amend chapter 145, laws of 1901, and to provide that all taxes and assessments shall be paid before transfer of property.

Was read the second time, and

Referred to the committee on municipal corporations.

Also,

House Bill No. 39,

A bill for an act fixing the time of making the annual tax levy and repealing all laws not in conformity therewith.

Was read the second time, and

Referred to the committee on municipal corporations.

Also,

House Bill No. 40,

A bill for an act to amend section 2 of article 14 of chapter 73 of the laws of 1887, entitled an act to provide for the incorporation of cities.

Was read the second time, and

Referred to the committee on municipal corporations.

Also,

House Bill No. 41,

A bill for an act to amend section 2 of chapter 142 of the laws of 1887, entitled an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota.

Was read the second time, and

Referred to the committee on municipal corporations.

Also,

House Bill No. 42,

A bill for an act authorizing cities that have paved and otherwise improved streets, alleys and highways, and that have provided for the cost thereof and created improvement districts to reassess property in such improvement districts as are now created or may hereafter be created in all cases where for any reason the assessment has been made invalid or irregular because of failure to conform with existing laws or changes in the procedure relating thereto.

Was read the second time, and

Referred to the committee on municipal corporations

Also,

House Bill No. 43,

A bill for an act to amend section 4737 of the Revised Codes of 1899, relating to the renewal of chattel mortgages, and to provide for the contents of the affidavit for renewal.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 44,

A bill for an act to amend chapter 50 of the general laws of 1891, the same being "an act to increase the revenues of the state by changing and increasing the boundaries of the counties of Pierce, McHenry, Bottineau, Ward, McLean, Williams, Billings, Stark, Morton and Mercer, and by repealing the act entitled "an act pertaining to the subdivision of the counties of Wallethe and Howard, Dakota Territory, approved March 9th, 1883."

Was read the second time, and

Referred to the committee on county boundaries.

Also,

House Bill No. 45,

A bill for an act to exempt volunteer firemen from the payment of poll tax.

Was read the second time, and

Referred to the committee on state affairs.

The speaker announced a recess until 11:55 a. m.

Session resumed at 11:45.

Mr. Ryan offered the following resolution and moved its adoption:

Resolved, That the chief clerk forthwith notify the senate that the house is now ready to receive the senate in joint session for the purpose of taking such further proceedings in relation to the election of a United States senator as shall be necessary and proper.

Which motion prevailed, and

The resolution was adopted.

The sergeant at arms announced the members of the senate and the officers in waiting.

JOINT SESSION.

The joint session of the two houses was called to order by the lieutenant governor, who announced that the hour had arrived for the joint session.

The roll of the members of the senate was then called by the secretary of the senate.

All members present except Messrs. Benson, Carroll and Talcott, who were excused.

The roll of the members of the house was then called by the chief clerk of the house.

All members present except Messrs. Chaffee and Johnson, who were excused.

The president announced that the purpose of the joint session was the comparison of the journals of the house and senate relative to the election of a United States senator.

The journals of the senate and house being read, and it appearing therefrom that Henry C. Hansbrough had received a majority of all the votes cast by senators and representatives of the eighth session of the Legislative Assembly of North Dakota, the president and the joint assembly formally declared Henry C. Hansbrough of Ramsey county duly elected United States senator for the term of six years beginning March 4, 1903, for the state of North Dakota.

The following certificate of election was then duly signed in open session:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 21, 1903.

This is to certify that at a meeting of the two houses of the legislative assembly of the state of North Dakota, in joint session, held on Wednesday, the 21st day of January, A. D. 1903, at noon, a majority of all the members of each house being present, it was found upon examination of the journals of the respective houses, that upon the day before, and after the meeting and organization of the legislative assembly each house had by an open viva voce vote of the members present, a majority of all senators and representatives-elect being present and voting, named Henry C. Hansbrough, of Ramsey county, state of North Dakota, for senator in the congress of the United States, for the state of North Dakota.

Whereupon the joint assembly, in session as aforesaid, formally declared said Henry C. Hansbrough, of Ramsey county, North Dakota, duly elected senator to represent the state of North Dakota in the congress of the United States for the term beginning March 4th, A. D. 1903.

DAVID BARTLETT,
President of the Senate and Joint Assembly.
THOMAS BAKER, JR.,
Speaker of the House of Representatives.
R. M. TUTTLE,
Secretary of the Senate.
A. O. ANDERSON,
Chief Clerk of the House.

The journal of the joint assembly was then read and approved by the joint assembly.

Mr. Simpson moved
That the joint assembly do now dissolve.
Which motion prevailed, and
The joint assembly dissolved.
House reassembled.

REPORT OF SPECIAL COMMITTEES.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifteenth day, have carefully examined the same and recommend that the same be corrected as follows:

Page 1, after line 24, insert:

Mr. Beck, on behalf of Stutsman county.

And when so amended recommend that the same be approved.

J. H. McLAIN,
Chairman.

Mr. McLain moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Mr. Buttz moved
That the resolution made a special order for today at 12:30 o'clock be laid over and made a special order for tomorrow at 2.30 o'clock.

Which motion prevailed.

The speaker administered the oath of office to E. L. Dodge, clerk; Edna Burge, clerk, and Charles Michaels, clerk.

Mr. Ryan moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 22, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Kraabel who was excused.

STANDING COMMITTEES.

The speaker announced the following standing committees:

Privileges and Elections—Messrs. Leech, chairman; Ryan, McKenzie, Robillard, Buttz, Peterson of Wells, Weed, Maddock, Harvey.

Mileage and Per Diem—Messrs. Davis, chairman; Richmond, Wagner.

Rules—Messrs. Cassell, chairman; Elton, Chaffee, Leech, McKenzie, Watts, Young, Rose, Scheer.

Appropriations—Messrs. Beck, chairman; Davis, Chisholm, Chevalier, Watts, Wing, Johnson, Gagnon, Tufte, Burtness, Steinberg, Smert of Traill, Dahl, Leech, Lillie, Miller, Peterson, Rose, Ryan, Underwood, McGahan, Young, Gilbert, Simpson, Harvey.

Agriculture—Messrs. Phifer, chairman; Allen, Aandahl, Bartz, Dieball, Lillie, Midgarden, McKnight, Peterson of Towner, Severson, Truemner, Oksendahl, Blank.

Apportionment—Messrs. Leech, chairman; Aandahl, Hanson, Meldinger, Chisholm, Bourassa, Gullerud, Aslakson, Peterson of Towner, McKenzie, Ellison, Rose, Patterson, Bostrom, Watson, Cole, Blank, Senour, Chaffee, Scheer, Welo, Dieball, Kraabel, McDowell, Heath, Hill, Connolly, Flados, Underwood, Rogers, Palfrey, Smart of Nelson.

Insurance—Messrs. Fried, chairman; Dickinson, Peterson of Wells, Brown, Richmond, Chaffee, McClure, Sheils, Elton.

Banking—Messrs. Peterson of Wells, chairman; McCrea, Movius, Schouweiler, Weigel, Cole, Hammer, Dickinson, Richmond, McLean, Thompson.

Coal Lands and Mining—Messrs. Cole, chairman; Flados, Senour, Palmer, McClure, Bostrom, Van Arnam, Dahl.

Counties and County Boundaries—Messrs. Lyon, chairman; Dieball, Johnson, Lish, Lillie, McDowell, Senour, Welo, Weigel.

Revision and Correction of Journal—Messrs. Heath, chairman; Mallough, Rogers, Skjold, Bourassa, Hanson, Wing.

Engrossment—Messrs. Ryan, chairman; Mattson, Wagner, Wall, Hammer, Maddock, McGahan, Dieball, Thompson.

Enrollment—Messrs. McClure, chairman; Mallough, Allen, Watts, Watson, Severson, Van Arnam, Robillard, Rose.

Education—Messrs. Davis, chairman; Watson, McCrea, Mallough, Miller, Kraabel, McLain, Underwood, Lish.

Forestry—Messrs. Watson, chairman; Midgarden, Beck, Stavens, Stevens, Movius, Sheils, Gullerud, Scheer.

Federal Relations—Messrs. Weed, chairman; Cassell, Hill, Beck, McDowell, Bourassa, Tufte, Kraabel, Severson.

Highways and Bridges—Messrs. Gilbert, chairman; Mallough, Burtness, Dickinson, Mattson, McKnight, McDowell, Welo, Weigel.

Irrigation—Messrs. Palmer, chairman; Smart of Traill, Chisholm, Meidinger, McGahan, Blank, Lee, Knudtson, Lillie.

Immigration—Messrs. Bartz, chairman; Cassell, Stevens, Cole, Fried, Senour, Hanson, Flados, Tufte.

Judiciary—Messrs. Buttz, chairman; Young, Chaffee, Leech, McClure, Patterson, Peterson of Wells, Richmond, Mattson, Van Arnam, Chevalier, Lillie, Mooney, Ferguson, Baker.

Labor—Messrs. Senour, chairman; Flados, Mallough, McKenzie, Noltimier, Tufte, Robillard, Ellison, Bourassa.

Municipal Corporations—Messrs. Wall, chairman; Chisholm, McKnight, Ryan, Bostrom, Brown, Wing, Simpson, Baker.

Corporations Other Than Municipal—Messrs. Movius, chairman; Kraabel, Connolly, Burtness, Oksendahl, Lee, Sheils, Aslakson, Hill.

Military Affairs—Messrs. Chisholm, chairman; Cole, Buttz, Wall, Rogers, Beck, Burtness, McGahan, Connolly.

Mines and Mining—Messrs. Patterson, chairman; Lee, Truemner, Smart of Nelson, Peterson of Towner, Hill, Gullerud, Gilbert, Blank.

Manufactures—Messrs. Underwood, chairman; Wall, Dickinson, Gilbert, McGahan, Dahl, Weigel, Lish, Aandahl.

Public Printing—Messrs. Richmond, chairman; Patterson, Robillard, Wagner, Rose, Lyons, Weed, Van Arnam, Gagnon, Elton.

Public Health—Messrs. McLain, chairman; Aslakson, McKnight, Miller, McDowell, Thompson, Johnson, Gullerud, Dieball.

Public Debt—Messrs. Severson, chairman; Wagner, Mooney, Hill, Brown, Rogers, Palfrey, Oksendahl, Noltimier.

Railroads—Messrs. Elton, chairman; Gilbert, Palmer, Buttz, Lyons, Chevalier, Davis, McClure, Movius, Weed, Watson, Rose, Richmond, Sheils, Skjold.

Schools and Public Lands—Messrs. Chaffee, chairman; Smart of Traill, Oksendahl, Skjold, Truemner, Smart of Nelson, Heath, Steinberg, Stavens.

Supplies and Expenditures—Messrs. McKenzie, chairman; Truemner, Smart of Traill, Scheer, McCrea, Noben, Noltimier, Ferguson, Steinberg.

State Affairs—Messrs. Watts, chairman; Davis, Chaffee, Johnson, Lillie, Patterson, Cassell, Steinberg, Thompson, Leech, Wing, Welo, Weigel, Smart of Nelson, Hammer.

Live Stock Industry—Messrs. Rose, chairman; Phifer, Lyons, Scheer, Simpson, Lee, Bartz, Knudtson, Noltimier, Weed, Maddock.

Taxes and Tax Laws—Messrs. Brown, chairman; Wall, Aslakson, Johnson, Miller, Scheer, Steinberg, Welo, Ryan, Heath, Phifer, Chevalier, Schouweiler, Palfrey, Flados.

Temperance—Messrs. McCrea, chairman; Heath, Davis, Braaten, Lyons, Lish, Shells, Rogers, Midgarden.

Warehouses, Grain Grading and Dealing—Messrs. Mattson, chairman; Leech, Mooney, Dickinson, Underwood, Maddock, Knudtson, Chevalier, Braaten, Schouweiler, Harvey, Aandahl, Baker, Fried, Bostrom.

Ways and Means—Messrs. Baker, chairman; Bartz, Burtness, Heath, Midgarden, Maddock, Peterson of Wells, Robillard, Skjold, Wing, Gagnon.

Woman's Suffrage—Messrs. Stevens, chairman; Hill, McKnight, Movius, Phifer, McCrea, Tufte, Knudtson, Noben.

Joint Committee on Charitable Institutions—Messrs. Palmer, chairman; Wells, Meidinger, Stavens, Connolly, Severson, Kraabel, Midgarden, Smart of Nelson.

Joint Educational Institutions—Messrs. Wagner, chairman; Chisholm, Harvey, Aandahl, Beck, Allen, Stevens, Simpson, McLain.

Joint Rules—Messrs. Cassell, chairman; Oksendahl, Noben, Knudtson, Palfrey, Baker, Lee, Ellison, Thompson.

Joint Penal Institutions—Messrs. Dahl, chairman; Watts, Miller, Young, Bostrom, Simpson, Gagnon, Hanson, Ferguson.

Joint Public Buildings—Messrs. Mooney, chairman; Bartz, Buttz, Hammer, Fried, Allen, Ferguson, Gilbert, Mattson.

Joint State Library—Messrs. Mallough, chairman; Smart of Trill, Stavens, Bourassa, Ferguson, Meidinger, Ellison, Noben, Dahl.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr. Speaker:

The senate has passed the following

CONCURRENT RESOLUTION.

Be it resolved by the senate, the house of representatives, concurring :

That a joint committee, consisting of two members of the senate and three of the house of representatives, be appointed to arrange suitable services, under the auspices of the Eighth legislative assembly, in honor of the next anniversary of the birth of Abraham Lincoln.

And the president of the senate has appointed on behalf of the senate, Messrs. LaMoire and Robinson as such committee, and your concurrence in the same is respectfully requested.

R. M. TUTTLE,

Secretary.

Mr. Young moved

That the house concur in senate resolution relating to observance of Lincoln's birthday.

Which motion prevailed, and

The house concurred in the resolution.

The speaker named as such committee for the house, Messrs. Gilbert, McGahan and Bourassa.

MOTIONS AND RESOLUTIONS.

Mr. Allen offered the following resolution and moved its adoption:

Resolved, That the members of this house, where practicable, prepare a copy or duplicate of each bill or resolution introduced, for the use of representative of the press, to the end that the public, by this means, may be fully and correctly informed of the nature and object of all measures originating in this body.

Which motion prevailed, and

The resolution was adopted.

Mr. Richmond offered the following resolution and moved its adoption:

Whereas, The acoustic properties of this chamber are such that it is difficult to hear throughout the hall; therefore, be it

Resolved, That the superintendent of the building be, and he hereby is instructed, to have placed throughout the chamber, wires for the conveyance of sound waves to different parts of the room and that he be requested to do this work at once.

Which motion prevailed, and

The resolution was adopted.

The speaker called Mr. Shiels to the chair.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Shiels introduced

House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

Which was read the first time.

Mr. Underwood introduced

House Bill No. 47,

A bill for an act to repeal chapter 60 of the session laws of 1897, being section number 6615a of the Revised Codes of 1899, forbidding and preventing the practice of law by judges of the county courts having increased jurisdiction.

Which was read the first time.

Mr. Wagner introduced

House Bill No. 48,

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.

Which was read the first time.

Mr. Wagner introduced

House Bill No. 49,

A bill for an act to amend section 4828 of the Revised Codes of 1899, relative to duty of register.

Which was read the first time .

Mr. Mattson introduced

House Bill No. 50,

A bill for an act to amend section 2626 Revised Codes of North Dakota relating to the allowance of claims against townships and counties.

Which was read the first time.

Mr. Cassell introduced

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

Which was read the first time.

The speaker in the chair.

Mr. Cassell introduced

House Bill No. 52,

A bill for an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

Which was read the first time.

Mr. Connolly introduced

House Bill No 53,

A bill for an act to amend section 1940 of the Revised Codes of North Dakota 1899, relating to advertisement for sealed proposals for the deposit of county funds.

Which was read the first time.

Mr. Van Arnam introduced

House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies, and for fixing the number and compensation of such deputies.

Which was read the first time.

Mr. Stevens introduced

House Bill No. 55,

A bill for an act to amend section 1 of house bill No. 4.

Which was read the first time.

Mr. Weed introduced

House Bill No. 56,

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota for the year 1899, relating to druggist's permit to sell intoxicating liquors.

Which was read the first time.

Mr. Harvey introduced

House Bill No. 57,

A bill for an act to amend article 3, section 4064 of the Revised Codes of 1899, relative to loan of money, usury defined.

Which was read the first time.

Mr. Burtness introduced

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Which was read the first time.

SPECIAL ORDER.

Mr. Watts moved

That the house resolve itself into a committee of the whole for the consideration of the joint resolution offered by Mr. Buttz relating to public buildings.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Cassell to the chair.

When the committee arose they made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration the joint resolution relating to public buildings, and report progress and ask leave to sit again.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

SECOND READING OF HOUSE BILLS.

House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House Bill No. 47,

A bill for an act to repeal chapter 60 of the session laws of 1897, being section number 6615a of the Revised Codes of 1899, forbidding and preventing the practice of law by judges of the county courts having increased jurisdiction.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 48,

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House Bill No. 49,

A bill for an act to amend section 4828 of the Revised Codes of 1899, relative to duty of register.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House Bill No. 50,

A bill for an act to amend section 2626 Revised Codes of North Dakota relating to the allowance of claims against townships and counties.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

Was read the second time, and

Referred to the committee on taxes and tax laws.

Also,

House Bill No. 52,

A bill for an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No 53,

A bill for an act to amend section 1940 of the Revised Codes of North Dakota 1899, relating to advertisement for sealed proposals for the deposit of county funds.

Was read the second time, and

Referred to the committee on banks and banking.

Also,

House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes

of 1899 providing for the payment of salaries to registers of deeds and their deputies and for fixing the number and compensation of such deputies.

Was read the second time, and
Referred to the committee on judiciary.

Also,

House Bill No. 55,

A bill for an act to amend section 1 of house bill No. 4.

Was read the second time and

Referred to the committee on banks and banking.

Also,

House Bill No. 56,

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota for the year 1899, relating to druggist's permit to sell intoxicating liquors.

Was read the second time and

Referred to the committee on temperance.

Also,

House Bill No. 57,

A bill for an act to amend article 3, section 4064 of the Revised Codes of 1899, relative to loan of money, usury defined.

Was read the second time and

Referred to the committee on banks and banking.

Also,

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Was read the second time and

Referred to the committee on judiciary.

The speaker announced a recess until 3:30 p. m.

House reassembled.

Mr. Cassell moved

That the house return to the fifth order of business.

Which motion prevailed, and

The house returned to the fifth order of business.

REPORT OF STANDING COMMITTEE.

The committee on rules made the following report:

Mr. Speaker:

Your committee on rules recommend that rule 52 be changed to read as follows:

The ayes and nays shall not be ordered unless demanded by one-sixth of the members present, except on the final passage of bills, concurrent resolutions to amend the constitution, and memorials, in which case ayes and nays shall be had without demand.

Also, that the committee on appropriations be increased to seventeen members.

M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committee on observance of Lincoln's birthday report that they have met the committee appointed by the senate and have arranged to meet in joint session in this house at 3 o'clock p. m., Thursday, February 12th, to hold memorial services, and that Rev. Father Conaty of Grand Forks, N. D., and the Hon. John M. Cochrane of Grand Forks, N. D., have been invited to deliver memorial addresses.

E. F. GILBERT,
A. N. BOURASSA,
L. D. MCGAHAN,
House Committee.

Mr. Gilbert moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Mr. Young moved
That the house resolve itself into a committee of the whole for the consideration of the joint resolution relating to public buildings.

Which motion prevailed, and
The house resolved itself into a committee of the whole.
The speaker called Mr. Cassell to the chair.

When the committee rose they made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration the joint resolution relating to public buildings, and recommend that the same be adopted, with special instructions to the committee to report to this house the cost and advisability of building a committee room near the heart of the city.

M. B. CASSELL,
Chairman.

Mr. Beck moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The speaker administered the oath of office to A. E. Wood, janitor, assigned to coat room; John Pollock, clerk, assigned to committee on revision and correction of the journal; Geo. Game, clerk, assigned to committee on appropriations.

The speaker re-referred
House Bill No. 12,

A bill for an act to amend section 7683 of chapter 72 of the penal code of 1899 relating to game and fish.

To the committee on state affairs.

Mr. Elton moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA.
January 23, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Kraabel and McDowell, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The speaker presented the following communication:

JOINT MEMORIAL NO. 2.

Santa Fee, N. M., January 22, 1903.

To the Legislative Assembly of the State of North Dakota, Bismarck:

To the legislative assemblies of the states of Arkansas, California, Kansas, Missouri, Montana, Nevada, North Dakota, South Dakota, Oregon, Utah, Washington and Wyoming: Your memorialist, the legislative assembly of the territory of New Mexico, most respectfully represents that on the second day of February, A. D. 1848, by the treaty of Gaudalupe Hidalgo, entered into between the United States and the Republic of Mexico, the territory embraced within the territories of New Mexico was ceded to the United States. That by that treaty the government of the United States solemnly pledged the people of the ceded territory that the same would be incorporated into the union of the states and the people thereof admitted to the enjoyment of all the rights of citizens of the United States. That the national conventions of the republican and democratic parties have repeatedly pledged the support of their representatives in the United States senate and house of representatives to the admission of the territories of Oklahoma, New Mexico and Arizona to the sisterhood of states. That the house of representatives of the congress of the United States has in compliance with treaty obligations of the United States and the political obligations of its members passed a bill (H. R. 12,543) to enable the people of Oklahoma, New Mexico and Arizona to form constitutions and states governments and to be admitted into the Union on an equal footing with the original states. That this bill has been transmitted to and is now pending in that honorable body without final action having been taken thereon. That said bill embodies the hopes and aspirations of the people of New Mexico, who are well fitted to assume the form of government provided for in said bill, as is evidenced by the fact that New Mexico has made as

much educational progress during the last decade as any other part of the nation and has a common school system the peer of any in the nation, that within her boundaries there is taxable property of the value of more than \$200,000,000; that she has a sufficient population who have manifested their devotion and loyalty to the government of the United States by furnishing more soldiers for the defense of the government according to population in both the Civil and Spanish-American wars than any state or territory in the nation; in the opinion of your memorialist, the people of Oklahoma and Arizona are likewise entitled to the blessings of statehood which will be secured to them by passing said bill and because the people of the territories of Oklahoma, New Mexico and Arizona have an inherent right to such admission by virtue of the principles enunciated in the declaration of independence because such admission is vouchsafed to be the policy pursued by the government of the United States in the admission of nearly all the states to the nation at a time when they are less fitted to assume self government than are Oklahoma, New Mexico and Arizona at the present time, because a territorial form of government is intolerable and obnoxious to a free and ambitious people because it is an incongruity under American institutions and should be maintained only so long as absolutely necessary to prepare its people for self government, because it is a denial of the right of the people to take part in the affairs of the nation which requires allegiance with support from it and because capital has not complete confidence in such a form of government reluctantly lends its aid to the development of its resources; we, therefore, most respectfully petition your honorable body to memorialize the senate of the congress of the United States to pass at the earliest date possible consistent with the rights of and courtesies due to every one of the members of that body said bill (H. R. 12,543) now pending in that body and popularly known as the omnibus bill, and we further respectfully petition your honorable body that you by suitable resolutions request your representatives in the senate of the United States congress to aid the prompt passage of said bill by their voice and vote, and it is hereby resolved by the legislative assembly of the territory of New Mexico that the president of the council and the speaker of the house of representatives of this legislative assembly be directed to transmit a certified copy of this memorial to the legislative assembly of the states hereby memorialized, and further resolved that the president of the council and speaker of the house of representatives be directed to telegraph a copy of this memorial to the legislative assemblies of the states hereby memorialized.

J. FRANCIS CHAVES,
President of Council.
W. E. MARTIN,
Chief Clerk Council.
NESTER MONTOYA,
Speaker of the House.
C. V. SAFFORD,
Chief Clerk of House.

Which was referred to the committee on federal relations.

COMMUNICATIONS FROM THE SECRETARY OF STATE.

The following communications were received from the secretary of state:

To the House of Representatives:

Gentlemen: I hereby certify that the following proposed Constitutional Amendment was passed by the Seventh Legislative Assembly and has been advertised by me in conformity with section 1819 of the Political Code.

E. F. PORTER,
Secretary of State.

AMENDMENT TO CONSTITUTION.

Section 1. Section 158 of the constitution of the State of North Dakota, is amended to read as follows:

Sec. 158. No lands, other than those granted for the use and benefits of the common schools, shall be sold for less than appraised value and in no case for less than \$5 per acre. The purchaser shall pay one-fifth of the price in cash and the remaining four-fifths as follows: One-fifth in five years and the remaining four-fifths at the option of the purchaser, in not more than twenty years, with interest at the rate of not less than six per centum, payable annually in advance. All sales shall be held at the county seat of the county in which the land to be sold is situated, and shall be at public auction and to the highest bidder, after sixty days' advertisement of the same, in a newspaper of general circulation in the vicinity of the lands to be sold, and one at the seat of government. Such lands as shall not have been specially subdivided shall be offered in tracts of one quarter section, and those so subdivided in the smallest subdivisions. All lands designated for sale and not sold within two years after appraisal, shall be reappraised before they are sold. No grant or patent for any such lands shall issue until payment is made for the same; provided, that the lands contracted to be sold by the state shall be subject to taxation from the date of such contract. In case the taxes assessed against any of said lands for any year remains unpaid until the first Monday in October of the following year, then and thereupon the contract of sale for such lands shall become null and void; provided, further, that sections 16 and 36, or any indemnity lands selected in lieu of losses thereof, appropriated for the common schools of the state shall not be sold for less than \$10 per acre.

To the House of Representatives:

Gentlemen: I hereby certify that the following proposed Constitutional Amendment was passed by the Seventh Legislative Assembly and has been advertised by me in conformity with Section 1819 of the Political Code.

E. F. PORTER,
Secretary of State.

AMENDMENT.

Subdivision five, section two hundred and fifteen (215), of article nineteen (19), of the constitution of the state of North Dakota, is amended so as to read as follows:

Fifth. The school for the deaf and dumb of North Dakota, at the city of Devils Lake, in the county of Ramsey. .

To the House of Representatives:

Gentlemen: I hereby certify that the following proposed Constitutional Amendment was passed by the Seventh Legislative Assembly and has been advertised by me in conformity with section 1819 of the Political Code.

E. F. PORTER,
Secretary of State.

AMENDMENT.

That subdivision 8, of section 215, of the constitution of the state of North Dakota be amended so as to read as follows:

Subdivision 8. A state hospital for the insane at the city of Jamestown, in the county of Stutsman. And the legislative assembly shall appropriate twenty thousand acres of the grant of lands made by the act of congress aforesaid for "Other Educational and Charitable Institutions" to the bene-

fit and for the endowment of said institution, and there shall be located at or near the city of Grafton, in the county of Walsh, an institution for the feeble minded, on the grounds purchased by the secretary of the interior for a penitentiary building.

To the House of Representatives:

Gentlemen: I hereby certify that the following proposed Constitutional Amendment was passed by the Seventh Legislative Assembly and has been advertised by me in conformity with Section 1819 of the Political Code.

E. F. PORTER,
Secretary of State.

AMENDMENT OF CONSTITUTION.

That Section 176 of the constitution of the State of North Dakota be amended, by adding thereto and making part thereof, the following clause:

The legislative assembly may further provide that grain grown within the state and held therein in elevators, warehouses and granaries may be taxed at a fixed rate.

REFERENCE OF THE JOURNAL.

Mr. Speaker:

Your committee on revision and correction of the journal of the seventeenth day recommend the following corrections to the journal of January 22:

On page 1, after the name "Smart," in committee of apportionment, add the words "of Traill."

Also,

On page 10, in the sixteenth line, insert the letter "o" for "a" in the word "correction."

And when so amended recommend that the same be approved.

THOMAS HEATH,
Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

REPORT OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 31,

A bill for an act to amend chapter 125 of the session laws of 1901, to amend section 4719 of the Revised Codes of North Dakota, 1899, relative to discharge of real estate mortgages.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out section 3 of said bill.

And when so amended recommend the same do pass.

C. W. BUTTZ,
Chairman.

Also,

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 26,

A bill for an act to provide for the bonding of certain officers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of House Bill No. 26 was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr. Speaker:

I have the honor to inform the house of representatives that the senate has passed the following preamble and concurrent resolution:

Whereas, Moses K. Armstrong, pioneer of the territory of Dakota in 1859, member of the first legislature in 1861, publisher of its early history in 1866, twice elected to congress as delegate from Dakota territory; who first introduced a bill there for the division of Dakota in 1871, and who did the first linear government surveying in what is now the state of North Dakota, in 1867, has presented to the members of this Legislative Assembly copies of his history of the early days of this territory, entitled "The Early Empire Builders of the Great West," and

Whereas, By this token of remembrance this legislative body is reminded of the debt of gratitude it owes to the sturdy pioneers who made possible the development and settlement of this fertile territory, now one of the proudest agricultural empires of the earth; now therefore, be it

Resolved, by the senate of the state of North Dakota, the house concurring:

That the thanks of this legislative body are returned to Hon. Moses K. Armstrong for his kindly and valued remembrance; that the congratulations of this assembly are extended to him upon his arrival at the age of seventy years, in health and vigor, and that he be assured that the memory of the grand army of pioneers, who faced hardship and danger that a new state might be created, and an heritage of plenty and prosperity be bequeathed to this and future generations, shall not grow dim while courage is honored and gratitude remains warm within us, and be it further

Resolved, That an engrossed copy of these resolutions be forwarded to Hon. Moses K. Armstrong at his home at St. James, Minn.

And your concurrence in the same is respectfully requested.

R. M. TUTTLE,

Secretary.

Mr. Tufte moved

That the house concur in the concurrent resolution.

Which motion prevailed, and

The senate concurrent resolution was adopted.

Mr. Davis offered the following resolution and moved its adoption:

That when we do adjourn we adjourn until Monday, January 26,

Which motion prevailed, and

The resolution was adopted.

Mr. McGahan offered the following resolution and moved its adoption:

Whereas, The North Dakota Press association convenes in the capital city on February 10, 1903, for the purpose of holding its annual business meeting, therefore be it

Resolved by the House of Representatives:

That the use of the house chamber be tendered the Bismarck Typographical Union for the reception and ball given in honor of the press association and editors of the state on the evening of February 10.

Which motion prevailed, and
The resolution was adopted.

Mr. Leech offered the following concurrent resolution and moved its adoption:

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

Whereas, Representatives of the Louisiana Purchase exposition desire to address the legislative assembly of the state of North Dakota for the purpose of explaining the plan and scope of the said exposition, therefore, be it

Resolved, That a joint session of the house and senate be held at 2 p. m. Wednesday, February 4, 1903, for the purpose of hearing the representatives of said exposition.

Which motion prevailed, and
The concurrent resolution was adopted.

Mr. Davis moved
That when we adjourn today we adjourn at 3 o'clock p. m.
Which motion prevailed.

The speaker called Mr. Underwood to the chair.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. McCrea introduced
House Bill No. 59,

A bill for an act to prescribe a penalty for the sale and bringing into the state for sale, cigarettes or cigarette paper.

Which was read the first time.

Mr. Cassell introduced
House Bill No. 60,

A bill for an act to amend section 7594 of the Revised Codes of 1899 relating to druggists permits to sell intoxicating liquors, prescribing the qualifications necessary to obtain such permits and the manner in which the same may be obtained and cancelled and fixing penalties in certain cases.

Which was read the first time.

Mr. Eelton introduced
House Bill No. 61,

A bill for an act to declare certain weeds common nuisances and to provide for their destruction.

Which was read the first time.

Mr. Tufte introduced
House Bill No. 62,

A bill for an act to determine the heirship to the government homestead of a deceased homestead settler, in cases where the heirs make final proof, and to assign the homestead land and make a record thereof.

Which was read the first time.

Mr. Chaffee introduced

House Bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Which was read the first time.

Mr. Chaffee introduced

House Bill No. 64,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Which was read the first time.

Mr. Beck introduced

House Bill No. 65,

A bill for an act to amend section 3071a, Revised Codes, 1899, providing for the time within which a consignee may remove property from the cars of a railroad company, without charge for demurrage or storage.

Which was read the first time.

Mr. Leech introduced

House Bill No. 66,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the Federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Which was read the first time.

Mr. Dahl introduced

House Bill No. 67,

A bill for an act repealing sub-division 4 of section 1 of chapter 61 of the session laws of 1901, relating to commencement of actions in a justice's court, said chapter 61 of the session laws of 1901 amending and re-enacting section 6633 of the Revised Codes North Dakota, 1899.

Which was read the first time.

Mr. Dahl introduced

House Bill No. 68,

A bill for an act to amend section 4720 of the Revised Codes of North Dakota, 1899, relating to discharge of mortgages by foreign executor or administrator.

Which was read the first time.

Mr. Welo introduced

House Bill No. 69,

A bill for an act to amend section 1 of chapter 130 of the session laws of the state of North Dakota, of A. D. 1901, entitled an act requiring railroad companies to stop all regular passenger trains at county seats.

Which was read the first time.

Mr. Welo introduced

House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Which was read the first time.

Committee on state affairs introduced

House bill No. 71.

A concurrent resolution fixing appraised value of school lands.

Which was read the first time.

Mr. Wing introduced

House Bill No. 72.

A bill for an act taxing the occupation of auctioneers.

Which was read the first time.

The speaker in the chair.

Mr. Davis introduced

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Which was read the first time.

Mr. Movius introduced

House Bill No. 74,

A bill for an act to amend section 5518 of the Revised Codes of North Dakota 1899, relating to exemptions.

Which was read the first time.

Mr. Shiels introduced

House Bill No. 75,

A bill for an act to provide for the assessment of property omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 59,

A bill for an act to prescribe a penalty for the sale and bringing into the state for sale, cigarettes or cigarette paper.

Was read the second time and

Referred to the committee on state affairs.

House Bill No. 60,

A bill for an act to amend section 7594 of the Revised Codes of 1899 relating to druggists permits to sell intoxicating liquors, prescribing the qualifications necessary to obtain such permits and the manner in which the same may be obtained and cancelled and fixing penalties in certain cases.

Was read the second time and

Referred to the committee on temperance.

House Bill No. 61,

A bill for an act to declare certain weeds common nuisances and to provide for their destruction.

Was read the second time and

Referred to the committee on state affairs.

House Bill No. 62,

A bill for an act to determine the heirship to the government homestead of a deceased homestead settler, in cases where the heirs make the final proof, and to assign the homestead land and make a record thereof.

Was read the second time and

Referred to the committee on judiciary.

House Bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Was read the second time and

Referred to the committee on warehouse and grain grading.

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A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Was read the second time and

Referred to the committee on warehouse and grain grading.

House Bill No. 65,

A bill for an act to amend section 3071a, Revised Codes, 1899, providing for the time within which a consignee may remove property from the cars of a railroad company, without charge for demurrage or storage.

Was read the second time and

Referred to the committee on railroads.

House Bill No. 66,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately

enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the Federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Was read the second time and

Referred to the committee on appropriations.

House Bill No. 67,

A bill for an act repealing sub-division 4 of section 1 of chapter 61 of the session laws of 1901, relating to commencement of actions in a justice's court, said chapter 61 of the session laws of 1901 amending and re-enacting section 6633 of the Revised Codes North Dakota, 1899.

Was read the second time and

Referred to the committee on judiciary.

House Bill No. 68,

A bill for an act to amend section 4720 of the Revised Codes of North Dakota, 1899, relating to discharge of mortgages by foreign executor or administrator.

Was read the second time and

Referred to the committee on judiciary.

House Bill No. 69,

A bill for an act to amend section 1 of chapter 130 of the session laws of the state of North Dakota, of A. D. 1901, entitled an act requiring railroad companies to stop all regular passenger trains at county seats.

Was read the second time and

Referred to the committee on railroads.

House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundares of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Was read the second time and

Referred to the committee on judiciary.

House Bill No. 71,

A concurrent resolution fixing appraised value of school lands.

Was read the second time and

Referred to the committee on state affairs.

House Bill No. 72,

A bill for an act taxing the occupation of auctioneers.

Was read the second time and

Referred to the committee on taxes and tax laws.

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Was read the second time and

Referred to the committee on state affairs.

House Bill No. 74,

A bill for an act to amend section 5518 of the Revised Codes of North Dakota 1899, relating to exemptions.

Was read the second time and

Referred to the committee on judiciary.

House Bill No. 75,

A bill for an act to provide for the assessment of property omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Was read the second time and

Referred to the committee on taxes and tax laws.

The speaker administered the oath of office to the following persons: T. W. Wrangham, janitor; A. Danty, janitor.

Omission in journal of fourteenth day:

The speaker administered the oath of office to Gottlieb Feickert.

Mr. Davis moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES,
BISMARCK NORTH DAKOTA,
January 26, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

And in the absence of the speaker, by reason of delayed train, the house was called to order by the chief clerk.

Mr. Davis moved

That Mr. Leech be elected speaker pro tem for the day.

Which motion prevailed.

Prayer by the chaplain.

Roll call.

All members present except Messrs, Chaffee, Cole, Connolly, Dahl, Dieball, Ellison, Ferguson, Lee, Lish, Mattson, McDowell, Palfrey, Peterson of Wells, Richmond, Sheils, Smart of Traill, Van Arnam, Weed and Weigel, who were excused.

Mr. Cassell moved

That all absentees be excused.

Which motion prevailed.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Mallough presented the following petition:

We are informed that House Bill No. 22, if passed, would be burdensome upon county mutual insurance companies, and we would respectfully ask you to use your influence against its passage, for the reason that we think that the interests of policy holders in such companies are now duly safe guarded. We are ourselves, members of the Cass County Mutual Farmers Fire Insurance company and desire no change in the laws governing same.

Yours very truly

MATH RUNCK,
WILHELM THOMAS,
AUGUST KRUMM,
ERNEST BAUMGARTEN,
W. H. GRAY.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Mallough introduced

House Bill No. 76,

A bill for an act to amend section 7156 of the Revised Codes of 1899, relating to rape defined.

Which was read the first time.

Mr. Tufte introduced

House Bill No. 77,

A bill for an act to amend section 3251 of the Revised Codes of North Dakota, prescribing penalties for receiving deposit in any bank, or banking association, when such banking association is insolvent.

Which was read the first time.

Mr. Leech introduced

House Bill No. 78,

A bill for an act requiring all persons entering into public contracts to furnish bonds.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 76,

A bill for an act to amend section 7156 of the Revised Codes of 1899, relating to rape defined.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 77,

A bill for an act to amend section 3251 of the Revised Codes of North Dakota, prescribing penalties for receiving deposit in any bank, or banking association, when such banking association is insolvent.

Was read the second time, and

Referred to the committee on banking and bank laws.

Also,

House Bill No. 78,

A bill for an act requiring all persons entering into public contracts to furnish bonds.

Was read the second time, and

Referred to the committee on county and county boundaries.

Mr. Stevens moved

That the House do now adjourn.

Which motion was lost.

The speaker pro tem announced a recess of ten minutes.

AFTER RECESS.

The speaker in the chair.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 8,

A bill for an act to amend section 2096 of the Revised Codes of North Dakota for 1899, relating to the per diem of jurors.

Also,
Senate Bill No. 14,

A bill for an act to amend section 6289 of the Revised Codes of North Dakota, relating to the time for probating wills.

Also,
Senate Bill No. 1,

A bill for an act to amend section 876 of the Revised Codes of the state of North Dakota for 1899, relating to the board of trustees of the University of North Dakota.

Which the senate has passed, and your favorable consideration thereof is requested.

R. M. TUTTLE,
Secretary.

GENERAL ORDERS.

Mr. Buttz moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Wall to the chair.

When the committee rose the following report was submitted:

Mr. Speaker:

Your committee of the whole have had under consideration
House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

And recommend that when the committee rise it report the bill back with the recommendation that the amendment to strike out section 3 be rejected and the bill as introduced be recommended to pass.

A. L. WALL,
Chairman.

Mr. Buttz moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr. Speaker:

I have the honor to inform your honorable body that the senate has adopted the following preamble and concurrent resolution:

Whereas the members of this legislative assembly have learned with sorrow of the death of Captain Alexander Griggs at Wenatchee, Washington, January 25, 1903; and

Whereas, Captain Griggs was long and prominently identified with the development of the territory of Dakota, and in 1889 was one of the members of the convention that framed the constitution of the state of North Dakota; was founder of the city of Grand Forks, having filed on the original site of the city in 1871, at that time giving the city its name; was the pioneer in steamboating on the Red River of the North, in which business he was engaged from 1870 to 1890, when ill health compelled him to leave the state of his adoption, in whose prosperity and welfare he has always held a deep interest; now therefore,

Be it resolved by the senate of the state of North Dakota, the house concurring, that there be spread upon the journal of the senate and house, this memorial of the life and public services of a man who, braving the dangers of an unknown country, and of untried waters, blazed a trail that many have followed in safety to success and prosperity; whose hand was ever warm in the grasp of friendship and quick to assist in time of need; whose counsels in the deliberations of the constitutional convention of this state were wise and kindly, and whose death is learned by his friends and fellows and by the people of the state with a sense of personal loss; and be it further

Resolved, That an engrossed copy of these resolutions be forwarded to the wife of the deceased as an assurance of the sympathy of this legislative assembly.

And your favorable consideration thereof is requested.

R. M. TUTTLE,

Secretary.

Mr. Ryan moved
That the house concur in the senate concurrent resolution as read.

Which motion prevailed, and
The resolution was adopted.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
Concurrent Resolution,

Providing for a joint session of the Eighth Legislative assembly to be held February 4th, for the purpose of hearing the addresses of representatives of the Louisiana Purchase exposition.

Also,

Joint Memorial No. 2,

From the legislative assembly of the territory of New Mexico, relative to the admission into the Union of the said territory, together with other territories.

Also,

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

THIRD READING OF HOUSE BILLS.

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 80, nays 1, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chevalier
Chisholm
Davis
Dickinson
Elton
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey

Messrs.—

Heath
Hill
Johnson
Kraabel
Leech
Lillie
Lyons
Maddock
Mallough
McClure
McCrea
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Oksendahl
Palmer
Patterson
Peterson of Towner
Phifer

Messrs.—

Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Simpson
Skjold
Smart of Nelson
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Underwood
Wagner
Wall
Watson
Watts
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chaffee	Lee	Richmond
Cole	Lish	Shiels
Connolly	Mattson	Smart of Traill
Dahl	McDowell	Van Arnam
Dieball	Palfrey	Weed
Ellison	Peterson of Wells	Weigel
Ferguson		

Mr. Knudtson voting in the negative.

Messrs. Chaffee, Cole, Connolly, Dahl, Dieball, Ellison, Ferguson, Lee, Lish, Mattson, McDowell, Palfrey, Peterson of Wells, Richmond, Shiels, Smart of Traill, Van Arnam, Weed and Weigel were excused.

So the bill passed and the title was agreed to.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal have examined the journal of the eighteenth day and find the same correct except as follows:

Correct the spelling of the word peer on page 2 of the printed journal.

Also, the word reluctantly on page 2 of the printed journal.

On page 5, correct the spelling of the word corporation.

On page 6, after the word "age", in message from the senate, insert " of seventy years, in health and vigor, and that he be assured that the".

Also, on page 8, in the first line, correct the spelling of the name Elton.

Your committee respectfully recommends that when corrected as above the journal of the eighteenth day stand approved.

Your committee further report that they have examined the journal of the sixteenth day and find the same correct and respectfully recommend its approval as printed.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

FIRST READING OF SENATE BILLS.

Senate Bill No. 1,

A bill for an act to amend section 876 of the Revised Codes of the state of North Dakota for 1899, relating to the board of trustees of the University of North Dakota.

Was read the first time.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1,

A bill for an act to amend section 876 of the Revised Codes of the state of North Dakota for 1899, relating to the board of trustees of the University of North Dakota.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 8,

A bill for an act to amend section 2096 of the Revised Codes of North Dakota for 1899, relating to the per diem of jurors.

Was read the second time, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 14,

A bill for an act to amend section 6289 of the Revised Codes of North Dakota, relating to the time for probating wills.

Was read the second time, and

Referred to the committee on judiciary.

Mr. Lillie resigned as a member of the committee on appropriations and the speaker appointed Mr. Watson to fill the vacancy.

Also,

Senate Bill No. 8,

A bill for an act to amend section 2096 of the Revised Codes of North Dakota for 1899, relating to the per diem of jurors

Which was read the first time.

Also,

Senate Bill No. 14,

A bill for an act to amend section 6289 of the Revised Codes of North Dakota, relating to the time for probating wills.

Which was read the first time.

Mr Tufte moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,

Chief Clerk.

TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 27, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Chisholm and Peterson of Wells, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the twenty-first day have carefully examined the same and recommend that the same be corrected as follows:

On page 2, line 5, the name "Runetz" be changed to "Runck."

And when so amended recommend that the same be approved.

THOMAS HEATH,
Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

REPORTS OF STANDING COMMITTEES

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs, to whom was referred

House Bill No. 25,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on state affairs, to whom was referred
House Bill No. 4,

A bill for an act limiting the number of consecutive terms of office to be held by county officials.

Have had the same under consideration and recommend that the same be referred to general orders.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The bill was referred to general orders.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws, to whom was referred
House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

Have had the same under consideration and recommend that the same do pass.

C. V. BROWN,
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations have had under consideration
House Bill No. 2,

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the Blind Asylum at Bathgate, North Dakota.

And recommend that the same do pass.

MORRIS BECK,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs, to whom was referred
House Bill No. 12,

A bill for an act to amend section 7683 of chapter 72 of the penal code of 1899 relating to game and fish.

Have had the same under consideration and recommended that the same do pass.

W. J. WATTS,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Buttz offered the following resolution and moved its adoption:

Whereas, It appears that the house has no calendar, upon which the clerk enters the bills and reports, made by the different committees of the house which is deemed necessary for the information and guidance of the members; therefore, be it

Resolved, That the clerk is hereby directed to have prepared and printed at least every three days while in session, and oftener if necessary, a calendar to be known as "The House Calendar," containing a list of all bills reported by the standing committees, title of bills, date of report, and by whom made and such other information as may aid in transaction of business including a calendar of general orders and that, thereafter, when the house considers bills upon their third reading or in general order, each bill on the calendar shall be considered in its order on this calendar, unless the house otherwise direct.

Which motion prevailed, and
The resolution was adopted.

Mr. Movius offered the following resolution and moved its adoption:

Whereas, It is necessary for the convenience of the members that pamphlets giving a list of the members now on committees, also location of committee rooms, be printed; therefore, be it

Resolved, That pamphlets giving the committees as named by the speaker be printed at once and copies of the same furnished to each member.

Which motion prevailed, and
The resolution was adopted.

Mr. Leech offered the following resolution:

Resolved, That owing to the increased membership of the house entailing increased work that Chester Erstrom, David Swett, Wilbur Rohrer and Millard M. Smith be elected additional pages for the house.

The question being upon the election of Chester Erstrom as a page.

The roll was called.

There were 95 votes cast, of which Chester Erstrom received 70 votes.

Those voting for Chester Erstrom were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Richmond
Allen	Hanson	Robillard
Baker of Ramsey	Heath	Rogers
Bartz	Hill	Rose
Beck	Leech	Scheer
Blank	Lillie	Schouweiler
Bostrom	Lish	Senour
Bourassa	Lyons	Severson
Brown	Mallough	Simpson
Buttz	Mattson	Skjold

Messrs.—	Messrs.—	Messrs.—
Cassell	McClure	Smart of Nelson
Chaffee	McCrea	Stevens
Chevalier	McDowell	Truemner
Connolly	McGahan	Underwood
Dahl	McKenzie	Van Arnam
Davis	Meidinger	Wagner
Dickinson	Miller	Wall
Dieball	Movius	Watson
Elton	Noitimier	Watts
Ellison	Palfrey	Weed
Flados	Palmer	Wing
Fried	Patterson	Young
Gagnon	Phifer	Mr. Speaker
Gilbert		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Maddock	Ryan
Burness	McKnight	Shiels
Ferguson	McLain	Smart of Traill
Gullerud	Midgarden	Stavens
Harvey	Mooney	Steinberg
Johnson	Noben	Thompson
Knudtson	Oksendahl	Tufte
Kraabel	Peterson of Towner	Welo
Lee		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Braaten	Cole	Weigel
Chisholm	Peterson of Wells	

Messrs. Chisholm and Peterson of Wells being excused.

Chester Erstrom having received a majority of all the votes cast was declared duly elected page.

The question being upon the election of David Swett as a page.

The roll was called.

There were 96 votes cast of which David Swett received 67 votes.

Those voting for David Swett were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Rogers
Bartz	Leech	Rose
Beck	Lillie	Scheer
Blank	Lish	Schouweiler
Boström	Lyons	Senour
Brown	Mallough	Severson
Buttz	Mattson	Simpson
Cassell	McClure	Skjold
Chaffee	McCrea	Smart of Nelson
Chevalier	McDowell	Stavens
Connolly	McGahan	Stevens
Dahl	McKenzie	Truemner
Davis	Meidinger	Underwood
Dickinson	Miller	Van Arnam

Messrs.—	Messrs.—	Messrs.—
Dieball	Movius	Wagner
Elton	Noltmier	Wall
Flados	Palfrey	Watson
Fried	Palmer	Watts
Gagnon	Patterson	Weed
Gilbert	Phifer	Wing
Hammer	Richmond	Young
Hanson	Robillard	Mr. Speaker
Heath		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Johnson	Oksendahl
Aslakson	Knudtson	Peterson of Towner
Baker of Ramsey	Kraabel	Ryan
Bourassa	Lee	Shiels
Braaten	Maddock	Smart of Traill
Burtness	McKnight	Steinberg
Ellison	McLain	Thompson
Ferguson	Midgarden	Tufta
Gullerud	Mooney	Welo
Harvey	Noben	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chisholm	Peterson of Wells	Weigel
Cole		

Messrs. Chisholm and Peterson of Wells being excused

David Swett having received a majority of all votes cast was declared duly elected a page.

The question being upon the election of Wilbur Rohrer as a page.

The roll was called.

There were 93 votes cast, of which Wilbur Rohrer received 48 votes.

Those voting for Wilbur Rohrer were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Richmond
Allen	Leech	Robillard
Beck	Lillie	Rogers
Blank	Lish	Rose
Bostrom	Lyons	Ryan
Brown	Mallough	Scheer
Buttz	Mattson	Senour
Chevalier	McClure	Simpson
Connolly	McDowell	Skjold
Davis	McGahan	Underwood
Dickinson	McKenzie	Van Arnem
Elton	Meidinger	Wall
Flados	Noltmier	Watson
Gagnon	Palmer	Weed
Gilbert	Patterson	Young
Hanson	Phifer	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Heath	Peterson of Towner
Baker of Ramsey	Johnson	Schouweiler
Bartz	Knudtson	Severson
Bourassa	Kraabel	Shiels
Braaten	Lee	Smart of Nelson
Burtness	Maddock	Smart of Traill
Cassell	McCrea	Stavens
Dahl	McKnight	Steinberg
Dieball	McLain	Stevens
Ellison	Midgarden	Thompson
Ferguson	Miller	Truemner
Fried	Mooney	Tufte
Gullerud	Noben	Wagner
Hammer	Oksendahl	Welo
Harvey	Palfrey	Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chaffee	Movius	Watts
Chisholm	Peterson of Wells	Weigel
Cole		

Messrs. Chisholm and Peterson of Wells being excused.

Mr. Cassell explained his vote.

Wilbur Rohrer having received a majority of all the votes cast was duly declared elected a page.

The question being upon the election of Millard M. Smith as a page.

The roll was called.

There were 94 votes cast of which Millard M. Smith received 59 votes.

Those voting for Millard M. Smith were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Robillard
Allen	Hill	Rogers
Baker of Ramsey	Leech	Rose
Beck	Lillie	Ryan
Blank	Lish	Scheer
Bostrom	Lyons	Schouweiler
Brown	Mallough	Senour
Buttz	Mattson	Simpson
Chaffee	McClure	Skjold
Chevalier	McDowell	Stevens
Connolly	McGahan	Truemner
Dahl	McKenzie	Underwood
Davis	Meidinger	Van Arnam
Dickinson	Mooney	Wagner
Dieball	Movius	Wall
Elton	Noltmier	Watson
Flados	Palmer	Weed
Gilbert	Patterson	Young
Hammer	Phifer	Mr. Speaker
Hanson	Richmond	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Knudtson	Severson
Bartz	Kraabel	Shiels
Bourassa	Lee	Smart of Nelson
Braaten	Maddock	Smart of Traill
Burtness	McCrea	Stavens
Cassell	McKnight	Steinberg
Ellison	McLain	Thompson
Ferguson	Midgarden	Tufte
Fried	Noben	Watts
Gullerud	Oksendahl	Welo
Harvey	Palfrey	Wing
Johnson	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chisholm	Gagnon	Peterson of Wells
Cole	Miller	Weigel

Messrs. Chisholm and Peterson of Wells being excused.

Milliard M. Smith having received a majority of all votes cast was duly declared elected a page.

MESSAGES FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 27, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 28,

A bill for an act to amend section 6365 of the Revised Codes of 1899, relating to the removal of executors, administrators and guardians.

Also,

Senate Bill No. 6,

A bill for an act to amend chapter 61 of the Session Laws of 1901, being section 6633 of the Revised Codes of North Dakota of 1899, relating to procedure in civil actions.

Also,

Senate Bill No. 73,

A bill for an act amending section 2, chapter 34, session laws of 1901, relating to the board of pardons and prescribing the powers and duties thereof.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

Also,
Mr. Speaker:

I have the honor to inform you that the senate has concurred in the house concurrent resolution, providing for a joint session of the house and senate at 2 p. m. on February 4, 1903, for the purpose of hearing representatives of the Louisiana Purchase Exposition.

R. M. TUTTLE,
Secretary.

The speaker announced a recess for ten minutes.

AFTER RECESS.

The speaker called Mr. Ryan to the chair.

FIRST READING OF HOUSE BILLS.

Mr. Ryan introduced
House Bill No. 79,
A bill for an act concerning land titles.
Which was read the first time.

Mr. Rogers introduced
House Bill No. 80,
A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.
Which was read the first time.

Mr. Rogers introduced
House Bill No. 81,
A bill for an act amending section 3071a of the Revised Codes for 1899, relating to the time when property must be removed from cars.

Which was read the first time.

Mr. McClure introduced
House Bill No. 82,
A bill for an act requiring mutual fire insurance companies to deposit with the state treasurer funds for the security of their members.

Which was read the first time.

Mr. Buttz introduced
House Bill No. 83,
A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.
Which was read the first time.

Mr. Bostrom introduced
House Bill No. 84,
A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes 1899, defining rape, abduction, carnal abuse of children and seduction.

Which was read the first time.

Mr. Movius introduced

House Bill No. 85,

A concurrent resolution to amend section 217 of the constitution of North Dakota relating to the sale of intoxicating liquors. Which was read the first time.

Mr. McGahan introduced

House Bill No. 86,

A bill for an act to provide for the publishing of an annual statement of the receipts and disbursements of the state treasurer's office, and defining the duties of the county auditors in relation thereto.

Which was read the first time.

Mr. McGahan introduced

House Bill No. 87,

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

Which was read the first time.

Mr. McGahan introduced

House Bill No. 88,

A bill for an act to amend section 1809 of the Revised Codes of 1899, relating to auditor and treasurer jointly to make semi-annual statement.

Which was read the first time.

Mr. McGahan introduced

House Bill No. 89,

A bill for an act making an annual appropriation to the Florence Crittenden Home and Hospital for friendless women and children of Bismarck, N. D., to aid in defraying the current and contingent expenses.

Which was read the first time.

Mr. Knudtson introduced

House Bill No. 90,

A bill for an act making an appropriation for the promotion of immigration.

Which was read the first time.

Mr. Robillard introduced

House Bill No. 91.

A bill for an act to amend section 1572 of the Revised Codes of 1899, relating to estrays.

Which was read the first time.

Mr. Mooney introduced

House Bill No. 92,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state,

making contracts void and providing a penalty for the violation thereof.

Which was read the first time.

Mr. Underwood introduced
House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Which was read the first time.

Mr. Noltimier introduced
House Bill No. 94,

A bill for an act to provide for the adoption of children.

Which was read the first time.

Mr. Davis introduced
House Bill No. 95,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Which was read the first time.

Mr. Flados introduced
House Bill No. 96

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota, 1899, relating to the manufacture and sale of dairy products, the appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Which was read the first time.

Mr. Watts introduced
House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Which was read the first time.

Mr. Davis introduced
House Bill No. 98,

A bill for an act to amend section 652, Revised Code, 1899, relating to salary of county superintendents of schools. Deputy. Traveling expenses.

Which was read the first time.

Mr. Dieball introduced
House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund, and the transfer of certain unexpended balances.

Which was read the first time.

Mr. Mattson introduced

House Bill No. 100,

A bill for an act prescribing penalties for failing, neglecting or refusing to vote at any general election, and providing for the collection thereof.

Which was read the first time.

Mr. Aandahl introduced

House Bill No. 101,

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.

Which was read the first time .

Mr. Ryan introduced

House Bill No. 102,

A bill for an act relating to domestic mutual insurance companies that transact a hail insurance business, prescribing the duties of the treasurer, providing for the compensation of officers, agents, and employes, fixing the time for the payment of their salaries and expenses, declaring contracts void and fixing a penalty for the violation of such act.

Which was read the first time.

The speaker in the chair.

SECOND READING OF HOUSE BILLS.

House Bill No. 79,

A bill for an act concerning land titles.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 80,

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

Was read the second time, and

Referred to the committee on warehouses and grain grading.

Also,

House Bill No. 81,

A bill for an act amending section 3071a of the Revised Codes for 1899 relating to the time when property must be removed from cars.

Was read the second time, and

Referred to the committee on warehouses and grain grading.

Also,

House Bill No. 82,

A bill for an act requiring mutual fire insurance companies to deposit with the state treasurer funds for the security of their members.

Was read the second time, and

Referred to the committee on insurance.

Also,

House Bill No. 83,

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 84,

A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes 1899, defining rape, abduction, carnal abuse of children and seduction.

Was read the second time, and

Referred to the committee on temperance.

Also,

House Bill No. 85,

A concurrent resolution to amend section 217 of the constitution of North Dakota relating to the sale of intoxicating liquors.

Was read the second time, and

Referred to the committee on temperance.

Also,

House Bill No. 86,

A bill for an act to provide for the publishing of an annual statement of the receipts and disbursements of the state treasurer's office, and defining the duties of the county auditors in relation thereto.

Was read the second time, and

Referred to the committee on state affairs.

House Bill No. 87,

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

Was read the second time, and

Referred to the committee on judiciary.

Also,

House Bill No. 88,

A bill for an act to amend section 1809 of the Revised Codes of 1899, relating to auditor and treasurer jointly to make semi-annual statement.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House Bill No. 89,

A bill for an act making an annual appropriation to the Florence Crittenden Home and Hospital for friendless women and

children, of Bismarck, N. D., to aid in defraying the current and contingent expenses.

Was read the second time, and
Referred to the committee on appropriations.

Also,

House Bill No. 90,

A bill for an act making an appropriation for the promotion of immigration.

Was read the second time, and
Referred to the committee on immigration.

Also,

House Bill No. 91.

A bill for an act to amend section 1572 of the Revised Codes of 1899, relating to estrays.

Was read the second time, and
Referred to the committee on counties and county boundaries.

Also,

House Bill No. 92,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Was read the second time, and
Referred to the committee on insurance.

Also,

House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Was read the second time, and
Referred to the committee on appropriations.

Also,

House Bill No. 94,

A bill for an act to provide for the adoption of children.

Was read the second time, and
Referred to the committee on woman suffrage.

Also,

House Bill No. 95,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Was read the second time, and
Referred to the committee on privileges and elections.

Also,

House Bill No. 96

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota, appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Was read the second time, and

Referred to the committee on live stock industry.

Also,

House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Was read the second time, and

Referred to the committee on insurance.

Also,

House Bill No. 98,

A bill for an act to amend section 652, Revised Code, 1899, relating to salary of county superintendents of schools. Deputy. Traveling expenses.

Was read the second time, and

ferred to the committee on education.

Also,

House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund, and the transfer of certain unexpended balances.

Was read the second time, and

Referred to the committee on ways and means.

Also,

House Bill No. 100,

A bill for an act prescribing penalties for failing, neglecting or refusing to vote at any general election, and providing for the collection thereof.

Was read the second time, and

Referred to the committee on privileges and elections.

Also,

House Bill No. 101,

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.

Was read the second time, and

Referred to the committee on state affairs.

Also,

House Bill No. 102,

A bill for an act relating to domestic mutual insurance companies that transact a hail insurance business, prescribing the

duties of the treasurer, providing for the compensation of officers, agents, and employes, fixing the time for the payment of their salaries and expenses, declaring contracts void and fixing a penalty for the violation of such act.

Was read the second time, and

Referred to the committee on insurance.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

FIRST READING OF SENATE BILLS.

Senate Bill No. 73,

A bill for an act amending section 2, chapter 34, session laws of 1901, relating to the board of pardons and prescribing the powers and duties thereof.

Which was read the first time.

Also,

Senate Bill No. 6,

A bill for an act to amend chapter 61 of the Session Laws of 1901, being section 6633 of the Revised Codes of North Dakota of 1899, relating to procedure in civil actions.

Which was read the first time.

Also,

Senate Bill No. 28,

A bill for an act to amend section 6365 of the Revised Codes of 1899, relating to the removal of executors, administrators and guardians.

Which was read the first time.

SECOND READING OF SENATE BILLS.

Senate Bill No. 73,

A bill for an act amending section 2, chapter 34, session laws

of 1901, relating to the board of pardons and prescribing the powers and duties thereof.

Was read the second time, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 6,

A bill for an act to amend chapter 61 of the Session Laws of 1901, being section 6633 of the Revised Codes of North Dakota of 1899, relating to procedure in civil actions.

Was read the second time, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 28,

A bill for an act to amend section 6365 of the Revised Codes of 1899, relating to the removal of executors, administrators and guardians.

Was read the second time, and

Referred to the committee on state affairs.

THIRD READING OF HOUSE BILLS.

House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 89, nays 2, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Rogers
Aslakson	Knudtson	Rose
Baker of Ramsey	Kraabel	Ryan
Bartz	Lee	Scheer
Beck	Leech	Schouweiler
Blank	Lillie	Senour
Bostrom	Lish	Severson
Bourassa	Maddock	Shiels
Braaten	Mallough	Simpson
Brown	Mattson	Skjold
Burntness	McClure	Smart of Nelson
Buttz	McCrea	Smart of Traill
Cassell	McDowell	Stavens
Chaffee	McGahan	Steinberg
Chevalier	McKenzie	Stevens
Connolly	McKnight	Thompson
Dahl	McLain	Truemner
Davis	Meidinger	Tuft

Messrs.—
 Dickinson
 Dieball
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gagnon
 Gilbert
 Hammer
 Harvey
 Heath

Messrs.—
 Midgarden
 Miller
 Movius
 Noben
 Oksendahl
 Palfrey
 Palmer
 Patterson
 Peterson of Towner
 Phifer
 Richmond
 Robillard

Messrs.—
 Underwood
 Van Arnam
 Wagner
 Wall
 Watson
 Watts
 Weed
 Welo
 Wing
 Young
 Mr. Speaker

Those who voted in the negative were:

Messrs.—
 Allen

Messrs.—
 Gullerud

Absent and not voting:

Messrs.—
 Chisholm
 Cole
 Hanson

Messrs.—
 Hill
 Lyons
 Mooney

Messrs.—
 Noltimier
 Peterson of Wells
 Weigel

Messrs. Chisholm and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

Mr. Buttz, by unanimous consent, moved

That the vote by which the house on January 26, 1903, indefinitely postponed the further consideration of House Bill No. 31, introduced by Mr. Bourassa, was agreed to, is hereby reconsidered and said bill to be placed upon the house calendar with an adverse report for the further consideration of the house.

Which motion was lost.

GENERAL ORDERS.

Mr. Davis moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Young to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 4,

A bill for an act limiting the number of consecutive terms of office to be held by county officials.

And recommend that further consideration of the bill be indefinitely postponed.

GEORGE M. YOUNG,
 Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The speaker administered the oath of office to Chester Erstrom,
David Swett, Wilbur Rohrer and Millard M. Smith as pages.

Mr. Beck moved

That the house do now adjourn,

Which motion prevailed; and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 28, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Hill, Mattson, Mooney and Peterson of Wells.

Messrs. Mooney and Peterson of Wells being excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the twenty-second day have carefully examined the same and recommend that the same be corrected as follows:

On page 3 the name "Sweet" changed to "Swett".

On page 5, after the word "Chisholm", the word "add" be changed to "and".

On page 11 the spelling of the word employes to be corrected.

On page 5, in the seventh line from the bottom of the page the name "Swee." be changed to "Swett."

On page 6, the figures showing 95 votes for Millard M. Smith be changed to "59".

And when so amended recommend that the same be approved.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Buttz presented the following communication:

Hon. Chas. W. Buttz, Bismarck, N. D.:

Dear Sir: I beg to call your attention to Senate Bill No. 16, increasing the appropriation for state high schools from \$4,000 to \$12,500 annually; also providing for the appointment of state high school inspector. I have given careful attention to the grounds for this bill, and I assure you that they are meritorious.

The undersigned will be pleased to have you use your best endeavors to secure the passage of this bill.

Sincerely yours,
(Signed) W. W. REED
And 5 others.

Referred to the committee on appropriations.

Mr. Tufte presented a communication from Mr. Aldrich of Grand Forks county, in reference to glandered horses killed by order of the state veterinarian of the first district, and stated that the communication was too voluminous to be printed in the journal, and that he would introduce a bill at Mr. Aldrich's request to reimburse him for loss of his horses, and stated that he was ready to give full information to the members about the matter of reimbursing Mr. Aldrich and hoped they would give it favorable consideration.

REPORTS OF STANDING COMMITTEES.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations, to whom was referred House Bill No. 42,

A bill for an act authorizing cities that have paved and otherwise improved streets, alleys and highways, and that have provided for the cost thereof and created improvement districts to reassess property in such improvement districts as are now created or may hereafter be created in all cases where for any reason the assessment has been made invalid or irregular because of failure to conform with existing laws or changes in the procedure relating thereto.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on municipal corporations to whom was referred House Bill No. 38,

A bill for an act to amend chapter 145, laws of 1901, and to provide that all taxes and assessments shall be paid before transfer of property.

Have had the same under consideration, and recommend that the same be amended as follows:

Amend the title of the bill to read as follows:

A bill for an act to amend section 1278 of the revised codes of 1899 as amended by chapter 144 of the session laws of 1901 and to provide that all taxes and assessments shall be paid before transfer of property.

Also amended by inserting section 1.

Section 1. That section 1278 of the revised codes of 1899, as amended by chapter 144 of the session laws of 1901, be further amended and re-enacted to read as follows:

Section 1278.

And when so amended recommend that the bill do pass.

A. L. WALL,
Chairman.

Mr. Wall moved

That the rules be suspended and
The report on House Bill No. 38 be adopted.

Which motion prevailed, and
The report was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations, to whom was referred House Bill No. 41,

A bill for an act to amend section 2 of chapter 142 of the laws of 1887, entitled an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota.

Have had the same under consideration, and recommend that the same be amended as follows:

Amend the title so as to read: "A bill for an act to amend section 2494, article 15 of the revised codes of 1899 relating to the tax levy and rate of taxation in cities."

Also amend as follows, section 1: "That section 2494 of article 15 of the revised codes of 1899 be amended and re-enacted to read as follows: Section 2494. The common council of such cities shall, on or before the first Monday in July of each year, or within ten days thereafter, make the tax levy for the current fiscal year and fix the rate of taxation upon the property in such city, and the auditor of such city shall forthwith transmit the same to the county auditor.

And when so amended recommend that the bill do pass.

A. L. WALL,
Chairman.

Mr. Wall moved

That the rules be suspended and
That the report on House Bill No. 41 be adopted.

Which motion prevailed, and
The report was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred House Bill No. 40,

A bill for an act to amend section 2 of article 14 of chapter 73 of the laws of 1887, entitled an act to provide for the incorporation of cities.

Have had the same under consideration, and recommend that the same be amended as follows:

Amend the title so as to read: "A bill for an act to amend section 2262 of article 16 of the revised codes of 1899, relating to the annual appropriation bill for cities."

Also amend as follows section 1: "That section 2262 of article 16 of the revised codes of 1899 be amended and re-enacted to read as follows: Section 2262." The city council shall at their regular meeting in July of each year, or within ten days thereafter, pass an ordinance, to be termed the annual appropriation bill, which such corporate authorities may appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such corporation; and in such ordinance shall specify the objects and purposes for which such appropriations are made and the amount apportioned for each object or purpose. No further appropriations shall be made at any other time within such fiscal year, unless the proposition to make each appropriation has been first sanctioned by a majority of the legal voters of such city, either by a petition signed by them, or at a general or special election duly called for that purpose.

A. L. WALL,
Chairman.

And when so amended recommend that the same do pass.

Mr. Wall moved

That the rules be suspended and

The report of the committee on House Bill No. 40 be adopted,

Which motion prevailed, and

The report was adopted.

The committee on live stock industry made the following report:

Mr. Speaker:

Your committee on live stock industry to whom was referred House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Have had the same under consideration and recommend that the same do pass.

GEO. ROSE,
Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 44,

A bill for an act to amend chapter 50 of the general laws of 1891, the same being "an act to increase the revenues of the state by changing and increasing the boundaries of the counties of Pierce, McHenry, Bottineau, Ward, McLean, Williams, Billings, Stark, Morton and Mercer, and by repealing the act entitled "an act pertaining to the subdivision of the counties of Walleite and Howard, Dakota Territory, approved March 9th, 1883."

Have had the same under consideration and recommend that the same do pass.

P. J. LYONS,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 13,

A bill for an act to amend chapter 61 of the laws of 1901 relating to the commencement of actions in justice court.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 15,

A bill for an act to regulate the marriage of persons having been divorced and the issuing of marriage licenses to such persons.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 19,

A bill for an act providing how the unoccupied lots of town-sites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 52,

A bill for an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 28,

A concurrent resolution amending section 82 of the constitution of the state of North Dakota.

Have had the same under consideration and recommend that the same do not pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 68,

A bill for an act to amend section 4720 of the Revised Codes of North Dakota, 1899, relating to discharge of mortgages by foreign executor or administrator.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 67,

A bill for an act repealing sub-division 4 of section 1 of chapter 61 of the session laws of 1901, relating to commencement of actions in a justice's court, said chapter 61 of the session laws of 1901 amending and re-enacting section 6633 of the Revised Codes of North Dakota, 1899.

Have had the same under consideration and recommend that the same do not pass.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report on House Bill No. 67 be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 43,

A bill for an act to amend section 4737 of the Revised Codes of 1899, relating to the renewal of chattel mortgages, and to provide for the contents of the affidavit for renewal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report on House Bill No. 43 be adopted

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on federal relations made the following report:

Mr. Speaker:

Your committee on federal relations, to whom was referred

Joint Memorial No. 2,

Relative to the admission of Oklahoma, New Mexico and Arizona into the union as states.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. WEED,
Chairman.

Mr. Weed moved
That the report be adopted.
Which motion prevailed, and
The further consideration of said joint memorial was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 48,
A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.
Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 73,
A bill relating to name of school for deaf and dumb.
Have had the same under consideration and recommend that the same do pass.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 6,
A bill for an act to amend chapter 61 of the Session Laws of 1901, being section 6633 of the Revised Codes of North Dakota of 1899, relating to procedure in civil actions.
Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 28,
A bill for an act to amend section 6365 of the Revised Codes of 1899, relating to the removal of executors, administrators and guardians.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 1,

A bill for an act to amend section 876 of the Revised Codes of the state of North Dakota for 1899, relating to the board of trustees of the University of North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 28, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 13,

A bill for an act to amend section 2914 of the Revised Codes of North Dakota of the revision of 1899, relating to the settlement of affairs of corporation upon dissolution.

Also,
Senate Bill No. 17,

A bill for an act to provide for the licensing of agents to solicit for insurance companies and fixing the penalty for violation of the same.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,
Secretary.

Mr. Cassell moved that
Senate Bill No. 1,

A bill for an act to amend section 876 of the Revised Codes of the State of North Dakota for 1899, relating to the board of trustees of the University of North Dakota

Be submitted to the attorney general with the request that he give to this house in writing his opinion on the following points, viz:

1. Whether or not the bill would legislate out of office the four remaining members of the board.

2. Whether or not the vacancy created by the resignation or death of the life member could be filled under section 877 of the Code.

3. Whether or not the provisions of the bill conflict with section 20 of the constitution.

Mr. Buttz moved

To lay the motion on the table

Which motion was lost and

The original motion prevailed.

The speaker called Mr. Kraabel to the chair.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Davis introduced

House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb and feeble minded persons in each district in the state.

Which was read the first time.

Mr. Fried introduced

House Bill No. 104,

A bill for an act to amend chapter 207 of the laws of 1901, same being an amendment of section 1596 of the Revised Codes of 1899, same being section 1596 of the Revised Codes of 1895 relating to veterinarian districts.

Which was read the first time.

Mr. Ellison introduced

House Bill No. 105,

A bill for an act to amend section 3146 of the Revised Codes of North Dakota, relating to the time for the election of directors of county mutual insurance companies, who may vote at such elections, and who shall be considered members of said companies.

Which was read the first time.

Mr. Tufte introduced

House Bill No. 106,

A bill for an act to appropriate money to pay Edward M. Aldrich for horses killed by order of the district veterinarian of the First district.

Which was read the first time.

Mr. Leech (by request) introduced

House Bill No. 107.

A bill for an act to prevent and punish the desecration of the flag of the United States.

Which was read the first time.

Leech introduced (by request)

House Bill No. 108,

A bill for an act making appropriation for furnishing vaults in state buildings with fire proof furniture.

Which was read the first time.

Mr. Harvey introduced

House Bill No. 109,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Which was read the first time.

Mr. Harvey introduced

House Bill No. 110,

A bill for an act relating to domestic mutual insurance companies that transact a hail insurance business, prescribing the duties of the treasurer, providing for the compensation of officers, agents and employees, fixing the time for the payment of their salaries and expenses, declaring contracts void and fixing a penalty for the violation of such act.

Which was read the first time.

Mr. Schouweiler introduced

House Bill No. 111,

A bill for an act to amend section 1566 of the Revised Codes as amended by chapter 215 of the laws of 1901 relating to bounty for killing wolves and coyotes

Which was read the first time.

Mr. Patterson introduced

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.

Which was read the first time.

Mr. Rose introduced

House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Which was read the first time.

Mr. Gullerud introduced

House Bill No. 114,

A bill for an act to repeal section 1030 of the Revised Codes of North Dakota, relating to lignite coal to be used.

Which was read the first time.

Mr. Richmond introduced

House Bill No. 115,

A bill for an act to amend section 5249, chapter 7 of the Revised Codes of 1899 relating to the commencement of civil actions and the filing and service of complaints in the district courts.

Which was read the first time.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 2,

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the Blind Asylum at Bathgate, North Dakota.

Also,

House Bill No. 12,

A bill for an act to amend section 7683 of chapter 72 of the penal code of 1899 relating to game and fish.

Also,

House Bill No. 25,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

Also,

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

The speaker in the chair.

SECOND READING OF HOUSE BILLS.

House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb and feeble minded persons in each district in the state.

Was read the second time, and

Referred to the committee on education.

House Bill No. 104,

A bill for an act to amend chapter 207 of the laws of 1901, same being an amendment of section 1596 of the Revised Codes of 1899, same being section 1596 of the Revised Codes of 1895 relating to veterinarian districts.

Was read the second time, and

Referred to the committee on public health.

House Bill No. 105,

A bill for an act to amend section 3146 of the Revised Codes of North Dakota, relating to the time for the election of directors

of county mutual insurance companies, who may vote at such elections, and who shall be considered members of said companies.

Was read the second time, and
Referred to the committee on insurance.

House Bill No. 106,

A bill for an act to appropriate money to pay Edward M. Aldrich for horses killed by order of the district veterinarian of the 1st district.

Was read the second time, and
Referred to the committee on appropriations.

House Bill No. 107.

A bill for an act to prevent and punish the desecration of the flag of the United States.

Was read the second time, and
Referred to the committee on education.

House Bill No. 108,

A bill for an act making appropriation for furnishing vaults in state buildings with fire proof furniture.

Was read the second time, and
Referred to the committee on appropriations.

House Bill No. 109,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Was read the second time, and
Referred to the committee on insurance.

House Bill No. 110,

A bill for an act relating to domestic mutual insurance companies that transact a hail insurance business, prescribing the duties of the treasurer, providing for the compensation of officers, agents and employees, fixing the time for the payment of their salaries and expenses, declaring contracts void and fixing a penalty for the violation of such act.

Was read the second time, and
Referred to the committee on insurance.

House Bill No. 111,

A bill for an act to amend section 1566 of the Revised Codes as amended by chapter 215 of the laws of 1901 relating to bounty for killing wolves and coyotes

Was read the second time, and
Referred to the committee on state affairs.

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.

Was read the second time, and

Referred to the committee on state affairs.

House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Was read the second time, and

Referred to the committee on public health.

House Bill No. 114,

A bill for an act to repeal section 1030 of the Revised Codes of North Dakota, relating to lignite coal to be used.

Was read the second time, and

Referred to the committee on coal lands and mining.

House Bill No. 115,

A bill for an act to amend section 5249, chapter 7 of the Revised Codes of 1899 relating to the commencement of civil actions and the filing and service of complaints in the district courts.

Was read the second time and

Referred to the committee on judiciary.

The speaker announced a recess for ten minutes.

AFTER RECESS.**THIRD READING OF HOUSE BILLS.****House Bill No. 25,**

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 87, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey

Messrs.—

Hanson
Harvey
Heath
Johnson

Messrs.—

Rogers
Rose
Ryan
Scheer

Messrs.—

Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson

Messrs.—

Lyons
Maddock
Mallough
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Movius
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Phifer

Messrs.—

Shiels
Simpson
Skjold
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Bostrom
Hill

Messrs.—

Mattson
Mooney

Messrs.—

Peterson of Wells
Weed

Messrs. Mooney and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

House Bill No. 2,

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the Blind Asylum at Bathgate, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 94, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Cass
Baker of Ramsey
Bartz
Beck
Blank
Bourassa
Braaten
Brown
Burtness
Buttz

Messrs.—

Hanson
Harvey
Heath
Johnson
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Maddock
Mallough

Messrs.—

Richmond
Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Simpson
Skjold
Smart of Nelson

Messrs.—	Messrs.—	Messrs.—
Bartz	Knudtson	Schouweiler
Beck	Kraabel	Senour
Blank	Lillie	Severson
Bourassa	Lyons	Shiels
Braaten	Maddock	Simpson
Brown	Mallough	Skjold
Burtness	McClure	Smart of Nelson
Buttz	McCrea	Smart of Traill
Cassell	McDowell	Stavens
Chaffee	McGahan	Steinberg
Chevalier	McKnight	Stevens
Cole	McLain	Thompson
Connolly	Meidinger	Truemmer
Dahl	Midgarden	Tufte
Davis	Miller	Underwood
Dieball	Movius	Van Arnam
Elton	Noben	Wagner
Ellison	Noltmier	Wall
Ferguson	Oksendahl	Watson
Flados	Palfrey	Watts
Fried	Palmer	Weigel
Gagnon	Peterson of Towner	Welo
Gilbert	Phifer	Wing
Gullerud	Richmond	Young
Hammer	Robillard	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Leech	Mooney
Chisholm	Lish	Patterson
Dickinson	Mattson	Peterson of Wells
Hill	McKenzie	Weed
Lee		

Messrs. Mooney and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 94, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Richmond
Allen	Heath	Robillard
Aslakson	Johnson	Rogers
Baker of Ramsey	Knudtson	Rose
Bartz	Kraabel	Ryan
Beck	Lee	Scheer
Blank	Leech	Schouweiler
Bourassa	Lillie	Senour
Braaten	Lish	Severson

Messrs.—	Messrs.—	Messrs.—
Cassell	McClure	Smart of Traill
Chaffee	McCrea	Stavens
Chevallier	McDowell	Steinberg
Chisholm	McGahan	Stevens
Cole	McKenzie	Thompson
Connolly	McKnight	Truemner
Dahl	McLain	Tufte
Davis	Meldinger	Underwood
Dickinson	Midgarden	Van Arnam
Dieball	Miller	Wagner
Elton	Movius	Wall
Ellison	Noben	Watson
Ferguson	Noltmier	Watts
Flados	Oksendahl	Weigel
Fried	Palfrey	Welo
Gagnon	Palmer	Wing
Gilbert	Patterson	Young
Gullerud	Peterson of Towner	Mr. Speaker
Hammer	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Mattson	Peterson of Wells
Hill	Mooney	Weed

Messrs. Mooney and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

House Bill No. 12,

A bill for an act to amend section 7683 of chapter 72 of the penal code of 1899 relating to game and fish.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 92, nays 4, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Robillard
Allen	Johnson	Rogers
Aslakson	Knudtson	Rose
Baker of Ramsey	Kraabel	Ryan
Bartz	Lee	Scheer
Beck	Leech	Schouweiler
Blank	Lillie	Senour
Bostrom	Lish	Severson
Bourassa	Lyons	Shiels
Braaten	Maddock	Simpson
Brown	Mallough	Skjold
Burtness	Mattson	Smart of Nelson
Cassell	McClure	Smart of Traill
Chevallier	McCrea	Stavens
Chisholm	McDowell	Steinberg
Cole	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McKnight	Truemner
Davis	McLain	Tufte

Messrs.—	Messrs.—	Messrs.—
Dickinson	Meidinger	Phifer
Dieball	Midgarden	Underwood
Elton	Miller	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Fried	Noltimier	Watson
Gagnon	Oksendahl	Weed
Gilbert	Palfrey	Weigel
Gullerud	Palmer	Welo
Hammer	Patterson	Young
Hanson	Peterson of Towner	Mr. Speaker
Harvey		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buttz	Ellison	Richmond
Chaffee		Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hill	Peterson of Wells	Watts
Mooney		

Messrs. Mooney and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

House returned to seventh order of business.

Mr. Young moved that

House Bill No. 13,

A bill for an act to amend chapter 61 of the laws of 1901 relating to the commencement of actions in justice court.

Be recalled from general orders, and that the further consideration of the same be indefinitely postponed for the reason that it covers the same subject matter as is contained in senate bill No. 6, introduced by Senator Sharpe, which has passed the senate and is now before the house for consideration.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The speaker called Mr. McGahan to the chair.

FIRST READING OF SENATE BILLS.

Senate Bill No. 17,

A bill for an act to provide for the licensing of agents to solicit for insurance companies and fixing the penalty for violation of the same.

Which was read the first time.

Also,

Senate Bill No. 13,

A bill for an act to amend section 2914 of the Revised Codes of North Dakota of the revision of 1899, relating to the settlement of affairs of corporation upon dissolution.

Which was read the first time.

SECOND READING OF SENATE BILLS.

Senate Bill No. 17,

A bill for an act to provide for the licensing of agents to solicit for insurance companies and fixing the penalty for violation of the same.

Was read the second time, and

Referred to the committee on insurance.

Also,

Senate Bill No. 13,

A bill for an act to amend section 2914 of the Revised Codes of North Dakota of the revision of 1899, relating to the settlement of affairs of corporation upon dissolution.

Was read the second time, and

Referred to the committee on judiciary.

The speaker in the chair.

Mr. Chaffee moved .

That the house do now adjourn,

Which motion prevailed, and.

The house adjourned.

A. O. ANDERSON,

Chief Clerk.

TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 29, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Hill Leech, Mooney, Peterson of Wells, Skjold and Weed.

Messrs. Mooney, Hill, and Peterson of Wells being excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the twenty-third day have carefully examined the same and recommend that the same be corrected as follows:

On page one of the printed journal the spelling of the word journal be corrected.

On page four, line four, the letter "M" be changed to "Mr."

On page six, line seven, the word "motion" be corrected.

On page six, line ten, the letter "n" following the words "Mr. Speaker" be omitted.

On page seven, the word of be added at the end of the eighth line.

One page eighteen the name of Mr. Wing showing his vote on favor of House Bill No. 12 be changed to show such vote cast in the negative.

On page thirteen, line seven, the word "of" to be added at the end of said line.

On page ten regarding House Bill 105 at the end of line three relating to said bill the word "of" to be added.

On page seven, line eight, the word "of" to be added to the end of said line.

On page four in the sixth line from the bottom of the page the word report be corrected.

And when so amended recommend that the same be approved.

THOS. HEATH,
Chairman.

Mr. Heath moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Van Arnam presented the following communication:

Resolved, by the board of commissioners of Richland county, North Dakota, that the members of the legislature from Richland county, North Dakota, be and they are hereby requested to use all honorable means for the passage of a law providing that the interest to be paid on county funds held by the different banks to be no less than two per cent per annum.

And further resolved, that the county auditor of this county is hereby directed to send a copy of this resolution to each member of the house and senate from this county.

Yours truly,
P. H. STENERSEN,
County Auditor.

Referred to the committee on banking and bank laws.

REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 71,

A concurrent resolution fixing appraised value of school lands.
Have had the same under consideration and recommend that
the same be indefinitely postponed.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 8,

A bill for an act to amend section 2096 of the Revised Codes
of North Dakota for 1899, relating to the per diem of jurors.

Have had the same under consideration and recommend that
the same do pass.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 45,

A bill for an act to exempt volunteer firemen from the pay-
ment of poll tax.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

Have had the same under consideration and recommend that the same be amended by adding section 8 as follows:

Sec. 8. Repeal.) All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the rules be suspended and the report of the committee be adopted.

Which motion prevailed, and

The report was adopted.

The committee on warehouses, grain grading and dealing made the following report:

Mr. Speaker:

Your committee on warehouses, grain grading and dealing to whom was referred

House Bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on warehouses, grain grading and dealing to whom was referred

House Bill No. 64,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Have had the same under consideration and recommend that the same be indefinitely postponed.

Mr. Mattson moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Mr. Speaker:

Your committee on warehouses, grain grading and dealing to whom was referred

House Bill No. 80,

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

Have had the same under consideration, and recommend that the same be amended as follows:

Sec. 3068, line twelve, after the word line, insert free of expense.

Sec. 3068, line thirteen, after the word is strike out figures 50,000 and insert in lieu thereof figures 40,000.

And when so amended recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on warehouses, grain grading and dealing to whom was referred

House Bill No. 81,

A bill for an act amending section 3071a of the Revised Codes for 1899, relating to the time when property must be removed from cars.

Have had the same under consideration, and recommend that the same be amended as follows:

Sec. 3071a, line four, after the word have, strike out figures 48 and insert in lieu thereof figures 24.

And when so amended recommend that the same do pass.

M. MATTSON,
Chairman.

Mr. Mattson moved

That House Bill No. 81 be re-referred to committee on warehouses and grain grading.

Which motion prevailed, and

The bill was so referred.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on public health to whom was referred

House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on public health to whom was referred

House Bill No. 18,

A bill for an act to regulate the practice of optometry in the state of North Dakota.

Have had the same under consideration, and recommend that the same be amended as follows:

In line one, of section 2, strike out the words "from and after the first day of."

Strike out the words "Clerk of the district court" wherever they appear and in the bill in lieu thereof insert the words "Register of Deeds."

In line seven of Sec. 3 of the printed bill, strike out the word "its" and insert in lieu thereof the word "his."

In line twelve Sec. 3 of the printed bill, after the letters "c-e-r-s" strike out the remainder of the line.

In line five of Sec. 4 of the printed bill, strike out the words "the state capitol" and insert in lieu thereof the words "a place designated by the board."

In line four of Sec. 6 of the printed bill, strike out the word "in" and insert in lieu thereof the word "for."

Wherever the word "clerk" appears, strike it out and insert in lieu thereof the words "Register of Deeds."

In line eleven of Sec. 8 of the printed bill, strike out the letter "d" in the word "removed" and insert in lieu thereof the letter "s."

In line thirteen of Sec. 11 of the printed bill, strike out the word "January" and insert in lieu thereof the word "December."

In line one of Sec. 13 of the printed bill, strike out the word "to" and insert in lieu thereof the words "and must."

In line three of Sec. 13 of the printed bill, strike out the words "to be" and insert in lieu thereof the word "is."

In line three of Sec. 13 of the printed bill, after the word "incompetency" strike out the word "or."

In line four of Sec. 13 of the printed bill, after the word "disease" insert the following: "or for advertising himself as an 'eye specialist' or doctor, or for holding himself out to the public as being other than an optician."

Strike out all of Section 17.

And when so amended recommend that the same do pass.

J. H. McLAIN,

Chairman.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 75,

A bill for an act to provide for the assessment of property omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 1,

A bill for an act entitled "To amend Section 2 of Chapter 151, of the Session Laws of 1901, relating to Taxation."

Have had the same under consideration and recommend that the same do pass.

C. V. BROWN,

Chairman.

The committee on military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred

House Bill No. 20,

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on military affairs to whom was referred

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member of Battery A, State National Guard.

Have had the same under consideration and recommend that the same do pass.

CHAS. CHISHOLM,

Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 74,

A bill for an act to amend section 5518 of the Revised Codes of North Dakota 1899, relating to exemptions.

Have had the same under consideration, and recommend that the same be amended as follows:

By inserting between the figures "1899" and the word "be" in the second line of the first section of original bill the following: "As amended by chapter 76 of the session laws of 1901."

And by striking out the words "seven hundred fifty dollars" in lines six and seven of section one of original bill, and insert the words "five hundred dollars" in lieu thereof.

And when so amended recommend that the same do pass.

C. W. BUTTZ,
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies and for fixing the number and compensation of such deputies.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 13,

A bill for an act to amend section 2914 of the Revised Codes of North Dakota of the revision of 1899, relating to the settlement of affairs of corporation upon dissolution.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

Also,

Mr. Speaker.

Your committee on judiciary to whom was referred
House Bill No. 83,

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

Have had the same under consideration, and recommend that the same be amended as follows:

By striking out all after the enacting clause, and inserting in lieu thereof, the following:

That section 5201 of the revised codes of the state of North Dakota, 1899 be amended so as to read as follows:

Section 5201. Six years. Within six years.

1. An action upon a contract, obligation or liability, express or implied, excepting those mentioned in section 5200.
2. An action upon a liability created by statute, other than a penalty or forfeiture, when not otherwise expressly provided.
3. An action for trespass upon real property.
4. An action for taking, detaining or injuring any goods or chattels, including actions for the specific recovery of personal property.
5. An action for criminal conversation, or for any other injury to the person or rights of another not arising on contract, and not hereinafter enumerated.
6. An action for relief on the ground of fraud in cases which heretofore were solely cognizable by the court of chancery, the cause of action in such cases not to be deemed to have accrued until the discovery by the aggrieved party of the facts constituting the fraud.
7. An action for the foreclosure of a mechanics' lien.

And that the title be enacted so as to read as follows:

That section 5201 of the revised codes of the state of North Dakota be enacted as follows:

And when so amended recommend that the same do pass.
 GEORGE M. YOUNG,
 Chairman Pro Tem.

MOTIONS AND RESOLUTIONS.

Mr. Mattson offered the following concurrent resolution:

House Concurrent Resolution,
 Relating to national inspection and grading of grain.

Be it resolved by the house, the senate concurring:

Whereas, Hon. P. J. McCumber, a senator of the United States from the state of North Dakota, has introduced in the senate of the United States Senate Bill No. 7009, a bill to provide for fixing a uniform standard of classification and grading of wheat, flax, corn, oats, barley, rye and for other purposes; and

Whereas, the house committee on warehouses, grain grading and dealing have carefully examined the provisions of the bill and believe that its enactment into law would be of incalculable benefit to all farmers engaged in raising the various grains enumerated in the bill, by correcting the many inequalities of inspection and grading existing under the statutes of different states; therefore, be it

Resolved by the house of representatives, the senate concurring:

That we endorse the provision of the bill introduced in the United States senate by the Hon. P. J. McCumber, a senator from this state, and request our senators and representatives in congress to secure, if possible, its enactment into law.

Resolved further, That an engrossed copy of this concurrent resolution be transmitted by the speaker and chief clerk to our senators and representatives in congress.

Mr. Mattson moved

That the concurrent resolution be adopted.

Which motion prevailed, and

The concurrent resolution was adopted.

Mr. Sheils offered the following concurrent resolution:

Whereas, the citizens of North Dakota, a purely agricultural state, are entirely dependent upon other states and countries for lumber; and

Whereas, the timber lands of the United States are being rapidly depleted of growing timber; and

Whereas, there is now existing a tariff of two dollars per thousand feet upon lumber imported into the United States, which in our judgment is unnecessary either for purposes of revenue or protection to an American industry, its only effect being to enrich the lumber manufacturer by enabling him to add the two dollars per thousand to the manufacturers selling price, and

Whereas, we believe that the putting of lumber on the free list would make accessible to our citizens the immense forests of Canada, thereby substantially reducing the price of lumber as well as preserving the now almost denuded forests of the United States; now therefore, be it

Resolved, By the house of representatives, the senate concurring, that we favor the placing of lumber upon the free list and respectfully request our senators and representatives in congress to use their influence and vote in favor of such proposition.

Resolved further, That an engrossed copy of this resolution be transmitted by the chief clerk of the house to the senators and representatives in congress from North Dakota.

Mr. Sheils moved

That the concurrent resolution be adopted.

Mr. Buttz moved

As a substitute that the resolution be referred to the committee on ways and means.

Which substitute motion was lost.

The question being upon the original motion the same prevailed, and

The concurrent resolution was adopted.

Mr. Cassell offered the following resolution and moved its adoption:

Resolved, That the chief clerk be instructed to prepare and read from the desk a complete list of the employes of this house, giving the name and residence of, and the position held by each, and that such list be printed in the journal.

Mr. Buttz moved

That the resolution be laid on the table.

Roll call demanded.

The question being on the motion to lay on the table.

The roll was called and there were ayes 43, nays 49, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Heath	Patterson
Baker of Ramsey	Lillie	Richmond
Beck	Lyons	Robillard
Bostrom	Mallough	Rose
Brown	Mattson	Ryan
Buttz	McClure	Scheer
Chaffee	McCrea	Schouweiler
Chisholm	McDowell	Senour
Davis	McGahan	Simpson
Dickinson	McKenzie	Steinberg
Dieball	Maidinger	Underwood
Elton	Miller	Watts
Gagnon	Movius	Weigel
Gilbert	Palmer	Mr. Speaker
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Rogers
Aslakson	Johnson	Severson
Bartz	Knudtson	Shiels
Blank	Kraabel	Smart of Nelson
Bourassa	Lee	Smart of Traill
Braaten	Lish	Stavens
Burtness	Maddock	Stevens
Cassell	McKnight	Thompson
Cole	McLain	Truemner
Connolly	Midgarden	Tuft
Dahl	Noben	Van Arnam
Ellison	Noltmier	Wagner
Ferguson	Oksendahl	Wall
Flados	Palfrey	Watson
Fried	Peterson of Towner	Welo
Gullerud	Phifer	Young
Hammer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevaller	Mooney	Weed
Hill	Peterson of Wells	Wing
Leech	Skjold	

Messrs. Mooney, Hill and Peterson of Wells being excused.

So the motion was lost.

The question being upon the adoption of the resolution.

Mr. Buttz moved

That the resolution be referred to the committee on appropriations.

Roll call demanded.

The question being on the motion to refer to the committee on appropriations.

The roll was called and there were ayes 50, nays 42, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Heath	Phifer
Baker of Ramsey	Lillie	Richmond
Beck	Lish	Robillard
Bostrom	Lyons	Rose
Brown	Maddock	Ryan
Buttz	Mallough	Scheer
Chisholm	Mattson	Senour
Connolly	McClure	Simpson
Davis	McCrea	Steinberg
Dickinson	McDowell	Stevens
Dieball	McGahan	Truemner
Elton	McKenzie	Underwood
Flados	Meldinger	Wall
Fried	Miller	Watts
Gagnon	Movius	Weigel
Gilbert	Palmer	Mr. Speaker
Hanson	Patterson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Rogers
Aslakson	Harvey	Schouweller
Bartz	Johnson	Severson
Blank	Knudtson	Shiels
Bourassa	Kraabel	Smart of Nelson
Braaten	Lee	Smart of Traill
Burtness	McKnight	Stavens
Cassell	McLain	Thompson
Chaffee	Midgarden	Tufte
Cole	Noben	Van Arnam
Dahl	Noltimier	Wagner
Ellison	Oksendahl	Watson
Ferguson	Palfrey	Welo
Gullerud	Peterson of Towner	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Mooney	Weed
Hill	Peterson of Wells	Wing
Leech	Skjold	

Messrs. Mooney, Hill and Peterson of Wells being excused.

So the motion prevailed, and

The resolution was referred to the committee on appropriations.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 29, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 67,

A bill for an act to provide for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,
Secretary.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

Also,

House Bill No. 19,

A bill for an act providing how the unoccupied lots of town-sites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

Also,

House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Also,

House Bill No. 28,

A concurrent resolution amending section 82 of the constitution of the state of North Dakota.

Also,

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Also,

House Bill No. 38,

A bill for an act to amend chapter 145, laws of 1901, and to provide that all taxes and assessments shall be paid before transfer of property.

Also,

House Bill No. 44,

A bill for an act to amend chapter 50 of the general laws of 1891, the same being "an act to increase the revenues of the state by changing and increasing the boundaries of the counties of Pierce, McHenry, Bottineau, Ward, McLean, Williams, Billings, Stark, Morton and Mercer, and by repealing the act entitled "an act pertaining to the subdivision of the counties of Wallete and Howard, Dakota Territory, approved March 9th, 1883."

Also,

House Bill No. 48,

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.

Also,

House Bill No. 52,

A bill for an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

Also,

House Bill No. 40,

A bill for an act to amend section 2 of article 14 of chapter 73 of the laws of 1887, entitled an act to provide for the incorporation of cities.

Also,

House Bill No. 41,

A bill for an act to amend section 2 of chapter 142 of the laws of 1887, entitled an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota.

Also,

House Bill No. 68,

A bill for an act to amend section 4720 of the Revised Codes of North Dakota, 1899, relating to discharge of mortgages by foreign executor or administrator.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

The speaker called Mr. Harvey to the chair.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Smart of Nelson introduced
House Bill No. 116,

A bill for an act to amend section 2674 of the Revised Codes of North Dakota, 1899, prohibiting township officers from being interested in contracts.

Which was read the first time.

Mr. Smart of Nelson introduced
House Bill No. 117,

A bill for an act to repeal section 1891 Revised Codes North Dakota, 1899, providing that the county sheriff and treasurer shall be eligible for two terms only.

Which was read the first time.

Mr. Richmond introduced
House Bill No. 118,

A bill for an act defining legal fences, providing for the construction and maintenance of partition fences, how controversies over construction of legal fences may be settled and providing penalties for violating the provisions of this act.

Which was read the first time.

Mr. Peterson of Towner introduced
House Bill No. 119,

A bill for an act regulating foreign mutual hail and cyclone insurance companies.

Which was read the first time.

Mr. Ellison introduced
House Bill No. 120,

A bill for an act to reimburse loaders or shippers of carload freight for all grain doors furnished by them and for material furnished and used for same.

Which was read the first time.

Mr. Underwood introduced
House Bill No. 121,

A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.

Which was read the first time .

Mr. Miller introduced
House Bill No. 122,

A bill for an act to amend section 163, of chapter 4, of the Revised Codes of 1899, relating to county agricultural fairs. Special tax.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 116,

A bill for an act to amend section 2674 of the Revised Codes of North Dakota, 1899, prohibiting township officers from being interested in contracts.

Was read the second time, and

Referred to the committee on judiciary.

House Bill No. 117,

A bill for an act to repeal section 1891 Revised Codes North Dakota, 1899, providing that the county sheriff and treasurer shall be eligible for two terms only.

Was read the second time, and

Referred to the committee on state affairs.

The speaker in the chair.

House Bill No. 118,

A bill for an act defining legal fences, providing for the construction and maintenance of partition fences, how controversies over construction of legal fences may be settled and providing penalties for violating the provisions of this act.

Was read the second time, and

Referred to the committee highways and bridges.

House Bill No. 119,

A bill for an act regulating foreign mutual hail and cyclone insurance companies.

Was read the second time, and

Referred to the committee on insurance.

House Bill No. 120,

A bill for an act to reimburse loaders or shippers of carload freight for all grain doors furnished by them and for material furnished and used for same.

Was read the second time, and

Referred to the committee on railroads.

House Bill No. 121,

A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.

Was read the second time, and

Referred to the committee on judiciary.

House Bill No. 122,

A bill for an act to amend section 163, of chapter 4, of the Revised Codes of 1899, relating to county agricultural fairs. Special tax.

Was read the second time, and

Referred to the committee on state affairs.

The speaker announced a recess until 3:30 p. m.

AFTER RECESS.

Mr. Davis moved
That the rules be suspended and that the house proceed to the
third reading of senate bills.
Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senate Bill No. 73,
A bill for an act amending and re-enacting section 2, chapter
34, session laws 1901, relating to the board of pardon and pre-
scribing the powers and duties thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays none, absent
and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Aslakson	Heath	Robillard
Baker of Ramsey	Johnson	Richmond
Bartz	Kraabel	Kogers
Beck	Lee	Rose
Blank	Lillie	Scheer
Bostrom	Lish	Schouweller
Bourassa	Lyons	Senour
Braaten	Maddock	Severson
Brown	Mallough	Shiels
Buttz	Mattson	Simpson
Cassell	McClure	Smart of Nelson
Chaffee	McCrea	Smart of Traill
Chisholm	McDowell	Stavens
Cole	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McKnight	Truemner
Davis	Meidinger	Underwood
Dickinson	Midgarden	Van Arnam
Dieball	Miller	Wagner
Ellison	Movius	Wall
Ferguson	Noltmier	Watson
Flados	Oksendahl	Watts
Fried	Palfrey	Weigel
Gagnon	Palmer	Welo
Gilbert	Patterson	Young
Hammer	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Knudtson	Ryan
Burtness	Leech	Skjold
Chevalier	McLain	Steinberg
Elton	Mooney	Tufte
Gullerud	Noben	Weed
Hanson	Peterson of Wells	Wing
Hill		

Messrs. Mooney, Hill and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill 73 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 6,

A bill for an act to amend chapter 61 of the Session Laws of 1901, being section 6633 of the Revised Codes of North Dakota of 1899, relating to procedure in civil actions.

Was read the third time.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

The question being upon the final passage of the bill.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Buttz
Cassell
Chaffee
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hanson

Messrs.—

Harvey
Heath
Johnson
Knutson
Kraabel
Lee
Lillie
Lish
Lyons
Maddock
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
Meldinger
Midgarden
Miller
Movius
Noben
Noltmier
Oksendahl
Palfrey
Palmer

Messrs.—

Patterson
Peterson of Towner
Phifer
Richmond
Robillard
Rogers
Rose
Scheer
Schouweller
Senour
Severson
Shiels
Simpson
Smart of Nelson
Stavens
Stevens
Thompson
Truemner
Underwood
Wagner
Wall
Watson
Watts
Weigel
Welo
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Allen
Burtness
Chevalier
Elton
Hammer
Hill

Messrs.—

Leech
McLain
Mooney
Peterson of Wells
Ryan
Skjold

Messrs.—

Smart of Traill
Steinberg
Tufte
Van Arnam
Weed
Wing

Messrs. Mooney, Hill and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 28,

A bill for an act to amend section 6365 of the Revised Codes of 1899, relating to the removal of executors, administrators and guardians.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Aslakson	Heath	Richmond
Baker of Ramsey	Johnson	Robillard
Bartz	Knudtson	Rogers
Beck	Kraabel	Rose
Blank	Lee	Ryan
Bostrom	Lillie	Scheer
Bourassa	Lish	Schouweiler
Braaten	Lyons	Senour
Brown	Maddock	Severson
Burtness	Mallough	Shiels
Buttz	Mattson	Simpson
Cassell	McClure	Smart of Nelson
Chaffee	McCrea	Smart of Traill
Chisholm	McDowell	Stavens
Cole	McGahan	Steinberg
Connolly	McKenzie	Stevens
Dahl	McKnight	Thompson
Davis	McLain	Truemner
Dickinson	Meidinger	Tufto
Dieball	Midgarden	Underwood
Ellison	Miller	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Fried	Noltmier	Watson
Gagnon	Oksendahl	Watts
Gilbert	Palfrey	Weigel
Gullerud	Palmer	Welo
Hammer	Patterson	Young
Hanson	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Leech	Skjold
Chevalier	Mooney	Weed
Elton	Peterson of Wells	Wing
Hill		

Messrs. Mooney, Hill and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:
Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 42,

A bill for an act authorizing cities that have paved and otherwise improved streets, alleys and highways, and that have provided for the cost thereof and created improvement districts to reassess property in such improvement districts as are now created or may hereafter be created in all cases where for any reason the assessment has been made invalid or irregular because of failure to conform with existing laws or changes in the procedure relating thereto.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

THIRD READING OF HOUSE BILLS.

House Bill No. 42,

A bill for an act authorizing cities that have paved and otherwise improved streets, alleys and highways, and that have provided for the cost thereof and created improvement districts to reassess property in such improvement districts as are now created or may hereafter be created in all cases where for any reason the assessment has been made invalid or irregular because of failure to conform with existing laws or changes in the procedure relating thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Phifer
Allen	Hanson	Richmond
Aslakson	Harvey	Robillard
Baker of Ramsey	Heath	Rogers
Bartz	Johnson	Ryan
Beck	Knudtson	Scheer
Blank	Lillie	Schouweller
Bostrom	Lish	Senour
Bourassa	Lyons	Severson
Braaten	Maddock	Shiels
Burtness	Mallough	Simpson
Brown	Mattson	Smart of Nelson
Buttz	McClure	Smart of Trall
Cassell	McCrea	Stavens
Chaffee	McDowell	Steinberg

Messrs.—
 Chisholm
 Cole
 Connolly
 Dahl
 Davis
 Dickinson
 Dieball
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gagnon
 Gilbert
 Gullerud

Messrs.—
 McGahan
 McKenzie
 McKnight
 McLain
 Meidinger
 Midgarden
 Miller
 Movius
 Noben
 Noltimier
 Oksendahl
 Palfrey
 Palmer
 Patterson
 Peterson of Towner

Messrs.—
 Stevens
 Thompson
 Truemner
 Tufte
 Underwood
 Yan Arnam
 Wagner
 Wall
 Watson
 Watts
 Weigel
 Welo
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—
 Chevalier
 Hill
 Kraabel
 Lee

Messrs.—
 Leech
 Mooney
 Peterson of Wells
 Rose

Messrs.—
 Skjold
 Weed
 Wing

Messrs. Mooney, Hill and Peterson of Wells being excused.
 So the bill passed and the title was agreed to.

House Bill No. 38,

A bill for an act to amend chapter 145, laws of 1901, and to provide that all taxes and assessments shall be paid before transfer of property.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—
 Aandahl
 Allen
 Aslakson
 Baker of Ramsey
 Bartz
 Beck
 Blank
 Bostrom
 Bourassa
 Braaten
 Brown
 Burtness
 Buttz
 Cassell
 Chaffee
 Chisholm
 Cole
 Connolly
 Dahl

Messrs.—
 Hanson
 Harvey
 Heath
 Johnson
 Knudtson
 Kraabel
 Lee
 Lillie
 Lish
 Lyons
 Maddock
 Mattson
 McClure
 McCrea
 McDowell
 McGahan
 McKenzie
 McKnight
 McLain

Messrs.—
 Robillard
 Phifer
 Richmond
 Rogers
 Ryan
 Scheer
 Schouweiler
 Senour
 Severson
 Shiels
 Simpson
 Smart of Nelson
 Smart of Traill
 Stavens
 Steinberg
 Stevens
 Thompson
 Truemner
 Tufte

Messrs.—	Messrs.—	Messrs.—
Davis	Meidinger	Underwood
Dickinson	Midgarden	Van Arnam
Dieball	Miller	Wagner
Elton	Movius	Wall
Ellison	Noben	Watson
Ferguson	Noltimier	Watts
Flados	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Palmer	Young
Gullerud	Patterson	Mr. Speaker
Hammer	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Mallough	Skjold
Fried	Mooney	Weed
Hill	Peterson of Wells	Wing
Leech	Rose	

Messrs. Mooney, Hill and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

House Bill No. 41,

A bill for an act to amend section 2 of chapter 142 of the laws of 1887, entitled an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 87, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Phifer
Allen	Harvey	Richmond
Aslakson	Heath	Robillard
Baker of Ramsey	Johnson	Rogers
Bartz	Knudtson	Ryan
Beck	Kraabel	Scheer
Blank	Lee	Schouweller
Bostrom	Lille	Senour
Bourassa	Lish	Severson
Braaten	Lyons	Shiels
Brown	Maddock	Simpson
Burtness	Mallough	Smart of Nelson
Buttz	Mattson	Smart of Traill
Cassell	McClure	Stavens
Chaffee	McCrea	Steinberg
Chisholm	McDowell	Stevens
Cole	McGahan	Thompson
Connolly	McKenzie	Truemner
Dahl	McKnight	Tuft
Davis	McLain	Underwood
Dickinson	Meidinger	Van Arnam
Dieball	Midgarden	Wagner
Elton	Movius	Wall
Ellison	Noben	Watson

Messrs.—	Messrs.—	Messrs.—
Ferguson	Noltimier	Watts
Flados	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Patterson	Young
Gullerud	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Miller	Rose
Fried	Mooney	Skjold
Hanson	Palmer	Weed
Hill	Peterson of Wells	Wing
Leech		

Messrs. Mooney, Hill and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

House Bill No. 40,

A bill for an act to amend section 2 of article 14 of chapter 73 of the laws of 1887, entitled an act to provide for the incorporation of cities.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 87, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Peterson of Towner
Allen	Hammer	Phifer
Aslakson	Harvey	Richmond
Baker of Ramsey	Heath	Robillard
Bartz	Johnson	Rogers
Beck	Knudtson	Ryan
Blank	Kraabel	Scheer
Bostrom	Lee	Schouweiler
Bourassa	Lish	Severson
Braaten	Lyons	Shiels
Brown	Maddock	Simpson
Burtness	Mallough	Smart of Nelson
Buttz	Mattson	Smart of Traill
Cassell	McClure	Stavens
Chaffee	McCrea	Steinberg
Chisholm	McDowell	Stevens
Cole	McGahan	Thompson
Connolly	McKenzie	Truemner
Dahl	McKnight	Tufte
Davis	McLain	Underwood
Dickinson	Meidinger	Van Arnam
Dieball	Midgarden	Wagner
Elton	Miller	Wall
Ellison	Movius	Watson
Ferguson	Noben	Watts
Flados	Noltimier	Weigel
Fried	Oksendahl	Welo
Gagnon	Palfrey	Young
Gilbert	Patterson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Mooney	Senour
Hanson	Palmer	Skjold
Hill	Peterson of Wells	Weed
Leech	Rose	Wing
Lillie		

Messrs. Mooney, Hill and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays 2, absent and not voting, 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Phifer
Allen	Harvey	Richmond
Aslakson	Heath	Robillard
Baker of Ramsey	Johnson	Rogers
Bartz	Knudtson	Ryan
Beck	Kraabel	Scheer
Blank	Lee	Schouweiler
Bourassa	Lillie	Senour
Braaten	Lish	Severson
Brown	Lyons	Shiels
Burtness	Maddock	Simpson
Buttz	Mallough	Smart of Nelson.
Cassell	Mattson	Smart of Trail
Chaffee	McClure	Stavens
Chisholm	McCrea	Steinberg
Cole	McDowell	Stevens
Connolly	McGahan	Thompson
Dahl	McKenzie	Truemner
Davis	McKnight	Tufte
Dickinson	McLain	Underwood
Dieball	Meidinger	Wagner
Elton	Midgarden	Wall
Ellison	Miller	Watson
Ferguson	Noben	Watts
Flados	Noltmier	Weigel
Fried	Oksendahl	Welo
Gagnon	Palfrey	Young
Gilbert	Patterson	Mr. Speaker
Gullerud	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Leech	Rose
Chevalier	Mooney	Skjold
Hanson	Palmer	Weed
Hill	Peterson of Wells	Wing

Messrs. Movius and Van Arnam voting in the negative.
 Messrs. Mooney, Hill and Peterson of Wells being excused.
 So the bill passed and the title was agreed to.

House Bill No. 44,

A bill for an act to amend chapter 50 of the general laws of 1891, the same being "an act to increase the revenues of the state by changing and increasing the boundaries of the counties of Pierce, McHenry, Bottineau, Ward, McLean, Williams, Billings, Stark, Morton and Mercer, and by repealing the act entitled "an act pertaining to the subdivision of the counties of Wallelte and Howard, Dakota Territory, approved March 9th, 1883."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Peterson of Towner
Allen	Hanson	Phifer
Aslakson	Harvey	Richmond
Baker of Ramsey	Heath	Robillard
Bartz	Johnson	Rogers
Beck	Knudtson	Rose
Blank	Kraabel	Ryan
Bostrom	Lee	Scheer
Bourassa	Lillie	Schouweiler
Braaten	Lish	Senour
Brown	Lyons	Severson
Burtness	Maddock	Shiels
Buttz	Mallough	Simpson
Cassell	Mattson	Smart of Nelson
Chaffee	McClure	Smart of Traill
Chisholm	McCrea	Stavens
Cole	McDowell	Steinberg
Connolly	McGahan	Stevens
Dahl	McKenzie	Thompson
Davis	McKnight	Truemner
Dickinson	McLain	Tufte
Dieball	Meldinger	Underwood
Elton	Midgarden	Van Arnam
Ellison	Miller	Wagner
Ferguson	Movius	Wall
Flados	Noben	Watson
Fried	Noitimier	Watts
Gagnon	Oksendahl	Welo
Gilbert	Palfrey	Young
Gullerud	Patterson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Palmer	Weed
Hill	Peterson of Wells	Weigel
Leech	Skjold	Wing
Mooney		

Messrs. Mooney, Hill and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 88, nays 1, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Harvey	Robillard
Aslakson	Heath	Rogers
Baker of Ramsey	Johnson	Rose
Bartz	Knudtson	Ryan
Beck	Kraabel	Scheer
Blank	Lee	Schouweiler
Bostrom	Lillie	Senour
Bourassa	Lish	Severson
Braaten	Lyons	Shiels
Brown	Maddock	Simpson
Burtness	Mallough	Smart of Nelson
Buttz	Mattson	Smart of Traill
Cassell	McClure	Stavens
Chaffee	McCrea	Steinberg
Chisholm	McDowell	Stevens
Cole	McGahan	Thompson
Connolly	McKenzie	Truemner
Dahl	McKnight	Tufté
Davis	McLain	Underwood
Dickinson	Meldinger	Van Arnam
Dieball	Midgarden	Wagner
Elton	Miller	Wall
Ellison	Movius	Watson
Ferguson	Noben	Watts
Flados	Noltmier	Weigel
Fried	Palfrey	Welo
Gagnon	Patterson	Young
Gilbert	Peterson of Towner	Mr. Speaker
Gullerud	Phifer	
Hammer	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Mooney	Skjold
Hanson	Oksendahl	Weed
Hill	Palmer	Wing
Leech	Peterson of Wells	

Mr. Aandahl voted in the negative.

Messrs. Hill, Mooney and Peterson of Wells being excused.

So the bill passed and the title was agreed.

House Bill No. 19,

A bill for an act providing how the unoccupied lots of town-sites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 89, nays 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Richmond
Allen	Heath	Robillard
Aslakson	Johnson	Rogers
Baker of Ramsey	Knudtson	Rose
Bartz	Kraabel	Ryan
Beck	Lee	Scheer
Blank	Lillie	Schouweiler
Bostrom	Lish	Senour
Bourassa	Lyons	Severson
Braaten	Maddock	Shiels
Brown	Mallough	Simpson
Burtness	Mattson	Smart of Nelson
Buttz	McClure	Smart of Traill
Cassell	McCrea	Stavens
Chisholm	McDowell	Steinberg
Cole	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McKnight	Truemner
Davis	McLain	Tufte
Dickinson	Meidinger	Underwood
Dieball	Midgarden	Van Arnam
Elton	Miller	Wagner
Ellison	Movius	Wall
Ferguson	Noben	Watson
Flados	Noltimier	Watts
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Patterson	Young
Gullerud	Peterson of Towner	Mr. Speaker
Hammer	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Mooney	Skjold
Hanson	Palmer	Weed
Hill	Peterson of Wells	Wing
Leech		

Mr. Chaffee voted in the negative.

Messrs. Hill, Mooney and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

House Bill No. 52,

A bill for an act requiring agents and attorneys to have a

power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

The question being upon the final passage of the bill.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Harvey	Richmond
Aslakson	Heath	Robillard
Baker of Ramsey	Johnson	Rogers
Bartz	Knudtson	Rose
Beck	Kraabel	Ryan
Blank	Lee	Scheer
Bostrom	Lillie	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Maddock	Shiels
Burtness	Mallough	Simpson
Buttz	Mattson	Smart of Nelson
Cassell	McClure	Smart of Traill
Chaffee	McCrea	Stavens
Chisholm	McDowell	Steinberg
Cole	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McKnight	Truemner
Davis	McLain	Tufte
Dickinson	Meidinger	Underwood
Dieball	Midgarden	Van Arnam
Elton	Miller	Wagner
Ellison	Movius	Wall
Ferguson	Noben	Watson
Flados	Noltmier	Watts
Fried	Oskendahl	Weigel
Gagnon	Palfey	Welo
Gilbert	Patterson	Young
Gullerud	Peterson of Towner	Mr. Speaker
Hammer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Mooney	Weed
Hill	Palmer	Skjold
Leech	Peterson of Wells	Wing

Messrs. Hill, Mooney and Peterson of Wells being excused.

So the bill passed and the title was agreed to.

The speaker called Mr. Young to the chair.

House Bill No. 68,

A bill for an act to amend section 4720 of the Revised Codes of North Dakota, 1899, relating to discharge and assignment of mortgages by foreign executor or administrator.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 88, nays none; absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Peterson of Towner
Allen	Hanson	Richmond
Aslakson	Harvey	Phifer
Baker of Ramsey	Heath	Robillard
Bartz	Johnson	Rogers
Beck	Knudtson	Ryan
Blank	Kraabel	Scheer
Bostrom	Lee	Schouweiler
Bourassa	Lillie	Senour
Braaten	Lish	Severson
Brown	Lyons	Shiels
Burtness	Maddock	Simpson
Buttz	Mattson	Smart of Nelson
Cassell	McClure	Smart of Traill
Chaffee	McCrea	Stavens
Chisholm	McDowell	Steinberg
Cole	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McKnight	Truemner
Davis	McLain	Tufte
Dickinson	Meidinger	Underwood
Dieball	Midgarden	Van Arnam
Elton	Miller	Wagner
Ellison	Movius	Wall
Ferguson	Noben	Watson
Flados	Noltmier	Watts
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Patterson	Young
Gullerud		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Mooney	Skjold
Hill	Palmer	Weed
Leech	Peterson of Wells	Wing
Mallough	Rose	Mr. Speaker

Messrs. Hill, Mooney and Peterson of Wells being excused.

So the bill passed, and the title as amended was agreed to.

Mr. Cassell moved

That the title of House Bill No. 68 be amended by inserting after the word "discharge" the words "and assignment."

Which motion prevailed, and

The title was so amended.

The speaker in the chair.

Mr. Burtness asked unanimous consent to amend

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of

North Dakota for 1899, relating to the buying or receiving stolen property.

By inserting the word "knowing" in lieu of the word "known" in line 5 of the printed bill.

Also,

To amend the title by inserting the word "of" after the word "receiving."

Which request was granted and the bill and title were so amended.

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Knifer
Allen	Harvey	Richmond
Aslakson	Heath	Robillard
Baker of Ramsey	Johnson	Rogers
Bartz	Knudtson	Rose
Beck	Kraabel	Ryan
Blank	Lee	Scheer
Bostrom	Lillie	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Maddock	Shiels
Burtness	Mallough	Simpson
Buttz	Mattson	Smart of Nelson
Cassell	McClure	Smart of Traill
Chaffee	McCrea	Stavens
Chevalier	McDowell	Steinberg
Cole	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McKnight	Truemner
Davis	McLain	Tufte
Dickinson	Meldinger	Underwood
Dieball	Midgarden	Van Arnam
Elton	Miller	Wagner
Ellison	Movius	Wall
Ferguson	Noben	Watson
Flados	Noltmier	Watts
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Patterson	Young
Gullerud	Peterson of Towner.	Mr. Speaker
Hammer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Mooney	Skjold
Hill	Palmer	Weed
Leech	Peterson of Wells	Wing

Messrs. Hill, Mooney and Peterson of Wells being excused.

So the bill as amended passed and the title as amended was agreed to.

House Bill No. 48,

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays 4, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Burtness
Buttz
Cassell
Chaffee
Chisholm
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson

Messrs.—

Harvey
Heath
Johnson
Knudtson
Kraabel
Lee
Lillie
Lish
Lyons
Maddock
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meldinger
Midgarden
Miller
Movlus
Noben
Noltimier
Oksendahl
Palfrey
Patterson
Peterson of Towner

Messrs.—

Phifer
Richmond
Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Simpson
Smart of Nelson
Smart of Trail
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Underwood
Van Arnam
Wagner
Wall
Watts
Weigel
Welo
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Aandahl
Brown

Messrs.—

Cole

Messrs.—

Young

Absent and not voting:

Messrs.—

Chevalier
Hill
Leech
Mooney

Messrs.—

Palmer
Peterson of Wells
Skjold

Messrs.—

Watson
Weed
Wing

Messrs. Hill, Mooney and Peterson of Wells being excused.
So the bill passed and the title was agreed to.

GENERAL ORDERS.

Mr. Buttz moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. McClure to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 28,

A concurrent resolution amending section 82 of the constitution of the state of North Dakota.

And recommend that the same do not pass.

W. A. McClure,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

THIRD READING OF HOUSE BILLS.

House Bill No. 28,

A concurrent resolution amending section 82 of the constitution of the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 24, nays 66, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Cassell
Chisholm
Connolly
Flados
Hammer
Hanson
Harvey

Messrs.—

Johnson
Knudtson
Kraabel
Lyons
Midgarden
Movius
Noben
Noltimier

Messrs.—

Palfrey
Peterson of Towner
Rose
Schouweller
Stavens
Stevens
Van Arnam
Welo

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gilbert	Robillard
Aslakson	Gullerud	Rogers
Baker of Ramsey	Heath	Ryan
Bartz	Lee	Scheer
Beck	Lillie	Senour
Blank	Lish	Severson
Bostrom	Maddock	Shiels
Bourassa	Mallough	Simpson
Braaten	Mattson	Smart of Nelson
Brown	McC'lure	Smart of Trail
Buttz	McCrea	Steinberg
Chaffee	McDowell	Thompson
Cole	McGahan	Truemner
Dahl	McKnight	Tufte
Davis	McLain	Underwood
Dickinson	Meidinger	Wagner
Dieball	Miller	Wall
Elton	Oksendahl	Watson
Ellison	Palmer	Watts
Ferguson	Patterson	Weigel
Fried	Phifer	Young
Gagnon	Richmond	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burtness	McKenzie	Skjold
Chevalier	Mooney	Weed
Hill	Peterson of Wells	Wing
Leech		

Messrs. Hill, Mooney and Peterson of Wells being excused.

So the bill was lost.

Mr. Buttz moved

That the vote by which House Bill No. 28 was lost be reconsidered, and

The motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davis moved

That the house return to the fourteenth order of business.

Which motion prevailed.

Senate Bill No. 67,

A bill for an act to provide for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

Was read the first and second times and

Referred to the joint committee on education.

Mr. Richmond moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,

Chief Clerk.

 TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES,
 BISMARCK, NORTH DAKOTA,
 January 30, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Chevalier, Flados, Hill, Leech, Peterson of Wells, Weigel and Wing.

Messrs. Flados, Hill, Leech and Peterson of Wells being excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the twenty-fourth day have carefully examined the same and recommend that the same be corrected as follows:

On page 3 in the report of the committee on education the word "he" be changed to "the."

On page 2, line 4, the word "be" changed to "in."

On page 4, line 4, the word "taxing" be corrected.

On page 8, the word "Resolutions" to be corrected.

On page 11, line 6, the words "to committee" be changed to "to the committee."

On page 17, line 5, the spelling of the word "table" be corrected.

On page 24 in the list of those absent and not voting in the last column to the right of the page the first and second lines be transposed.

And when so amended recommend that the same be approved.

THOS. HEATH,
 Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

PETITIONS AND COMMUNICATIONS.

On motion of Mr. Buttz a petition and resolution from Abercrombie Post G. A. R., at Lisbon, N. D., asking for an appropriation for a monument to the soldiers dying in the Soldiers Home, was read at the clerk's desk and referred to the committee on appropriations.

Mr. Buttz proposed the following amendment to

House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

To be inserted at line 16:

For the erection of a central monument in Oakwood cemetery and appropriate markings to commemorate the names and mark the graves of deceased union soldiers, who have, or may die, in the soldiers' home, and have been, or may be buried in such cemetery, at Lisbon, N. D., and for the purpose of purchasing and keeping an appropriate record of the names, company and regiment, of soldiers dying in the soldiers' home at Lisbon, N. D. Said money to be expended for the purposes above set forth, under the direction of the board of trustees of said soldiers' home. Two thousand dollars (\$2,000).

Also amend said bill by inserting after the word "thereof" in line five (5) of the printed bill, the following, "to-wit and for other purposes."

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 1,

A bill for an act to amend section 2 of chapter 151, of the Session Laws of 1901, relating to taxation,

Also,

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member of Battery A, State National Guard.

Also,

House Bill No. 20,

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Also,

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

Also,

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

Also,

House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

Also,

House Bill No. 45,

A bill for an act to exempt volunteer firemen from the payment of poll tax.

Also,

House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies and for fixing the number and compensation of such deputies.

Also,

House Bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Also,

House Bill No. 71,

A concurrent resolution fixing appraised value of school lands.

Also,

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Also,

House Bill No. 75,

A bill for an act to provide for the assessment of property omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Also,

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Amended by the house on the third reading thereof.

Also,

House Bill No. 68,

A bill for an act to amend section 4720 of the Revised Codes of North Dakota, 1899, relating to discharge and assignment of mortgages by foreign executor or administrator.

Amended by the house on the third reading thereof.
And find the same correctly re-engrossed.

H. P. RYAN,
Chairman.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred
House Bill No. 69,

A bill for an act to amend section 1 of chapter 130 of the session laws of the state of North Dakota, of A. D. 1901, entitled an act requiring railroad companies to stop all regular passenger trains at county seats.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES ELTON,
Chairman.

Mr. Elton moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House Bill No. 98,

A bill for an act to amend section 652 Revised Codes, 1899, relating to salary of county superintendents of schools. Deputy. Traveling expenses.

Have had the same under consideration and recommend that the same do not pass.

GEO. W. H. DAVIS,
Chairman.

The joint committee on educational institutions made the following report:

Mr. Speaker:

Your joint committee on educational institutions to whom was referred

Senate Bill No. 67,

A bill for an act to provide for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. I. F. WAGNER,
House Chairman.

Mr. Davis moved

That the rules be suspended and Senate Bill No. 67 be placed on its third reading and final passage.

Which motion prevailed, and

Senate Bill No. 67,

A bill for an act to provide for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 92, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Richmond
Allen	Johnson	Robillard
Aslakson	Knudtson	Rogers
Baker of Ramsey	Kraabel	Rose
Bartz	Lee	Ryan
Beck	Lillie	Scheer
Blank	Lish	Schouweiler
Bostrom	Lyons	Senour
Bourassa	Maddock	Severson
Braaten	Mallough	Shiels
Brown	Mattson	Simpson
Burtness	McClure	Skjold
Buttz	McCrea	Smart of Nelson
Cassell	McDowell	Smart of Traill
Chaffee	McGahan	Stavens
Chisholm	McKenzie	Steinberg
Cole	McLain	Stevens
Connolly	McKnight	Thompson
Dahl	Meidinger	Truemner
Davis	Midgarden	Tufte
Dickinson	Miller	Underwood
Dieball	Mooney	Van Arnam
Elton	Movius	Wagner
Ellison	Noben	Wall
Ferguson	Noltmier	Watson
Fried	Oksendahl	Watts
Gagnon	Palfrey	Weigel
Gilbert	Palmer	Welo
Gullerud	Patterson	Young
Hammer	Peterson of Towner	Mr. Speaker
Harvey	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chevalier	Hill	Peterson of Wells
Flados	Leech	Wing
Hanson		

Mr. Weed voted in the negative.

Messrs. Flados, Hanson, Hill, Leech and Peterson of Wells being excused.

So the bill passed and the title was agreed to

Mr. Buttz moved

That the vote by which Senate Bill No. 67 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 30, 1903.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Whereas, The National Live Stock convention recently held at Kansas City, Missouri, representing all the live stock interests of the United States, and many millions of live stock, unanimously passed a resolution asking for an amendment to the so-called "Forty Hour Bill" now pending in the senate of the United States, and providing power for the inter-state commerce commission to require all trains carrying live stock between states to maintain an average speed of at least twenty miles an hour from the time of loading until arrival at destination, exclusive of time lost in unloading and feeding enroute, and

Whereas, there is over one million head of live stock within the state of North Dakota, and

Whereas, said numbers are rapidly increasing, and this vast industry extends to almost every farm and home within our state, and deserves our most effectual consideration, and

Whereas, live stock in transit should be transported with the greatest celerity, speed, and comfort for the proper conserving of the industry, be it

Resolved by the senate of the state of North Dakota, the house of representatives concurring, that Hon. Senators H. C. Hansbrough and P. J. McCumber, and the Hon. Representatives Thomas F. Marshall, and B. F. Spaulding, be, and are hereby urged to do all in their power, and bend every energy to accomplish the purpose expressed in the resolution adopted by the National Live Stock association, that the so-called "Forty Hour Bill," now pending in the senate of the United States, providing power for the inter-state commerce commission to require all trains carrying live stock between the states to maintain a minimum average speed of at least twenty miles per hour from the time of loading until arrival at destination, exclusive of time lost in unloading and feeding enroute, and cause the same to be enacted into law at the earliest practical date, and to do any and all other things within their ability to foster the live stock industry of the commonwealth, and be it

Resolved further that the secretary of state is hereby requested to immediately forward to the Hon. H. C. Hansbrough, Hon. P. J. McCumber and Hon. Thomas F. Marshall and Hon. B. F. Spaulding, duly certified copies of this resolution.

Which the senate has passed, and your concurrence therein is respectfully requested.

Also,

Senate Bill No. 15,

A bill for an act to amend section 5540 of the Revised Codes of the revision of 1899, relating to the redemption of real property sold upon execution.

Also,

Senate Bill No. 50,

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings of the North Dakota educational association.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

MOTIONS AND RESOLUTIONS.

Mr. Baker offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Be it resolved by the house of representatives the senate concurring:

That when the eighth legislative assembly adjourn today, it shall stand adjourned until Tuesday, February 3rd, 1903, at 3 o'clock p. m.

Which motion prevailed, and

The resolution was adopted.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 49,

A bill for an act to amend 4828 of the Revised Codes of 1899, relative to duty of register.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,

Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 101,

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.

Have had the same under consideration, and recommend that the same be amended as follows:

On line 3, section 1572, after the word "within" strike out the word "three" and insert in lieu thereof the word "ten."

And when so amended recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 78,

A bill for an act requiring all persons entering into public contracts to furnish bonds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. J. LYONS,
Chairman.

Mr. Lyons moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 91.

A bill for an act to amend section 1572 of the Revised Codes of 1899, relating to estrays.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. J. LYONS,
Chairman.

Mr. Lyons moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Have had the same under consideration and recommend that the same do pass.

ANTON FRIED,
Chairman.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
Concurrent resolution providing for adjournment of the eighth legislative assembly to February 3d, at 3 o'clock p. m.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 30, 1903.

Mr. Speaker:

I have the honor to inform the house of representatives that the senate has concurred in the concurrent resolution providing that when the legislative assembly adjourn today it adjourn until Tuesday, February 3d, at 3 p. m.

R. M. TUTTLE,
Secretary.

EXECUTIVE MESSAGES.

The following messages were received from the governor:

EXECUTIVE CHAMBER.
BISMARCK, NORTH DAKOTA,
January 30, 1903.

To the House of Representatives:

Gentlemen: I have the honor to transmit herewith estimate of the board of trustees of public property of the expenses necessary

for keeping and maintaining the capitol building, executive mansion and public grounds for the ensuing two years.

I have the honor to be,

Very respectfully,
FRANK WHITE,
Governor.

To the Senate and House of Representatives:

In compliance with the provisions of section 155, Revised Codes, we beg leave to submit the following:

We estimate the appropriation necessary to defray the expenses of keeping the capitol building, executive mansion and public grounds in repair, and for fuel and other incidental expenses for keeping and maintaining the state offices for the ensuing two years to be thirty-six thousand dollars (\$36,000).

FRANK WHITE,
E. F. PORTER,
H. L. HOLMES,
Board of Trustees of Public Property.

Dated at Bismarck, January 29, 1903.

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 30, 1903.

To the House of Representatives:

Gentlemen: I have the honor to transmit herewith report of the North Dakota commission for the Pan-American Exposition.

I have the honor to be,

Very respectfully,
FRANK WHITE,
Governor.

Mr. Rose moved

That the report of the North Dakota commission of the Pan-American exposition be printed as a document.

Which motion prevailed.

Mr. Aandahl moved

That the rules be suspended and that the report relating to House Bill No. 101 be adopted.

Which motion prevailed, and

The report of the committee was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Mooney introduced

House Bill No. 123,

A bill for an act prohibiting foreign mutual insurance com-

panies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Which was read the first time.

The speaker called Mr. Brown to the chair.

Mr. Shiels introduced
House Bill No. 124,

A bill for an act to amend section 5630 of the Revised Codes of 1899, relating to appeals in cases tried in district court without a jury.

Which was read the first time.

Mr. Peterson of Towner introduced
House Bill No. 125,

A bill for an act to indemnify parties from a total loss of horses destroyed by the state veterinary.

Which was read the first time.

Mr. Rose introduced
House Bill No. 126,

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace, in case of vacancy.

Which was read the first time.

Mr. Chaffee introduced
House Bill No. 127,

A bill for an act to amend and re-enact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.

Which was read the first time.

Mr. McKenzie introduced
House Bill No. 128,

A bill for an act to provide for a machinist's lien.

Which was read the first time.

Mr. Richmond introduced
House Bill No. 129,

A bill for an act to provide for the bonding of certain officers.

Which was read the first time.

Mr. Heath introduced
House Bill No. 130,

A bill for an act to regulate the sale and analysis of commercial fertilizers and prescribing a penalty for the violation thereof.

Which was read the first time.

The speaker in the chair.

SECOND READING OF HOUSE BILLS.

House Bill No. 123,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Was read the second time, and
Referred to the committee on insurance.

House Bill No. 124,

A bill for an act to amend section 5630 of the Revised Codes of 1899, relating to appeals in cases tried in district court without a jury.

Was read the second time and
Referred to the committee on judiciary.

House Bill No. 125,

A bill for an act to indemnify parties from a total loss of horses destroyed by the state veterinary.

Was read the second time, and
Referred to the committee on judiciary.

House Bill No. 126,

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace, in case of vacancy.

Was read the second time, and
Referred to the committee on judiciary.

House Bill No. 127,

A bill for an act to amend and re-enact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.

Was read the second time, and
Referred to the committee on counties and county boundaries.

House Bill No. 128,

A bill for an act to provide for a machinist's lien.

Was read the second time, and
Referred to the committee on judiciary.

House Bill No. 129,

A bill for an act to provide for the bonding of certain officers.

Was read the second time, and
Referred to the committee on judiciary.

House Bill No. 130,

A bill for an act to regulate the sale and analysis of commercial fertilizers and prescribing a penalty for the violation thereof.

Was read the second time, and
Referred to committee on agriculture.

Mr. Chaffee moved
That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 3, 1903.

The house assembled at 3 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Mr. Buttz moved

That the rules be suspended and the roll call be dispensed with.
Which motion prevailed, and

Roll call was dispensed with.

REFERENCE TO THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the twenty-fifth day have carefully examined the same and recommend that the same be corrected as follows:

On page 7 regarding the concurrent resolution for adjournment the word Tuesday be corrected as to spelling.

On page 13 after the sixth line the letters c-i-a-l be added and the words "fertilizers and prescribing a penalty for the violation thereof", these letters and words to form line 7 on page 13 of the printed journal.

On page 5, line 12, the word "not" be stricken out.

On page 5, line 13, the words "C. O. F. Wagner" read "C. I. F. Wagner".

And when so amended recommend that the same be approved.

B. H. MALLOWH,
Chairman Pro Tem.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Young introduced

House Bill No. 131,

A bill for an act to amend section 5630 of the Revised Codes relating to trials in district court, and appeals in cases tried without a jury.

Which was read the first time.

Mr. Sheils introduced

House Bill No. 132,

A bill for an act fixing the maximum quantity of intoxicating liquors which may be sold in the state of North Dakota by any one druggist having a permit to sell such liquors therein, during any month such permit may be in force, and prescribing penalties for a violation of such provision.

Which was read the first time.

Mr. Wagner introduced

House Bill No. 133,

A bill for an act to legalize mortgages executed by executors, administrators and guardians, upon the estates of deceased persons, minors and incompetent persons, executed by order of the county court, after the repeal of chapter fifty-four of the laws of eighteen hundred and ninety, and before the enactment of chapter one hundred ten of the laws of eighteen hundred and ninety-nine.

Which was read the first time.

Mr. Braaten introduced

House Bill No. 134,

A bill for an act to amend section 4063 of the Revised Codes of 1899, relating to legal rate of interest.

Which was read the first time.

Mr. Fried introduced

House Bill No. 135,

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon the county courts.

Which was read the first time.

Mr. Fried introduced

House Bill No. 136,

A bill for an act prescribing the qualifications of judges of the county courts.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 131,

A bill for an act to amend section 5630 of the Revised Codes

relating to trials in district court, and appeals in cases tried without a jury.

Was read the second time, and
Referred to the committee on judiciary.

House Bill No. 132,

A bill for an act fixing the maximum quantity of intoxicating liquors which may be sold in the state of North Dakota by any one druggist having a permit to sell such liquors therein, during any month such permit may be in force, and prescribing penalties for a violation of such provision.

Was read the second time, and
Referred to the committee on temperance.

House Bill No. 133,

A bill for an act to legalize mortgages executed by executors, administrators and guardians, upon the estates of deceased persons, minors and incompetent persons, executed by order of the county court, after the repeal of chapter fifty-four of the laws of eighteen hundred and ninety, and before the enactment of chapter one hundred ten of the laws of eighteen hundred and ninety-nine.

Was read the second time, and
Referred to the committee on judiciary.

House Bill No. 134,

A bill for an act to amend section 4063 of the Revised Codes of 1899, relating to legal rate of interest.

Was read the second time, and
Referred to the committee on banking and bank laws.

House Bill No. 135,

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon the county courts.

Was read the second time, and
Referred to the committee on judiciary.

House Bill No. 136,

A bill for an act prescribing the qualifications of judges of the county courts.

Was read the second time, and
Referred to the committee on judiciary.

THIRD READING OF HOUSE BILLS.

House Bill No. 1,

A bill for an act entitled "To amend Section 2 of Chapter 151, of the Session Laws of 1901, relating to Taxation."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays none, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Heath	Richmond
Beck	Hill	Robillard
Bostrom	Johnson	Rogers
Bourassa	Knudtson	Ryan
Braaten	Kraabel	Scheer
Brown	Lish	Schouweiler
Burtnez	Lyons	Senour
Buttz	Mallough	Severson
Cassell	Mattson	Shiels
Chaffee	McDowell	Skjold
Chevalier	McGahan	Simpson
Chisholm	McKenzie	Smart of Nelson
Connolly	McKnight	Smart of Traill
Dahl	McLain	Stavens
Davis	Meldinger	Steinberg
Dickinson	Midgarden	Thompson
Dieball	Miller	Tufte
Elton	Mooney	Van Arnam
Ellison	Noben	Wagner
Ferguson	Noltmier	Weed
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Wing
Gilbert	Patterson	Young
Gullerud	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Leech	Rose
Baker of Ramsey	Lillie	Stevens
Bartz	Maddock	Truemner
Blank	McClure	Underwood
Cole	McCrea	Wall
Flados	Movius	Watson
Hammer	Palmer	Watts
Harvey	Peterson of Wells	Welo
Lee		

Mr. Peterson of Wells passed his vote.

Messrs. Baker of Ramsey and Blank being excused.

So the bill passed and the title was agreed to.

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member of Battery A, State National Guard.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Allen	Heath	Richmond
Beck	Hill	Robillard
Bostrom	Johnson	Rogers
Bourassa	Knudtson	Ryan
Braaten	Kraabel	Schouweiler
Brown	Lish	Senour
Burtness	Lyons	Severson
Buttz	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McDowell	Simpson
Chevalier	McGahan	Smart of Nelson
Chisholm	McKenzie	Smart of Trall
Connolly	McKnight	Stavens
Dahl	McLain	Steinberg
Davis	Meidinger	Thompson
Dickinson	Midgarden	Tufte
Dieball	Miller	Van Arnam
Elton	Mooney	Wagner
Ellison	Noben	Wall
Ferguson	Noltimier	Weed
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Wing
Gilbert	Patterson	Young
Gullerud	Peterson of Towner	Mr. Speaker
Hanson	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Leech	Scheer
Baker of Ramsey	Lillie	Stevens
Bartz	Maddock	Truemner
Blank	McClure	Underwood
Cole	McCrea	Watson
Flados	Movius	Watts
Hammer	Palmer	Welo
Lee	Rose	

Messrs. Baker of Ramsey and Blank being excused.

So the bill passed and the title was agreed to.

Mr. Buttz moved

That the vote by which House Bill No. 11 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The speaker introduced to the house Major General O. O. Howard, who made a short address.

The speaker announced a recess of fifteen minutes.

AFTER RECESS.

The chief clerk announced that the speaker was about to sign Senate Bill No. 6,

A bill for an act to amend chapter 61 of the Session Laws of

1901, being section 6633 of the Revised Codes of North Dakota of 1899, relating to procedure in civil actions.

Also,
Senate Bill No. 28,

A bill for an act to amend section 6365 of the Revised Codes of 1899, relating to the removal of executors, administrators and guardians.

Also,
Senate Bill No. 73,

A bill for an act amending and re-enacting section 2, chapter 34, session laws 1901, relating to the board of pardon and prescribing the powers and duties thereof.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:
Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Also,
House Bill No. 98,

A bill for an act to amend section 652, Revised Code, 1899, relating to salary of county superintendents of schools. Deputy. Traveling expenses.

Also,
House Bill No. 101,

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

Mr. Buttz asked unanimous consent for the use of the house chamber for a lecture by the Rev. Dr. Forbes at a date convenient to him upon a subject to be selected by himself.

There being no objection the request was granted.

And the speaker appointed a committee to arrange the matter, Messrs. Buttz, Ryan, McGahan and Mallough.

THIRD READING OF HOUSE BILLS.

House Bill No. 20,

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 73, nays none, absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Peterson of Wells
Allen	Harvey	Phifer
Beck	Heath	Richmond
Bostrom	Hill	Robillard
Bourassa	Johnson	Rogers
Braaten	Kraabel	Schouweiler
Brown	Lish	Senour
Burtness	Lyons	Severson
Buttz	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McDowell	Simpson
Chevalier	McGahan	Smart of Nelson
Chisholm	McKenzie	Smart of Trail
Connolly	McLain	Stavens
Dahl	Meidinger	Steinberg
Davis	Midgarden	Thompson
Dickinson	Miller	Tufts
Dieball	Mooney	Van Arnam
Elton	Noben	Wagner
Ellison	Noltimier	Wall
Ferguson	Oksendahl	Weigel
Fried	Palfrey	Wing
Gagnon	Patterson	Young
Gilbert	Peterson of Towner	Mr. Speaker
Gullerud		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Leech	Ryan
Baker of Ramsey	Lillie	Scheer
Bartz	Maddock	Stevens
Blank	McClure	Truemner
Cole	McCrea	Underwood
Flados	McKnight	Watson
Hammer	Movius	Watts
Knudtson	Palmer	Weed
Lee	Rose	Welo

Messrs. Baker of Ramsey and Blank being excused.

So the bill passed and the title was agreed to.

Mr. Buttz moved

That the vote by which House Bill No. 20 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davis asked unanimous consent to amend on its third reading

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

There being no objection the request was granted and Mr. Davis offered the following amendment and moved its adoption:

On page 2, after the word "it", in line 7, strike out the word "shall" and insert in lieu thereof the word "may".

Which motion prevailed, and

The amendment was adopted.

The speaker called Mr. Elton to the chair.

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Allen	Heath	Richmond
Beck	Hill	Robillard
Bostrom	Johnson	Rogers
Bourassa	Knudtson	Ryan
Braaten	Kraabel	Schouweiler
Brown	Lish	Senour
Burtness	Lyons	Severson
Buttz	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McDowell	Simpson
Chevalier	McGahan	Smart of Nelson
Chisholm	McKenzie	Smart of Traill
Connolly	McKnight	Stavens
Dahl	McLain	Steinberg
Davis	Meldinger	Thompson
Dickinson	Midgarden	Tufts
Dieball	Miller	Van Arnam
Elton	Mooney	Wagner
Ellison	Noben	Wall
Ferguson	Noltmier	Weed
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Wing
Gilbert	Patterson	Young
Gullerud	Peterson of Towner	Mr. Speaker
Hanson	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Leech	Scheer
Baker of Ramsey	Lillie	Stevens
Bartz	Maddock	Truemner
Blank	McClure	Underwood
Cole	McCrea	Watson
Flados	Movius	Watts
Hammer	Palmer	Welo
Lee	Rose	

Messrs. Baker of Ramsey and Blank being excused.

So the bill as amended passed and the title was agreed to

Mr. Buttz moved

That the vote by which House Bill No. 35 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Patterson moved

That the rules be suspended and that the house concur in senate concurrent resolution relating to the passage by congress of a twenty mile minimum rate on all railroads carrying stock.

Which motion prevailed, and

The house concurred in the senate concurrent resolution.

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays none, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Phifer
Allen	Hill	Richmond
Beck	Johnson	Robillard
Bostrom	Knudtson	Rogers
Bourassa	Kraabel	Ryan
Braaten	Lish	Schouweller
Brown	Lyons	Senour
Burtness	Mallough	Severson
Cassell	Mattson	Shiels
Chaffee	McDowell	Skjold
Chevalier	McGahan	Simpson
Chitsholm	McKenzie	Smart of Nelson
Connolly	McKnight	Smart of Traill
Dahl	McLain	Stavens
Davis	Meidinger	Steinberg
Dickinson	Midgarden	Thompson
Dieball	Miller	Tuftø
Elton	Mooney	Van Arnam
Ellison	Noben	Wagner
Ferguson	Noitimier	Wall
Fried	Oksendahl	Weed
Gagnon	Palfrey	Weigel
Gilbert	Patterson	Wing
Gullerud	Peterson of Towner	Young
Hanson	Peterson of Wells	Mr. Speaker
Harvey		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Lee	Rose
Baker of Ramsey	Leech	Scheer
Bartz	Lillie	Stevens
Blank	Maddock	Truemner
Buttz	McClure	Underwood
Cole	McCrea	Watson
Flados	Movius	Watts
Hammer	Palmer	Welo

Messrs. Baker of Ramsey and Blank being excused.

So the bill passed and the title was agreed to.

The speaker in the chair.

House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Allen	Heath	Richmond
Beck	Hill	Robillard
Bostrom	Johnson	Rogers
Bourassa	Knudtson	Ryan
Braaten	Kraabel	Schouweiler
Brown	Lish	Senour
Burtness	Lyons	Severson
Buttz	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McDowell	Simpson
Chevalier	McGahan	Smart of Nelson
Chisholm	McKenzie	Smart of Traill
Connolly	McKnight	Stavens
Dahl	McLain	Steinberg
Davis	Meidinger	Thompson
Dickinson	Midgarden	Tufte
Dieball	Miller	Van Arnam
Elton	Mooney	Wagner
Ellison	Noben	Wall
Ferguson	Noltimier	Weed
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Wing
Gilbert	Patterson	Young
Gullerud	Peterson of Towner	Mr. Speaker
Hanson	Peterson of Wells	

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Bartz
Blank
Cole
Flados
Hammer
Lee

Messrs.—

Leech
Lillie
Maddock
McClure
McCrea
Movius
Palmer
Rose

Messrs.—

Scheer
Stevens
Truemner
Underwood
Watson
Watts
Welo

Messrs. Baker of Ramsey and Blank being excused.

So the bill passed and the title was agreed to.

House Bill No. 45,

A bill for an act to exempt volunteer firemen from the payment of poll tax.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays none, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Beck
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Chisholm
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Fried
Gagnon
Gilbert
Gullerud
Hanson

Messrs.—

Harvey
Heath
Hill
Johnson
Knutdson
Kraabel
Lish
Lyons
Mallough
Mattson
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltimier
Oksendahl
Palfrey
Patterson
Peterson of Towner

Messrs.—

Peterson of Wells
Phifer
Richmond
Robillard
Rogers
Ryan
Schouweiler
Senour
Severson
Shiels
Simpson
Skjold
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Thompson
Tuft
Van Arnam
Wagner
Wall
Weigel
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Bartz
Blank
Cole
Flados
Hammer
Lee

Messrs.—

Leech
Lillie
Maddock
McClure
McCrea
Movius
Palmer
Rose

Messrs.—

Scheer
Stevens
Truemner
Underwood
Watson
Watts
Weed
Welo

Messrs. Baker of Ramsey and Blank being excused.

So the bill passed and the title was agreed to.

House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies and for fixing the number and compensation of such deputies.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 71, nays 6, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Harvey	Richmond
Beck	Heath	Rogers
Bostrom	Hill	Ryan
Bourassa	Johnson	Schouweller
Braaten	Knudtson	Senour
Brown	Kraabel	Severson
Burtness	Lish	Shiels
Buttz	Lyons	Skjold
Cassell	Mallough	Simpson
Chaffee	Mattson	Smart of Traill
Chevalier	McGahan	Stavens
Connolly	McKenzie	Steinberg
Dahl	McLain	Thompson
Davis	Meldinger	Tufte
Dickinson	Midgarden	Van Arnam
Dieball	Miller	Wagner
Elton	Mooney	Wall
Ellison	Noltmier	Weed
Ferguson	Oksendahl	Weigel
Fried	Palfrey	Wing
Gagnon	Patterson	Young
Gilbert	Peterson of Towner	Mr. Speaker
Gullerud	Peterson of Wells	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Chisholm	McKnight	Robillard
McDowell	Noben	Smart of Nelson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Leech	Scheer
Baker of Ramsey	Lillie	Stevens
Bartz	Maddock	Truemner
Blank	McClure	Underwood
Cole	McCrea	Watson
Flados	Movius	Watts
Hammer	Palmer	Welo
Lee	Rose	

Messrs. Baker of Ramsey and Blank being excused.

So the bill passed and the title was agreed to.

House Bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays none, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Phifer
Allen	Hill	Richmond
Beck	Johnson	Robillard
Bostrom	Knudtson	Rogers
Bourassa	Kraabel	Ryan
Braaten	Lish	Schouweiler
Brown	Lyons	Senour
Burtness	Mallough	Severson
Buttz	Mattson	Shiels
Cassell	McDowell	Simpson
Chaffee	McGahan	Skjold
Chevalier	McKenzie	Smart of Nelson
Chisholm	McKnight	Smart of Traill
Connolly	McLain	Stavens
Dahl	Meidinger	Steinberg
Davis	Midgarden	Thompson
Dickinson	Miller	Tufte
Dieball	Mooney	Van Arnam
Elton	Noben	Wagner
Ellison	Noltimier	Wall
Ferguson	Oksendahl	Weed
Fried	Palfrey	Weigel
Gagnon	Patterson	Wing
Gilbert	Peterson of Towner	Young
Gullerud	Peterson of Wells	Mr. Speaker
Harvey		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Lee	Rose
Baker of Ramsey	Leech	Scheer
Bartz	Lillie	Stevens
Blank	Maddock	Truemner
Cole	McClure	Underwood
Flados	McCrea	Watson
Hammer	Movius	Watts
Hanson	Palmer	Welo

Messrs. Baker of Ramsey and Blank being excused.

So the bill passed and the title was agreed to.

House Bill No. 71,

A concurrent resolution fixing appraised value of school lands.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes none, nays 77, absent and not voting 23.

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Allen	Heath	Richmond
Beck	Hill	Robillard
Bostrom	Johnson	Rogers
Bourassa	Knudtson	Ryan
Braaten	Kraabel	Schouweiler
Brown	Lish	Senour
Burtness	Lyons	Severson
Buttz	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McDowell	Simpson
Chevalier	McGahan	Smart of Nelson
Chisholm	McKenzie	Smart of Traill
Connolly	McKnight	Stavens
Dahl	McLain	Steinberg
Davis	Meldinger	Thompson
Dickinson	Midgarden	Tuft
Dieball	Miller	Van Arnam
Elton	Mooney	Wagner
Ellison	Noben	Wall
Ferguson	Noltimier	Weed
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Wing
Gilbert	Patterson	Young
Gullerud	Peterson of Wells	Mr. Speaker
Hanson	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Leech	Scheer
Baker of Ramsey	Lillie	Stevens
Bartz	Maddock	Truemmer
Blank	McClure	Underwood
Cole	McCrea	Watson
Flados	Movius	Watts
Hammer	Palmer	Welo
Lee	Rose	

Messrs. Baker of Ramsey and Blank being excused.

So the bill was lost.

Mr. Chaffee moved

That the vote by which House Bill No. 71 was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays none, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Peterson of Wells
Allen	Harvey	Phifer
Beck	Heath	Richmond
Bostrom	Hill	Robillard
Bourassa	Johnson	Rogers
Braaten	Knudtson	Schouweiler
Brown	Kraabel	Senour
Burtness	Lish	Severson
Buttz	Lyons	Shiels
Cassell	Mallough	Simpson
Chaffee	Mattson	Skjold
Chevalier	McDowell	Smart of Nelson
Chisholm	McGahan	Smart of Traill
Connolly	McKenzie	Stavens
Dahl	McKnight	Steinberg
Davis	Meidinger	Thompson
Dickinson	Midgarden	Tuft
Dieball	Miller	Van Arnam
Elton	Mooney	Wagner
Ellison	Noben	Wall
Ferguson	Noltmier	Weed
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Wing
Gilbert	Patterson	Young
Gullerud	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Lillie	Ryan
Baker of Ramsey	Maddock	Scheer
Bartz	McClure	Stevens
Blank	McCrea	Truemner
Cole	McLain	Underwood
Flados	Movius	Watson
Hammer	Palmer	Watts
Lee	Rose	Welo
Leech		

Messrs. Baker of Ramsey and Blank being excused.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 32,

A bill for an act to provide uniform regulations governing cor-

porations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

Mr. Chaffee moved
That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

THIRTIETH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 4, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Aslakson, Blank, Brown, Dieball, Maddock, Palmer, Underwood, Van Arnam and Watson, Messrs. Blank, Watson and Van Arnam being excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 4, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 4,

A bill for an act to establish an institution for the feeble-minded and to provide for its support and management.

Also,

Senate Bill No. 36,

A bill for an act to amend section 2724 of the Revised Codes, declaring who may solemnize marriages and referring to license and certificate.

Also,

Senate Bill No. 27,

A bill for an act to amend section 1209 of the Revised Codes of 1899 relating to the compensation of assessors.

Also,

Senate Bill No. 52,

A bill for an act to amend section 706 Revised Codes 1899 relat-

ing to district high schools, and providing for the establishment of district graded schools.

Also,

Senate Bill No. 61,

A bill for an act to amend section 481 of the Revised Codes of 1899, providing for the formation of election precincts.

Also,

Senate Bill No. 47.

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,
Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the twenty-ninth day have carefully examined the same and recommend that the same be corrected as follows:

On page 4 in the fourth line from the bottom of the page the words, "as amended," to be omitted.

On page 6, line 13, senate bill No. 23, and title be stricken out and insert senate bill No. 73 and title.

And when so amended recommend that the same be approved.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

And find the same correctly re-engrossed.

H. P. RYAN,
Chairman.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The speaker presented the following communication:

Cavalier, N. D., February 2. 1903.

To the House Bismarck, N. D.:

At Hensel and Cavalier yesterday the large Methodist congregations passed a unanimous vote in favor of the passage of a law to prohibit the manufacture and sale of cigarettes and cigarette paper by the state, also the bill raising the age of consent to 18 years.

Yours truly,

RICHARD HOCKING,
Pastor M. E. Church, Cavalier.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 126,

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace, in case of vacancy.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 116,

A bill for an act to amend section 2674 of the Revised Codes of North Dakota, 1899, prohibiting township officers from being interested in contracts.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 115,

A bill for an act to amend section 5249, chapter 7 of the Revised Codes of 1899 relating to the commencement of civil actions and the filing and service of complaints in the district courts.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 14.

A bill for an act to amend section 6289 of the Revised Codes of North Dakota, relating to the time for probating wills.

Have had the same under consideration, and recommend that the same be amended as follows:

By striking out the words, "allowed and recorded," in line 10 of the printed bill and inserting in lieu thereof the words, "admitted to probate."

And when so amended recommend that the same do pass.

Also,
House Bill No. 121,

A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.

Have had the same under consideration, and recommend that the same be amended as follows:

By striking out the emergency clause (Sec. 2).

And when so amended recommend that the same do pass.

C. W. BUTTZ,
Chairman.

Mr. Young moved

That the rules be suspended and the report of the committee be adopted.

Which motion prevailed, and
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 129,

A bill for an act to provide for the bonding of certain officers.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 34,

A bill for an act to repeal chapter 118 of the session laws of 1901 entitled "an act to amend section 4680 of article 2, chapter 72, of the Revised Codes of the state of North Dakota, entitled liens in general."

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 5,

A bill for an act to provide for the cancellation of judgments against persons discharged under the United States bankruptcy law, and the mode of procedure to obtain such relief.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 14,

A bill for an act preventing and restraining operation of pools, trusts and conspiracies.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

C. W. BUTTZ,

Chairman.

Mr. Buttz moved

That the report be adopted.

Mr Tufte moved

As a substitute that the bill be referred to general orders.

Mr. Buttz moved

That the substitute motion be laid on the table.

Which motion was lost.

The question being on the substitute motion.

The same prevailed and

House Bill No. 14 was referred to general orders.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 67,

A bill for an act to provide for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

And the speaker signed the same in the presence of the house.

REPORT OF STANDING COMMITTEE.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 125,

A bill for an act to indemnify parties from a total loss of horses destroyed by the state veterinary.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

Mr. Buttz moved
 That the report be adopted.
 Which motion prevailed, and
 The further consideration of the bill was indefinitely postponed.
 Also,

Mr. Speaker:

Your committee on judiciary to whom was referred
 House Bill No. 87,

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1899, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

C. W. BUTTZ,
 Chairman.

Mr. Buttz moved
 That the report be adopted.
 Which motion prevailed, and
 The further consideration of the bill was indefinitely postponed.
 The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
 House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb and feeble minded persons in each district in the state.

Have had the same under consideration and recommend that the same do pass.

GEO. W. H. DAVIS,
 Chairman.

Mr. Ryan moved
 That the chief clerk be directed to notify the senate that the house is now ready to receive the senate in joint session to receive the representatives of the exposition to be held in St. Louis in 1904.

Which motion prevailed.

The speaker appointed as a committee to escort the senators to the house Messrs. Ryan and McGahan.

JOINT SESSION.

The joint session of the two houses was called to order by the president of the senate.

The president appointed as a committee to escort the delegate to the house, Senator Plain and Messrs. Young and Wall.

The committee returned and escorted the delegate from St. Louis to the speaker's desk.

The joint session was then addressed by Mr. J. S. Crawford of St. Louis.

Mr. Buttz moved

That the joint session do now dissolve.

Which motion prevailed, and

The joint session dissolved.

The speaker announced a recess of ten minutes.

AFTER RECESS.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 126,

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace in case of vacancy.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

Mr. Ryan moved

That the rules be suspended and

House Bill No. 126,

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace in case of vacancy.

Be placed upon its third reading and final passage,

Which motion prevailed, and

House Bill No. 126.

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace, in case of vacancy.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Beck
Bostrom
Bourassa
Braaten
Bfown
Burtness
Buttz
Cassell

Messrs.—

Heath
Hill
Johnson
Knutdson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Maddock

Messrs.—

Phifer
Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Simpson

Messrs.—

Chaffee
Chevallier
Chisholm
Cole
Connolly
Dahl
Davis
Elton
Ellison
Ferguson
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey

Messrs.—

Mallough
Mattson
McClure
McDowell
McGahan
McKnight
McLain
Meidinger
Midgarden
Mooney
Noben
Noltmier
Oksendahl
Palfrey
Patterson
Peterson of Towner
Peterson of Wells

Messrs.—

Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Wagner
Wall
Watts
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Blank
Dickinson
Dieball
Flados

Messrs.—

McCrea
McKenzie
Miller
Movius
Palmer

Messrs.—

Richmond
Skjold
Underwood
Van Arnam
Watson

Messrs. Blank, Watson and Van Arnam being excused.

So the bill passed and the title was agreed to.

Mr. Rose moved

That the vote by which House Bill No. 126 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The speaker called Mr. Lish to the chair.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Dahl introduced

House Bill No. 137,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Which was read the first time.

Mr. Connolly introduced

House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, relating to the North Dakota Academy of Science and to provide for issuing bonds therefor and raising and appropriating funds for the erection of such academy buildings and for the maintenance and government of said academy.

Which was read the first time.

Mr. Wagner introduced

House Bill No. 139,

A bill for an act to amend sections 1774, and 1775 of the Revised Codes of North Dakota, 1899, relating to abstractors.

Which was read the first time.

Mr. Wagner introduced

House Bill No. 140,

A bill for an act to provide for threshing laborer's lien.

Which was read the first time.

Mr. Kraabel introduced

House Bill No. 141,

A bill for an act prescribing the manner of nominating candidates for political offices, and fixing the penalty for the violation thereof.

Which was read the first time.

Mr. Sheils introduced

House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Which was read the first time.

Mr. Mallough introduced

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

Which was read the first time.

Mr. Leech introduced

House Bill No. 144,

A bill for an act providing for the appointment of a public officer to be known as state fire marshal and prescribing his duties.

Which was read the first time.

Mr. Leech introduced

House Bill No. 145,

A bill for an act to amend section 3023 of the Revised Codes relating to long and short hauls, upon railroads and common carriers.

Which was read the first time.

Mr. Leech introduced

House Bill No. 146,

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.

Which was read the first time.

Mr. Leech introduced
House Bill No. 147,

A bill for an act to provide a time at which claims against the estates of decedents shall be barred.

Which was read the first time.

Mr. Young introduced
House Bill No. 148,

A bill for an act to amend section 2071 under the Revised Codes of North Dakota, relating to the payment of probate fees to the county treasurer.

Which was read the first time.

Mr. Fried introduced
House Bill No. 149,

A bill for an act to amend section 5847 of the Revised Codes of 1899 of the state of North Dakota, relative to the foreclosure of mortgages for installments.

Which was read the first time.

Mr. Fried introduced
House Bill No. 150,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota.

Which was read the first time.

Mr. Hammer introduced
House Bill No. 151,

A bill for an act to amend section 5244 of the Revised Codes of North Dakota relative to place of trial of civil actions.

Which was read the first time.

Mr. Dahl introduced
House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Which was read the first time.

Mr. Dahl introduced
House Bill No. 153,

A bill for an act to amend section 1 of chapter 158 of the session laws of 1899, being section 3491a of the Revised Codes of North Dakota, 1899, relating to titles to real property.

Which was read the first time.

Mr. Dickinson introduced
House Bill No. 154,

A bill for an act regulating the handling of gasoline.

Which was read the first time.

Mr. Buttz introduced

House Bill No. 155,

A bill for an act to amend section 7671 of the Revised Codes of North Dakota, 1899, relating to unlawful obligations in writing.

Which was read the first time.

The speaker in the chair.

SECOND READING OF HOUSE BILLS.

House Bill No. 137,

A bill for an act to amend section 1031 of the Revised Codes of and growth thereof and for the holding of an annual tournament. benefits of the firemen's association, and to promote the efficiency North Dakota, 1899, making an appropriation for the use and

Was read the second time, and

Referred to the committee on appropriations.

House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, relating to the North Dakota Academy of Science and to provide for issuing bonds therefor and raising and appropriating funds for the erection of such academy buildings and for the maintenance and government of said academy.

Was read the second time, and

Referred to the committee on appropriations.

House Bill No. 139,

A bill for an act to amend section 1774 and 1775 of the Revised Codes of North Dakota, 1899, relating to abstractors.

Was read the second time, and

Referred to the committee on state affairs.

House Bill No. 140,

A bill for an act to provide for threshing laborer's lien.

Was read the second time, and

Referred to the committee on state affairs.

House Bill No. 141,

A bill for an act prescribing the manner of nominating candidates for political offices, and fixing the penalty for the violation thereof.

Was read the second time, and

Referred to the committee on elections and privileges.

House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Was read the second time and

Referred to the committee on appropriations.

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

Was read the second time, and

Referred to the committee on state affairs.

House Bill No. 144,

A bill for an act providing for the appointment of a public officer to be known as state fire marshal, and prescribing his duties.

Was read the second time and

Referred to the committee on insurance.

House Bill No. 145,

A bill for an act to amend section 3023 of the Revised Codes relating to long and short hauls, upon railroads and common carriers.

Was read the second time, and

Referred to the committee on railroads.

House Bill No. 146,

A bill for an act to amend sections 5352, 5353 and 5354 of the Revised Codes of North Dakota, relating to attachments.

Was read the second time, and

Referred to the committee on judiciary.

House Bill No. 147,

A bill for an act to provide a time at which claims against the estates of decedents shall be barred.

Was read the second time, and

Referred to the committee on judiciary.

House Bill No. 148,

A bill for an act to amend section 2071 under the Revised Codes of North Dakota, relating to the payment of probate fees to the county treasurer.

Was read the second time, and

Referred to the committee on state affairs.

House Bill No. 149,

A bill for an act to amend section 5847 of the Revised Codes of 1899 of the state of North Dakota, relative to the foreclosure of mortgages for installments.

Was read the second time, and

Referred to the committee on judiciary.

House Bill No. 150,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota.

Was read the second time, and

Referred to the committee on appropriations.

House Bill No. 151,

A bill for an act to amend section 5244 of the Revised Codes of North Dakota relative to place of trial of civil actions.

Was read the second time, and

Referred to the committee on judiciary.

House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Was read the second time, and

Referred to the committee on appropriations.

House Bill No. 153,

A bill for an act to amend section 1 of chapter 158 of the session laws of 1899, being section 3491a of the Revised Codes of North Dakota, 1899, relating to titles to real property.

Was read the second time, and

Referred to the committee on judiciary.

House Bill No. 154,

A bill for an act regulating the handling of gasoline.

Was read the second time, and

Referred to the committee on manufacturers.

House Bill No. 155,

A bill for an act to amend section 7671 of the Revised Codes of North Dakota, 1899, relating to unlawful obligations in writing.

Was read the second time, and

Referred to the committee on judiciary.

THIRD READING OF HOUSE BILLS.

House Bill No. 75,

A bill for an act to provide for the assessment of property omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays 6, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Allen
Aandahl
Aslakson
Beck
Bartz

Messrs.—

Hammer
Hanson
Harvey
Heath
Hill

Messrs.—

Peterson of Wells
Phifer
Richmond
Robillard
Rose

Messrs.—	Messrs.—	Messrs.—
Blank	Johnson	Ryan
Bourassa	Kraabel	Scheer
Braaten	Lee	Schouweller
Brown	Leech	Senour
Burtness	Lillie	Severson
Buttz	Lish	Shiels
Cassell	Lyons	Skjold
Chaffee	Maddock	Simpson
Chevalier	Mallough	Smart of Nelson
Chisholm	Mattson	Smart of Traill
Cole	McC'lure	Stavens
Connolly	McCrea	Steinberg
Dahl	McDowell	Stevens
Davis	McKenzie	Thompson
Dickinson	McKnight	Truemner
Dieball	McLain	Tufte
Elton	Meidinger	Wagner
Ellison	Midgarden	Wall
Ferguson	Mooney	Weed
Flados	Movius	Weigel
Fried	Noben	Wing
Gagnon	Oksendahl	Young
Gilbert	Peterson of Towner	Mr. Speaker
Gullerud		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bostrom	McGahan	Rogers
Knudtson	Noltimier	Welo

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Palmer	Watson
Miller	Patterson	Van Arnam
Palfrey	Underwood	Watts

Messrs. Blank, Watson and Van Arnam being excused.

So the bill passed and the title was agreed to.

Mr. Shiels moved

That the vote by which House Bill No. 75 passed, be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

Mr. Weed moved

That House Bill No. 98 be recommitted to the committee on education.

Which motion prevailed, and

The bill was so re-referred to the committee on education.

Mr. Buttz moved

That House Bill No. 83 be referred to the committee on judiciary.

Which motion prevailed, and

House Bill No. 83 was re-referred to the committee on judiciary.

House Bill No. 32,

A bill for an act to provide uniform regulations governing cor-

porations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Was read the third time.

Mr. Young moved

That the further consideration of House Bill No. 32 be made a special order for tomorrow at 3 o'clock p. m.

Which motion prevailed, and

The bill was made a special order for tomorrow at 3 o'clock p. m.

House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 69, nays 4, absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hill	Rose
Baker of Ramsey	Johnson	Ryan
Bostrom	Kraabel	Schouweiler
Bourassa	Lee	Senour
Braaten	Lillie	Severson
Brown	Lyons	Shiels
Burtness	Maddock	Simpson
Buttz	Mattson	Smart of Nelson
Cassell	McKnight	Smart of Traill
Chaffee	McLain	Stavens
Chevalier	Meldinger	Steinberg
Cole	Midgarden	Thompson
Dahl	Miller	Truemner
Davis	Mooney	Tufto
Dickinson	Noben	Wagner
Elton	Noltimier	Wall
Ellison	Palfrey	Watson
Flados	Peterson of Wells	Watts
Fried	Peterson of Towner	Weigel
Gagnon	Phifer	Welo
Gilbert	Richmond	Young
Hammer	Robillard	Mr. Speaker
Harvey	Rogers	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Oksendahl
Aslakson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartz	Leech	Patterson
Beck	Lish	Scheer
Blank	McClure	Skjold
Chisholm	McCrea	Stevens

Messrs.—	Messrs.—	Messrs.—
Connolly	McDowell	Underwood
Dieball	McGahan	Van Arnam
Ferguson	McKenzie	Weed
Hanson	Movius	Wing
Heath	Palmer	
Knudtson		

Messrs. Blank, Watson and Van Arnam being excused.

So the bill passed and the title was agreed to.

Mr. Buttz moved

That the vote by which House Bill No. 33 passed, be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

House Bill No. 101,

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays 2, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Robillard
Allen	Harvey	Rogers
Bartz	Heath	Rose
Bostrom	Hill	Ryan
Bourassa	Johnson	Scheer
Braaten	Kraabel	Schouweiler
Brown	Lillie	Senour
Burness	Lish	Shiels
Buttz	Lyons	Simpson
Cassell	Maddock	Skjold
Chaffee	Mallough	Smart of Nelson
Chevalier	Mattson	Smart of Traill
Chisholm	McClure	Stavens
Connolly	McLain	Steinberg
Dahl	Meldinger	Truemner
Davis	Midgarden	Tufte
Dickinson	Miller	Wagner
Elton	Mooney	Wall
Ellison	Noben	Watts
Ferguson	Noltmier	Weed
Flados	Oksendahl	Weigel
Fried	Palfrey	Welo
Gagnon	Peterson of Towner	Wing
Gilbert	Peterson of Wells	Young
Gullerud	Phifer	Mr. Speaker
Hammer	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Leech	Patterson
Baker of Ramsey	McCrea	Severson
Beck	McDowell	Stevens

Messrs.—	Messrs.—	Messrs.—
Blank	McGahan	Thompson
Cole	McKenzie	Underwood
Dieball	Movius	Van Arnam
Knudtson	Palmer	Watson

Messrs. Lee and McKnight voting in the negative.

Messrs. Blank, Watson and Van Arnam being excused.

So the bill passed and the title was agreed to.

THIRD READING OF SENATE BILLS.

Senate Bill No. 8,

A bill for an act to amend section 2096 of the Revised Codes of North Dakota for 1899, relating to the per diem of jurors.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 47, nays 39, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Johnson	Rose
Bartz	Leech	Ryan
Brown	Lillie	Scheer
Chaffee	Lish	Schouweiler
Chevalier	Maddock	Severson
Connolly	Mallough	Skjold
Dahl	McGahan	Simpson
Davis	McKnight	Smart of Nelson
Dickinson	McLain	Steinberg
Elton	Meidinger	Stevens
Ferguson	Miller	Truemner
Hammer	Mooney	Wall
Hanson	Palfrey	Watts
Harvey	Peterson of Towner	Welo
Heath	Peterson of Wells	Wing
Hill	Phifer	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Mattson	Oksendahl
Beck	McClure	Richmond
Blank	Fried	Robillard
Bostrom	Gagnon	Rogers
Bourassa	Gilbert	Senour
Braaten	Gullerud	Shiels
Burtness	Knudtson	Smart of Traill
Buttz	Kraabel	Stavens
Cassell	Lee	Thompson
Chisholm	Lyons	Tufte
Cole	Midgarden	Wagner
Ellison	Noben	Young
Flados	Noltmier	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	McKenzie	Van Arnam
Baker of Ramsey	Movius	Watson
Dieball	Palmer	Weed
McCrea	Patterson	Weigel
McDowell	Underwood	

Messrs. Blank, Watson and Van Arnam being excused.

So the bill was lost.

Mr. Davis explained his vote.

Mr. Leech moved

That the vote by which Senate Bill No. 8 was lost be reconsidered and made a special order for tomorrow at 2:30 p. m.

Which motion prevailed.

Senate Bill No. 13,

A bill for an act to amend section 2914 of the Revised Codes of North Dakota of the revision of 1899, relating to the settlement of affairs of corporation upon dissolution.

Was read the third time

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Phifer
Allen	Johnson	Richmond
Bartz	Knudtson	Robillard
Beck	Kraabel	Rogers
Bostrom	Lee	Rose
Bourassa	Leech	Ryan
Brown	Lillie	Scheer
Burtness	Lish	Schouweiler
Buttz	Lyons	Senour
Cassell	Maddock	Severson
Chaffee	Mallough	Shiels
Chevalier	Mattson	Skjold
Chisholm	McClure	Simpson
Cole	McCrea	Smart of Nelson
Connolly	McGahan	Smart of Traill
Dahl	McKenzie	Stavens
Davis	McKnight	Steinberg
Dickinson	McLain	Thompson
Elton	Meidinger	Truemner
Ellison	Midgarden	Tufto
Ferguson	Miller	Wagner
Fried	Mooney	Wall
Gagnon	Noben	Watts
Gilbert	Noitimier	Weigel
Gullerud	Oksendahl	Welo
Hanson	Palfrey	Wing
Harvey	Peterson of Towner	Young
Heath	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Hammer	Underwood
Baker of Ramsey	McDowell	Van Arnam
Blank	Movius	Watson
Braaten	Palmer	Weed
Dieball	Patterson	
Flados	Stevens	

Messrs. Blank, Watson and Van Arnam being excused.
So the bill passed and the title was agreed to.

GENERAL ORDERS.

Mr. Buttz moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Cassell to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 18,

A bill for an act to regulate the practice of optometry in the state of North Dakota.

And recommend that the same be amended as follows:

In line 1, of section 2, strike out the words "from and after the first day of."

Strike out the words "Clerk of the district court" wherever they appear and in the bill in lieu thereof insert the words "Register of Deeds."

In line 7 of section 3 of the printed bill, strike out the word "its" and insert in lieu thereof the word "his."

In line 12, section 3 of the printed bill, after the letters "c-e-r-s" strike out the remainder of the line.

In line 5, of section 4 of the printed bill, strike out the words "the state capitol" and insert in lieu thereof the words "a place designated by the board."

In line 4, of section 6 of the printed bill, strike out the word "in" and insert in lieu thereof the word "for."

Wherever the word "clerk" appears, strike it out and insert in lieu thereof the words "Register of Deeds."

In line 11, of section 8 of the printed bill, strike out the letter "d" in the word "removed" and insert in lieu thereof the letter "s."

In line 13, of section 11 of the printed bill, strike out the word "January" and insert in lieu thereof the word "December."

In line 1, of section 13 of the printed bill, strike out the word "to" and insert in lieu thereof the words "and must."

In line 3, section 13 of the printed bill, strike out the words "to be" and insert in lieu thereof the word "is."

In line 3, of section 13 of the printed bill, after the word "incompetency" strike out the word "or."

In line 4, of section 13 of the printed bill, after the word "disease" insert the following: "or for advertising himself as an 'eye specialist' or doctor, or for holding himself out to the public as being other than an optician."

Strike out all of section 17.

And when so amended recommend that the same do pass.

Also,

House Bill No. 74,

A bill for an act to amend section 5518 of the Revised Codes of North Dakota 1899, relating to exemptions.

And report that that they have had the bill under consideration and have come to no conclusion thereon.

Also,

House Bill No. 80,

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

And recommend that the same be amended as follows:

Sec. 3068, line twelve, after the word line, insert free of expense.

Sec. 3068 line thirteen, after the word is strike out figures 50,000 and insert in lieu thereof figures 40,000.

And when so amended recommend that the same do pass.

M. B. CASSELL,

Chairman.

Mr. Mattson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Mallough moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,

Chief Clerk.

THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 5, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Blank, Hanson and Watson. Messrs. Blank and Watson being excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirtieth day have carefully examined the same and recommend that the same be corrected as follows:

On page 3 the date line reading "January 4" be changed to "February 4," and the same correction be made on each page bearing a date line in the printed journal.

On page 6, line 13, the word "consideration" be corrected as to spelling.

On page 6 in the fourteenth line from the bottom of the page the word "section" be corrected as to spelling.

On page 12, line 18, the word "amend" be corrected as to spelling.

On page 13, in the second line from the bottom of the page the word "and" be corrected as to spelling.

On page 15, line 19, the figures "68" be changed to "69," and in line 20 of the same page the figures "28" be changed to "27."

On page 15, in the names of members voting in the affirmative on House Bill No. 33, the name "Peterson of Towner" be added.

And on page 16, among those absent and not voting the name "Peterson of Towner" be omitted.

On page 19, relating to House Bill No. 18, the word "optometry" be corrected as to spelling, and in the first line of the amendments reported to said bill the word "the" be corrected as to spelling.

And when so amended recommend that the same be approved.
THOS. HEATH,
 Chairman.

Mr. Heath moved
 That the report be adopted,
 Which motion prevailed, and
 The report of the committee was adopted.

REPORT OF COMMITTEE ON JOINT RULES.

Mr. Speaker:

Your committee on joint rules beg leave to report the same joint rules and joint convention rules for the government of the senate and house as were adopted by the legislative assembly of 1901 and recommend that the secretary of state be authorized to incorporate them in proper form in the legislative manual of 1903, which shall also contain similar information to that contained in the last manual, and when printed that copies be furnished the state officers and ten copies to each member of the Eighth Legislative Assembly; one to each newspaper in the state, exchange with other states, and sufficient copies shall be retained by the secretary of state to supply each member of the Ninth Legislative Assembly with one copy, which shall be forwarded to him immediately upon his election. Advance sheets of the manual, containing the rules of each house and the standing committees, shall be furnished at once for the use of the respective bodies.

Respectfully submitted,
M. B. CASSELL,
 Chairman of the House Committee.
JUDSON LaMOURE,
 Chairman of the Senate Committee.

Mr. Cassell moved
 That the report be adopted.
 Which motion prevailed, and
 The report of the committee was adopted.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
 House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb and feeble minded persons in each district in the state.

Also,

House Bill No. 115,

A bill for an act to amend section 5249, chapter 7 of the Revised Codes of 1899 relating to the commencement of civil actions and the filing and service of complaints in the district courts.

Also,

House Bill No. 116,

A bill for an act to amend section 2674 of the Revised Codes of North Dakota, 1899, prohibiting township officers from being interested in contracts.

Also,

House Bill No. 129,

A bill for an act to provide for the bonding of certain officers. And find the same correctly engrossed.

Also,

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

And find the same correctly re-engrossed.

H. P. RYAN,
Chairman.

COMMUNICATION FROM THE ATTORNEY GENERAL.

The following opinion was received from the attorney general on senate bill No. 1:

Bismarck, Feb. 3, 1903.

To the Honorable House of Representatives of the State of North Dakota:

Gentlemen: I have the honor to acknowledge receipt of your communication of the 29th ultimo asking for my opinion as to the legality of Senate Bill No. 1, being a bill to amend section 876 of the revised codes relating to the appointment of trustees of the state university.

Your inquiry is embraced in the three following questions:

1. "Whether or not the bill would legislate out of office the four remaining members of the board."
2. "Whether or not the vacancy created by the resignation or death of the life member could be filled under section 877 of the codes."
3. "Whether or not the provisions of the bill conflict with section 20 of the constitution of the state."

Section 877 of the revised codes reads as follows:

"The governor shall nominate and, by and with the advice and consent of the senate, appoint during each regular session of the legislative assembly trustees of such university in the place of those whose terms shall hereafter first expire, and such trustees shall hold their office until their successors are appointed and qualified; provided that the governor shall fill any vacancy in such board by appointment to extend only until the first Tuesday in April succeeding the next regular session of the legislative assembly; and provided, further, that the governor shall, during

such next regular session, nominate and, by and with the advice and consent of the senate, appoint some person to fill such vacancy for the remainder of the term unexpired. Not more than two members of the board shall be appointed from the same county."

Construing this section in connection with the bill under consideration I find nothing inconsistent or conflicting with the law as it now stands providing for the remaining four members of the board holding their office for the full length of the term for which they were appointed, and I am of the opinion that the proposed amendment of section 876 will not affect the tenure of office of said members in any respect.

As to the second question, section 877 seems to confer upon the governor power to fill vacancies in said board that might happen under any circumstances. I do not see how he could lose any of the appointing power conferred by said section by the enactment of Senate Bill No. 1.

Even if it should be held that section 877, in view of the proposed legislation, failed to provide for filling a vacancy caused by the resignation or death of the life member, section 78 of the constitution would give the governor ample power to fill such vacancy by appointment. Section 78 of the constitution reads as follows: "When any office shall from any cause become vacant, and no mode is provided by the constitution or law for filling such vacancy, the governor shall have power to fill such vacancy by appointment."

Passing to the last question: Senate Bill No. 1 provides for five trustees for the university, four of whom are to be appointed by the governor with a certain tenure of office, and one appointed by the legislature with a different tenure of office than the other four. There is involved in the consideration of and answer to this question first, the power of the legislature to appoint to office, and second, if power to appoint exists, whether or not such appointment amounts to the granting of a privilege to a citizen which upon the same terms shall not be granted to all citizens.

Appointment to office is essentially an executive function, and when, like ours, the government is divided into three distinct departments, the legislative, the judicial and executive, it has been generally held that where a person belongs to one of these departments he shall not exercise any power which properly belongs to another.

But, the power to appoint to office is not an implied executive function of the governor in cases where the constitution of a state is silent upon the question; and a constitutional provision authorizing appointment in certain cases is exclusive: *State vs. Boucher*, 3 N. D., 389.

The power to appoint under our constitution is not vested in the governor, except to fill vacancies when there is no other mode provided, according to section 78. Nor is any appointing power vested in the judicial department, except power to appoint certain court officials. In the case of *State vs. Boucher* above cited it is held "that all governmental sovereign power is vested in the legislature, except such as is granted to the other departments of the government, or expressly withheld from the legislature by constitutional restrictions." Our constitution does not expressly withhold from the legislative department the power to appoint to office. In fact, it is silent on the subject except as above set forth. I am therefore of the opinion that the general appointing power is vested in the legislature.

There is no definition of the word "privilege" as used in the last clause of section 20 of the constitution that will suffice for every case that might arise thereunder. The word is of very comprehensive meaning. Courts do not attempt a definition except so far as is necessary to determine the particular case under consideration. But all the definitions and decisions go to show that the term is applied to the right of the citizen or individual

to personal liberty and security and to the possession and use of real and personal property. In this country office is not property. All of the things comprehended by the word "privilege" are peculiarly personal. Office pertains to the public and the citizen has no such right to hold office as is included in the meaning of the word "privilege." What the constitution and the law has regard to in establishing the state university and appointing a board of trustees to manage and control its affairs is the good of the public and not the right of the citizen to hold the office of trustee either as a business or a privilege. It is no more of a grant of special privilege for the legislature to appoint a trustee for life than for the governor to appoint the same officers for four years. The right of a citizen to hold the office of trustee of the state university does not exist. The university and the officers constituting the management thereof pertains strictly to government; and it is for the government to determine the number of trustees and the tenure of office of each. The right to hold the office of trustee being a right appertaining to a branch of the government is a very different thing from a grant with exclusive privileges of a right to pursue one of the ordinary trades or callings of life, which is a right appertaining solely to the individual. *Patterson vs. Wollman*, 5 N. D. 614.

From the foregoing considerations I am of the opinion that Senate Bill No. 1 is not objectionable upon any of the grounds of your inquiry.

Very truly yours,

C. N. FRICH,
Attorney General.

Mr. Buttz moved

That the communication be printed in the journal and Senate Bill No. 1 be placed on the calendar in its regular order.

Which motion prevailed.

Mr. Richmond presented the following petition:

We, the undersigned farmers of Benson county, believing that the Farmers' institute is the best means of disseminating knowledge with reference to practical agriculture among the farmers of this state, do hereby petition our members of the legislature to work and vote for an appropriation of five thousand dollars annually for farmers' institutes in North Dakota.

L. L. ELSTAD,
and 64 others.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:
Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 80,

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

Also,

House Bill No. 121,

A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Dahl presented the following petition:

We, the undersigned farmers and taxpayers of Nelson county, would humbly petition that you use your influence to have the state appropriation for the Farmers' State institute increased to at least \$10,000.00 for the next two years.

OLE G. OLSEN,
and 106 others.

Mr. Van Arnam presented the following petition:

To the Honorable Members of the North Dakota Legislature:

Gentlemen: We, the undersigned voters and taxpayers of Richland county, most respectfully petition your honorable body to amend section No. 670 of the revised codes of 1899 relating to the election of school directors so that a director may be elected for each school in school districts now organized or to be hereafter organized. We believe that the best interests of education demand this change, and that with a director for each school in a district the interests of the school will be better subserved and the pupils attending given higher and better educational advantages. For this amendment your petitioners will ever pray.

P. R. THUE,
and 74 others.

Mr. Davis presented the following petition:

Devils Lake, N. D., Jan. 24, 1903.

Chairman "House Educational Committee," Bismarck, N. D.:

Sir: We, the undersigned business men of Devils Lake, N. D., are heartily in favor of and desire to see enacted as a law "Senate Bill No. 16," which increases the state appropriation to high schools from \$4,000 to \$12,500 a year. This bill provides for an appropriation of \$400 yearly to high schools of the first class; of \$300 yearly to high schools of the second class; and of \$200 yearly to high schools of the third class. It provides, also, for the appointment of a state school inspector.

SIVER SERUMGARD,
and 40 others.

Mr. Davis presented the following communication:

Devils Lake, N. D., Feb. 2, 1903.

To H. R. Aslakson, Representative from This District in Legislature of North Dakota, Now in Session at Bismarck:

I would present my personal petition to you to use your influence and vote in favor of the McRae anti-cigarette bill and the bill for raising the age of consent for girls from 16 to 18 years.

J. M. Waddle, pastor Presbyterian church, Devils Lake, N. D.: On Sunday, Feb. 1, 1903, I presented the subject of these two bills to the congregation assembled at our church here and it was the unanimous wish of those present that these bills, suppressing cigarettes, and raising age of consent to 18 years, become the law of the state, so I might say it is the petition of the Westminster Presbyterian church, D. L., that you sustain these measures.

J. M. WADDLE,
Pastor

REPORTS OF STANDING COMMITTEES.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 123,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same do pass.

Also.

Senate Bill No. 17,

A bill for an act to provide for the licensing of agents to solicit for insurance companies and fixing the penalty for violation of the same.

Have had the same under consideration and recommend that the same be amended as follows:

The commissioner of insurance shall issue a certificate of authority to transact any business for his company in this state to non-resident officer or manager of any insurance corporation duly authorized to do business in this state, who shall apply for the same, but not more than one such certificate shall be issued to any one insurance corporation. A fee of fifty dollars shall be paid for each such certificate.

And when so amended recommend that the same do pass.

ANTON FRIED,

Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred back

House Bill No. 83,

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

Have had the same under consideration and recommend that the same do pass.

With amendments heretofore recommended by this committee.

C. W. BUTTZ,

Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane.

Have had the same under consideration and recommend that the same do pass.

MORRIS BECK,
Chairman.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

House Bill No. 100,

A bill for an act prescribing penalties for failing, neglecting or refusing to vote at any general election, and providing for the collection thereof.

Have had the same under consideration and recommend that the same do not pass.

Also,

House Bill No. 3,

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Have had the same under consideration and recommend that the same do pass.

W. F. LEECH,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 5, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 66,

A concurrent resolution providing for the submission of a proposed amendment to section 162 of the constitution of the state of North Dakota to the ninth general legislative assembly of North Dakota.

Also,

Senate Bill No. 12,

A bill for an act taxing the occupation of hawkers and peddlers, regulating the licensing of persons engaged in such occupation, increasing the ordinary county revenue of such taxation and prescribing penalties for a violation of its provisions.

Also,

Senate Bill No. 51,

A bill for an act to provide for the erection of public grain warehouses and grain elevators, on or near the right of way of railways, and providing for condemnation proceedings in connection therewith, and to repeal sections 1796, 1797 and 1799 of the Revised Codes North Dakota, 1899.

Also,

Senate Bill No. 84,

A bill for an act to amend section 2071 of the Revised Codes of 1899, relating to reimbursing counties for salaries paid to judges of county courts.

Also,

Senate Bill No. 83,

A bill for an act to amend section 7678 of the Revised Codes, 1899, being chapter 72 of the session laws of 1899, relating to game and fish.

Also,

Senate Bill No. 25,

A bill for an act in relation to the defense of suicides in suits brought upon life insurance policies.

Also,

Senate Bill No. 44,

A bill for an act amending section 423 of the Revised Codes of 1899, relating to oath of office to be taken by persons who have been admitted to practice in the courts of North Dakota.

Also,

Senate Bill No. 86,

A bill for an act to amend chapter 106 of the session laws of 1901, relating to game and fish.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

SPECIAL ORDERS.

Mr. Buttz moved

That the house resolve itself into a committee of the whole for the consideration of special orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Lyons to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration the

motion to reconsider the vote by which Senate Bill No 8 was lost, and the committee rose before coming to any conclusion thereon.

P. J. LYONS,
Chairman.

Mr. Tufte moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Mr. Richmond moved
A recess for ten minutes.
Which motion was lost.

Mr. Leech moved
That the house reconsider the vote by which
Senate Bill No. 8,
A bill for an act to amend section 2096 of the Revised Codes
of North Dakota for 1899, relating to the per diem of jurors
Was lost, and that the bill be placed upon its third reading and
final passage.

Which motion prevailed, and
Senate Bill No. 8,
A bill for an act to amend section 2096 of the Revised Codes
of North Dakota for 1899, relating to the per diem of jurors.
Was read the third time.

The question being upon the final passage of the bill.
The roll was called and there were ayes 71, nays 26, absent
and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Johnson	Peterson of Wells
Aslakson	Knudtson	Phifer
Baker of Ramsey	Leech	Richmond
Bartz	Lillie	Robillard
Bostrom	Lish	Rose
Bourassa	Lyons	Ryan
Brown	Maddock	Scheer
Burtness	Mallough	Severson
Chaffee	Mattson	Skjold
Chevalier	McClure	Simpson
Chisholm	McCrea	Smart of Nelson
Connolly	McDowell	Steinberg
Davis	McGahan	Stevens
Dickinson	McKenzie	Truemner
Dieball	McKnight	Tufte
Elton	McLain	Van Arnam
Ferguson	Midgarden	Wagner
Flados	Miller	Wall
Gagnon	Mooney	Watts
Gullerud	Movius	Weigel
Hammer	Oksendahl	Welo
Harvey	Palfrey	Wing
Heath	Patterson	Mr. Speaker
Hill	Peterson of Towner	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gilbert	Senour
Beck	Kraabel	Shiels
Braaten	Lee	Smart of Traill
Buttz	Meidinger	Stavens
Cassell	Noben	Thompson
Cole	Noltimier	Underwood
Dahl	Palmer	Weed
Ellison	Rogers	Young
Fried	Schouweiler	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Hanson	Watson

Messrs. Blank and Watson being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved

That the vote by which Senate Bill No. 8 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 5, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 63,

A bill for an act to provide for the erection and construction of the north wing of the capitol, for the issuance and sale of one hundred thousand dollars of bonds, and for the sale of lands granted the state for the purpose of erecting public buildings at the capitol.

Also,

Senate Bill No. 79,

A bill for an act authorizing the board of trustees of the state reform school to issue bonds to provide for the furnishing of the and equipment of the same, and for the purchase of lands adjoining the state reform school necessary to furnish employment for the inmates of said reform school.

Also,

Senate Bill No. 80,

A bill for an act authorizing the state board of equalization to include in the annual levy for bond interest and bond sinking fund a sufficient amount to pay the interest and provide a sink-

ing fund for the state normal school bonds issued under the provisions of section ten (10) chapter eighty-nine (89) session laws of 1891.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

GENERAL ORDERS.

Mr. Buttz moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed.

And the house resolved itself into a committee of the whole.

The speaker called Mr. Leech to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

Your committee of the whole have had under consideration

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

And recommend that the same do pass.

W. F. LEECH,

Chairman.

Mr. Mattson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 5, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 81,

A bill for an act authorizing the board of directors of the state normal schools to issue bonds to provide a fund for the erection and equipment of necessary additional buildings and for other necessary improvements for the normal school at Valley City and Mayville.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

Mr. Buttz moved

That the rules be suspended and
House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Be placed on its final passage.

Which motion prevailed.

Mr. Buttz asked unanimous consent to amend House Bill No. 32.

There being no objection the request was granted and House Bill No. 32 was amended by inserting in brackets between the figures "20½" and the word "of", in line 4, page 6, the following: (civil code, 1899).

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 96, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson

Messrs.—

Harvey
Heath
Hill
Johnson
Knutdson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Maddock
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain

Messrs.—

Peterson of Towner
Peterson of Wells
Phifer
Richmond
Robillard
Rogers
Rose
Scheer
Schouweiler
Senour
Severson
Shiels
Simpson
Skjold
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner

Messrs.—	Messrs.—	Messrs.—
Dieball	Meldinger	Tufto
Elton	Midgarden	Underwood
Ellison	Miller	Van Arnam
Ferguson	Mooney	Wagner
Flados	Movius	Wall
Fried	Noben	Watts
Gagnon	Noltmier	Weed
Gilbert	Osendahl	Weigel
Gullerud	Palfrey	Wing
Hammer	Palmer	Young
Hanson	Patterson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Watson	Welo
Ryan		

Messrs. Blank and Watson being excused.

So the bill as amended passed and the title was agreed to.

Mr. Buttz moved

That the vote by which House Bill No. 32 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Beck moved

That the rules be suspended, and

House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane.

Be placed on its third reading and final passage.

Which motion was lost.

The speaker stated that if there was no objection the house would proceed to the consideration of the calendar.

There being no objection the house proceeded to consider the calendar.

House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb and feeble minded persons in each district in the state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Robillard
Allen	Heath	Rogers
Aslakson	Hill	Rose
Baker of Ramsey	Johnson	Ryan

Messrs.—	Messrs.—	Messrs.—
Bartz	Knudtson	Scheer
Beck	Kraabel	Schouweiler
Bostrom	Lee	Senour
Bourassa	Lillie	Severson
Braaten	Maddock	Shiels
Brown	Mattson	Skjold
Burtness	McClure	Simpson
Buttz	McCrea	Smart of Nelson
Cassell	McDowell	Smart of Traill
Chevalier	McGahan	Stavens
Chisholm	McKenzie	Stevens
Cole	McKnight	Thompson
Connolly	McLain	Truemner
Dahl	Meidinger	Tufte
Davis	Midgarden	Underwood
Dickinson	Miller	Van Arnam
Dieball	Mooney	Wagner
Elton	Movius	Wall
Ellison	Noben	Watts
Ferguson	Oksendahl	Weed
Flados	Palmer	Weigel
Fried	Patterson	Welo
Gagnon	Peterson of Towner	Wing
Gilbert	Peterson of Wells	Young
Gullerud	Phifer	Mr. Speaker
Hammer	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Lish	Palfrey
Chaffee	Lyons	Steinberg
Hanson	Mallough	Watson
Leech	Noltimier	

Messrs. Blank and Watson being excused.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 123,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

The speaker called Mr. McGahan to the chair.

House Bill No. 116,

A bill for an act to amend section 2674 of the Revised Codes

of North Dakota, 1899, prohibiting township officers from being interested in contracts.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 93, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Patterson
Allen	Heath	Peterson of Towner
Aslakson	Hill	Peterson of Wells
Baker of Ramsey	Johnson	Phifer
Bartz	Knudtson	Richmond
Beck	Kraabel	Robillard
Bostrom	Lee	Rogers
Bourassa	Leech	Rose
Braaten	Lillie	Ryan
Brown	Lish	Scheer
Burtness	Lyons	Schouweiler
Buttz	Maddock	Senour
Cassell	Mallough	Shiels
Chaffee	Mattson	Skjold
Chevaller	McClure	Simpson
Chisholm	McCrea	Smart of Nelson
Cole	McDowell	Smart of Traill
Connolly	McGahan	Stavens
Dahl	McKenzie	Steinberg
Davis	McKnight	Stevens
Dickinson	McLain	Thompson
Dieball	Meidinger	Truemner
Elton	Midgarden	Tufte
Ellison	Miller	Underwood
Ferguson	Mooney	Van Arnam
Flados	Movius	Wagner
Fried	Noben	Watts
Gagnon	Nottmier	Weed
Gilbert	Oskendahl	Welo
Gullerud	Palfey	Wing
Hammer	Palmer	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Wall	Weigel
Harvey	Watson	Mr. Speaker
Severson		

Messrs. Blank and Watson being excused.

So the bill passed and the title was agreed to.

House Bill No. 115,

A bill for an act to amend section 5249, chapter 7 of the Revised Codes of 1899 relating to the commencement of civil actions and the filing and service of complaints in the district courts.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Gagnon
Gilbert
Gullerud
Hammer
Harvey
Heath

Messrs.—

Hill
Johnson
Knutdson
Kraabel
Lee
Leech
Lillie
Lish
Maddock
Mallough
Mattson
McClure
McCrea
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltimier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells

Messrs.—

Phifer
Richmond
Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Underwood
Van Arnam
Wagner
Wall
Watts
Weed
Weigel
Welo
Wing
Young

Absent and not voting:

Messrs.—

Beck
Blank
Cassell
Fried

Messrs.—

Hanson
Lyons
McDowell
Senour

Messrs.—

Watson
Mr. Speaker

Messrs. Blank and Watson being excused.

So the bill passed and the title was agreed to.

The speaker in the chair.

House Bill No. 121,

A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 88, nays 5, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Phifer
Aslakson	Johnson	Richmond
Baker of Ramsey	Knudtson	Robillard
Bartz	Kraabel	Rogers
Bostrom	Leech	Rose
Bourassa	Lillie	Ryan
Braaten	Lish	Scheer
Brown	Lyons	Schouweiler
Buttz	Maddock	Senour
Cassell	Mallough	Severson
Chaffee	Mattson	Shiels
Chevallier	McClure	Skjold
Chisholm	McCrea	Simpson
Cole	McGahan	Smart of Nelson
Connolly	McKenzie	Smart of Traill
Dahl	McKnight	Stavens
Davis	McLain	Steinberg
Dickinson	Meidinger	Stevens
Dieball	Midgarden	Thompson
Elton	Miller	Truemner
Ellison	Mooney	Tufte
Ferguson	Movius	Underwood
Flados	Noben	Van Arnam
Fried	Noltmier	Wagner
Gilbert	Palfrey	Wall
Gullerud	Palmer	Weigel
Hammer	Patterson	Welo
Hanson	Peterson of Towner	Young
Harvey	Peterson of Wells	Mr. Speaker
Heath		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Watts	Wing
Burtness	Weed	
Absent and not voting:		
Messrs.—	Messrs.—	Messrs.—
Beck	Lee	Oksendahl
Blank	McDowell	Watson
Gagnon		

Messrs. Blank and Watson being excused.

So the bill passed and the title was agreed to.

Mr. Buttz moved

That the vote by which House Bill No. 121 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 129,

A bill for an act to provide for the bonding of certain officers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays 17, absent and not voting, 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Phifer
Aslakson	Knudtson	Richmond
Baker of Ramsey	Kraabel	Robillard
Bartz	Lee	Rose
Beck	Leech	Ryan
Bostrom	Lillie	Scheer
Bourassa	Lish	Schouweller
Braaten	Maddock	Senour
Brown	Mallough	Severson
Buttz	Mattson	Shiels
Cassell	McClure	Skjold
Chaffee	McCrea	Simpson
Chevalier	McDowell	Smart of Nelson.
Chisholm	McGahan	Smart of Traill
Dahl	McKenzie	Stavens
Davis	McKnight	Stevens
Dickinson	McLain	Thompson
Dieball	Miller	Underwood
Flados	Mooney	Wagner
Gagnon	Noitimier	Wall
Gilbert	Oksendahl	Weigel
Gullerud	Palfrey	Welo
Hammer	Palmer	Wing
Harvey	Patterson	Young
Heath	Peterson of Towner	Mr. Speaker
Hill	Peterson of Wells	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Lyons	Steinberg
Burtness	Meidinger	Tufte
Connolly	Midgarden	Van Arnam
Elton	Movius	Watts
Ellison	Noben	Weed
Fried	Rogers	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Ferguson	Truemner
Cole	Hanson	Watson

Messrs. Blank and Watson being excused.

So the bill passed and the title was agreed to.

Mr. Richmond moved

That the vote by which House Bill No. 129 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. McKenzie introduced

House Bill No. 156,

A bill for an act to amend chapter 197 of the session laws of

1901, being section 6153 of the Revised Codes of 1899, relating to liability of owners for trespass of animals.

Which was read the first time.

Mr. Buttz introduced

House Bill No. 157,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district court of the state of North Dakota.

Which was read the first time.

Mr. Lyons introduced

House Bill No. 158,

A bill for an act prohibiting discrimination in the matter of compensation of common carriers of messages by telegraph, and prescribing penalties for violations of this act.

Which was read the first time .

Mr. Connolly introduced

House Bill No. 159,

A bill for an act to amend section 6635 of the Revised Codes of the state of North Dakota relative to procedure in civil actions.

Which was read the first time.

Mr. Leech introduced

House Bill No. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Which was read the first time.

Mr. Leech introduced

House Bill No. 161,

A bill for an act to amend sections 5518, 5522, 5528 and 6391 of the Revised Codes of the state of North Dakota, relating to exemptions.

Which was read the first time.

Mr. Richmond introduced

House Bill No. 162,

A bill for an act for the equitable adjustment and settlement of the delinquent taxes due to the state from the several counties

Which was read the first time.

Mr. Mattson introduced

House Bill No. 163,

A bill for an act to establish a state fair board, prescribe its duties and make an appropriation for state fairs.

Which was read the first time.

Mr. Bartz introduced

House Bill No. 164,

A bill for an act to amend section 1 of chapter 123, session

laws 1901, being an act to amend section 1549, Revised Codes, 1899, relating to time when lawful for stock to run at large.

Which was read the first time.

Mr. Young introduced

House Bill No. 165,

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Which was read the first time.

Mr. Underwood introduced

House Bill No. 166,

A bill for an act to provide for the election of and defining the jurisdiction of police magistrates in cities, incorporated towns and villages.

Which was read the first time.

Mr. Brown introduced

House Bill No. 167,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for ascertaining the value as nearly as possible for the assistance of assessors in the assessment of their property and the taxation of the same.

Which was read the first time.

Mr. Leech introduced

House Bill No. 168,

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

Which was read the first time.

Mr. Wall introduced

House Bill No. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Which was read the first time.

Mr. Lish introduced

House Bill No. 170,

A bill for an act to provide for the enlargement of the boundaries of organized counties by embracing within said boundaries any contiguous unorganized territory.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 156,

A bill for an act to amend chapter 197 of the session laws of

1901, being section 6153 of the Revised Codes of 1899, relating to liability of owners for trespass of animals.

Was read the second time, and

Referred to the committee on live stock industries.

House Bill No. 157,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district court of the state of North Dakota.

Was read the second time, and

Referred to the committee on ways and means.

House Bill No. 158,

A bill for an act prohibiting discrimination in the matter of compensation of common carriers of messages by telegraph, and prescribing penalties for violations of this act.

Was read the second time, and

Referred to the committee on state affairs.

House Bill No. 159,

A bill for an act to amend section 6635 of the Revised Codes of the state of North Dakota relative to procedure in civil actions.

Was read the second time and

Referred to the committee on judiciary.

House Bill No. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Was read the second time, and

Referred to the committee on judiciary.

House Bill No. 161,

A bill for an act to amend sections 5518, 5522, 5528 and 6391 of the Revised Codes of the state of North Dakota, relating to exemptions.

Was read the second time, and

Referred to the committee on state affairs.

House Bill No. 162,

A bill for an act for the equitable adjustment and settlement of the delinquent taxes due to the state from the several counties.

Was read the second time, and

Referred to the committee on taxes and tax laws.

House Bill No. 163,

A bill for an act to establish a state fair board, prescribe its duties and make an appropriation for state fairs.

Was read the second time, and

Referred to the committee on appropriations.

House Bill No. 164,

A bill for an act to amend section 1 of chapter 123, session

laws 1901, being an act to amend section 1549, Revised Codes, 1899, relating to time when lawful for stock to run at large.

Was read the second time, and

Referred to the committee on live stock industries.

House Bill No. 165,

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Was read the second time, and

Referred to the committee on judiciary.

House Bill No. 166,

A bill for an act to provide for the election of and defining the jurisdiction of police magistrates in cities, incorporated towns and villages.

Was read the second time, and

Referred to the committee on municipal corporations.

House Bill No. 167,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for ascertaining the value as nearly as possible for the assistance of assessors in the assessment of their property and the taxation of the same.

Was read the second time, and

Referred to the committee on taxes and tax laws.

House Bill No. 168,

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

Was read the second time, and

Referred to the committee on taxes and tax laws.

House Bill No. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Was read the second time, and

Referred to the committee on taxes and tax laws.

House Bill No. 170,

A bill for an act to provide for the enlargement of the boundaries of organized counties by embracing within said boundaries any contiguous unorganized territory.

Was read the second time, and

Referred to the committee on counties and county boundaries.

FIRST READING OF SENATE BILLS.

Senate Bill No. 4,

A bill for an act to establish an institution for the feeble-minded and to provide for its support and management.

Which was read the first time.

Senate Bill No. 15,

A bill for an act to amend section 5540 of the Revised Codes of the revision of 1899, relating to the redemption of real property sold upon execution.

Which was read the first time.

Senate Bill No. 27,

A bill for an act to amend section 1209 of the Revised Codes of 1899 relating to the compensation of assessors.

Which was read the first time.

Senate Bill No. 36,

A bill for an act to amend section 2724 of the Revised Codes, declaring who may solemnize marriages and referring to license and certificate.

Which was read the first time.

Senate Bill No. 47,

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Which was read the first time.

Senate Bill No. 50,

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings of the North Dakota educational association.

Which was read the first time.

Senate Bill No. 52,

A bill for an act to amend section 706 Revised Codes 1899 relating to district high schools, and providing for the establishment of district graded schools.

Which was read the first time.

Senate Bill No. 61,

A bill for an act to amend section 481 of the Revised Codes of 1899, providing for the formation of election precincts.

Which was read the first time.

SECOND READING OF SENATE BILLS.

Senate Bill No. 4,

A bill for an act to establish an institution for the feeble-minded and to provide for its support and management.

Was read the second time, and
Referred to the committee on state affairs.

Senate Bill No. 15,

A bill for an act to amend section 5540 of the Revised Codes of the revision of 1899, relating to the redemption of real property sold upon execution.

Was read the second time and
Referred to the committee on taxes and tax laws.

Senate Bill No. 27,

A bill for an act to amend section 1209 of the Revised Codes of 1899 relating to the compensation of assessors.

Was read the second time, and
Referred to the committee on taxes and tax laws.

Senate Bill No. 36,

A bill for an act to amend section 2724 of the Revised Codes, declaring who may solemnize marriages and referring to license and certificate.

Was read the second time and
Referred to the committee on woman suffrage.

Senate Bill No. 47.

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Was read the second time, and
Referred to the committee on privileges and elections.

Senate Bill No. 50,

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings of the North Dakota educational association.

Was read the second time, and
Referred to the committee on education.

Senate Bill No. 52,

A bill for an act to amend section 706 Revised Codes 1899 relating to district high schools, and providing for the establishment of district graded schools.

Was read the second time, and
Referred to the committee on education.

Senate Bill No. 61,

A bill for an act to amend section 481 of the Revised Codes of 1899, providing for the formation of election precincts.

Was read the second time, and
Referred to the committee on privileges and elections.

GENERAL ORDERS.

Mr. McClure moved
That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. McClure to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

Your committee of the whole have had under consideration

Senate Bill No. 14,

A bill for an act to amend section 6289 of the Revised Codes of North Dakota, relating to the time for probating wills.

And recommend that the same be amended as follows:

By striking out the words "allowed and recorded" in line 10 of the printed bill and inserting in lieu thereof the words, "admitted to probate."

And when so amended recommend that the same do pass.

Also,

House Bill No. 14,

A bill for an act preventing and restraining operation of pools, trusts and conspiracies.

And recommend that the same do pass.

Also,

House Bill No. 74,

A bill for an act to amend section 5518 of the Revised Codes of North Dakota 1899, relating to exemptions.

And recommend that the same be re-referred to the committee on judiciary.

W. A. McCLURE,
Chairman.

Mr. Tufte moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Mallough moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 6, 1903.

The house assembled at 2'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Mr. Young moved

That the roll call be dispensed with.

Which motion prevailed, and

The roll call was dispensed with.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-first day, have carefully examined the same and recommend that the same be corrected as follows:

On page 1, the name "Watson" be corrected as to spelling.

On page 8, the word "priveleges" be corrected as to spelling

On page 11, in the third line from the bottom of the page, the word "and" be changed to "be."

On page 12, "House Bill No. 63" be omitted, together with its title, and that "Senate Bill No. 63" and its title be inserted.

On page 15, in roll call, regarding House Bill No. 103, the report be changed to show 89 ayes, 11 absent and not voting.

And that the name of Mr. Watson be changed from the "aye" column to show him absent and not voting.

On page 17, the word "absent" be corrected as to spelling.

On page 19, line 6, the name "Blank" be corrected as to spelling.

And when so amended recommend that the same be approved.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted

Which motion prevailed, and

The report of the committee was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. McCrea presented the following communications:

To the Honorable House of Representatives of the State of North Dakota:
The M. E. Church of Drayton, with a membership of 250, by unanimous vote taken Sunday morning, Feb. 1st, most respectfully petition your honorable body to pass a law raising the age of consent to 18 years.

JAMES ANDERSON,
Pastor.

To the Honorable House of Representatives of the State of North Dakota:
The M. E. Church of Drayton, with a membership of 250, by unanimous vote taken Sunday morning, Feb. 1st, most respectfully petition your honorable body to pass a law prohibiting the manufacture and sale of cigarettes.

JAMES ANDERSON,
Pastor.

REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 122,

A bill for an act to amend section 163, of chapter 4, of the Revised Codes of 1899, relating to county agricultural fairs. Special tax.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

Have had the same under consideration, and recommend that the same be amended as follows:

Line twenty-eight after the word speltz strike out the word forty-two and insert in lieu thereof forty.

After last line of bill add apples fifty pounds and when so amended recommend bill do pass.

House Bill No. 61,

A bill for an act to declare certain weeds common nuisances and to provide for their destruction.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 50,

A bill for an act to amend section 2626 Revised Codes of North Dakota relating to the allowance of claims against townships and counties.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on public health made the following report :

Mr. Speaker:

Your committee on public health to whom was referred

House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 104,

A bill for an act to amend chapter 207 of the laws of 1901, same being an amendment of section 1596 of the Revised Codes of 1899, same being section 1596 of the Revised Codes of 1895 relating to veterinarian districts.

Have had the same under consideration, and recommend that the same be amended as follows:

In line 17, of the printed bill, after the word "river," strike out the words "and the county of Logan."

In line 23, of printed bill, strike out the word "and," and after the word "Eddy" of same line add the words "and the county of Logan."

And when so amended recommend that the same do pass.

J. H. McLAIN,

Chairman.

The committee on judiciary made the following report :

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 131,

A bill for an act to amend section 5630 of the Revised Codes relating to trials in district court, and appeals in cases tried without a jury.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,

Chairman.

The committee on temperance made the following report

Mr. Speaker:

Your committee on temperance to whom was referred

House Bill No. 84,

A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes 1899, defining rape, abduction, carnal abuse of children and seduction.

Have had the same under consideration and recommend that the same do pass.

GEO. A. McCREA,

Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 127,

A bill for an act to amend and re-enact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.

Have had the same under consideration and recommend that the same do pass.

P. J. LYONS,

Chairman.

The committee on rules made the following report:

Mr. Speaker:

Your committee on rules beg leave to report and recommend that the rules of the house be amended as follows:

In rule 34 by striking out the word "prevailing" and inserting in lieu thereof the word "majority."

In rule 45 strike out "all" after the ninth order of business and insert in lieu thereof:

10. First and second reading of house bills and memorials.
11. Third reading of the same.
12. Consideration of messages from the senate.
13. First and second reading of senate bills and memorials.
14. Third reading of the same.
15. Consideration of general orders.

Respectfully submitted,
M. B. CASSELL,
Chairman.

Mr. Cassell moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Richmond offered the following concurrent resolution and moved its adoption:

Whereas, a very large number of bills have been referred and are now pending before the senate and house committees and such committees have been unable to consider and report upon the same and whereas the business of the eighth legislative session will be expedited by affording the committees of the senate and house an opportunity to meet and consider bills pending, therefore be it

Resolved by the house of representatives the senate concurring,

That when the eighth legislative assembly adjourn today it shall stand adjourned until Tuesday, February 10th, 1903, at 3 o'clock p. m.

Which motion was lost.

The chief clerk announced that the speaker was about to sign Senate Bill No. 13,

A bill for an act to amend section 2914 of the Revised Codes of North Dakota of the revision of 1899, relating to the settlement of affairs of corporation upon dissolution.

And the speaker signed the same in the presence of the house.

HOUSE COMMITTEE REPORT.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 3.

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Also,

House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane.

Also,
House Bill No. 18,
A bill for an act to regulate the practice of optometry in the state of North Dakota.

Also,
House Bill No. 14,
A bill for an act preventing and restraining operation of pools, trusts and conspiracies.

Also,
House Bill No. 83,
A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

Also,
House Bill No. 100,
A bill for an act prescribing penalties for failing, neglecting or refusing to vote at any general election, and providing for the collection thereof.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

The speaker stated that if there was no objection the house would proceed to the consideration of the calendar.

There being no objection the house proceeded to consider the calendar.

House Bill No. 123,
A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays 6, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Robillard
Allen	Knudtson	Rogers
Aslakson	Kraabel	Rose
Bartz	Lee	Ryan
Beck	Leech	Scheer
Bostrom	Lillie	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Maddock	Shiels
Burtness	Mattson	Skjold
Buttz	McClure	Simpson

Messrs.—	Messrs.—	Messrs.—
Cassell	McCrea	Smart of Nelson
Chaffee	McGahan	Smart of Traill
Connolly	McKenzie	Stavens
Dahl	McKnight	Steinberg
Davis	McLain	Stevens
Dickinson	Midgarden	Thompson
Dieball	Miller	Truemner
Elton	Mooney	Tufts
Ellison	Movius	Underwood
Ferguson	Noben	Van Arnam
Flados	Noltmier	Wagner
Fried	Oksendahl	Wall
Gagnon	Palfrey	Watts
Gilbert	Palmer	Weed
Hammer	Patterson	Weigel
Hanson	Peterson of Towner	Welo
Harvey	Peterson of Wells	Wing
Heath	Phifer	Young
Hill	Richmond	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Chisholm	McDowell
Chevalier	Gullerud	Meidinger

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Mallough	Watson
Cole		

Messrs. Blank, Mallough and Watson being excused.

So the bill passed and the title was agreed to.

Mr. Mooney moved

That the vote by which House Bill No. 123 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 6, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 46,

A bill for an act amending section 5974 of the Revised Codes of 1899, relating to when action maintainable for death by wrongful act.

Also,

Senate Bill No. 90,

A bill for an act repealing sections 7460a and 7460b, of the Revised Codes of 1899.

Also,

Senate Bill No. 112,

A bill for an act amending section 424 of the Revised Codes of 1899, relating to admission of attorneys on certificates from

Also,

Senate Bill No. 89,

A bill for an act to amend section 1530, Revised Codes of 1899 relating to the compensation and expenses of the board of insanity.

Also,

Senate Bill No. 113,

A bill for an act to amend section 421 of the Revised Codes of 1899, relating to the qualifications of applicants for admission to practice as attorneys and counselors at law.

Which the senate has passed and your favorable concurrence therein is respectfully requested.

Also,

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.

Also,

House Bill No. 126,

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace in case of vacancy.

Which the senate has passed unchanged and your favorable concurrence therein is respectfully requested.

R. M. TUTTLE,

Secretary.

Mr. Mattson moved that

House Bill No. 80,

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

Be recommitted to the committee on warehouses and grain grading.

Which motion prevailed, and

The bill was so referred.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 64,

A bill for an act to repeal chapter 83 of the session laws of 1901.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,
Secretary.

House Bill No. 18,

A bill for an act to regulate the practice of optometry in the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 91, nays 3, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Richmond
Allen	Hill	Robillard
Aslakson	Johnson	Rogers
Bartz	Knudtson	Rose
Beck	Kraabel	Ryan
Bostrom	Lee	Scheer
Bourassa	Leech	Schouweiler
Braaten	Lillie	Senour
Brown	Lyons	Severson
Burtness	Maddock	Simpson
Buttz	Mattson	Skjold
Cassell	McCrea	Smart of Nelson
Chaffee	McDowell	Smart of Traill
Chevalier	McGahan	Stavens
Cole	McKenzie	Steinberg
Connolly	McKnight	Stevens
Davis	McLain	Thompson
Dickinson	Meldinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Fried	Noltimier	Watts
Gagnon	Oksendahl	Weed
Gilbert	Palfrey	Weigel
Gullerud	Patterson	Welo
Hammer	Peterson of Towner	Wing
Hanson	Peterson of Wells	Young
Harvey	Phifer	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Palmer	Shiels

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Lish	McClure
Chisholm	Mallough	Watson
Dahl		

Messrs. Blank, Mallough and Watson being excused.

So the bill passed and the title was agreed to.

Mr. Beck moved

That the vote by which House Bill No. 18 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane, and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 87, nays 2, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Peterson of Wells
Allen	Hill	Phifer
Aslakson	Johnson	Richmond
Baker of Ramsey	Knudtson	Robillard
Bartz	Kraabel	Rogers
Beck	Lee	Scheer
Bostrom	Leech	Schouweiler
Bourassa	Lillie	Severson
Braaten	Lish	Shiels
Burness	Lyons	Simpson
Buttz	Maddock	Skjold
Cassell	Mattson	Smart of Nelson
Chaffee	McClure	Smart of Traill
Chevalier	McGahan	Stavens
Connolly	McKenzie	Steinberg
Davis	McKnight	Stevens
Dickinson	McLain	Thompson
Dieball	Meidinger	Truemner
Elton	Midgarden	Tufte
Ellison	Miller	Underwood
Ferguson	Mooney	Van Arnam
Flados	Movius	Wagner
Fried	Noben	Wall
Gagnon	Noltmier	Watts
Gilbert	Oksendahl	Weigel
Gullerud	Palfrey	Welo
Hammer	Palmer	Wing
Hanson	Patterson	Young
Harvey	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Mallough	Ryan
Chisholm	McCrea	Senour
Cole	McDowell	Watson
Dahl	Rose	

Messrs. Brown and Weed voted in the negative.

Messrs. Blank, Mallough and Watson being excused.

So the bill passed and the title was agreed to.

Mr. Beck moved

That the vote by which House Bill No. 7 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Leech moved

That the further consideration of

House Bill No. 100,

A bill for an act prescribing penalties for failing, neglecting or refusing to vote at any general election, and providing for the collection thereof.

Be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 6, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 82,

A bill for an act to amend sections 1642, 1644, 1645, 1646, 1647, 7678, 7683a, 7683b, 7683c, 7683d and 7683f of the Revised Codes, North Dakota, 1899, relating to the protection of game, the division of the state into game districts, the appointment of district game wardens, the issuing of permits to hunt, the disposition of money received from the sale of permits and enacting other provisions relating thereto and providing penalties for violation thereof.

Also,

Senate Bill No. 43,

A bill for an act authorizing the board of trustees of the state university and school of mines to issue bonds to provide a fund for the necessary repairs of the buildings of the state university and to pay the floating indebtedness of said university.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

House Bill No. 14,

A bill for an act preventing and restraining operation of pools, trusts and conspiracies.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 59, nays 32, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Peterson of Towner
Allen	Harvey	Phifer
Bartz	Heath	Robillard
Beck	Johnson	Rogers
Bostrom	Knudtson	Severson
Bourassa	Kraabel	Shiels
Braaten	Lee	Smart of Nelson
Burtness	Maddock	Smart of Traill
Cassell	McCrea	Stavens
Chisholm	McGahan	Steinberg
Cole	McKenzie	Stevens
Connolly	McKnight	Thompson
Dahl	McLain	Tufte
Ellison	Meldinger	Van Arnam
Elton	Midgarden	Wagner
Ferguson	Mooney	Watts
Flados	Noben	Weed
Fried	Noltimier	Welo
Gilbert	Oksendahl	Young
Gullerud	Palfrey	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Lillie	Scheer
Baker of Ramsey	Lish	Schouweller
Brown	Lyons	Senour
Buttz	Mattson	Skjold
Chaffee	McClure	Simpson
Dickinson	Miller	Truemmer
Dieball	Movius	Underwood
Gagnon	Patterson	Wall
Hanson	Peterson of Wells	Weigel
Leech	Richmond	Wing
	Rose	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Hill	Palmer
Chevaller	Mallough	Ryan
Davis	McDowell	Watson

Messrs. Blank, Mallough and Watson being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 14 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 5, 1903.

Mr. Speaker:

I have the honor to transmit herewith
House Bill No. 19,

A bill for an act providing how the unoccupied lots of town-sites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

Which the senate has passed without the emergency clause.

R. M. TUTTLE,

Secretary.

The speaker called Mr. Young to the chair.

House Bill No. 3,

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Richmond
Allen	Knudtson	Robillard
Baker of Ramsey	Kraabel	Rogers
Bartz	Lee	Rose
Beck	Leech	Scheer
Bostrom	Lillie	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Maddock	Shiels
Burtness	Mattson	Skjold
Buttz	McClure	Simpson
Cassell	McCrea	Smart of Nelson
Chaffee	McDowell	Smart of Traill
Chevalier	McGahan	Stavens
Connolly	McKnight	Steinberg
Dahl	McLain	Stevens
Davis	Meldinger	Thompson
Dickinson	Midgarden	Truemner
Dieball	Miller	Tufts
Elton	Mooney	Underwood
Ellison	Movius	Van Arnam
Flados	Noben	Wagner
Fried	Noltmier	Wall
Gagnon	Oksendahl	Watts

Messrs.—

Gullerud
Hammer
Hanson
Harvey
Heath
Hill

Messrs.—

Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
Blank
Chisholm
Cole

Messrs.—

Ferguson
Gilbert
Mallough
McKenzie

Messrs.—

Ryan
Watson

Messrs. Blank, Mallough and Watson being excused.

So the bill passed and the title was agreed to.

Mr. Midgarden moved

That the vote by which House Bill No. 3 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Chaffee moved

That the rules be suspended and
House Bill No. 104,

A bill for an act to amend chapter 207 of the laws of 1901, same being an amendment of section 1596 of the Revised Codes of 1899, same being section 1596 of the Revised Codes of 1895 relating to veterinarian districts.

Be recalled from the committee of the whole and referred to the committee on public health.

Which motion prevailed, and

The bill was re-referred to the committee on public health.

Mr. Elton asked unanimous consent to amend

Senate Bill No. 1,

A bill for an act to amend section 876 of the Revised Codes of the state of North Dakota for 1899, relating to the board of trustees of the University of North Dakota.

There being no objection the request was granted.

Mr. Elton offered the following amendment and moved its adoption:

Amend by inserting in line 5 the words "with all rights and powers of a member of said board."

Which motion prevailed, and

The amendment was adopted.

The speaker in the chair.

Senate Bill No. 1,

A bill for an act to amend section 876 of the Revised Codes of the State of North Dakota for 1899, relating to the board of trustees of the University of North Dakota

Was read the third time.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 75, nays 7, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Kraabel	Rogers
Aslakson	Lillie	Scheer
Bartz	Lish	Schouweller
Bourassa	Lyons	Senour
Braaten	Maddock	Severson
Burtness	Mattson	Skjold
Buttz	McClure	Simpson
Cassell	McCrea	Smart of Nelson
Chaffee	McGahan	Smart of Traill
Chevalier	McKnight	Stavens
Dahl	McLain	Steinberg
Davis	Meidinger	Stevens
Dickinson	Midgarden	Thompson
Dieball	Miller	Truemner
Elton	Mooney	Tufte
Ellison	Movius	Underwood
Flados	Noben	Wagner
Fried	Palfrey	Wall
Gagnon	Palmer	Watts
Gullerud	Patterson	Weed
Hanson	Peterson of Wells	Weigel
Heath	Phifer	Welo
Hill	Richmond	Young
Johnson	Robillard	Mr. Speaker
Knudtson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Noltimier	Shiels
Baker of Ramsey	Peterson of Towner	Van Arnam
Hammer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Ferguson	McKenzie
Blank	Gilbert	Oksendahl
Bostrom	Harvey	Rose
Brown	Lee	Ryan
Chisholm	Leech	Watson
Cole	Mallough	Wing
Connolly	McDowell	

Messrs. Blank, Mallough and Watson being excused.

So the bill as amended passed, and the title was agreed to.

Mr. Buttz moved

That the vote by which Senate Bill No. 1 passed, be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

Senate Bill No. 14,

A bill for an act to amend section 6289 of the Revised Codes of North Dakota, relating to the time for probating wills.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Baker of Ramsey
Bartz
Beck
Bostrom
Bourassa
Braaten
Burtness
Buttz
Cassell
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Ellison
Ferguson
Fried
Gagnon
Gilbert
Gullerud
Hammer
Heath
Hill
Johnson

Messrs.—

Knudtson
Kraabel
Leech
Lillie
Lish
Lyons
Maddock
Mattson
McClure
McCrea
McGahan
McKnight
McLain
Meidinger
Midgarden
Mooney
Movius
Noben
Noltimier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Wells
Peterson of Towner
Phifer
Richmond
Robillard

Messrs.—

Rogers
Rose
Scheer
Schouweiler
Senour
Severson
Shiels
Simpson
Skjold
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Underwood
Van Arnam
Wagner
Wall
Watts
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
Blank
Brown
Chaffee
Elton

Messrs.—

Flados
Hanson
Harvey
Lee
Mallough

Messrs.—

McDowell
McKenzie
Miller
Ryan
Watson

Messrs. Blank, Mallough and Watson being excused.

So the bill passed and the title was agreed to.

Mr. Rose asked unanimous consent to return to the fifth order of business.

There being no objection the request was granted.

The committee on live stock industry made the following report:

Mr. Speaker:

Your committee on live stock industry to whom was referred House Bill No. 96.

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota, 1899, relating to the manufacture and sale of dairy products, the appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

And ask that the same be re-referred to the committee on appropriations.

GEO. ROSE,
Chairman.

Mr. Rose moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

And the bill was referred to the committee on appropriations.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Steinberg introduced

House Bill No. 171,

A bill for an act to repeal sections numbered 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1773a, 1773b, 1773c, 1773d of article 23 of chapter 22, of the Revised Codes for 1899, and chapter numbered 128 of the session laws of 1901, relating to oil inspection.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Buttz introduced

House Bill No. 172,

A bill for an act to amend section 5603, Revised Codes, relating to appeals in civil actions.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Buttz introduced

House Bill No. 173,

A bill for an act relating to motions for review on appeals to the supreme court.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Miller introduced

House Bill No. 174,

A bill for an act defining the Fourth senatorial and representatives and representatives therein.

Which was read the first and second times, and

Referred to the committee on apportionment.

Mr. Ferguson introduced

House Bill No. 175,

A bill for an act defining the Third senatorial and representative district of North Dakota and prescribing the number of senators and representatives therein.

Which was read the first and second times, and

Referred to the committee on apportionment.

Mr. Young introduced

House Bill No. 176,

A bill for an act to amend section 5498, Revised Codes of 1899, relating to the filing of abstracts of justices judgments in the office of the clerk of the district court and prescribing the effect thereof.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Movius introduced

House Bill No. 177,

A bill for an act to amend section 2079 of the Revised Codes of North Dakota, 1899, fixing the fees to be charged and collected by the register of deeds.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Leech introduced

House Bill No. 178,

A bill for an act authorizing and empowering all insurance corporations organized and doing business on the paid in capital stock plan and engaged in the business of writing fire, marine, hail and tornado insurance and authorized to transact business in this state; to re-insure a part or all of any risk assumed, in insurance corporations not authorized to transact business in this state; providing penalties for the violation of this act and prescribing the duties of the commissioner of insurance in relation thereto.

Which was read the first and second times, and

Referred to the committee on insurance.

Mr. Lee introduced

House Bill No. 179,

A bill for an act to amend section 5526 of the Revised Codes of North Dakota, relating to exemptions of personal property in certain cases.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Dickinson introduced

House Bill No. 180,

A bill for an act to amend section 8362 of the Revised Codes of

the state of North Dakota, 1899, relating to clerk issuing subpoenas in behalf of a defendant in criminal actions.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Palfrey introduced
House Bill No. 181,

A bill for an act to amend section 7668 of the Revised Codes relating to the crime of removing, concealing, selling or disposing of chattel property subject to lien.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Davis introduced
House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to, not entitled to tuition fund, when. Enumeration.

Which was read the first and second times, and
Referred to the committee on education.

The speaker called Mr. Brown to the chair.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 66,

A concurrent resolution providing for the submission of a proposed amendment to section 162 of the constitution of the state of North Dakota to the ninth general legislative assembly of North Dakota.

Was read the first and second times and
Referred to the committee on education.

Senate Bill No. 12,

A bill for an act taxing the occupation of hawkers and peddlers, regulating the licensing of persons engaged in such occupation, increasing the ordinary county revenue of such taxation and prescribing penalties for a violation of its provisions.

Was read the first and second times and
Referred to the committee on state affairs.

Senate Bill No. 51,

A bill for an act to provide for the erection of public grain warehouses and grain elevators, on or near the right of way of railways, and providing for condemnation proceedings in connection therewith, and to repeal sections 1796, 1797 and 1799 of the Revised Codes North Dakota, 1899.

Was read the first and second times and
Referred to the committee on warehouses, grain and grain grading.

Senate Bill No. 84,

A bill for an act to amend section 2071 of the Revised Codes of 1899, relating to reimbursing counties for salaries paid to judges of county courts.

Was read the first and second times and
Referred to the committee on state affairs.

Senate Bill No. 83,

A bill for an act to amend section 7678 of the Revised Codes, 1899, being chapter 72 of the session laws of 1899, relating to game and fish.

Was read the first and second times and
Referred to the committee on state affairs.

Senate Bill No. 25,

A bill for an act in relation to the defense of suicides in suits brought upon life insurance policies.

Was read the first and second times and
Referred to the committee on insurance.

Senate Bill No. 44,

A bill for an act amending section 423 of the Revised Codes of 1899, relating to oath of office to be taken by persons who have been admitted to practice in the courts of North Dakota.

Was read the first and second times and
Referred to the committee on judiciary.

Senate Bill No. 86,

A bill for an act to amend chapter 106 of the session laws of 1901, relating to game and fish.

Was read the first and second times and
Referred to the committee on state affairs.

Senate Bill No. 63,

A bill for an act to provide for the erection and construction of the north wing of the capitol, for the issuance and sale of one hundred thousand dollars of bonds, and for the sale of lands granted the state for the purpose of erecting public buildings at the capitol.

Was read the first and second times and
Referred to the committee on judiciary.

Senate Bill No. 79,

A bill for an act authorizing the board of trustees of the state reform school to issue bonds to provide for the furnishing of the reform school, and for the construction of stables and workshop and equipment of the same, and for the purchase of lands adjoining the state reform school necessary to furnish employment for the inmates of said reform school.

Was read the first and second times and
Referred to the committee on judiciary.

Senate Bill No. 80,

A bill for an act authorizing the state board of equalization to include in the annual levy for bond interest and bond sinking fund a sufficient amount to pay the interest and provide a sinking fund for the state normal school bonds issued under the provisions of section ten (10) chapter eighty-nine (89) session laws of 1891.

Was read the first and second times and
Referred to the committee on judiciary.

Senate Bill No. 81,

A bill for an act authorizing the board of directors of the state normal schools to issue bonds to provide a fund for the other necessary improvements for the normal school at Valley City and Mayville.

Was read the first and second times and
Referred to the committee on judiciary.

The speaker in the chair.

GENERAL ORDERS.

Mr. Buttz moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Phifer to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

Senate Bill No. 17,

A bill for an act to provide for the licensing of agents to solicit for insurance companies and fixing the penalty for violation of the same.

And recommend that the bill do pass without amendment.

Also,

House Bill No. 83,

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

And recommend that the same be amended as follows:

By striking out all after the enacting clause, and inserting in lieu thereof the following:

That section 5201 of the Revised Codes of the state of North Dakota, 1899, be amended so as to read as follows:

Section 5201. Six years. Within six years.

1. An action upon a contract, obligation or liability, express or implied, excepting those mentioned in section 5200.

2. An action upon a liability created by statute, other than a penalty or forfeiture, when not otherwise expressly provided.
3. An action for trespass upon real property.
4. An action for taking, detaining or injuring any goods or chattels, including actions for the specific recovery of personal property.
5. An action for criminal conversation, or for any other injury to the person or rights of another not arising on contract, and not hereinafter enumerated.
6. An action for relief on the ground of fraud in cases which heretofore were solely cognizable by the court of chancery, the cause of action in such cases not to be deemed to have accrued until the discovery by the aggrieved party of the facts constituting the fraud.
7. An action for the foreclosure of a mechanic's lien.

And when so amended recommend that the same do pass.

G. B. PHIFER,

Chairman.

Mr. Phifer moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. McGahan moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,

Chief Clerk.

THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 7, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Blank, Chisholm, Lish, McKnight, Watson and Weed who were excused.

Mr. McCrea moved

That all members not present be excused.

Which motion prevailed.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-second day have carefully examined the same and recommend that the same be corrected as follows:

On page 8, line 10, from the bottom of said page, the word "concurrency," be corrected as to spelling.

On page 12, regarding House Bill No. 14, the figures be corrected to show 59 voting aye and 32 nay.

Also the name of Mr. Elton be changed from the column of those voting nay to the column of those voting aye.

On page 13, the title line to be transposed.

On page 15, in line 11, the word "to" be changed to "the."

On page 17, line 7, from the bottom of said page, the name "Steinberg," be corrected as to spelling.

On page 22, the words "foreclosure" and "another," be corrected as to spelling.

And when so amended recommend that the same be approved.

THOS. HEATH,
Chairman.

Mr. Heath moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

MESSAGES FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
February 7, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 29,

A bill for an act authorizing the appointment of commissioners of deeds and declaring an emergency to exist.

Also,

Senate Bill No. 68,

A bill for an act changing the location of the institution for feeble minded from Jamestown to Grafton.

Also,

Senate Bill No. 111,

A bill for an act providing for sending non-resident insane persons to their place of residence at expense of the state.

Also,

Senate Bill No. 57,

A bill for an act to amend section 2559 of the Revised Codes of the state of North Dakota, of 1899, relating to notice of election to township officers.

Also,

Senate Bill No. 58,

A bill for an act to amend chapter 205 of the session laws of 1901, relating to the meetings of township board of supervisors.

Also,

Senate Bill No. 56.

A bill for an act to amend chapter 204 of the session laws of 1901, relating to the time township officers shall qualify.

Also.

Senate Bill No. 115,

A bill for an act to prohibit the delivery or depositing of drugs, medicines, antiseptics, disinfectants and cosmetics, either for internal or external use upon the premises of another.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,
Secretary.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 7, 1903.

Mr. Speaker:

I have the honor to request that the message transmitted to the house of representatives on the 31st day, announcing the passage by the senate of

House Bill No. 19,

A bill for an act providing how the unoccupied lots of town-sites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

Be corrected by striking out of said message after the title the words, "which the senate has passed without the emergency clause," and add in lieu thereof the words: "which the senate has passed unchanged."

R. M. TUTTLE,

Secretary.

HOUSE COMMITTEE REPORT.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 84,

A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes 1899, defining rape, abduction, carnal abuse of children and seduction.

Also,

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.

Also,

House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Also,

House Bill No. 122,

A bill for an act to amend section 163, of chapter 4, of the Revised Codes of 1899, relating to county agricultural fairs. Special tax.

Also,

House Bill No. 127,

A bill for an act to amend and re-enact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.

Also,

House Bill No. 131,

A bill for an act to amend section 5630 of the Revised Codes relating to trials in district court, and appeals in cases tried without a jury.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

PETITIONS AND COMMUNICATIONS.

The speaker presented the following communication:

Grand Forks, N. D., January 30, 1903.

Dear Sir: At a meeting of the Grand Forks Business Men's Union held in this city yesterday the following resolution with reference to the bill now pending before the legislature in the appropriation for the exhibit of this state at St. Louis Worlds Fair was adopted and the same is sent to you for guidance:

"Resolved, That our representatives in the legislature be requested to use all honorable means to secure legislation for the appropriating of funds to aid in making an exhibit of the resources of our state at the Louisiana Purchase Exhibition to be held at St. Louis during 1904, and to that end are requested to support the Little senate bill now pending or any other measure for that purpose."

T. J. HOGAN,
Secretary.

Respectfully,
JOHN DUNNIE,
Chairman

REPORTS OF STANDING COMMITTEES.

The committee on temperance made the following report:

Mr. Speaker:

The majority of your committee on temperance to whom was referred

House Bill No. 85,

A concurrent resolution to amend section 217 of the constitution of North Dakota relating to the sale of intoxicating liquors.

Have had the same under consideration and recommend that further consideration thereof be indefinitely postponed.

GEO. A. MCCREA,
Chairman.

Mr. Speaker:

The minority of your committee on temperance to whom was referred

House Bill No. 85,

A concurrent resolution to amend section 217 of the constitution of North Dakota relating to the sale of intoxicating liquors.

Have had the same under consideration and recommend that the same do pass.

P. J. LYONS,
F. LISH.

Mr. McCrea moved

That the majority report be adopted.

Mr. McGahan moved

A call of the house.

The call of the house was ordered.

The roll being called, all members were reported present or absent and excused except Messrs. Miller and Movius.

The speaker directed the sergeant at arms to forthwith send for and bring in the unexcused absentees.

Mr. McGahan moved

That the sargent-at-arms be instructed to bring the absent members before the bar of the house.

Which motion prevailed.

Mr. Leech moved

That further proceedings under the call of the house be dispensed with.

The roll was called on the motion to dispense with further proceedings under the call, and there were ayes 62, nays 32, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Braaten
Burtness
Buttz
Cassell
Chaffee
Chevalier
Chisholm
Cole
Dahl
Davis
Dickinson
Elton
Ellison
Ferguson
Flados
Gilbert
Gullerud
Heath

Messrs.—

Hill
Johnson
Kraabel
Lee
Leech
Lillie
Maddock
Mallough
McCrea
McDowell
McLain
Midgarden
Mooney
Noltmier
Oksendahl
Palfrey
Phifer
Richmond
Robillard
Rogers
Ryan

Messrs.—

Schouweiler
Severson
Shiels
Skjold
Smart of Nelson
Smart of Trill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Underwood
Van Arnam
Wall
Watts
Welo
Wing
Young
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Baker of Ramsey
Bart
Beck
Bostrom
Bourassa
Brown
Connolly

Messrs.—

Hanson
Harvey
Knudtson
Lyons
Mattson
McClure
McGahan

Messrs.—

Patterson
Peterson of Towner
Peterson of Wells
Rose
Scheer
Senour
Simpson

Messrs.—

Dieball
Fried
Gagnon
Hammer

Messrs.—

McKenzie
Meidinger
Noben
Palmer

Messrs.—

Wagner
Weed
Weigel

Absent and not voting:

Messrs.—

Blank
Lish

Messrs.—

McKnight
Miller

Messrs.—

Movius
Watson

So the motion prevailed.

Mr. Davis moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

THIRTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK NORTH DAKOTA,
February 9, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Chevalier, Blank and Watson.

Mr. Davis moved

That all absent members be excused.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.

Also,

House Bill No. 126,

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace, in case of vacancy.

Also,

House Bill No. 19,

A bill for an act providing how the unoccupied lots of town-sites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

The chief clerk announced that the speaker was about to sign
Senate Bill No. 8,

A bill for an act to amend section 2096 of the Revised Codes of North Dakota for 1899, relating to the per diem of jurors.

Also,

Senate Bill No. 14,

A bill for an act to amend section 6289 of the Revised Codes of North Dakota, relating to the time for probating wills.

Also,

House Bill No. 19,

A bill for an act providing how the unoccupied lots of town-sites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

Also,

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.

Also,

Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

And the speaker signed the same in the presence of the house.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of thirty-third day, have carefully examined the same and recommend that the same be corrected as follows:

On page 1, on the twelfth line correct the name Lish as to spelling.

On page 5, line ten, change the words chief clerk to chairman.

And when so amended recommend that the same be approved.

THOS. HEATH,

Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Young presented the following communication:

Leal, N. D., Feb. 6th, 1903.

Dear Sir: At a meeting of the Leal-W. C. T. U., held Feb. 5, motion carried unanimously authorizing the corresponding secretary to write urg-

ing you to do all in your power, as our representative, for the passage of the following measures now before the legislature, viz: the Anti-cigarette bill and the bill to raise the age of consent from 16 to 18 years.

Leal union has a membership of 34 regular and 16 honorary members.

Yours for a higher and better citizenship

E. C. WIDDIFIELD;

Also presented the following petition:

To the Hon. Geo. M. Young, member of the House of Representatives, State of North Dakota:

We, the undersigned voters and citizens of the vicinity of Leal, Barnes county, N. D., earnestly petition you to use your position and influence as our representative, to the end that the following bills now before the legislature may become law, viz: Anti-cigarette bill, introduced by Representative McCrea, chairman of the house temperance committee; also the bill of the Hon. Mr. Mallough, raising the age of consent from 16 to 18 years of age; and your petitioners will ever pray.

Signed.

H. W. GREEN,

and Seventy Others.

Mr. Rogers presented the following petition:

We, the undersigned voters and citizens of the vicinity of Leal, Barnes county, N. D., earnestly petition you to use your vote and influence as our representative, for the passage of the following bills now before the legislature; viz Anti-cigarette bill introduced by Representative McCrea, chairman of the house temperance committee; also a bill of the Hon. Mr. Mallough, raising the age of consent from 16 to 18 years of age; and your petitioners will ever pray.

J. J. BOSCOM,

and Sixty-Nine Others.

Mr. Van Arnam presented the following petition:

To the Honorable Legislative Body at Bismarck, N. D.:

We, the undersigned, resident tax payers and voters of Richland county, desire to remonstrate, and protest against the passage of house bills Nos. "22" and "82," pertaining to mutual fire insurance in this state, and earnestly request that you leave the said insurance as they now are, believing that the best interest of the majority will be best subserved by leaving the law governing this question as it is.

A. O. HIGLIE,

and Fifty-nine Others.

Mr. Schouweiler presented the following petitions:

To the House of Representatives of North Dakota:

Gentlemen: We, your petitioners, respectfully urge the passage of the Anti-cigarette bill before the legislature of our state. We do this knowing the terrible effects of the deadly cigarette, containing noxious drugs of evil power, upon all who use it, and more especially upon the young people of our times and state.

Sunday, Feb. 1st, one hundred and forty of our congregation by a rising vote, signified their desire that this bill should be passed.

W A. BAKER,

Pastor For M. E. Church.

Corresponding Secretary Leal W. C. T. U.

To the House of Representatives of North Dakota:

Gentlemen: We, your petitioners, respectfully urge the passage of the bill raising the age of consent to 18 years, now before the legislature of

our state. It seems to us that the age of consent should be no younger than this, for at that age the law recognizes women to have become of legal age, while in this northern climate, they are not mature in mind and body until at least those years.

Sunday, Feb. 1st, one hundred and forty of our congregation by a rising vote signified their desire that this bill should be passed.

W. A. BAKER,
Pastor For M. E. Church.

Wahpeton, N. D., Feb. 1st, 1903.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 63,

A bill for an act to provide for the erection and construction of the north wing of the capitol, for the issuance and sale of one hundred thousand dollars of bonds, and for the sale of lands granted the state for the purpose of erecting public buildings at the capitol.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 44,

A bill for an act amending section 423 of the Revised Codes of 1899, relating to oath of office to be taken by persons who have been admitted to practice in the courts of North Dakota.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 133,

A bill for an act to legalize mortgages executed by executors, administrators and guardians, upon the estates of deceased persons, minors and incompetent persons, executed by order of the county court, after the repeal of chapter fifty-four of the laws of eighteen hundred and ninety, and before the enactment of chapter one hundred ten of the laws of eighteen hundred and ninety-nine.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 146,

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 149,

A bill for an act to amend section 5847 of the Revised Codes of 1899 of the state of North Dakota, relative to the foreclosure of mortgages for installments.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 136,

A bill for an act prescribing the qualifications of judges of the county courts.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 147,

A bill for an act to provide a time at which claims against the estates of decedents shall be barred.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 151,

A bill for an act to amend section 5244 of the Revised Codes of North Dakota relative to place of trial of civil actions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in

the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Have had the same under consideration, and recommend that the same be amended as follows:

By striking out the word "Bottineau" in line 6 of Sec.1, printed bill, and insert in lieu thereof the word "Pierce."

By striking out the word "Pierce" in line 7, Sec. 1, and inserting the word "Bottineau."

By striking out the word "December" in line 8 of Sec. 5, and inserting the word "February."

By striking out the word "May" in line 9 of Sec. 5, and inserting the word "June."

By striking out the word "Bottineau" in line 12 of Sec. 5, and inserting the word "Pierce."

By striking out the word "Pierce" in line 17 of Sec. 5, and inserting the word "Bottineau."

By striking out the word "Pierce" in line 11 of Sec. 6, and inserting the word "Bottineau."

And when so amended recommend that the same do pass.

C. W. BUTTZ,
Chairman.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 148,

A bill for an act to amend section 2071 under the Revised Codes of North Dakota, relating to the payment of probate fees to the county treasurer.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 140,

A bill for an act to provide for threshing laborer's lien.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.
The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 30,

A bill for an act to regulate the sale of binding twine-manufactured at the state prison at Bismarck, North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved
That the report be adopted.

Mr. Severson moved as a substitute
That the bill be referred to general orders.
Which substitute motion was lost, and
The original motion prevailed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 117,

A bill for an act to repeal section 1891 Revised Codes North Dakota, 1899, providing that the county sheriff and treasurer shall be eligible for two terms only.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.
The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 139,

A bill for an act to amend section 1774 and 1775 of the Revised Codes of North Dakota, 1899, relating to abstractors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved
That the report be adopted.

Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.
The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 4,

A bill for an act to establish an institution for the feeble-minded and to provide for its support and management.

Have had the same under consideration and recommend that the same be amended as follows:

That at the end of line 4 on last page of the engrossed bill, add the word "detailed."

And when so amended recommend the same do pass.

W. J. WATTS,
Chairman.

Mr. Speaker:

Your committee on elections and privileges to whom was referred

Senate Bill No. 61,

A bill for an act to amend section 481 of the Revised Codes of 1899, providing for the formation of election precincts.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 47,

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Have had the same under consideration and recommend that the same do pass.

W. F. LEECH,
Chairman.

The committee on highways and bridges made the following report:

Mr. Speaker:

Your committee on highways and bridges to whom was referred
House Bill No. 118,

A bill for an act defining legal fences, providing for the construction and maintenance of partition fences, how controversies over construction of legal fences may be settled and providing penalties for violating the provisions of this act.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT,
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate Bill No. 66,

A concurrent resolution providing for the submission of a proposed amendment to section 162 of the constitution of the state of North Dakota to the ninth general legislative assembly of North Dakota.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 52,

A bill for an act to amend section 706 Revised Codes 1899 relating to district high schools, and providing for the establishment of district graded schools.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 50,

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings of the North Dakota educational association.

Have had the same under consideration and recommend that the same do pass.

GEO. W. H. DAVIS,

Chairman.

The committee on woman suffrage made the following report:

Mr. Speaker:

Your committee on woman suffrage to whom was referred

Senate Bill No. 36,

A bill for an act to amend section 2724 of the Revised Codes, declaring who may solemnize marriages and referring to license and certificate.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. F. STEVENS,

Chairman.

Mr. Stevens moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on woman suffrage made the following report:

Mr. Speaker:

Your committee on woman suffrage to whom was referred

House Bill No. 94,

A bill for an act to provide for the adoption of children.

Have had the same under consideration, and recommend that the same be amended as follows:

Insert enacting clause as follows:

"Be it enacted by the legislative assembly of the state of North Dakota."

And when so amended recommend that the same do pass.

E. F. STEVENS.

Chairman.

Mr. Stevens moved

That the report be adopted.

And the bill be referred to the committee on engrossment.

Which motion prevailed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 81,

A bill for an act authorizing the board of directors of the state normal schools to issue bonds to provide a fund for the erection and equipment of necessary additional buildings and for City and Mayville.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 80,

A bill for an act authorizing the state board of equalization to include in the annual levy for bond interest and bond sinking fund a sufficient amount to pay the interest and provide a sinking fund for the state normal school bonds issued under the provisions of section ten (10) chapter eighty-nine (89) session laws of 1891.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,

Chairman Pro tem.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 79,

A bill for an act authorizing the board of trustees of the state reform school to issue bonds to provide for the furnishing of the reform school, and for the construction of stables and workshop and equipment of the same, and for the purchase of lands adjoining the state reform school necessary to furnish employment for the inmates of said reform school.

Have had the same under consideration, and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Buttz moved
House Bill No. 131,

A bill for an act to amend section 5630 of the Revised Codes relating to trials in district court, and appeals in cases tried without a jury.

Be re-referred to the committee on judiciary.

Which motion prevailed, and

The bill was so re-referred.

Mr. McGahan offered the following resolution and moved its adoption:

Resolved, that when this house adjourns on Wednesday, Feb. 11, it adjourns to meet on Thursday, Feb. 12, at 1 o'clock p. m., for the purpose of meeting in joint session to observe Lincoln's birthday.

Which motion prevailed, and

The resolution was adopted.

Mr. Hammer presented the following joint resolution:

Whereas, owing to the recent prolonged labor strike in the anthracite coal regions of Pennsylvania, it has caused a great scarcity of fuel that is distressing at this season of the year, and the local freight rates on lignite coal in this state are high, thus working a hardship on its citizens; therefore, be it

Resolved, that this legislative assembly proceed, without delay, to investigate the cause for such charges and that a special committee be appointed, consisting of two from the senate, and three from the house, to ascertain and report by bill or otherwise, what, in its judgment, would be fair rates per ton on lignite coal between stations or for distances within this state.

Mr. Hammer moved

That the rules be suspended and the resolution be adopted.

Mr. Buttz moved

As a substitute that the resolution be referred to the committee on coal and coal lands.

Which substitute motion prevailed.

UNFINISHED BUSINESS.

Mr. Cassell moved

The previous question on the motion to adopt the report of the temperance committee that House Bill No. 85 be indefinitely postponed.

Mr. McGahan moved

As a substitute motion that the minority report of the temperance committee on House Bill No. 85 be adopted.

Which motion the speaker ruled out of order at this time.

The motion for the previous question being seconded,

The speaker stated the question to be, "Shall the main question be now put?"

Which main question prevailed, and

Mr. McGahan moved

As a substitute motion that the minority report of the committee on temperance be adopted.

Mr. Patterson moved

That the substitute motion be laid upon the table.

Roll call demanded.

The roll was called on the substitute motion to lay on the table and there were ayes 30, nays 67, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Noben
Bartz	Knudtson	Palmer
Beck	Lish	Patterson
Bostrom	Lyons	Peterson of Wells
Brown	Mattson	Rose
Connolly	McClure	Scheer
Dieball	McGahan	Senour
Fried	McKenzie	Simpson
Gagnon	Meidinger	Weed
Hammer	Movius	Weigel

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Schouweiler
Allen	Kraabel	Severson
Aslakson	Lee	Shiels
Bourassa	Leech	Skjold
Braaten	Lillie	Smart of Nelson
Burtness	Maddock	Smart of Traill
Buttz	Mallough	Stavens
Cassell	McCrea	Steinberg
Chaffee	McDowell	Stevens
Chisholm	McKnight	Thompson
Cole	McLain	Truemner
Dahl	Midgarden	Tufte
Davis	Miller	Underwood
Dickinson	Mooney	Van Arnam
Elton	Noltmier	Wagner
Ellison	Oksendahl	Wall
Ferguson	Palfrey	Watts
Flados	Peterson of Towner	Welo
Gilbert	Phifer	Wing
Gullerud	Richmond	Young
Harvey	Robillard	Mr. Speaker
Heath	Rogers	
Hill	Ryan	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Chevalier	Watson

Messrs. Blank and Watson being excused.

So the motion to lay on the table was lost.

The question recurred on the substitute motion.

Roll call demanded.

The roll was called on the substitute motion to adopt the minority report and there were ayes 31, nays 66, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Noben
Bartz	Knudtson	Palmer
Beck	Lish	Patterson
Bostrom	Lyons	Peterson of Wells
Bourassa	Mattson	Rose
Brown	McClure	Scheer
Connolly	McGahan	Senour
Dieball	McKenzie	Simpson
Fried	Meidinger	Weed
Gagnon	Movius	Weigel
Hammer		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Ryan
Allen	Kraabel	Schouweiler
Aslakson	Lee	Severson
Braaten	Leech	Shiels
Burtness	Lillie	Skjold
Buttz	Maddock	Smart of Nelson
Cassell	Mallough	Smart of Traill
Chaffee	McCrea	Stavens
Chisholm	McDowell	Steinberg
Cole	McKnight	Stevens
Dahl	McLain	Thompson
Davis	Midgarden	Truemner
Dickinson	Miller	Tufts
Elton	Mooney	Underwood
Ellison	Noltimier	Van Arnam
Ferguson	Casendahl	Wagner
Flados	Palfrey	Wall
Gilbert	Peterson of Towner	Watts
Gullerud	Phifer	Welo
Harvey	Richmond	Wing
Heath	Robillard	Young
Hill	Rogers	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Chevalier	Watson

Messrs. Blank, Chevalier and Watson being excused.

So the substitute motion was lost.

Mr. Weed explained his vote.

The question being on the original motion,

The motion prevailed and

The further consideration of

House Bill No. 85,

A concurrent resolution to amend section 217 of the constitution of North Dakota relating to the sale of intoxicating liquors. Was indefinitely postponed.

FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Palmer introduced

House Bill No. 183,

A bill for an act to amend section 404 of the Revised Codes relating to the boundaries and terms of court of the Second judicial district of the state of North Dakota and attaching certain unorganized counties to the county of Williams for judicial purposes.

Which was read the first and second times, and Referred to the committee on judiciary.

Mr. Peterson of Towner introduced

House Bill No. 184,

A bill for an act to amend section 1944 of the Revised Codes of North Dakota, 1899, relative to the duty of the board in designating depositories.

Which was read the first and second times, and Referred to the committee on banking and bank laws.

Mr. Ryan introduced

House Bill No. 185,

A bill for an act to amend section 82 of chapter 126 of the laws of 1897, relating to revenue and taxation.

Which was read the first and second times, and Referred to the committee on banking and bank laws.

Mr. McLain introduced

House Bill No. 186,

A bill for an act amending section 250 of the Revised Codes of North Dakota, relating to county boards of health.

Which was read the first and second times, and Referred to the committee on public health.

Mr. Palmer introduced

House Bill No. 187,

A bill for an act to amend section 1278 of the Revised Codes of North Dakota, 1899, providing that no deed shall be recorded without auditor's certificate of taxes paid.

Which was read the first and second times, and Referred to the committee on taxes and tax laws.

Mr. Johnson introduced

House Bill No. 188,

A bill for an act to amend section 1605 of the Revised Codes of 1899 of the state of North Dakota, relating to the compensation, bonds and qualifications of district veterinarians.

Which was read the first and second times, and

Referred to the committee on public health.

Mr. Rogers introduced

House Bill No. 189,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Rogers introduced

House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Kraabel introduced

House Bill No. 191,

A bill for an act to amend section 3087 of the Revised Codes pertaining to the organization of domestic insurance companies.

Which was read the first and second times, and

Referred to the committee on insurance.

Mr. Leech introduced

House Bill No. 192,

A bill for an act to amend section 1530 of the Revised Codes of North Dakota, relating to the salaries and fees to be paid to the commissioners of insanity and others in attendance at the meetings of the county board of commissioners for the insane.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Tufte introduced

House Bill No. 193,

A bill for an act to amend section 30711 of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.

Which was read the first and second times, and

Referred to the committee on railroads.

Mr. Davis introduced

House Bill No. 194,

A bill for an act repealing section 2949, Revised Codes of 1899, relating to payment for state and school lands for railroad right of way.

Which was read the first and second times, and

Referred to the committee on schools and public lands.

Mr. Chaffee introduced

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Which was read the first and second times, and

Referred to the committee on public health.

Mr. Senour introduced

House Bill No. 196,

A bill for an act authorizing the payment of the sum of one hundred dollars to the clerk of the district court of Stark county for services in connection with cases arising in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman.

Which was read the first and second times, and
Referred to the committee on appropriations.

Mr. Hammer introduced

House Bill No. 197,

A bill for an act to amend section 2726 Revised Codes of North Dakota, 1899, relating to license and certificate of marriage.

Which was read the first and second times, and
Referred to the committee on woman suffrage.

Mr. McClure introduced

House Bill No. 198,

A bill for an act to amend and re-enact chapter 121 of the laws of North Dakota for the year 1901, concerning the inspection of live stock.

Which was read the first and second times, and
Referred to the committee on live stock industries.

Mr. Connolly introduced

Substitute for House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bond therefor and raising and appropriating funds for the erection of such academy buildings and for the maintenance and government of said academy.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Lee introduced

House Bill No. 199,

A bill for an act to establish and locate at Minot in Ward county a state sanitarium for poor consumptives.

Which was read the first and second times, and
Referred to the committee on appropriations.

Mr. Connolly moved that

House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, relating to the North Dakota Academy of Science and to provide for issuing bonds therefor and raising and appropriating funds for the erection of such academy buildings and for the maintenance and government of said academy.

Be recalled from the committee on appropriations, and that the further consideration thereof be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Lee introduced

House Bill No. 200,

A bill for an act for the appropriation of monies for the payment or lease of one cottage of Oak Park Cottage Sanitarium for tuberculosis at Minot, Ward county, N. D., for the maintenance of poor consumptives at said sanitarium and authorizing the payment thereof

Which was read the first and second times, and

Referred to the committee on appropriations.

Mr. Stavens introduced

House Bill No. 201,

A bill for an act to amend section 1267 of the Revised Codes relating to redemptions from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.

Which was read the first and second times, and

Referred to the committee on banking and bank laws.

Mr. Hammer introduced

House Bill No. 202,

A bill for an act to repeal section 5454a of the compiled laws of 1899.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Buttz introduced

House Bill No. 203,

A bill for an act to amend section 6613 of the Revised Codes relating to fees and salaries of clerks of county courts.

Which was read the first and second times, and

Referred to the committee on judiciary.

The speaker announced a recess until 3:30 p. m.

AFTER RECESS.

The house returned to the seventh order of business.

Mr. Simpson offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate concurring.

Whereas, Dr. Henry W. Coe, a former resident of this state and formerly a member of the Dakota legislature, has been appointed a special commissioner to the legislatures of North Dakota and Minnesota from

the Lewis & Clarke Centennial and American Pacific Exposition and Oriental Fair to be held in Portland, Oregon, in 1905, and he is now here desiring to address the legislative assembly of the state of North Dakota for the purpose of explaining the plan and scope of said exposition, therefore, be it

Resolved, that a joint session of the house and senate be held at 2 p. m., Tuesday, Feb. 10, 1903, for the purpose of hearing the commissioner of said exposition.

Which motion prevailed, and

The concurrent resolution was adopted.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 43,

A bill for an act authorizing the board of trustees of the state university and school of mines to issue bonds to provide a fund for the necessary repairs of the buildings of the state university and to pay the floating indebtedness of said university.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 82,

A bill for an act to amend sections 1642, 1644, 1645, 1646, 1647, 7678, 7683a, 7683b, 7683c, 7683d and 7683f of the Revised Codes North Dakota, 1899, relating to the protection of game, the division of the state into game districts, the appointment of district game wardens, the issuing of permits to hunt, the disposition of money received from the sale of permits and enacting other provisions relating thereto and providing penalties for violation thereof.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 113,

A bill for an act to amend section 421 of the Revised Codes of 1899, relating to the qualifications of applicants for admission to practice as attorneys and counselors at law.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 89,

A bill for an act to amend section 1530, Revised Codes of 1899 relating to the compensation and expenses of the board of insanity.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 112,

A bill for an act amending section 424 of the Revised Codes of 1899, relating to admission of attorneys on certificates from other states.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 90,

A bill for an act repealing sections 7460a and 7460b, of the
Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 29,

A bill for an act authorizing the appointment of commissioners
of deeds and declaring an emergency to exist.

Was read the first and second times, and
Referred to the committee on state affairs.

Senate Bill No. 46,

A bill for an act amending section 5974 of the Revised Codes of
1899, relating to when action maintainable for death by wrong-
ful act.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 64,

A bill for an act to repeal chapter 83 of the session laws of
1901.

Was read the first and second times, and
Referred to the committee on state affairs.

Senate Bill No. 115,

A bill for an act to prohibit the delivery or depositing of drugs,
medicines, antiseptics, disinfectants and cosmetics, either for in-
ternal or external use upon the premises of another.

Was read the first and second times, and
Referred to the committee on public health.

Senate Bill No. 56,

A bill for an act to amend chapter 204 of the session laws of
1901, relating to the time township officers shall qualify.

Was read the first and second times, and
Referred to the committee on state affairs.

Senate Bill No. 58,

A bill for an act to amend chapter 205 of the session laws of
1901, relating to the meetings of township board of supervisors.

Which was read the first and second times, and
Referred to the committee on corporations other than municipal.

Senate Bill No. 57,

A bill for an act to amend section 2559 of the Revised Codes
of the state of North Dakota, of 1899, relating to notice of elec-
tion to township officers.

Was read the first and second times, and
Referred to the committee on corporations other than municipal.

Senate Bill No. 111,

A bill for an act providing for sending non-resident insane per-
sons to their place of residence at expense of the state.

Which was read the first and second times, and
Referred to the committee on state affairs.

Senate Bill No. 68,

A bill for an act changing the location of the institution for feeble minded from Jamestown to Grafton.

Was read the first and second times, and
Referred to the committee on state affairs.

CALENDAR.

THIRD READING OF HOUSE BILLS.

House Bill No. 122,

A bill for an act to amend section 163, of chapter 4, of the Revised Codes of 1899, relating to county agricultural fairs. Special tax.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 72, nays 15, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chisholm
Cole
Dahl
Davis
Dickinson
Elton
Ellison
Ferguson
Gagnon
Gilbert
Gullerud
Harvey
Hill
Knudtson

Messrs.—

Kraabel
Lee
Leech
Lillie
Lish
Maddock
Mallough
McClure
McCrea
McDowell
McGahan
McKnight
Meidinger
Miller
Movius
Noben
Noitimier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Wells
Richmond
Robillard

Messrs.—

Rogers
Rose
Ryan
Scheer
Schouweiler
Severson
Skjold
Simpson
Smart of Nelson
Stavens
Steinberg
Stevens
Truemner
Tufte
Underwood
Wagner
Wall
Watts
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Aslakson
Baker of Ramsey
Connolly
Dieball
Flados

Messrs.—

Fried
Hanson
Mattson
Midgarden
Peterson of Towner

Messrs.—

Phifer
Senour
Shiels
Smart of Traill
Thompson

Absent and not voting:

Messrs.—

Beck
Blank
Bostrom
Chevalier
Hammer

Messrs.—

Heath
Johnson
Lyons
McKenzie
McLain

Messrs.—

Mooney
Van Arnam
Watson

Messrs. Blank, Chevalier and Watson being excused.

So the bill passed and the title was agreed to.

The speaker called Mr. Young to the chair.

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays none, absent and not voting, 14.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hanson
Harvey

Messrs.—

Hill
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Maddock
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKnight
Meidinger
Midgarden
Miller
Movius
Noben
Noltimier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer
Richmond

Messrs.—

Robillard
Rogers
Rose
Ryan
Scheer
Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufts
Underwood
Wagner
Wall
Watts
Weed
Welgel
Welo
Wing
Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Heath	Mooney
Blank	Johnson	Van Arnam
Bostrom	Lyons	Watson
Chevalier	McKenzie	Mr. Speaker
Hammer	McLain	

Messrs. Blank, Chevalier and Watson being excused.

Mr. Patterson moved

That the title be amended as follows:

By striking out the figures "2072" and inserting in lieu thereof "2072a."

Which motion prevailed, and

The amendment was adopted.

So the bill passed and the title as amended was agreed to and referred to the engrossment committee for re-engrossment.

House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays 11, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gilbert	Robillard
Allen	Gullerud	Rogers
Aslakson	Harvey	Rose
Baker of Ramsey	Hill	Scheer
Bartz	Knudtson	Schouweiler
Bourassa	Lee	Severson
Braaten	Leech	Shiels
Brown	Lillie	Skjold
Burtness	Mallough	Simpson
Buttz	Mattson	Smart of Nelson
Cassell	McClure	Smart of Traill
Chaffee	McCrea	Stavens
Chevalier	McDowell	Steinberg
Chisholm	McKnight	Stevens
Cole	Meldinger	Thompson
Dahl	Midgarden	Truemner
Davis	Miller	Tuft
Dickinson	Noltmier	Underwood
Dieball	Oksendahl	Wagner
Elton	Palfrey	Watts
Ellison	Palmer	Weed
Ferguson	Patterson	Weigel
Flados	Peterson of Towner	Welo
Fried	Phifer	Wing
Gagnon	Richmond	Young

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Lyons	Noben
Hanson	Maddock	Senour
Kraabel	McGahan	Wall
Lish	Movius	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Johnson	Ryan
Blank	McKenzie	Van Arnam
Bostrom	McLain	Watson
Hammer	Mooney	Mr. Speaker
Heath	Peterson of Wells	

Messrs. Blank, Chevalier and Watson being excused.

So the bill passed and the title was agreed to.

House Bill No. 84,

A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes 1899, defining rape, abduction, carnal abuse of children and seduction.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays 8, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Richmond
Allen	Hill	Robillard
Aslakson	Johnson	Rogers
Bartz	Knudtson	Ryan
Braaten	Kraabel	Schouweiler
Brown	Lee	Severson
Burtness	Leech	Shiels
Buttz	Lille	Skjold
Cassell	Lyons	Simpson
Chisholm	Maddock	Smart of Nelson
Cole	Mallough	Smart of Traill
Connolly	McCrea	Stavens
Dahl	McDowell	Steinberg
Davis	McKnight	Stevens
Dickinson	Meldinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Underwood
Ellison	Noben	Wagner
Ferguson	Noltimier	Wall
Flados	Oksendahl	Watts
Fried	Palfrey	Weed
Gagnon	Patterson	Weigel
Gilbert	Peterson of Towner	Welo
Gullerud	Peterson of Wells	Wing
Hanson	Phifer	Young

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	McGahan	Senour
Bourassa	Movius	Thompson
Lish	Palmer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Heath	Rose
Blank	Mattson	Scheer
Bostrom	McClure	Van Arnam
Chaffee	McKenzie	Watson
Chevalier	McLain	Mr. Speaker
Hammer	Mooney	

Messrs. Blank, Chevalier and Watson being excused.

So the bill passed and the title was agreed to.

House Bill No. 127,

A bill for an act to amend and re-enact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Richmond
Allen	Johnson	Robillard
Aslakson	Knudtson	Rogers
Baker of Ramsey	Kraabel	Rose
Bartz	Lee	Ryan
Bourassa	Leech	Scheer
Braaten	Lille	Schouweiler
Brown	Lish	Senour
Burtness	Lyons	Severson
Buttz	Maddock	Shiels
Cassell	Mallough	Skjold
Chaffee	Mattson	Simpson
Chisholm	McClure	Smart of Nelson
Cole	McCrea	Smart of Traill
Connolly	McDowell	Stavens
Dahl	McKenzie	Steinberg
Davis	McKnight	Stevens
Dickinson	Meidinger	Thompson
Dieball	Midgarden	Truemner
Elton	Miller	Tufte
Ellison	Mooney	Underwood
Ferguson	Movius	Wagner
Flados	Noben	Wall
Fried	Noltmier	Watts
Gagnon	Oksendahl	Weed
Gilbert	Palmer	Weigel
Gullerud	Patterson	Welo
Hanson	Peterson of Towner	Wing
Harvey	Peterson of Wells	Young
Heath	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Hammer	Van Arnam
Blank	McGahan	Watson
Bostrom	McLain	
Chevalier	Palfrey	

Messrs. Blank, Chevalier and Watson being excused.

So the bill passed and the title was agreed to.

The speaker in the chair.

House Bill No. 83,

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 88, nays 2, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Kraabel	Rose
Aslakson	Lee	Ryan
Baker of Ramsey	Leech	Scheer
Bartz	Lillie	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Maddock	Shiels
Burtness	Mallough	Simpson
Buttz	Mattson	Skjold
Cassell	McClure	Smart of Nelson
Chaffee	McCrea	Smart of Traill
Chisholm	McDowell	Stavens
Cole	McKenzie	Steinberg
Connolly	McKnight	Stevens
Dahl	Meidinger	Thompson
Dickinson	Midgarden	Truemner
Dieball	Miller	Tuft
Elton	Mooney	Underwood
Ellison	Movius	Van Arnam
Ferguson	Noben	Wagner
Flados	Noltimier	Wall
Fried	Oksendahl	Watts
Gagnon	Palfrey	Weed
Gullerud	Palmer	Weigel
Hammer	Patterson	Welo
Hanson	Peterson of Towner	Wing
Heath	Peterson of Wells	Young
Hill	Phifer	Mr. Speaker
Johnson	Richmond	
Knudtson	Robillard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Davis	McGahan
Blank	Gilbert	McLain
Bostrom	Harvey	Watson
Chevalier		

Messrs. Aandahl and Rogers voted in the negative.

Messrs. Blank, Chevalier and Watson being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 17,

A bill for an act to provide for the licensing of agents to solicit for insurance companies and fixing the penalty for violation of the same.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays 2, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Peterson of Wells
Allen	Johnson	Phifer
Aslakson	Knudtson	Richmond
Baker of Ramsey	Kraabel	Robillard
Bartz	Lee	Rogers
Bourassa	Leech	Rose
Braaten	Lillie	Ryan
Brown	Lish	Scheer
Burtness	Lyons	Schouweller
Buttz	Maddock	Senour
Cassell	Mallough	Severson
Chaffee	Mattson	Shiels
Chisholm	McClure	Simpson
Connolly	McCrea	Smart of Nelson
Dahl	McDowell	Smart of Traill
Davis	McGahan	Steinberg
Dickinson	McKnight	Stevens
Dieball	Meldinger	Thompson
Elton	Midgarden	Truemner
Ellison	Miller	Tufts
Ferguson	Mooney	Underwood
Flados	Movius	Wagner
Fried	Noben	Wall
Gagnon	Noltimier	Watts
Gilbert	Oksendahl	Weed
Gullerud	Palfrey	Weigel
Hanson	Patterson	Young
Harvey	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Hammer	Stavens
Blank	Heath	Van Arnam
Bostrom	McKenzie	Watson
Chevalier	McLain	Welo
Cole	Palmer	

Messrs. Skjold and Wing voted in the negative.

Messrs. Blank, Chevalier and Watson being excused.

Mr. Leech moved that

House Bill No. 107.

A bill for an act to prevent and punish the desecration of the flag of the United States.

Be recalled from the committee on education and referred to the committee on state affairs.

Which motion prevailed.

GENERAL ORDERS.

Mr. Davis moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Buttz to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

And recommend that the same be amended as follows:

After the word "timothy," strike out the words, "forty-two," and insert the words, "forty-five."

In line twenty-eight after the word "speltz" strike out the word "forty-two" and insert in lieu thereof "forty."

After last line of bill add "apples, fifty pounds."

And when so amended recommend the bill do pass.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Mallough moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 10, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Blank, Chevalier, Hammer and Heath.

Messrs. Blank and Heath being excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-fifth day have carefully examined the same and recommend that the same be corrected as follows:

On page 7, line 4, the word "postponed," be corrected as to spelling.

On page 11, in the fifth line from the bottom of said page the word "out" be corrected as to spelling.

And when so amended recommend that the same be approved.

Also,

Your committee on revision and correction of the journal of the thirty-second day have carefully examined the same and recommend that the same be corrected as follows:

One page 7 in voting on House Bill 123, change the name "Gullerud" from voting in negative to voting in the affirmative.

And when so amended recommend that the same be approved.

B. H. MALLOUGH,
Chairman Pro Tem.

Mr. Mallough moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker:

Your committee on warehouses, grain grading and dealing to whom was referred

Senate Bill No. 51,

A bill for an act to provide for the erection of public grain warehouses and grain elevators, on or near the right of way of railways, and providing for condemnation proceedings in connection therewith, and to repeal sections 1796, 1797 and 1799 of the Revised Codes North Dakota, 1899.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 81,

A bill for an act amending section 3071a of the Revised Codes for 1899, relating to the time when property must be removed from cars.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5, after word "have," strike out the word "twenty-four" and insert in lieu thereof, the word "forty-eight."

In line 8, after the word "is," strike out the words "less than 50,000," and insert in lieu thereof figures "40,000," after the word "pounds."

In line 8, strike out balance of line 8, and all in line 9, 10, 11, and up to the word "which," in line 12, and insert in lieu thereof the words, "or greater."

And when so amended recommend that the same do pass.

Also,

House Bill No. 80,

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

Have had the same under consideration, and recommend that the same be amended as follows:

In line 12, after the word "allowing," strike out all the balance of words in the bill, and insert in lieu thereof the following:

"Forty-eight hours free of expense for loading all cars, which time shall be held to embrace such time as car to be loaded is placed and kept by such railroad company in a convenient and proper place for loading, and it shall not be held a proper place for loading, unless such car can be reached by teams or other suitable means of conveying property, after the same have been loaded, whether at sidetrack, elevator, warehouse or depot, without unnecessary delay, proceed to ship the same to the place where the same is consigned."

And when so amended recommend that the same do pass.

M. MATTSON,

Chairman.

The chief clerk announced that the speaker was about to sign Senate Bill No. 1,

A bill for an act to amend section 876 of the Revised Codes of the state of North Dakota for 1899, relating to the board of trustees of the University of North Dakota.

And the speaker signed the same in the presence of the house.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred Senate Bill No. 43,

A bill for an act authorizing the board of trustees of the state university and school of mines to issue bonds to provide a fund for the necessary repairs of the buildings of the state university and to pay the floating indebtedness of said university.

Have had the same under consideration and recommend that the title of the bill be amended to read as follows:

"A bill for an act authorizing the board of trustees of the state university and school of mines to issue bonds to provide a fund for the necessary repairs of the buildings of the state university and school of mines and to pay the outstanding floating indebtedness of such state university and school of mines, providing the manner of issuing such bonds and prescribing how the principal and interest of such bonds shall be paid."

That line 2, of section 1, of the printed bill be amended by adding after the word "university," the words, "and school of mines."

That the words "said institution," in line 2, be changed to read "such institutions."

In line 3, strike out the word "said" and insert the word "such," and after the word "university," add the words "and school of mines."

In line 4, strike out the word "the," before the word "sum" and insert the letter "a."

In section 2, line 1, strike out the word "said" before the word "bonds" and insert the word "such."

In line 3, strike out the word "said" before the word "board" and insert the word "such," and in the same line, strike out the word "institution" and insert the word "board."

In section 3, line 1, strike out the word "said," before the word "bonds" and insert the word "such."

In line 3, strike out the word "said," before the word "bonds" and insert the word "such."

In line 5, strike out the word "said," before the word "state" and insert the word "such."

In line 7, strike out the word "said" at the end of the line and insert the word "such."

In section 4, in line 2, after the word "university," insert the words "and school of mines."

In line 3, strike out the word "its" before the word "buildings" and insert the word "the," and after the word "buildings" in the same line, add the words "of the state university and school of mines," and in the same line, strike out the word "on" and insert the word "from."

And when so amended recommend that the same do pass.

W. J. WATTS,

Chairman.

Mr. Watts moved

That the report of the committee on Senate Bill No. 43 be adopted, that the rules be suspended and the bill be reconsidered with the amendments placed on the calendar and considered with other bond bills.

Which motion prevailed.

Also,

Mr. Speaker:

Senate Bill No. 82,

A bill for an act to amend sections 1642, 1644, 1645, 1646, 1647, 7678, 7683a, 7683b, 7683c, 7683d and 7683f of the Revised Codes, North Dakota, 1899, relating to the protection of game, the division of the state into game districts, the appointment of district game wardens, the issuing of permits to hunt, the disposition of money received from the sale of permits and enacting other provisions relating thereto and providing penalties for violation thereof.

Have had the same under consideration, and recommend that the same be amended as follows:

By striking out section 7678 and inserting in lieu thereof:

"Every person who has in his or her possession any of the birds or animals mentioned in the last section at any time prior to the opening of the respective seasons during which it shall be lawful to hunt or kill the same, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace of the county in which such offense is committed, is punishable in the manner and to the extent provided in the last section for the killing of the same; provided, that any person may retain possession of such birds or game five days from the close of their respective seasons:

And further, provided, if any person having the possession of any such birds or game lawfully killed, desires to retain same for a longer period than five days from the close of their respective seasons, he may apply to the state game warden, or his deputy, for a tag properly stamped, and describing such game, which tag shall be attached to each bird or separate part of game, and shall remain securely fastened thereto until the same is used for food."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 12,

A bill for an act taxing the occupation of hawkers and peddlers, regulating the licensing of persons engaged in such occupation, increasing the ordinary county revenue of such tax-

ation and prescribing penalties for a violation of its provisions.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 86,

A bill for an act to amend chapter 106 of the session laws of 1901, relating to game and fish.

Have had the same under consideration and recommend that the same be amended as follows:

That Senate Bill No. 86 be amended to read as follows:

By striking out all of section 1 and inserting in lieu thereof the following:

Section 1. That chapter 106 of the session laws of 1901 be amended so as to read as follows:

By inserting after the words "Sharp tailed grouse" in subdivision 1 of section 7677 the words "ruffed grouse."

Strike out the words "first day of April" where the same appear in subdivisions 3 and 4 of section 7677, and insert in lieu thereof the words "twentieth day of April."

All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Emergency.) Whereas, an emergency exists in this that there is no law that prevents the shooting of geese and ducks in certain seasons; therefore this act shall take effect and be in force immediately upon its passage and approval.

And when so amended recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 76,

A bill for an act to amend section 7156 of the Revised Codes of 1899, relating to rape defined.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 155,

A bill for an act to amend section 7671 of the Revised Codes of

North Dakota, 1899, relating to unlawful obligations in writing.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report :

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 153,

A bill for an act to amend section 1 of chapter 158 of the session laws of 1899, being section 3491a of the Revised Codes of North Dakota, 1899, relating to titles to real property.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 176,

A bill for an act to amend section 5498, Revised Codes of 1899, relating to the filing of abstracts of justices judgments in the office of the clerk of the district court and prescribing the effect thereof.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 159,

A bill for an act to amend section 6635 of the Revised Codes of the state of North Dakota relative to procedure in civil actions.

Have had the same under consideration and recommend that the same do pass.

Also.

House Bill No. 172,

A bill for an act to amend section 5603, Revised Codes, relating to appeals in civil actions.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 180,

A bill for an act to amend section 8362 of the Revised Codes of the state of North Dakota, 1899, relating to clerk issuing subpoenas in behalf of a defendant in criminal actions.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 165,

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Have had the same under consideration and recommend that the same do pass.

The committee on taxes and tax laws made the following report:
Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
Senate Bill No. 27,

A bill for an act to amend section 1209 of the Revised Codes of 1899 relating to the compensation of assessors.

Have had the same under consideration and recommend that the same be amended as follows by adding an emergency clause thereto.

And when so amended recommend that the same do pass.

Also,

House Bill No. 72,

A bill for an act taxing the occupation of auctioneers.

Have had the same under consideration and recommend that the further consideration thereof be indefinitely postponed.

C. V. BROWN,
Chairman.

Mr. Brown moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred:
Senate Bill No. 15,

A bill for an act to amend section 5540 of the Revised Codes of the revision of 1899, relating to the redemption of real property sold upon execution.

Have had the same under consideration, and recommend that the same do pass.

Also,

House Bill No. 162,

A bill for an act for the equitable adjustment and settlement

of the delinquent taxes due to the state from the several counties.

Have had the same under consideration and recommend that the same do pass.

C. V. BROWN,
Chairman.

The committee on manufactures made the following report:

Mr. Speaker:

Your committee on manufactures to whom was referred
House Bill No. 154,

A bill for an act regulating the handling of gasoline.

Have had the same under consideration and recommend that the same do pass.

FRED UNDERWOOD,
Chairman.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

Concurrent resolution and memorial to congress.

Have had the same under consideration and recommend that the same be referred to general orders.

W. F. LEECH,
Chairman.

Mr. Leech moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred.

House Bill No. 95,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Have had the same under consideration, and recommend that the same be referred to general orders.

W. F. LEECH,
Chairman.

Mr. Leech moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, relating to the North Dakota Academy of Science and to provide for issuing bonds therefor and raising and appropriating funds for the erection of such academy buildings and for the maintenance and government of said academy.

Return the bill to the house in accordance with its request.

MORRIS BECK,
Chairman.

The committee on insurance made the following report :

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Have had the same under consideration and recommend that the same do pass.

ANTON FRIED,
Chairman.

Also,
Senate Bill No. 25,

A bill for an act in relation to the defense of suicides in suits brought upon life insurance policies.

Have had the same under consideration and recommend that the same do pass.

Also,
House Bill No. 105,

A bill for an act to amend section 3146 of the Revised Codes of North Dakota, relating to the time for the election of directors of county mutual insurance companies, who may vote at such elections, and who shall be considered members of said companies.

Have had the same under consideration and recommend that the same do pass.

Also,
House Bill No. 119,

A bill for an act regulating foreign mutual hail and cyclone insurance companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,
Chairman.

Mr. Fried moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.
The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 178,

A bill for an act authorizing and empowering all insurance corporations organized and doing business on the paid in capital stock plan and engaged in the business of writing fire, marine, hail and tornado insurance and authorized to transact business in this state; to re-insure a part or all of any risk assumed, in insurance corporations not authorized to transact business in this state; providing penalties for the violation of this act and prescribing the duties of the commissioner of insurance in relation thereto.

Have had the same under consideration and recommend that the same do pass.

ANTON FRIED,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 128,

A bill for an act to provide for a machinist's lien.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the words "any other machine" in line 3 of section 1 of the printed bill and inserting in lieu thereof "threshing outfit."

By striking out the word "thirty" in line 4 of section 2 of the printed bill and inserting in lieu thereof the word "ten."

By striking out all after the word "liens" in line 2 of section 3 of the printed bill and inserting in lieu thereof "which lien may be foreclosed as provided by article 4 of chapter 29 of the code of civil procedure and any action to foreclose all lienors, mortgagees or assignees as shown by the files in the office of the register of deeds, who may have mortgages or other liens covering the property involved and which have been filed prior to the filling of the lien to be foreclosed, shall be made parties to such action.

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman Pro Tem.

MOTIONS AND RESOLUTIONS.

Mr. Cassell offered the following concurrent resolution and moved its adoption:

Resolved, By the house of representatives of the Eighth legislative assembly, the senate concurring:

That when the house adjourns on Friday, February 13, it shall stand adjourned until Friday, February 20, 1903, at 2 o'clock p. m.

Which motion prevailed, and
The concurrent resolution was adopted.

FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Sheils introduced
House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

Which was read the first and second times, and
Referred to the committee on temperance.

The committee on engrossed bills made the following report:
Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 118,

A bill for an act defining legal fences, providing for the construction and maintenance of partition fences, how controversies over construction of legal fences may be settled and providing penalties for violating the provisions of this act.

Also,

House Bill No. 133,

A bill for an act to legalize mortgages executed by executors, administrators and guardians, upon the estates of deceased persons, minors and incompetent persons, executed by order of the county court, after the repeal of chapter fifty-four of the laws of eighteen hundred and ninety, and before the enactment of chapter one hundred ten of the laws of eighteen hundred and ninety-nine.

Also,

House Bill No. 136,

A bill for an act prescribing the qualifications of judges of the county courts.

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

Also,

House Bill No. 146,

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.

Also,

House Bill No. 148,

A bill for an act to amend section 2071 under the Revised Codes of North Dakota, relating to the payment of probate fees to the county treasurer.

Also,

House Bill No. 149,

A bill for an act to amend section 5847 of the Revised Codes of 1899 of the state of North Dakota, relative to the foreclosure of mortgages for installments.

Also,

House Bill No. 94,

A bill for an act to provide for the adoption of children.

Also,

House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

Also,

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.

M. MATTSON,
Chairman.

Mr. Sheils introduced

House Bill No. 205,

A bill for an act to amend section 5526 of the Revised Codes of 1899, relating to exemptions.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Steinberg introduced

House Bill No. 206,

For an act to amend chapter 114 of the session laws of 1901, relating to jurors.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Stevens introduced

House Bill No. 207,

A bill for an act to amend section 1207 of the Revised Codes of the state of North Dakota for 1899, relating to valuation of property to be assessed.

Which was read the first and second times, and

Referred to the committee on taxation and tax laws

Mr. Gagnon introduced
House Bill No. 208,

For an act to amend section 744 of the Revised Codes of the state of North Dakota, 1899, relating to certificates, when revocable.

Which was read the first and second times, and
Referred to the committee on education.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 10, 1903.

I have the honor to transmit herewith

Senate Bill No. 39,

A bill for an act defining the mode of inflicting the death penalty; designating the warden of the North Dakota penitentiary executioner; prescribing that the death penalty shall only be inflicted within the walls of the North Dakota penitentiary, how execution may be suspended, and repealing sections 8309 to 8324, both inclusive, of the Revised Codes.

Also.

Senate Bill No. 102,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for conservatories, for installation of electric light plant, for equipment of science hall and for other necessary buildings and improvements for the North Dakota agricultural college at Fargo.

Also,

Senate Bill No. 108,

A bill for an act providing that no tax shall be set aside for any irregularity or defect in form, or illegality in assessing, laying or levying such tax, if the person against whom, or the property upon which such tax is levied, assessed or laid is in fact liable to taxation, and giving the courts power to amend and correct all irregularities and defects in the form or manner of assessment.

Also.

Senate Bill No. 107,

A bill for an act to amend section 4 of chapter 156, of the session laws of 1901, relating to the appropriation and payment of moneys derived from taxation for the maintenance of state schools.

Also.

Senate Bill No. 106,

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

Also,

Senate Bill No. 116,

A bill for an act to amend and re-enact subdivision 6 of section 3576 of article 3, civil code of the Revised Codes of 1899, relating to acknowledgments by deputies.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

Also,

House Bill No. 2,

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the Blind Asylum at Bathgate, North Dakota.

Which the senate has passed without change.

R. M. TUTTLE,

Secretary.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 10, 1903.

To the House of Representatives:

Mr. Speaker:

I have the honor to inform you that I have approved and filed with the honorable secretary of state

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.

House Bill No. 19,

A bill for an act providing how the unoccupied lots of town-sites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

House Bill No. 126,

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace, in case of vacancy.

I have the honor to be,

Very respectfully,

FRANK WHITE,

Governor.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:
Mr. Speaker:

Your committee on engrossed bills have examined
Senate Bill No. 43,

A bill for an act authorizing the board of trustees of the state university and school of mines to issue bonds to provide a fund for the necessary repairs of the buildings of the state university and to pay the floating indebtedness of said university.

And find the same correctly re-engrossed.

M. MATTSON,
Chairman.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Underwood introduced
House Bill No. 209,

A bill for an act regulating the service of processes by constables and the charging and collection of fees therefor.

Was read the first and second times, and
Referred to the committee on judiciary.

Mr. Underwood introduced
House Bill No. 210,

A bill for an act to provide for notice to be given before cancellation, termination or forfeiture of or under any instrument for the future conveyance of lands, or of any equity therein, and to prohibit agreements for such cancellation, termination or forfeiture without such notice.

Was read the first and second times, and
Referred to the committee on judiciary.

Mr. Leech introduced
House Bill No. 211,

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406, 6408, 6409, 6410, of the Revised Codes, relating to claims against estates of decedents.

Was read the first and second times, and
Referred to the committee on judiciary.

Mr. Peterson introduced
House Bill No. 212,

A bill for an act to amend section 1257 of the Revised Codes of 1899, and to repeal section 1245 of the Revised Codes of 1899, relating to the lien of personal property taxes.

Was read the first and second times, and
Referred to the committee on taxes and tax laws.

Mr. Cassell introduced
House Bill No. 213.

A bill for an act to amend section 3563 of the Revised Codes of 1899, relating to recording of transfers of real estate, and giving validity to the recording of instruments heretofore recorded.

Was read the first and second times, and
Referred to the committee on schools and public lands.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 10, 1903.

Mr. Speaker:

I have the honor to report that the senate has concurred in the house resolution to listen to Dr. H. W. Coe this afternoon in joint session.

Respectfully,
R. M. TUTTLE,

Secretary.

Mr. Simpson moved

That the chief clerk be directed to notify the senate that the house is now ready to receive the senate in joint session to receive the commissioner of the exposition to be held in Portland, Oregon, in 1905,

Which motion prevailed.

The speaker announced a recess until 3 o'clock p. m.

AFTER RECESS.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 10, 1903.

Mr. Speaker:

I have the honor to report that the senate has concurred in the house resolution to the effect that when the legislative assembly adjourn tomorrow it adjourns to meet on Thursday, Feb. 12, at 1 p. m.

The senate has also concurred in the house concurrent resolu-

tion, providing that when the legislative assembly adjourns on Friday, the 13th inst., it shall stand adjourned until Feb. 20.

R. M. TUTTLE,
Secretary.

JOINT SESSION.

The joint session of the two houses was called to order by the president of the senate.

The president appointed as a committee to escort the commissioner to the house Senator Robinson and Mr. Watts.

The committee returned and escorted the commissioner from Portland to the speaker's desk.

The joint session was then addressed by Dr. Coe of Portland, Oregon.

Mr. Mallough moved

That the joint session do now dissolve.

Which motion prevailed, and

The joint session dissolved.

House reconvened.

The speaker called Mr. Cassell to the chair.

CALENDAR.

Senate Bill No. 47.

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays 11, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Aslakson
Baker of Ramsey
Bartz
Beck
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chisholm
Cole
Dahl
Davis
Dickinson
Dieball
Ellison
Ferguson

Messrs.—

Kraabel
Lee
Leech
Lillie
Lish
Lyons
Maddock
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKnight
McKenzie
McLain
Meidinger
Midgarden
Miller

Messrs.—

Peterson of Wells
Phifer
Richmond
Robillard
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Simpson
Smart of Nelson
Stavens
Steinberg
Stevens
Thompson
Underwood
Wagner
Wall

Messrs.—	Messrs.—	Messrs.—
Flados	Mooney	Watson
Fried	Movius	Weed
Gilbert	Noben	Weigel
Gullerud	Oksendahl	Welo
Hill	Palfrey	Young
Johnson	Patterson	Mr. Speaker
Knudtson	Peterson of Townér	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Tufte
Allen	Noitimier	Watts
Connolly	Rogers	Wing
Hanson	Smart of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Gagnon	Rose
Chaffee	Hammer	Skjold
Chevalier	Heath	Truemner
Elton	Palmer	Van Arnam

Messrs. Blank and Heath being excused.

So the bill as amended passed, and the title was agreed to.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred
House Bill No. 17,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Have had the same under consideration and recommend that the same do pass.

JAS. ELTON,
Chairman.

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Richmond
Allen	Kraabel	Robillard
Aslakson	Lee	Rogers
Baker of Ramsey	Leech	Rose
Bartz	Lillie	Ryan
Beck	Lish	Scheer
Bostrom	Lyons	Schouweiler
Bourassa	Maddock	Senour

Messrs.—	Messrs.—	Messrs.—
Braaten	Mallough	Severson
Brown	Mattson	Shiels
Burness	McClure	Simpson
Buttz	McDowell	Skjold
Cassell	McGahan	Smart of Nelson
Chisholm	McKenzie	Smart of Traill
Cole	McKnight	Stavens
Connolly	McLain	Steinberg
Dahl	Meldinger	Stevens
Davis	Midgarden	Thompson
Dickinson	Miller	Truemner
Dieball	Mooney	Tufte
Ellison	Movius	Underwood
Ferguson	Noben	Wagner
Flados	Noitimier	Wall
Fried	Oksendahl	Watson
Gilbert	Palfrey	Watts
Gullerud	Palmer	Weed
Hanson	Patterson	Weigel
Harvey	Peterson of Wells	Welo
Hill	Peterson of Towner	Wing
Johnson	Phifer	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Gagnon	McCrea
Chaffee	Hammer	Van Arnam
Chevallier	Heath	Mr. Speaker
Elton		

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

House Bill No. 148,

A bill for an act to amend section 2071 under the Revised Codes of North Dakota, relating to the payment of probate fees to the county treasurer.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 88, nays 2, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Phifer
Allen	Kraabel	Richmond
Aslakson	Lee	Robillard
Baker of Ramsey	Leech	Rogers
Bartz	Lillie	Scheer
Beck	Lish	Schouweiler
Bostrom	Lyons	Senour
Bourassa	Maddock	Severson
Braaten	Mallough	Shiels
Brown	Mattson	Skjold
Burness	McClure	Simpson
Buttz	McCrea	Smart of Nelson
Cassell	McDowell	Smart of Traill

Messrs.—	Messrs.—	Messrs.—
Chisholm	McGahan	Stavens
Cole	McKenzie	Steinberg
Connolly	McKnight	Stevens
Dahl	McLain	Thompson
Davis	Meidinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Underwood
Ellison	Mooney	Wagner
Ferguson	Movius	Wall
Flados	Noben	Watts
Fried	Noltmier	Weed
Gilbert	Oksendahl	Weigel
Gullerud	Palfrey	Welo
Hanson	Palmer	Wing
Harvey	Patterson	Young
Hill	Peterson of Towner	
Johnson	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Gagnon	Van Arnam
Chaffee	Hammer	Mr. Speaker
Chevallier	Heath	
Dickinson	Rose	

Messrs. Ryan and Watson voting in the negative.

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

House Bill No. 94,

A bill for an act to provide for the adoption of children.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Phifer
Allen	Kraabel	Richmond
Aslakson	Lee	Robillard
Baker of Ramsey	Leech	Rogers
Bartz	Lillie	Rose
Beck	Lish	Ryan
Bostrom	Lyons	Scheer
Bourassa	Maddock	Schouweiler
Braaten	Mallough	Senour
Brown	Mattson	Severson
Burtness	McClure	Shiels
Buttz	McCrea	Simpson
Cassell	McDowell	Skjold
Chisholm	McGahan	Smart of Nelson
Cole	McKenzie	Smart of Traill
Connolly	McKnight	Stavens
Dahl	McLain	Steinberg
Dickinson	Meidinger	Stevens
Dieball	Midgarden	Thompson

Messrs.—	Messrs.—	Messrs.—
Elton	Miller	Tufte
Ellison	Mooney	Underwood
Ferguson	Movius	Wagner
Flados	Noben	Wall
Fried	Noltmier	Watson
Gagnon	Oksendahl	Watts
Gilbert	Palfrey	Weed
Gullerud	Palmer	Weigel
Hanson	Patterson	Welo
Harvey	Peterson of Towner	Wing
Hill	Peterson of Wells	Young
Johnson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Davis	Truemner
Chaffee	Hammer	Van Arnam
Chevalier	Heath	Mr. Speaker

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

House Bill No. 133,

A bill for an act to legalize mortgages executed by executors, administrators and guardians, upon the estates of deceased persons, minors and incompetent persons, executed by order of the county court, after the repeal of chapter fifty-four of the laws of eighteen hundred and ninety, and before the enactment of chapter one hundred ten of the laws of eighteen hundred and ninety-nine.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Richmond
Allen	Lee	Robillard
Aslakson	Leech	Rogers
Baker of Ramsey	Lillie	Rose
Bartz	Lish	Ryan
Beck	Lyons	Scheer
Bostrom	Maddock	Schouweller
Bourassa	Mallough	Senour
Braaten	Mattson	Severson
Brown	McClure	Shiels
Buttz	McCrea	Skjold
Cassell	McDowell	Simpson
Chisholm	McGahan	Smart of Nelson
Cole	McKenzie	Smart of Traill
Connolly	McKnight	Stavens
Dahl	McLain	Steinberg
Davis	Meldinger	Stevens
Dieball	Midgarden	Thompson
Ellison	Miller	Truemner

Messrs.—
 Ferguson
 Flados
 Fried
 Gagnon
 Gilbert
 Gullerud
 Hanson
 Harvey
 Heath
 Johnson
 Hill

Messrs.—
 Mooney
 Movius
 Noben
 Noltimier
 Oksendahl
 Palfrey
 Palmer
 Patterson
 Peterson of Towner
 Peterson of Wells
 Phifer

Messrs.—
 Tuft
 Underwood
 Wagner
 Wall
 Watson
 Watts
 Weed
 Welgel
 Welo
 Wing
 Young

Absent and not voting:

Messrs.—
 Blank
 Burtness
 Chaffee
 Chevalier

Messrs.—
 Dickinson
 Elton
 Hammer
 Knudtson

Messrs.—
 Van Arnam
 Mr. Speaker

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

House Bill No. 146,

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—
 Aandahl
 Allen
 Aslakson
 Baker of Ramsey
 Bartz
 Beck
 Bostrom
 Bourassa
 Braaten
 Brown
 Burtness
 Buttz
 Cassell
 Chaffee
 Chisholm
 Cole
 Connolly
 Dahl
 Davis
 Dieball
 Elton
 Ellison
 Ferguson
 Flados

Messrs.—
 Johnson
 Knudtson
 Kraabel
 Lee
 Leech
 Lillie
 Lish
 Lyons
 Maddock
 Mallough
 Mattson
 McClure
 McCrea
 McDowell
 McGahan
 McKenzie
 McKnight
 McLain
 Meidinger
 Midgarden
 Mooney
 Movius
 Noben
 Noltimier

Messrs.—
 Richmond
 Robillard
 Rogers
 Rose
 Ryan
 Scheer
 Schouweiler
 Senour
 Severson
 Shiels
 Skjold
 Simpson
 Smart of Nelson
 Smart of Trall
 Stavens
 Steinberg
 Stevens
 Thompson
 Truemner
 Tuft
 Underwood
 Wagner
 Wall
 Watson

Messrs.—	Messrs.—	Messrs.—
Fried	Oksendahl	Watts
Gagnon	Palfrey	Weigel
Gilbert	Palmer	Welo
Gullerud	Patterson	Wing
Hanson	Peterson of Towner	Young
Harvey	Peterson of Wells	Mr. Speaker
Hill	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Hammer	Van Arnam
Chevalier	Heath	Weed
Dickinson	Miller	

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

Mr. Beck moved

To expunge from the record the motion and proceedings thereunder in reference to House Bill No. 17.

Which motion prevailed.

House Bill No. 149,

A bill for an act to amend section 5847 of the Revised Codes of 1899 of the state of North Dakota, relative to the foreclosure of mortgages for installments.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays 6, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Peterson of Wells
Allen	Johnson	Phifer
Bartz	Knudtson	Richmond
Beck	Kraabel	Robillard
Bostrom	Lee	Rogers
Bourassa	Leech	Rose
Braaten	Lillie	Scheer
Brown	Lish	Schouweller
Burtness	Lyons	Senour
Buttz	Mallough	Shiels
Cassell	Mattson	Simpson
Chisholm	McClure	Skjold
Cole	McCrea	Smart of Nelson
Connolly	McDowell	Stavens
Dahl	McGahan	Steinberg
Davis	McLain	Stevens
Dickinson	Midgarden	Truemner
Dieball	Meidinger	Tufte
Elton	Miller	Underwood
Ellison	Mooney	Wagner
Ferguson	Movius	Wall
Flados	Noben	Watts
Fried	Noltmier	Weed
Gagnon	Oksendahl	Weigel

Messrs.—	Messrs.—	Messrs.—
Gilbert	Palfrey	Welo
Gullerud	Palmer	Wing
Hanson	Patterson	Young
Harvey	Peterson of Towner	Mr. Speaker
Heath		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Ryan	Thompson
Maddock	Smart of Traill	Watson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Chevallier	McKnight
Blank	Hammer	Severson
Chaffee	McKenzie	Van Arnam

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

The speaker in the chair.

House Bill No. 136,

A bill for an act prescribing the qualifications of judges of the county courts.

Was read the third time.

Mr. Fried moved

That further consideration of the bill be indefinitely postponed.

Mr. Young moved

That the bill be referred back to the committee on judiciary.

Which motion was lost.

The question being on the motion to indefinitely postpone.

The same prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 63,

A bill for an act to provide for the erection and construction of the north wing of the capitol, for the issuance and sale of one hundred thousand dollars of bonds, and for the sale of lands granted the state for the purpose of erecting public buildings at the capitol.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 78, nays 11, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gilbert	Patterson
Allen	Hanson	Peterson of Wells
Aslakson	Harvey	Phifer
Baker of Ramsey	Hill	Richmond
Bartz	Knudtson	Robillard
Bostrom	Kraabel	Rogers
Bourassa	Lee	Rose
Braaten	Leech	Ryan
Brown	Lish	Schouweiler
Burtness	Lyons	Senour
Buttz	Maddock	Shiels
Cassell	Mallough	Simpson
Chaffee	Mattson	Smart of Nelson
Chisholm	McClure	Steinberg
Cole	McDowell	Stevens
Connolly	McGahan	Truemner
Dahl	McKnight	Underwood
Davis	McLain	Wagner
Dickinson	Meidinger	Wall
Dieball	Midgarden	Watson
Elton	Miller	Watts
Ellison	Mooney	Weed
Ferguson	Movius	Weigel
Flados	Noben	Wing
Fried	Noltmier	Young
Gagnon	Palmer	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gullerud	Peterson of Towner	Thompson
Johnson	Scheer	Tufte
Oksendahl	Smart of Traill	Welo
Palfrey	Stavens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Heath	Severson
Blank	Lillie	Skjold
Chevaller	McCrea	Van Arnam
Hammer	McKenzie	

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

Mr. McGahan moved

That the vote by which Senate Bill No. 63 passed be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

Mr. McLain gave notice that on tomorrow or as soon thereafter as is convenient he will move to reconsider the vote by which House Bill No. 148 was passed.

Senate Bill No. 80,

A bill for an act authorizing the state board of equalization to include in the annual levy for bond interest and bond sinking fund a sufficient amount to pay the interest and provide a sink-

ing fund for the state normal school bonds issued under the provisions of section ten (10) chapter eighty-nine (89) session laws of 1891.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 89, nays 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Richmond
Allen	Knudtson	Robillard
Aslakson	Kraabel	Rogers
Bartz	Lee	Rose
Bostrom	Leech	Scheer
Bourassa	Lillie	Schouweiler
Braaten	Lish	Senour
Brown	Lyons	Severson
Burtness	Maddock	Shiels
Buttz	Mallough	Skjold
Cassell	Mattson	Simpson
Chaffee	McClure	Smart of Nelson
Chisholm	McCrea	Smart of Traill
Cole	McDowell	Steinberg
Connolly	McKenzie	Stevens
Dahl	McKnight	Thompson
Davis	McLain	Truemner
Dickinson	Meidinger	Tuft
Dieball	Midgarden	Underwood
Elton	Miller	Wagner
Ellison	Mooney	Wall
Ferguson	Movius	Watson
Flados	Noben	Watts
Fried	Noltimier	Weed
Gagnon	Oksendahl	Weigel
Gilbert	Palfrey	Welo
Gullerud	Patterson	Wing
Hanson	Peterson of Towner	Young
Harvey	Peterson of Wells	Mr. Speaker
Hill	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hammer	Palmer
Beck	Heath	Ryan
Blank	McGahan	Van Arnan
Chevaller		

Mr. Stavens voted in the negative.

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

Mr. Young moved

That the vote by which Senate Bill No. 80 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 81,

A bill for an act authorizing the board of directors of the state normal schools to issue bonds to provide a fund for the erection and equipment of necessary additional buildings and for other necessary improvements for the normal school at Valley City and Mayville.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Richmond
Allen	Knudtson	Robillard
Aslakson	Kraabel	Rogers
Baker of Ramsey	Lee	Rose
Bartz	Leech	Ryan
Bostrom	Lille	Scheer
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Maddock	Shiels
Burtness	Mallough	Skjold
Cassell	McClure	Simpson
Chaffee	McCrea	Smart of Nelson
Chisholm	McDowell	Smart of Traill
Cole	McGahan	Steinberg
Connolly	McKenzie	Stevens
Dahl	McKnight	Thompson
Davis	McLain	Truemner
Dickinson	Meidinger	Tufte
Dieball	Midgarden	Underwood
Elton	Miller	Wagner
Ellison	Mooney	Wall
Ferguson	Movius	Watson
Flados	Noben	Weed
Fried	Noltimier	Weigel
Gagnon	Oksendahl	Welo
Gilbert	Palfrey	Wing
Gullerud	Patterson	Young
Hanson	Peterson of Towner	Mr. Speaker
Harvey	Peterson of Wells	
Hill	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Hammer	Stavens
Blank	Heath	Van Arnam
Buttz	Mattson	Watts
Chevalier	Schouweller	

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

Mr. Kraabel moved

That the vote by which Senate Bill No. 81 passed be reconsid-

ered, and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 79,

A bill for an act authorizing the board of trustees of the state reform school to issue bonds to provide for the furnishing of the reform school, and for the construction of stables and workshop and equipment of the same, and for the purchase of lands adjoining the state reform school necessary to furnish employment for the inmates of said reform school.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Robillard
Allen	Kraabel	Rogers
Aslakson	Lee	Rose
Baker of Ramsey	Leech	Ryan
Bartz	Lillie	Scheer
Bostrom	Lish	Schouweller
Bourassa	Lyons	Senour
Braaten	Maddock	Severson
Brown	Mallough	Shiels
Burtness	Mattson	Skjold
Buttz	McClure	Simpson
Chaffee	McCrea	Smart of Nelson
Chisholm	McDowell	Stavens
Cole	McGahan	Steinberg
Connolly	McKenzie	Stevens
Dahl	McLain	Thompson
Davis	Meidinger	Truemner
Dickinson	Midgarden	Tufts
Dieball	Miller	Underwood
Elton	Mooney	Wagner
Ellison	Movius	Wall
Ferguson	Noben	Watson
Flados	Noltimier	Watts
Fried	Oksendahl	Weed
Gagnon	Palfrey	Weigel
Gilbert	Palmer	Welo
Gullerud	Patterson	Wing
Hanson	Peterson of Wells	Young
Harvey	Peterson of Towner	Mr. Speaker
Hill	Phifer	
Johnson	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Chevalier	McKnight
Blank	Hammer	Smart of Trall
Cassell	Heath	Van Arnam

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

Mr. Simpson moved

That the vote by which Senate Bill No. 79 passed be reconsidered, and

The motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 43,

A bill for an act authorizing the board of trustees of the state university and school of mines to issue bonds to provide a fund for the necessary repairs of the buildings of the state university and to pay the floating indebtedness of said university.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 87, nays 3, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Peterson of Wells
Allen	Knudtson	Phifer
Aslakson	Kraabel	Richmond
Baker of Ramsey	Lee	Robillard
Bartz	Leech	Rogers
Bostrom	Lillie	Rose
Bourassa	Lish	Ryan
Brown	Lyons	Scheer
Burtness	Maddock	Severson
Buttz	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McClure	Simpson
Chisholm	McCrea	Smart of Nelson
Cole	McDowell	Stavens
Connolly	McGahan	Steinberg
Dahl	McKenzie	Stevens
Davis	McKnight	Thompson
Dickinson	McLain	Truemner
Dieball	Meldinger	Tufte
Elton	Midgarden	Underwood
Ellison	Miller	Wagner
Ferguson	Mooney	Well
Flados	Movius	Watson
Fried	Noben	Watts
Gagnon	Noitimier	Weed
Gilbert	Oksendahl	Weigel
Gullerud	Palfrey	Welo
Hanson	Palmer	Young
Hill	Patterson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Harvey	Schouweiler	Senour

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Hammer	Smart of Traill
Blank	Heath	Van Arnam
Braaten	Peterson of Towner	Wing
Chevalier		

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

Mr. Harvey explained his vote.

Mr. Young explained his vote.

Mr. McLain moved

That the vote by which Senate Bill No. 43 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

GENERAL ORDERS.

Mr. Richmond moved

That the house resolve itself into a committee of the whole for the consideration of House Bill No. 70.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. McGahan to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

And recommend that the same be amended as follows:

By striking out the word "Bottineau" in line 6 of section 1. printed bill, and insert in lieu thereof the word "Pierce."

By striking out the word "Pierce" in line 7, section 1, and inserting the word "Bottineau."

By striking out the word "December" in line 8 of section 5, and inserting the word "February."

By striking out the word "May" in line 9 of section 5, and inserting the word "June."

By striking out the word "Bottineau" in line 12 of section 5, and inserting the word "Pierce."

By striking out the word "Pierce" in line 17 of section 5, and inserting the word "Bottineau."

By striking out the word "Pierce" in line 11 of section 6, and inserting the word "Bittineau."

Amended by adding after the word "effect" in line 21, page 5, of printed bill the following:

"Provided, further; that the judge of the said second judicial district shall act as judge of the said eighth judicial district until the judge of the said eighth judicial district shall have been appointed and qualified."

And when so amended that the bill pass.

L. D. McGAHAN,
Chairman.

Mr. McGahan moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.
Mr. Tufte moved
That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK NORTH DAKOTA,
February 11, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Baker of Ramsey, Blank and Heath.

Messrs. Blank and Heath being excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-sixth day have carefully examined the same and recommend that the same be corrected as follows:

On page 7, in the bottom line of said page, the word "consideration," be corrected as to spelling.

And when so amended recommend that the same be approved.

B. H. MALLOUGH,
Chairman Pro Tem.

Mr. Mallough moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Wagner presented the following communication:

Rolla, N. D., Feb. 9, 1903.

Dear Sir:—At the regular meeting of the Rolette County Enforcement League, held at Rolla, Feb. 2, 1903, the following resolution was unanimously adopted:

"Resolved, that it is the sense of this league that bills now before the legislature of this state relating to the repeal of druggist permits; requiring druggists in rural towns and villages to carry a line of stock, exclusive of alcoholic liquors, to the value of \$1,500; the anti-cigarette bill; and the bill making the age of consent 18 years, should become laws."

The president and secretary of said league were instructed to forward copies of this resolution to the senators and representatives of said county, and urge their earnest support for the passage of the above mentioned bills.

FRANK HESKETH,
Secretary.

Yours very truly,

J. A. HAIG,
President.

Mr. Cole presented the following communication:

Dear Sir:—We are pleased to know of the measure in the house in reference to prohibiting the manufacturing and sale of cigarettes in the state. We hereby take the liberty to ask you to vote for the McRae bill.

Let me also inform you that a vote on this matter was taken by my congregation near Kenmare, N. D., Feb. 8, and fifty votes was in favor of sending you this request to use your influence in favor of the anti-cigarette bill and not vote against the same.

I remain, yours truly,

L. EKELUND,
Pastor Scandinavian Baptist Church.

Kenmare, N. D.

REPORTS OF STANDING COMMITTEES.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred
House Bill No. 186,

A bill for an act amending section 250 of the Revised Codes of North Dakota, relating to county boards of health.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 115,

A bill for an act to prohibit the delivery or depositing of drugs, medicines, antiseptics, disinfectants and cosmetics, either for internal or external use upon the premises of another.

Have had the same under consideration and recommend that the same do pass.

J. H. McLAIN,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 11, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 92,

A bill for an act to amend sections 1139 and 1141 of the Revised Codes, North Dakota, 1899, relating to the township road tax list, the return thereof to the township clerk by the overseer of highways, and the making out and delivering by the township clerk of the delinquent road tax list to the county auditor and providing the times at which such duties shall be performed.

Also,

Senate Bill No. 93,

A bill for an act to amend and re-enact section 7553 of chapter 61 of the penal code of the Revised Codes of 1899, relating to injuries to or obstruction of any telegraph lines or appurtenances or apparatus therewith connected by adding thereto and bringing within the provisions therewith telephone lines.

Also,

Senate Bill No. 91,

A bill for an act to repeal sections 1586 and 1587 of the Revised Codes of 1899, relating to cruelty to animals.

Also,

Senate Bill No. 94,

A bill for an act for the protection of game, defining what shall be considered prima facie evidence of the violation of this act, and providing a penalty therefor.

Also,

Senate Bill No. 76,

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

Also,

Senate Bill No. 100,

A bill for an act relating to the time of holding village annual elections in incorporated villages and to amend section 2355 of the Revised Codes of North Dakota of 1899.

Also,

Senate Bill No. 101,

A bill for an act to amend section 1896 of the Revised Codes.

relating to term of offices of county commissioners and also to repeal chapter 33 of the special laws of 1885.

Also,

Senate Bill No. 85,

A bill for an act to amend section 3225a of chapter 19½ of the Revised Codes (Civil Code), of 1899, being section 1, of chapter 156 of the session laws of 1899, being an act to provide for the granting of the right of way by municipal corporations for telephone lines on and over public grounds, streets, alleys and highways, and making valid such grants heretofore made.

Also,

Senate Bill No. 88,

A bill for an act to amend sections 1447 and 1448 of the Revised Codes as amended by section 1, chapter 79 of the laws of 1899 relating to the establishment, construction and maintenance of drains.

Also,

House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

Also,

House Bill No. 25,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

Which the senate has passed unchanged.

R. M. TUTTLE,

Secretary.

REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 177,

A bill for an act to amend section 2079 of the Revised Codes of North Dakota, 1899, fixing the fees to be charged and collected by the register of deeds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,

Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 56.

A bill for an act to amend chapter 204 of the session laws of 1901, relating to the time township officers shall qualify.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 83,

A bill for an act to amend section 7678 of the Revised Codes, 1899, being chapter 72 of the session laws of 1899, relating to game and fish.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 68,

A bill for an act changing the location of the institution for feeble minded from Jamestown to Grafton.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 64,

A bill for an act to repeal chapter 83 of the session laws of 1901.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved
 That the report be adopted.
 Which motion prevailed, and
 The further consideration of the bill was indefinitely postponed.
 The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
 Senate Bill No. 29,
 A bill for an act authorizing the appointment of commissioners
 of deeds and declaring an emergency to exist.
 Have had the same under consideration and recommend that
 the same do pass.

Also

House Bill No. 107.
 A bill for an act to prevent and punish the desecration of the
 flag of the United States.
 Have had the same under consideration and recommend that
 the same be indefinitely postponed.

W. J. WATTS,
 Chairman.

Mr. Watts moved
 That the report be adopted.
 Which motion prevailed, and
 The further consideration of the bill was indefinitely postponed.
 The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
 House Bill No. 158,
 A bill for an act prohibiting discrimination in the matter of
 compensation of common carriers of messages by telegraph, and
 prescribing penalties for violations of this act.
 Have had the same under consideration and recommend that
 the same do pass.

W. J. WATTS,
 Chairman.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined
 House Bill No. 2,
 A bill for an act to provide for the issuance of bonds for the
 erection of necessary buildings for the Blind Asylum at Bath-
 gate, North Dakota.

And find the same correctly enrolled.

W. A. McCLURE,
 Chairman.

The committee on banks and banking made the following report:
Mr. Speaker:

Your committee on banks and banking to whom was referred
House Bill No. 57,

A bill for an act to amend article 3, section 4064 of the Revised Codes of 1899, relative to loan of money, usury defined.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AUG. PETERSON,
Chairman.

Mr. Peterson moved
That the report be adopted.

Mr. Harvey moved
As a substitute that the bill be referred to general orders.
Which substitute motion was lost.

The question being on the adoption of the report the same prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred:
House Bill No 53,

A bill for an act to amend section 1940 of the Revised Codes of North Dakota 1899, relating to advertisement for sealed proposals for the deposit of county funds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AUG. PETERSON,
Chairman.

Mr. Peterson moved
That the report be adopted.
Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred
House Bill No. 184,

A bill for an act to amend section 1944 of the Revised Codes of North Dakota, 1899, relative to the duty of the board in designating depositories.

Have had the same under consideration and recommend that the same do pass.

AUG. PETERSON,
Chairman.

The committee on taxes and tax laws made the following report:
Mr. Speaker:

Your committee on taxes and tax laws to whom was referred
 House Bill No. 187,

A bill for an act to amend section 1278 of the Revised Codes of North Dakota, 1899, providing that no deed shall be recorded without auditor's certificate of taxes paid.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. V. BROWN,
 Chairman.

Mr. Brown moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 Senate Bill No. 112,

A bill for an act amending section 424 of the Revised Codes of 1899, relating to admission of attorneys on certificates from other states.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 173,

A bill for an act relating to motions for review on appeals to the supreme court.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 181,

A bill for an act to amend section 7668 of the Revised Codes relating to the crime of removing, concealing, selling or disposing of chattel property subject to lien.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
 Chairman.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred
 House Bill No. 65,

A bill for an act to amend section 3071a, Revised Codes, 1899,

providing for the time within which a consignee may remove property from the cars of a railroad company, without charge for demurrage or storage.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAS. ELTON,
Chairman.

Mr. Elton moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 120,

A bill for an act to reimburse loaders or shippers of carload freight for all grain doors furnished by them and for material furnished and used for same.

Have had the same under consideration and recommend that the same do pass.

JAS. ELTON,
Chairman.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 145,

A bill for an act to amend section 3023 of the Revised Codes relating to long and short hauls, upon railroads and common carriers.

Have had the same under consideration and recommend that the same do pass.

JAS. ELTON,
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to, not entitled to tuition fund, when. Enumeration.

Have had the same under consideration and recommend that he same be amended as follows:

By striking out all of section 714 after word "apportioned" and substituting in lieu thereof the following:

"Provided further that it shall be the duty of the county superintendent to withhold the apportionment of the county and state tuition fund from

any school district other than the new districts herein provided for; which has not maintained school therein for a period of not less than four school months in the school year preceding such apportionment or has not otherwise provided school facilities for the pupils of that district."

And when so amended recommend that the bill do pass as amended.

GEO. W. H. DAVIS,
Chairman.

The committee on corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporations other than municipal to whom was referred

Senate Bill No. 57,

A bill for an act to amend section 2559 of the Revised Codes of the state of North Dakota, of 1899, relating to notice of election to township officers.

Have had the same under consideration and recommend that the same be amended as follows:

Insert section 2 as follows:

Section 2. Repeal.) All acts and parts of acts in conflict with the provisions of this act, are hereby repealed.

Change the emergency clause to section 3.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 58,

A bill for an act to amend chapter 205 of the session laws of 1901, relating to the meetings of township board of supervisors.

Have had the same under consideration and recommend that the same do pass.

E. A. MOVIUS,
Chairman.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 180,

A bill for an act to amend section 8362 of the Revised Codes of the state of North Dakota, 1899, relating to clerk issuing subpoenas in behalf of a defendant in criminal actions.

Also,

House Bill No. 178,

A bill for an act authorizing and empowering all insurance corporations organized and doing business on the paid in capital stock plan and engaged in the business of writing fire, marine, hail and tornado insurance and authorized to transact business

in this state; to re-insure a part or all of any risk assumed, in insurance corporations not authorized to transact business in this state; providing penalties for the violation of this act and prescribing the duties of the commissioner of insurance in relation thereto.

Also,

House Bill No. 165,

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Also,

House Bill No. 162,

A bill for an act for the equitable adjustment and settlement of the delinquent taxes due to the state from the several counties

Also,

House Bill No. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Also,

House Bill No. 154,

A bill for an act regulating the handling of gasoline.

Also,

House Bill No. 105,

A bill for an act to amend section 3146 of the Revised Codes of North Dakota, relating to the time for the election of directors of county mutual insurance companies, who may vote at such elections, and who shall be considered members of said companies.

Also,

House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Also,

House Bill No. 153,

A bill for an act to amend section 1 of chapter 158 of the session laws of 1899, being section 3491a of the Revised Codes of North Dakota, 1899, relating to titles to real property.

Also,

House Bill No. 159,

A bill for an act to amend section 6635 of the Revised Codes of the state of North Dakota relative to procedure in civil actions.

Also,

House Bill No. 172,

A bill for an act to amend section 5603, Revised Codes, relating to appeals in civil actions.

Also,

House Bill No. 176,

A bill for an act to amend section 5498, Revised Codes of 1899, relating to the filing of abstracts of justices judgments in the office of the clerk of the district court and prescribing the effect

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

Mr. McLain moved
That the vote by which
House Bill No. 148,

A bill for an act to amend section 2071 under the Revised Codes of North Dakota, relating to the payment of probate fees to the county treasurer.

Passed on February 10, 1903, be reconsidered and that the said bill be referred to the committee on state affairs.

Which motion prevailed.

Mr. Ryan moved

That the vote by which the consideration of House Bill No. 136 was indefinitely postponed be reconsidered, and that the said bill be re-committed to the judiciary committee.

Which motion was lost.

The speaker announced that if there was no objection the house would proceed to consider the calendar.

There being no objection the house proceeded to consider the calendar.

CALENDAR.

The chief clerk announced that the speaker was about to sign House Bill No. 2,

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the Blind Asylum at Bathgate, North Dakota.

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 11, 1903.

Mr. Speaker:

I have the honor to inform you that the senate has passed the following resolution:

Resolved, By the senate of the state of North Dakota, the house of representatives concurring::

That the governor, lieutenant governor and Senator M. D. Williams,

of the Twenty-third legislative district, be constituted a commission to inquire into the needs of the state hospital for the insane for additional farming lands, and at what price such land can be purchased.

Which the senate has passed, and your concurrence therein is respectfully requested.

R. M. TUTTLE,

Secretary.

Mr. Peterson of Towner moved

That the rules be suspended and that the house concur in the senate concurrent resolution.

Which motion prevailed, and

The house concurred in the joint resolution.

House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there ayes 87, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Robillard
Allen	Johnson	Rogers
Aslakson	Knudtson	Rose
Bartz	Kraabel	Scheer
Beck	Lee	Schouweiler
Bostrom	Leech	Shiels
Bourassa	Lillie	Simpson
Braaten	Lish	Smart of Nelson
Brown	Lyons	Smart of Traill
Burtness	Maddock	Stavens
Buttz	Mallough	Steinberg
Cassell	McCrea	Stevens
Chaffee	McDowell	Thompson
Chevalier	McGahan	Truemner
Chisholm	McKenzie	Tufte
Cole	McKnight	Underwood
Connolly	McLain	Van Arnam
Dahl	Midgarden	Wagner
Davis	Meidinger	Wall
Dickinson	Miller	Watson
Dieball	Mooney	Watts
Elton	Movius	Weed
Ellison	Noben	Weigel
Ferguson	Nojtimier	Welo
Flados	Oksendahl	Wing
Fried	Palfrey	Young
Gilbert	Peterson of Towner	Mr. Speaker
Gullerud	Peterson of Wells	
Hanson	Phifer	
Harvey	Richmond	

Absent and not voting:

Messrs.—

Baker of Ramsey
Blank
Gagnon
Hammer
Heath

Messrs.—

Mattson
McClure
Palmer
Patterson
Ryan

Messrs.—

Senour
Severson
Skjold

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

Mr. Watts moved

That the vote by which House Bill No. 97 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 105,

A bill for an act to amend section 3146 of the Revised Codes of North Dakota, relating to the time for the election of directors of county mutual insurance companies, who may vote at such elections, and who shall be considered members of said companies.

Was read the third time.

Mr. Midgarden moved

That the bill be referred to the committee on insurance.

Which motion prevailed.

And the bill was so referred.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 11, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 1,

A bill for an act to amend section 2 of chapter 151, of the Session Laws of 1901, relating to taxation,

Which the senate has amended by inserting the word "made" after the word "be" in line 18, section 2, of the engrossed bill, and passed as amended.

R. M. TUTTLE,

Secretary.

House Bill No. 178,

A bill for an act authorizing and empowering all insurance corporations organized and doing business on the paid in capital stock plan and engaged in the business of writing fire, marine, hail and tornado insurance and authorized to transact business in this state; to re-insure a part or all of any risk assumed, in

insurance corporations not authorized to transact business in this state; providing penalties for the violation of this act and prescribing the duties of the commissioner of insurance in relation thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 95, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Robillard
Allen	Johnson	Rogers
Aslakson	Knudtson	Rose
Baker of Ramsey	Kraabel	Ryan
Bartz	Lee	Scheer
Beck	Leech	Schouweiler
Bostrom	Lillie	Senour
Bourassa	Lish	Severson
Braaten	Lyons	Shiels
Brown	Maddock	Simpson
Burtness	Mallough	Skjold
Buttz	Mattson	Smart of Nelson
Cassell	McCrea	Smart of Traill
Chaffee	McDowell	Stavens
Chevalier	McGahan	Steinberg
Chisholm	McKenzie	Stevens
Connolly	McKnight	Thompson
Cole	McLain	Truemner
Dahl	Meidinger	Tufte
Davis	Midgarden	Underwood
Dieball	Miller	Van Arnam
Dickinson	Mooney	Wagner
Elton	Movius	Wall
Ellison	Noben	Watson
Ferguson	Noltimier	Watts
Flados	Oksendahl	Weed
Fried	Palfrey	Weigel
Gilbert	Patterson	Welo
Gullerud	Peterson of Towner	Wing
Hammer	Peterson of Wells	Young
Hanson	Phifer	Mr. Speaker
Harvey	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Gagnon	Palmer
Heath	McClure	

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved

That the vote by which House Bill No. 178 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Elton moved
House Bill No. 17,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Be made a special order for Friday at 2:30 p. m.
Which motion prevailed.

Mr. Shiels moved
That the house return to the ninth order of business.
Which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Ellison introduced
House Bill No. 214,
Proposed amendment to the constitution of the state of North Dakota.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Shiels introduced
House Bill No. 215,
A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Van Arnum introduced
House Bill No. 216,
A bill for an act to amend chapter 5 of the laws of 1901, being an act to provide for making unknown parties defendant in certain civil actions and to amend sections 5904, 5905, 5906, 5907, 5907a, 5908, 5909, 5910, 5911, 5912, 5913, of the Revised Codes of North Dakota for 1899, relating to the determination of conflicting claims to real estate and other actions and enacting other provisions relating thereto.

Which was read the first and second times, and
Referred to the committee on taxes and tax laws.

Mr. Van Arnum introduced
House Bill No. 217,
A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law.

Which was read the first and second times, and
Referred to the committee on temperance.

The chief clerk announced that the speaker was about to sign
House Bill No. 17,
A bill for an act fixing the liability of railroad companies for

injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

And the speaker signed the same in the presence of the house.

Mr. Mooney introduced

House Bill No. 218,

A bill for an act relating to military instruction as an optional branch of instruction in the public schools of the state.

Which was read the first and second times, and

Referred to the committee on education.

Mr. Cassell introduced

House Bill No. 219,

A bill for an act to amend section 5092 of the Revised Codes relating to fees of justices of the peace.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Cassell introduced

House Bill No. 220,

A bill for an act fixing the time when it shall be lawful for stock to run at large, fixing the liability of owners of unregistered males in certain cases and prescribing the manner of abolishing the provisions of the act in a county.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Brown introduced

House Bill No. 221,

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Aandahl introduced

House Bill No. 222,

A bill for an act relating to insurance companies transacting a hail insurance business in this state, making such companies liable for all losses to crops by hail from 12 o'clock noon on the day immediately following the day upon which the application is taken.

Which was read the first and second times, and

Referred to the committee on insurance.

Mr. Movius introduced

House Bill No. 223,

A bill for an act to amend sections 1738, 1739, 1741 and 1743a of the political code of North Dakota.

Which was read the first and second times, and

Referred to the committee on warehouses, grain and grain grading.

Mr. Bartz introduced

House Bill No. 224,

A bill for an act to promote forest tree culture.

Which was read the first and second times, and

Referred to the committee on forestry.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 39,

A bill for an act defining the mode of inflicting the death penalty; designating the warden of the North Dakota penitentiary executioner; prescribing that the death penalty shall only be inflicted within the walls of the North Dakota penitentiary, how execution may be suspended, and repealing sections 8309 to 8324, both inclusive, of the Revised Codes.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 116,

A bill for an act to amend and re-enact subdivision 6 of section 3576 of article 3, civil code of the Revised Codes of 1899, relating to acknowledgments by deputies.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 108,

A bill for an act providing that no tax shall be set aside for any irregularity or defect in form, or illegality in assessing, laying or levying such tax, if the person against whom, or the property upon which such tax is levied, assessed or laid is in fact liable to taxation, and giving the courts power to amend and correct all irregularities and defects in the form or manner of assessment.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

The speaker called Mr. Leech to the chair.

Senate Bill No. 102,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for conservatories, for installation of electric light plant, for equipment of science hall and for

other necessary buildings and improvements for the North Dakota agricultural college at Fargo.

Was read the first and second times, and
Referred to the committee on appropriations.

Senate Bill No. 106,

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

Was read the first and second times, and
Referred to the committee on agriculture.

Senate Bill No. 107,

A bill for an act to amend section 4 of chapter 156, of the session laws of 1901, relating to the appropriation and payment of moneys derived from taxation for the maintenance of state schools.

Was read the first and second times, and
Referred to the committee on taxes and tax laws.

CALENDAR.

THIRD READING OF HOUSE BILLS.

House Bill No. 176,

A bill for an act to amend section 5498, Revised Codes of 1899, relating to the filing of abstracts of justices judgments in the office of the clerk of the district court and prescribing the effect thereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Allen
Aslakson
Bartz
Beck
Bostrom
Braaten
Bourassa
Brown
Burtness
Buttz
Cassell
Chaffee
Chevallier
Chisholm
Cole
Connolly
Dahl
Davis

Messrs.—

Hanson
Harvey
Hill
Johnson
Kraabel
Leech
Lillie
Lyons
Maddock
Mallough
Mattson
McCrea
McKnight
McKenzie
McLain
Meldinger
Midgarden
Miller

Messrs.—

Robillard
Rogers
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Underwood
Van Arnam

Messrs.—	Messrs.—	Messrs.—
Dickinson	Mooney	Wagner
Dieball	Noben	Wall
Elton	Oksendahl	Watson
Ellison	Palmer	Watts
Ferguson	Patterson	Weed
Fried	Peterson of Towner	Weigel
Gilbert	Peterson of Wells	Welo
Gullerud	Phifer	Young
Hammer	Richmond	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lee	Noltmier
Baker of Ramsey	Lish	Palfrey
Blank	McClure	Rose
Flados	McDowell	Ryan
Gagnon	McGahan	Scheer
Heath	Movius	Wing
Knudtson		

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 11, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 144,

A bill for an act to amend section 2977 of the Revised Codes of 1899, relating to stopping of trains before crossing other railroads or drawbridges.

Which the senate has passed and your favorable consideration thereof is requested.

R. M. TUTTLE,
Secretary.

House Bill No. 180,

A bill for an act to amend section 8362 of the Revised Codes of the state of North Dakota, 1899, relating to clerk issuing subpoenas in behalf of a defendant in criminal actions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 87, nays 2, absent and not voting, 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Peterson of Wells.
Allen	Hill	Phifer
Aslakson	Johnson	Richmond
Bartz	Kraabel	Robillard
Beck	Lee	Rogers
Bostrom	Leech	Ryan
Bourassa	Lillie	Scheer
Braaten	Lish	Schouweiler
Brown	Lyons	Senour
Buttz	Maddock	Severson
Cassell	Mallough	Shiels
Chaffee	Mattson	Simpson
Chevalier	McClure	Smart of Nelson.
Chisholm	McCrea	Smart of Traill
Connolly	McDowell	Stavens
Dahl	McGahan	Steinberg
Davis	McKnight	Stevens
Dickinson	McLain	Thompson
Dieball	Meldinger	Truemner
Elton	Midgarden	Tufte
Ellison	Miller	Van Arnam
Ferguson	Mooney	Wall
Flados	Movius	Watson
Fried	Noben	Watts
Gagnon	Noitimier	Weed
Gilbert	Palfrey	Weigel
Gullerud	Palmer	Welo
Hammer	Patterson	Wing
Hanson	Peterson of Towner	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Heath	Rose
Blank	Knudtson	Skjold
Burtness	McKenzie	Mr. Speaker
Cole	Oksendahl	

Messrs. Underwood and Wagner voted in the negative.

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

House Bill No. 172,

A bill for an act to amend section 5603, Revised Codes, relating to appeals in civil actions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Robillard
Aslakson	Kraabel	Rogers
Baker of Ramsey	Lee	Rose
Bartz	Leech	Ryan
Beck	Lillie	Scheer
Bostrom	Lish	Schouweiler
Bourassa	Lyons	Senour
Braaten	Maddock	Severson
Brown	Mallough	Shiels
Buttz	Mattson	Simpson
Cassell	McClure	Skjold
Chaffee	McCrea	Smart of Nelson
Chevalier	McGahan	Smart of Traill
Chisholm	McKnight	Stavens
Connolly	McLain	Steinberg
Dahl	Meidinger	Stevens
Davis	Midgarden	Thompson
Dickinson	Miller	Truemner
Elton	Mooney	Tufte
Ellison	Movius	Underwood
Ferguson	Noben	Van Arnam
Flados	Nottimier	Wagner
Fried	Oksendahl	Wall
Gilbert	Palfrey	Watson
Gullerud	Palmer	Watts
Hammer	Patterson	Weed
Hanson	Peterson of Towner	Weigel
Harvey	Peterson of Wells	Weio
Hill	Phifer	Wing
Johnson	Richmond	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Dieball	McDowell
Blank	Gagnon	McKenzie
Burtness	Heath	Mr. Speaker
Cole		

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

House Bill No. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Robillard
Aandahl	Johnson	Rogers
Allen	Knudtson	Rose
Aslakson	Kraabel	Ryan
Bartz	Lee	Scheer
Beck	Leech	Schouweiler
Bostrom	Lillie	Senour
Bourassa	Lish	Severson
Braaten	Lyons	Shiels
Brown	Maddock	Skjold
Burtness	Mallough	Simpson
Buttz	Mattson	Smart of Nelson
Cassell	McClure	Smart of Traill
Chaffee	McDowell	Stavens
Chevalier	McGahan	Steinberg
Chisholm	McKnight	Stevens
Connolly	Meldinger	Thompson
Dahl	Midgarden	Truemner
Dickinson	Miller	Tuft
Dieball	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Fried	Noltimier	Watson
Gagnon	Oksendahl	Watts
Gilbert	Palfrey	Weed
Gullerud	Patterson	Welo
Hammer	Peterson of Towner	Wing
Hanson	Peterson of Wells	Young
Hill	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Harvey	Richmond
Blank	Heath	Underwood
Cole	McCrea	Weigel
Davis	McKenzie	Mr. Speaker
Elton	McLain	
Ellison	Palmer	

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

House Bill No. 165,

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Richmond
Allen	Lee	Robillard
Aslakson	Leech	Rogers
Bartz	Lillie	Rose
Beck	Lish	Ryan
Bostrom	Lyons	Scheer
Bourassa	Maddock	Schouweller
Braaten	Mallough	Senour
Brown	Mattson	Severson
Burness	McClure	Shiels
Buttz	McCrea	Skjold
Cassell	McDowell	Simpson
Chaffee	McGahan	Smart of Nelson
Chevalier	McKnight	Smart of Trail
Chisholm	McLain	Stavens
Connolly	Meldinger	Steinberg
Davis	Midgarden	Stevens
Dickinson	Miller	Thompson
Elton	Mooney	Truemner
Ellison	Movius	Tufto
Flados	Noben	Underwood
Fried	Noltimier	Wagner
Gagnon	Oksendahl	Wall
Gilbert	Patterson	Weed
Gullerud	Palfrey	Weigel
Hanson	Peterson of Wells	Welo
Harvey	Peterson of Towner	Wing
Hill	Phifer	Young
Johnson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Ferguson	Palmer
Blank	Hammer	Van Arnam
Cole	Heath	Watson
Dahl	Knudtson	Watts
Dieball	McKenzie	Mr. Speaker

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

House Bill No. 154,

A bill for an act regulating the handling of gasoline.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 29, nays 60, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Maddock	Palmer
Bourassa	Mallough	Peterson of Towner
Braaten	McCrea	Robillard
Chevalier	McDowell	Rogers
Chisholm	McKnight	Rose
Dahl	Miller	Smart of Nelson
Dickinson	Mooney	Stavens
Harvey	Noben	Underwood
Hill	Noltimier	Wing
Leech	Palfrey	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Johnson	Schouweiler
Aslakson	Knudtson	Senour
Bartz	Kraabel	Severson
Beck	Lee	Shiels
Brown	Lillie	Skjold
Burtness	Lish	Simpson
Buttz	Lyons	Smart of Trail
Cassell	Mattson	Steinberg
Chaffee	McClure	Stevens
Connolly	McGahan	Thompson
Davis	McLain	Truemner
Dieball	Meidinger	Tufte
Elton	Midgarden	Wagner
Ellison	Movius	Wall
Flados	Oksendahl	Watson
Fried	Patterson	Watts
Gilbert	Peterson of Wells	Weed
Gullerud	Phifer	Weigel
Hammer	Ryan	Welo
Hanson	Scheer	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Ferguson	Richmond
Bostrom	Gagnon	Van Arnam
Blank	Heath	Mr. Speaker
Cole	McKenzie	

Messrs. Blank and Heath being excused.

So the bill was lost.

Mr. Young explained his vote.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

Mr. Richmond moved

That the rules be suspended and that
House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota and defining the boundaries of the second

and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Be placed on its third reading and final passage.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 55, nays 34, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Lee	Ryan
Aslakson	Leech	Schouweiler
Bartz	Lillie	Severson
Burtness	Maddock	Shiels
Buttz	Mallough	Skjold
Cassell	Mattson	Smart of Nelson
Chaffee	McCrea	Stevens
Chevalier	McDowell	Truemner
Chisholm	McKnight	Tufte
Dahl	McLain	Underwood
Davis	Miller	Wagner
Dickinson	Mooney	Wall
Elton	Noltmier	Watson
Ellison	Palfrey	Watts
Gilbert	Palmer	Welo
Gullerud	Phifer	Wing
Hammer	Richmond	Young
Hill	Robillard	
Johnson	Rose	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Rogers
Beck	Lish	Scheer
Bostrom	Lyons	Senour
Bourassa	McClure	Simpson
Braaten	McGahan	Smart of Traill
Brown	McKenzie	Stavens
Cole	Meidinger	Steinberg
Dieball	Movius	Thompson
Fried	Noben	Weed
Hanson	Casendahl	Weigel
Harvey	Patterson	
Knudtson	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Flados	Peterson of Wells
Blank	Gagnon	Van Arnam
Connolly	Heath	Mr. Speaker
Ferguson	Midgarden	

Messrs. Blank and Heath being excused.

So the bill was lost.

Mr. Richmond moved

To reconsider the vote by which House Bill No. 70 was lost and That it be made a special order for 2:30 p. m., February 23d.

Which motion prevailed.

House Bill No. 162,

A bill for an act for the equitable adjustment and settlement of the delinquent taxes due to the state from the several counties.

Was read the third time

The question being upon the final passage of the bill.

The roll was called and there were ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Rogers
Allen	Kraabel	Rose
Aslakson	Lee	Ryan
Bartz	Leech	Scheer
Bourassa	Lillie	Schouweiler
Braaten	Lish	Senour
Brown	Lyons	Severson
Burtness	Maddock	Shiels
Buttz	Mallough	Skjold
Cassell	Mattson	Simpson
Chaffee	McClure	Smart of Nelson
Chevalier	McCrea	Smart of Trall
Chisholm	McDowell	Steinberg
Connolly	McKenzie	Stevens
Dahl	McKnight	Thompson
Davis	McLain	Truemner
Dickinson	Meidinger	Tufta
Dieball	Midgarden	Underwood
Elton	Miller	Wagner
Ellison	Movius	Wall
Ferguson	Noben	Watson
Flados	Palfrey	Weed
Gilbert	Palmer	Weigel
Gullerud	Patterson	Welo
Hammer	Peterson of Wells	Wing
Harvey	Phifer	Young
Johnson	Robillard	Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Beck
Blank
Bostrom
Cole
Fried
Gagnon

Messrs.—

Hanson
Heath
Hill
McGahan
Mooney
Noitimier

Messrs.—

Oksendahl
Peterson of Towner
Richmond
Stavens
Van Arnam
Watts

Messrs. Blank and Heath being excused.

House Bill No. 151.

A bill for an act to amend section 6635 of the Revised Codes of North Dakota relative to procedure in civil actions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Aslakson
Baker of Ramsey
Bartz
Beck
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Chisholm
Cole
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Hill
Johnson

Messrs.—

Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Maddock
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noitimier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells

Messrs.—

Phifer
Richmond
Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Steinberg
Stevens
Thompson
Truemner
Tufte
Underwood
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Wing
Young

Absent and not voting:

Messrs.—

Allen
Blank
Connolly

Messrs.—

Ferguson
Harvey
Heath

Messrs.—

Stavens
Van Arnam
Mr. Speaker

Messrs. Blank and Heath being excused.

So the bill passed and the title was agreed to.

The house returned to the ninth order of business.

And the committee on education introduced

Substitute for House Bill No. 98,

A bill for an act to amend section 652, Revised Codes, 1899, relating to salary of county superintendents of schools. Deputy. Traveling expenses.

Which was read the first and second times.

The house took an informal recess for 10 minutes.

After recess.

Mr. Skjold introduced

House bill No. 225;

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota.

Which was read the first and second times, and

Referred to the committee on education.

GENERAL ORDERS.

Mr. Tufte moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Ryan to the chair.

When the committee arose the following report was submitted:

Mr. Speaker:

Your committee of the whole have had under consideration

House Bill No. 95,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

And recommend that the bill be re-referred to the committee on elections and privileges.

Also,

Senate Bill No. 4,

A bill for an act to establish an institution for the feeble-minded and to provide for its support and management.

And recommend that the same be amended as follows:

That at the end of line 4 on last page of the engrossed bill, add the word "detailed."

And when so amended recommend the same do pass.

Also,

**House Bill No. 128,
A bill for an act to provide for a machinist's lien.**

And recommend that the same be amended as follows:

By striking out the words "any other machine" in line 3 of section 1 of the printed bill and inserting in lieu thereof "threshing outfit."

By striking out the word "thirty" in line 4 of section 2 of the printed bill and inserting in lieu thereof the word "ten."

By striking out all after the word "liens" in line 2 of section 3 of the printed bill and inserting in lieu thereof "which lien may be foreclosed as provided by article 4 of chapter 29 of the code of civil procedure and any action to foreclose all lienors, mortgagees or assignees as shown by the files in the office of the register of deeds, who may have mortgages or other liens covering the property involved and which have been filed prior to the filing of the lien to be foreclosed, shall be made parties to such action."

And when so amended recommend that the same do pass.

H. P. RYAN,
Chairman.

Mr. Matson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. McClure moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 12, 1903.

The house assembled at 1 o'clock p. m., pursuant to adjournment and was called to order by the chief clerk, who announced that the speaker had designated Mr. Leech of Cass county as speaker pro tem for the day.

Prayer by the Rev. Hayes.

Mr. Richmond moved

That the roll call be dispensed with, and that the chief clerk notify the senate that the house is now ready to meet the senate in joint session.

Which motion prevailed.

JOINT SESSION.

The joint session of the two houses was called to order by Senator LaMoure.

Senator Sharpe moved

That a committee be appointed to wait upon the governor and speakers of the day.

Which motion prevailed, and

Senator LaMoure appointed as such committee Senators Sharpe and Little and Representatives Richmond, Wall and Ryan.

The committee returned escorting Governor White, Judge Cochrane and Father Conaty.

Senator LaMoure introduced Governor White as the presiding officer of the joint session.

The governor introduced Judge J. M. Cochrane who addressed the joint session. (Address will appear as an appendix.)

The governor introduced Father Conaty who addressed the joint session. (Address will appear as an appendix.)

A song, "Red, White and Blue," was rendered by the pupils of the Bismarck schools.

Senator Crane moved a vote of thanks to the speakers who so ably addressed the joint assembly.

Which motion prevailed.

The joint session dissolved by the singing of "America."

HOUSE RECONVENED.

Mr. Kraabel moved

That the house take a recess until 10 o'clock a. m. tomorrow.

Which motion prevailed, and

The house took a recess until 10 o'clock a. m. tomorrow (Friday).

A. O. ANDERSON,
Chief Clerk.

AFTER RECESS.

Friday, February 13, 1903.

The house assembled at 10 o'clock a. m. pursuant to recess taken.

REPORTS OF STANDING COMMITTEES.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred
House Bill No. 188,

A bill for an act to amend section 1605 of the Revised Codes of 1899 of the state of North Dakota, relating to the compensation, bonds and qualifications of district veterinarians.

Have had the same under consideration and recommend that the same do pass.

J. H. McLAIN,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 88,

A bill for an act to amend section 1809 of the Revised Codes of 1899, relating to auditor and treasurer jointly to make semi-annual statement.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 86,

A bill for an act to provide for the publishing of an annual statement of the receipts and disbursements of the state treasurer's office, and defining the duties of the county auditors in relation thereto.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

Senate Bill No. 106,

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

Have had the same under consideration and recommend that the same do pass.

G. B. PHIFER,
Chairman.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred

House Bill No. 134,

A bill for an act to amend section 4063 of the Revised Codes of 1899, relating to legal rate of interest.

Have had the same under consideration and recommend that further consideration of this bill be indefinitely postponed.

AUG. PETERSON,
Chairman.

Mr. Rose moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred
House Bill No. 130,

A bill for an act to regulate the sale and analysis of commercial fertilizers and prescribing a penalty for the violation thereof.

Have had the same under consideration, and recommend that the same do pass.

G. B. PHIFER,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 179,

A bill for an act to amend section 5526 of the Revised Codes of North Dakota, relating to exemptions of personal property in certain cases.

Have had the same under consideration, and recommend that the same do pass.

W. J. WATTS,
Chairman.

Also,

House Bill No. 161,

A bill for an act to amend sections 5518, 5522, 5528 and 6391 of the Revised Codes of the state of North Dakota, relating to exemptions.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all of title and inserting in lieu thereof:

"For an act to amend sections 5518, 5522 and 5528 of the revised codes as amended by chapter 76 of the session laws of 1901, and section 6291, of the revised codes relating to exemptions."

By striking out the three lines immediately following the enacting clause and inserting in lieu thereof:

"Section 1. That sections 5518, 5522 and 5528 of the revised codes, as amended by chapter 76 of the session laws of 1901, and section 6391 of the revised codes, be amended so as to read as follows:"

And when so amended recommend the same do pass.

Also,

Senate Bill No. 111,

A bill for an act providing for sending non-resident insane persons to their place of residence at expense of the state.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 107,

A bill for an act to amend section 4 of chapter 156, of the session laws of 1901, relating to the appropriation and payment of moneys derived from taxation for the maintenance of state schools.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 108,

A bill for an act providing that no tax shall be set aside for any irregularity or defect in form, or illegality in assessing, laying or levying such tax, if the person against whom, or the property upon which such tax is levied, assessed or laid is in fact liable to taxation, and giving the courts power to amend and correct all irregularities and defects in the form or manner of assessment.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 167,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for ascertaining the value as nearly as possible for the assistance of assessors in the assessment of their property and the taxation of the same.

Have had the same under consideration and recommend that the same do pass.

C. V. BROWN,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 192,

A bill for an act to amend section 1530 of the Revised Codes of North Dakota, relating to the salaries and fees to be paid to the

commissioners of insanity and others in attendance at the meetings of the county board of commissioners for the insane.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 39,

A bill for an act defining the mode of inflicting the death penalty; designating the warden of the North Dakota penitentiary executioner; prescribing that the death penalty shall only be inflicted within the walls of the North Dakota penitentiary, how execution may be suspended, and repealing sections 8309 to 8324, both inclusive, of the Revised Codes.

Have had the same under consideration, and recommend that the same be amended as follows:

By adding thereto the following:

"Section 17, Emergency. Whereas, an emergency exists in this that there are now several persons in the state under sentence of death before the 1st of July, 1903, and if the said persons are executed according to the existing laws the erection of several scaffolds will be necessary, which will entail considerable cost, therefore this act shall take effect and be in force from and after its passage and approval"

And when so amended recommend that the same do pass.

C. W. BUTTZ,
Chairman.

Mr. Young moved

That the rules be suspended and the report of the committee on Senate Bill No. 39 be adopted, and the bill be placed on the calendar for third reading and final passage.

Which motion prevailed.

The committee on enrolled bills made the following report:

Mr Speaker:

Your committee on enrolled bills have examined
House Bill No. 1,

A bill for an act to amend section 2 of chapter 151, of the session laws of 1901, relating to taxation.

Also,

House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

Also,

House Bill No. 25,

A bill for an act to amend section 1225 of the Revised Codes of

North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

Mr. Young moved
That the vote by which
House Bill No. 154,

A bill for an act regulating the handling of gasoline.
Was lost be reconsidered and that the bill be placed on the calendar for third reading and final passage.

Which motion prevailed.

Mr. Cassell moved
That in the absence of the speaker the speaker pro tem be authorized to sign all enrolled bills.

Which motion prevailed.

The chief clerk announced that the speaker pro tem was about to sign

House Bill No. 1,

A bill for an act to amend section 2 of chapter 151, of the Session Laws of 1901, relating to taxation,

Also,

House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

Also,

House Bill No. 25,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

And the speaker pro tem signed the same in the presence of the house.

The speaker pro tem called Mr. Wall to the chair.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 17,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Also,

House Bill No. 120,

A bill for an act to reimburse loaders or shippers of carload freight for all grain doors furnished by them and for material furnished and used for same.

Also,

House Bill No. 128,

A bill for an act to provide for a machinist's lien.

Also,

House Bill No. 145,

A bill for an act to amend section 3023 of the Revised Codes relating to long and short hauls, upon railroads and common carriers.

Also,

House Bill No. 158,

A bill for an act prohibiting discrimination in the matter of compensation of common carriers of messages by telegraph, and prescribing penalties for violations of this act.

Also,

House Bill No. 173,

A bill for an act relating to motions for review on appeals to the supreme court.

Also,

House Bill No. 181,

A bill for an act to amend section 7668 of the Revised Codes relating to the crime of removing, concealing, selling or disposing of chattel property subject to lien.

Also,

House Bill No. 184,

A bill for an act to amend section 1944 of the Revised Codes of the state of North Dakota, 1899, relative to the duty of the board in designating depositories.

Also,

House Bill No. 186,

A bill for an act amending section 250 of the Revised Codes of North Dakota, relating to county boards of health.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

Mr. Young offered the following concurrent resolution and moved its adoption:

Whereas, a bill has been introduced in the Wisconsin legislature known as Senate Bill No. 114s, providing for the creation of a commission to be styled the "grain and warehouse commission," for the city of Superior and for the appointment of the members of such commission by the governor of Wisconsin upon the recommendation of one member respectively by the governor of North Dakota, the governor of New York and the board of trade of the city of Superior; and,

Whereas, the design of said bill is to secure a correct, fair and impartial inspection of all grain and flax shipped in or out of said city of Superior or sold, stored, milled or handled at said market; and,

Whereas, the interests of all grain growers of this state demand a just and fair inspection of all grain sold or marketed; therefore, be it Resolved, by the house of representatives, the senate concurring:

That the legislature of the state of North Dakota does hereby petition and memorialize the legislature of the state of Wisconsin to pass said bill, and when enacted to speedily put the same in operation.

Which motion prevailed, and

The concurrent resolution was adopted.

Mr. Mattson offered the following concurrent resolution and moved its adoption:

Whereas, the farmers of the state of North Dakota are large producers of grain and greatly interested in obtaining a fair and equitable inspection thereof; and

Whereas, the system of inspection and grain grading prevailing at Minneapolis, Duluth and other terminals under the control of the grain and warehouse commissioners of Minnesota, has resulted in great injustice to the grain producers of this state, and such producers are demanding relief through this legislature; and

Whereas, a bill has been introduced into the legislature of the state of Wisconsin for the purpose of establishing a grain and warehouse commission at the city of Superior, in which it is proposed to accord representation to the state of North Dakota, and it is reported that the said bill is being opposed in the said Wisconsin legislature by certain elevator interests, and it is also reported that the state of North Dakota is not in sympathy with said bill; now therefore, be it

Resolved, by the house of representatives, the senate concurring.

That a special committee be appointed to consist as follows: The honorable commissioner of agriculture, two members from the senate to be appointed by the president of the senate, and three members of the house, to be appointed by the speaker, for the purpose of visiting the city of Madison during the adjournment from February 13 to February 20, and urge upon the senators and representatives of the state of Wisconsin the desirability of the passage of said bill, and assure them of the hearty co-operation of the members of the Eighth legislative assembly of North Dakota.

Which the house has passed and your favorable consideration thereof is respectfully requested.

Which motion prevailed, and

The concurrent resolution was adoption.

And Mr. Wall, the presiding officer, appointed on the part of the house Messrs. Mattson, Young and Leech as such committee.

Mr. Young moved

That two hundred copies of the Wisconsin law creating a grain and warehouse commission for the city of Superior, Wis., be printed as a document for the use of the house and senate.

Which motion prevailed.

Mr. Stavens moved that

House Bill No. 201,

A bill for an act to amend section 1267 of the Revised Codes relating to redemptions from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.

Be recalled from the committee on banks and banking and referred to the committee on taxes and taxation.

Which motion was lost.

The speaker pro tem in the chair.

INTRODUCTION AND FIRST AND SECOND READING
OF HOUSE BILLS.

Mr. Watts introduced

House Bill No. 226,

A bill for an act relating to the election of public officers in the State of North Dakota.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Chaffee introduced

House Bill No. 227,

A bill for an act to create a state board of control, and provide for the management and control of charitable, reformatory, penal and educational institutions of the state, and to make an appropriation therefor, and abolishing existing boards governing such institutions.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Hill introduced

House Bill No. 228,

A bill for an act providing for a license to sell cigarettes and cigarette paper.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Hill introduced

House Bill No. 229,

A bill for an act to amend and re-enact section 441 of the Revised Codes of North Dakota, being chapter 114 of the session laws of 1901, relating to jurors.

Which was read the first and second times, and

Referred to the committee on state affairs.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 92,

A bill for an act to amend sections 1139 and 1141 of the Revised Codes, North Dakota, 1899, relating to the township road tax list, the return thereof to the township clerk by the overseer of highways, and the making out and delivering by the township clerk of the delinquent road tax list to the county auditor and providing the times at which such duties shall be performed.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 91,

A bill for an act to repeal sections 1586 and 1587 of the Revised Codes of 1899, relating to cruelty to animals.

Was read the first and second times, and
Referred to the committee on live stock industry.

Senate Bill No. 100,

A bill for an act relating to the time of holding village annual elections in incorporated villages and to amend section 2355 of the Revised Codes of North Dakota of 1899.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 85,

A bill for an act to amend section 3225a of chapter 19½ of the Revised Codes (Civil Code), of 1899, being section 1, of chapter 156 of the session laws of 1899, being an act to provide for the granting of the right of-way by municipal corporations for telephone lines on and over public grounds, streets, alleys and highways, and making valid such grants heretofore made.

Was read the first and second times, and
Referred to the committee on municipal corporations.

Senate Bill No. 88,

A bill for an act to amend sections 1447 and 1448 of the Revised Codes as amended by section 1, chapter 79 of the laws of 1899 relating to the establishment, construction and maintenance of drains.

Was read the first and second times, and
Referred to the committee on highways and bridges.

Senate Bill No. 93,

A bill for an act to amend and re-enact section 7553 of chapter 61 of the penal code of the Revised Codes of 1899, relating to injuries to or obstruction of any telegraph lines or appurtenances or apparatus therewith connected by adding thereto and bringing within the provisions therewith telephone lines.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 94,

A bill for an act for the protection of game, defining what shall be considered prima facie evidence of the violation of this act, and providing a penalty therefor.

Was read the first and second times, and
Referred to the committee on state affairs.

Senate Bill No. 101,

A bill for an act to amend section 1896 of the Revised Codes

relating to term of offices of county commissioners and also to repeal chapter 33 of the special laws of 1885.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 144,

A bill for an act to amend section 2977 of the Revised Codes of 1899, relating to stopping of trains before crossing other railroads or drawbridges.

Was read the first and second times, and
Referred to the committee on railroads.

Senate Bill No. 76,

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

Was read the first and second times, and
Referred to the committee on state affairs.

The house returned to the fourth order of business.

Mr. Peterson of Towner presented the following communication:

Dear Sir:

I am instructed by the chairman to write you that by a unanimous vote of representative farmers, in institute assembled, at the court house in Cando, Towner county, Feb. 10, 1903.

That they, your constituents, request you to cast your vote in favor of the anti-cigarette bill; also in favor of raising age of consent to 18 years; also "No" on resubmission.

Yours respectfully,
EDNA D. MARKS.

Cando, February 11, 1903.

CALENDAR.

House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 69, nays none, absent and not voting 31.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Beck
Bourassa
Brown
Burtness
Buttz

Messrs.—

Johnson
Leech
Lillie
Lish
Maddock
Mattson
McClure
McGahan

Messrs.—

Robillard
Kogers
Rose
Ryan
Scheer
Schouweller
Severson
Shiels

Messrs.—

Cassell
Chaffee
Chevallier
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Fried
Gullerud
Hanson
Harvey
Hill

Messrs.—

McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltimier
Oksendahl
Palfrey
Peterson of Wells
Peterson of Towner
Phifer
Richmond

Messrs.—

Skjold
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Thompson
Tuft
Underwood
Wagner
Wall
Watson
Weed
Weigel
Welo
Young

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Blank
Bostrom
Braaten
Chisholm
Cole
Ferguson
Flados
Gagnon
Gilbert

Messrs.—

Hammer
Heath
Knudtson
Kraabel
Lee
Lyons
Mallough
McCrea
McDowell
Movius

Messrs.—

Palmer
Patterson
Senour
Simpson
Stevens
Truemner
Van Arnam
Watts
Wing
Mr. Speaker

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

Mr. Shiels moved

That the vote by which House Bill No. 46 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The house returned to the ninth order of business.

INTRODUCTION AND FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 230,

A bill for an act relating to insurance companies that transact a hail insurance business, making it a misdemeanor to charge more than the actual cash premium whether premium is paid in cash or by note, said note not to draw more than legal banking interest, providing a penalty for violation thereof.

Which was read the first and second times, and

Referred to the committee on insurance.

House Bill No. 231

A bill for an act to amend sections 1880 and 1883 of the Revised Codes, relating to county seat elections.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

House Bill No. 232,

A bill for an act to amend section 2082, of the Revised Codes of 1899, relating to fees to be charged by sheriffs.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

House Bill No. 153,

A bill for an act to amend section 1 of chapter 158 of the session laws of 1899, being section 3491a of the Revised Codes of North Dakota, 1899, relating to titles to real property.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays none, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Rogers
Allen	Johnson	Rose
Baker of Ramsey	Knudtson	Ryan
Bartz	Leech	Scheer
Beck	Lillie	Schouweiler
Bostrom	Lish	Senour
Bourassa	Mallough	Severson
Braaten	Mattson	Shiels
Brown	McClure	Skjold
Burtness	McCrea	Smart of Nelson
Buttz	McGahan	Smart of Traill
Cassell	McKnight	Stavens
Chaffee	McLain	Steinberg
Chevalier	Meidinger	Thompson
Dahl	Midgarden	Truemner
Davis	Miller	Tufte
Dickinson	Mooney	Underwood
Dieball	Noben	Wagner
Elton	Noltmier	Wall
Ellison	Palfrey	Watson
Gagnon	Peterson of Towner	Watts
Gilbert	Peterson of Wells	Weed
Gullerud	Phifer	Weigel
Hanson	Richmond	Welo
Harvey	Robillard	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Heath	Oksendahl
Blank	Kraabel	Palmer
Chisholm	Lee	Patterson
Cole	Lyons	Simpson
Connolly	Maddock	Stevens
Ferguson	McDowell	Van Arnam
Flados	McKenzie	Wing
Fried	Movius	Mr. Speaker
Hammer		

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

House Bill No. 186,

A bill for an act amending section 250 of the Revised Codes of North Dakota, relating to county boards of health.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Harvey	Robillard
Aandahl	Hill	Rogers
Baker of Ramsey	Johnson	Ryan
Bartz	Knudtson	Scheer
Beck	Kraabel	Schouweiler
Bourassa	Leech	Senour
Braaten	Lillie	Severson
Brown	Lish	Shiels
Burtness	Mallough	Skjold
Buttz	McClure	Smart of Nelson
Cassell	McCrea	Smart of Traill
Chaffee	McGahan	Stavens
Cole	McKnight	Steinberg
Connolly	McLain	Thompson
Davis	Midgarden	Truemmer
Dahl	Meidinger	Tufte
Dickinson	Miller	Underwood
Dieball	Mooney	Wagner
Elton	Noben	Wall
Flados	Noltimier	Watson
Fried	Oksendahl	Watts
Gagnon	Palfrey	Weed
Gilbert	Peterson of Towner	Weigel
Gullerud	Peterson of Wells	Welo
Hammer	Phifer	Young
Hanson	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Lee	Patterson
Blank	Lyons	Rose
Bostrom	Maddock	Simpson
Chevalier	Mattson	Stevens
Chisholm	McDowell	Van Arnam
Ellison	McKenzie	Wing
Ferguson	Movius	Mr. Speaker
Heath	Palmer	

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

House Bill No. 173,

A bill for an act relating to motions for review on appeals to the supreme court.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Beck
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Gilbert
Gullerud
Hammer
Hanson
Harvey
Hill
Knudtson

Messrs.—

Kraabel
Leech
Lillie
Lish
Maddock
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltimier
Oksendahl
Palfrey
Peterson of Townner
Peterson of Wells
Phifer
Richmond
Robillard

Messrs.—

Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Smart of Nelson
Smart of Traill
Stavens
Stevens
Thompson
Truemner
Tufte
Underwood
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Young

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Blank
Bostrom
Chisholm
Cole
Ferguson
Flados

Messrs.—

Fried
Gagnon
Heath
Johnson
Lee
Lyons
McKenzie
Movius

Messrs.—

Palmer
Patterson
Simpson
Steinberg
Van Arnam
Wing
Mr. Speaker

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

House Bill No. 158,

A bill for an act prohibiting discrimination in the matter of compensation of common carriers of messages by telegraph, and prescribing penalties for violations of this act.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 69, nays 7, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen

Messrs.—

Knudtson
Kraabel

Messrs.—

Robillard
Rogers

Messrs.—

Bartz
Bourassa
Braaten
Brown
Burtness
Buttz
Chevalier
Cole
Connolly
Dahl
Dieball
Elton
Ferguson
Flados
Fried
Gagnon
Gullerud
Hammer
Hanson
Harvey
Hill

Messrs.—

Lee
Leech
Lillie
Lish
Mallough
Mattson
McClure
McCrea
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Mooney
Noben
Noltimier
Palfrey
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Traill
Stavens
Steinberg
Thompson
Tufte
Underwood
Wall
Watson
Watts
Weigel
Welo
Young

Those who voted in the negative were:

Messrs.—

Cassell
Chaffee
Miller

Messrs.—

Richmond
Smart of Nelson

Messrs.—

Wagner
Weed

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Beck
Blank
Bostrom
Chisholm
Davis
Dickinson

Messrs.—

Ellison
Gilbert
Heath
Johnson
Lyons
Maddock
McDowell
Movius

Messrs.—

Oksendahl
Palmer
Patterson
Stevens
Truemner
Van Arnam
Wing
Mr. Speaker

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

Mr. Rose moved

That the vote by which House Bill No. 158 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The house returned to the ninth order of business.

Mr. Ryan introduced

House Bill No. 233,

A bill for an act to establish a state fair, locating it at or near Grand Forks, providing for its management, the appointment of a state board of agriculture and state fairs and making an appropriation for state fairs.

Which was read the first and second times, and Referred to the committee on appropriations.

House Bill No. 184,

A bill for an act to amend section 1944 of the Revised Codes of North Dakota, 1899, relative to the duty of the board in designating depositories.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 68, nays none, absent and not voting 32.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Robillard
Allen	Kraabel	Rogers
Baker of Ramsey	Leech	Ryan
Bourassa	Lillie	Schouweiler
Brown	Lish	Senour
Burtness	Maddock	Severson
Buttz	Mallough	Shiels
Cassell	McClure	Skjold
Chaffee	McCrea	Smart of Nelson
Chevalier	McGahan	Stavens
Connolly	McKnight	Steinberg
Dahl	McLain	Truemner
Dieball	Meidinger	Tuft
Elton	Miller	Underwood
Ellison	Mooney	Wagner
Ferguson	Noben	Wall
Flados	Noltmier	Watson
Fried	Oksendahl	Watts
Gullerud	Palfrey	Weed
Hammer	Peterson of Towner	Weigel
Hanson	Peterson of Wells	Welo
Harvey	Phifer	Young
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Gilbert	Patterson
Bartz	Heath	Richmond
Beck	Johnson	Rose
Blank	Lee	Scheer
Bostrom	Lyons	Simpson
Braaten	Mattson	Smart of Traill
Chisholm	McDowell	Stevens
Cole	McKenzie	Thompson
Davis	Midgarden	Van Arnam
Dickinson	Movius	Wing
Gagnon	Palmer	Mr. Speaker

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
Concurrent Resolution,
Being a memorial to the legislature of the state of Wisconsin,
relative to a grain and warehouse commission.

Also,
Concurrent Resolution,
Providing for the appointment of a committee to visit the legis-
lature of the state of Wisconsin, relative to a grain and warehouse
commission.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

House Bill No. 145,
A bill for an act to amend section 3023 of the Revised Codes
relating to long and short hauls, upon railroads and common
carriers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays none, absent
and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Beck
Bostrom
Braaten
Brown
Burtness
Cassell
Chaffee
Chevallier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Flados
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey

Messrs.—

Hill
Kraabel
Lee
Leech
Lillie
Lish
Mallough
Mattson
McClure
McCrea
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltimier
Oksendahl
Palfrey
Peterson of Towner
Peterson of Wells
Phifer
Robillard

Messrs.—

Rogers
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Thompson
Truemner
Tuft
Underwood
Wagner
Wall
Watson
Watts
Weed
Welgel
Welo
Wing
Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Heath	Patterson
Baker of Ramsey	Johnson	Richmond
Blank	Knudtson	Rose
Bourassa	Lyons	Simpson
Buttz	Maddock	Stevens
Ellison	McDowell	Van Arnam
Ferguson	Movius	Mr. Speaker
Fried	Palmer	

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

House Bill No. 181,

A bill for an act to amend section 7668 of the Revised Codes relating to the crime of removing, concealing, selling or disposing of chattel property subject to lien.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays none, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Robillard
Allen	Hill	Rose
Bartz	Kraabel	Ryan
Bostrom	Leech	Scheer
Bourassa	Lillie	Schouweiler
Braaten	Lish	Senour
Brown	Maddock	Severson
Burtness	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McClure	Smart of Nelson
Chisholm	McCrea	Smart of Traill
Cole	McGahan	Stavens
Dahl	McKenzie	Steinberg
Davis	McKnight	Thompson
Dieball	McLain	Truemner
Elton	Meidinger	Tufte
Ellison	Midgarden	Underwood
Ferguson	Miller	Wagner
Flados	Mooney	Watson
Fried	Noben	Wall
Gagnon	Noitimier	Weed
Gilbert	Palfrey	Weigel
Gullerud	Peterson of Towner	Welo
Hammer	Peterson of Wells	Wing
Hanson	Phifer	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Johnson	Patterson
Baker of Ramsey	Knudtson	Richmond
Beck	Lee	Rogers

Messrs.—	Messrs.—	Messrs.—
Blank	Lyons	Simpson
Buttz	McDowell	Stevens
Chevallier	Movius	Van Arnam
Connolly	Oksendahl	Watts
Dickinson	Palmer	Mr. Speaker
Heath		

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

House Bill No. 120,

A bill for an act to reimburse loaders or shippers of carload freight for all grain doors furnished by them and for material furnished and used for same.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 71, nays 2, absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lillie	Ryan
Allen	Mallough	Scheer
Bartz	McClure	Schouweiler
Beck	McCrea	Senour
Bourassa	McDowell	Severson
Braaten	McGahan	Shiels
Burtness	McKenzie	Skjold
Cassell	McKnight	Smart of Nelson
Chevalier	McLain	Smart of Traill
Chisholm	Meidinger	Stavens
Cole	Midgarden	Stevens
Dahl	Miller	Thompson
Dieball	Mooney	Truemner
Elton	Noben	Tufte
Ellison	Noltimier	Underwood
Fried	Oksendahl	Wagner
Gilbert	Palfrey	Wall
Gullerud	Peterson of Wells	Watson
Hammer	Peterson of Towner	Watts
Hanson	Phifer	Weigel
Harvey	Richmond	Welo
Hill	Robillard	Wing
Kraabel	Rogers	Young
Leech	Rose	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Ferguson	Maddock
Baker of Ramsey	Flados	Mattson
Blank	Gagnon	Movius
Bostrom	Heath	Palmer
Brown	Johnson	Patterson
Buttz	Knudtson	Simpson
Chaffee	Lee	Steinberg
Davis	Lish	Van Arnam
Dickinson	Lyons	Mr. Speaker

Messrs. Connolly and Weed voted in the negative.

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

Mr. Connolly explained his vote.

Mr. Mallough moved

That the house do now adjourn until 1 o'clock p. m today.

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

THIRTY-NINTH DAY

**HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 13, 1903.**

The house assembled at 1 o'clock p. m. pursuant to adjournment, and was called to order by the chief clerk, who stated that the speaker was absent.

Mr. Cassell moved

That Mr. Leech be elected speaker pro tem for the day.

Which motion prevailed, and

Mr. Leech was elected speaker pro tem for the day.

Prayer by Representative Sheils.

Roll call.

All members present except Messrs. Aslakson, Blank, Bostrom, Braaten, Chisholm, Cole, Ferguson, Flados, Heath, Johnson, Maddock, McDowell, Movius, Palmer, Patterson, Stevens, Van Arnam, Wing and Mr. Speaker.

Messrs. Blank, Heath and Stevens being excused.

MOTIONS AND RESOLUTIONS.

Mr. McGahan moved

That all proceedings regarding House Bill No. 88 with the exception of the report of the committee be expunged from the records.

Which motion prevailed.

Mr. McGahan moved

That the vote by which House Bill No. 88 was indefinitely postponed be reconsidered and that the bill be referred back to the committee on state affairs.

Which motion prevailed.

The house returned to the fifth order of business.

REPORT OF STANDING COMMITTEE.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 170,

A bill for an act to provide for the enlargement of the boundaries of organized counties by embracing within said boundaries any contiguous unorganized territory.

Have had the same under consideration and recommend that the same do pass.

P. J. LYONS,
Chairman.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Buttz introduced

House Bill No. 234,

A joint resolution pertaining to coal lands and making an appropriation to ascertain what coal lands belonging to the state bear lignite coal.

Which was read the first and second times, and

Referred to the committee on appropriations.

Mr. Dickinson introduced

House Bill No. 235,

A bill for an act to amend section 237, of the Revised Codes, 1899, and to amend section 238, of chapter 169, of session laws, 1901, relating to state depositories.

Which was read the first and second times, and

Referred to the committee on state affairs.

The house returned to the fourth order of business.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Harvey presented the following communication:

Dear Sir:

I am instructed by the chairman to write you that by a unanimous vote of representative farmers in Farmers' institute assembled at the court house in Cando, Towner county, February 10, 1903.

That your constituents request you to cast your vote in favor of the anti-cigarette bill, also in favor of raising age of consent to 18 years; also "No" on resubmission.

Respectfully yours,

EDNA D. MARKS.

Cando, February 11, 1903.

INTRODUCTION OF BILLS.

Mr. McLain introduced

House Bill No. 236,

A bill for an act to provide funds for the purchase of books for the university law library.

Which was read the first and second times, and
Referred to the committee on appropriations.

COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 13, 1903.

To the House of Representatives:

I have the honor to inform you that I have approved and filed with the honorable secretary of state

House Bill No. 2,

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the Blind Asylum at Bathgate, North Dakota.

I have the honor to be,

Very respectfully,

FRANK WHITE,

Governor.

CALENDAR.

Senate Bill No. 44,

A bill for an act amending section 423 of the Revised Codes of 1899, relating to oath of office to be taken by persons who have been admitted to practice in the courts of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays none, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—

Allen
Baker of Ramsey
Bartz
Beck
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevaller
Connolly
Dahl
Davis
Dickinson

Messrs.—

Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Mallough
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger

Messrs.—

Phifer
Richmond
Robillard
Rogers
Ryan
Schouweller
Senour
Severson
Skjold
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Thompson
Truemner
Tuft

Messrs.—

Elton
Ellison
Fried
Gagnon
Gilbert
Gullerud
Hanson
Harvey
Hill

Messrs.—

Midgarden
Miller
Mooney
Noben
Noltimier
Oskendahl
Palfey
Peterson of Towner
Peterson of Wells

Messrs.—

Underwood
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Young

Absent and not voting:

Messrs.—

Aandahl
Aslakson
Blank
Bostrom
Chisholm
Cole
Dieball
Ferguson
Flados

Messrs.—

Hammer
Heath
Johnson
Maddock
Mattson
Movius
Palmer
Patterson

Messrs.—

Rose
Scheer
Shiels
Simpson
Stevens
Van Arnam
Wing
Mr. Speaker

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

GENERAL ORDERS.

Mr. Young moved

That the house resolve itself into a committee of the whole for the consideration of general orders on the calendar.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker pro tem called Mr. Tufte to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

Your committee of the whole have had under consideration
House Bill No. 80,

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

And recommend that the same be amended as follows:

In line 12, after the word "allowing," strike out all the balance of words in the bill, and insert in lieu thereof the following:

"Forty-eight hours free of expense for loading all cars, which time shall be held to embrace such time as car to be loaded is placed and kept by such railroad company in a convenient and proper place for loading, and it shall not be held a proper place for loading, unless such car can be reached by teams or other suitable means of conveying property, after the same have been loaded, whether at sidetrack, elevator, warehouse or depot, without unnecessary delay, proceed to ship the same to the place where the same is consigned."

And when so amended recommend the same do pass.

Also,

House Bill No. 81,

A bill for an act amending section 3071a of the Revised Codes for 1899, relating to the time when property must be removed from cars.

And recommend that the same be amended as follows:

In line 5, after word "have," strike out the word "twenty-four" and insert in lieu thereof, the word "forty-eight."

In line 8, after the word "is," strike out the words "less than 50,000," and insert in lieu thereof figures "40,000," after the word "pounds."

In line 8, strike out balance of line 8, and all in line 9, 10, 11, and up to the word "which," in line 12, and insert in lieu thereof the words, "or greater."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 27,

A bill for an act to amend section 1209 of the Revised Codes of 1899 relating to the compensation of assessors.

And recommend that the same be amended as follows:

By adding emergency clause.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 86,

A bill for an act to amend chapter 106 of the session laws of 1901, relating to game and fish.

And recommend that the same be amended as follows:

That Senate Bill No. 86 be amended to read as follows:

By striking out all of section 1 and inserting in lieu thereof the following:

Section 1. That chapter 106 of the session laws of 1901 be amended so as to read as follows:

By inserting after the words "Sharp tailed grouse" in subdivision 1 of section 7677 the words "ruffed grouse."

Strike out the words "first day of April" where the same appear in subdivisions 3 and 4 of section 7677, and insert in lieu thereof the words "twentieth day of April."

All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Emergency.) Whereas, an emergency exists in this that there is no law that prevents the shooting of geese and ducks in certain seasons; therefore this act shall take effect and be in force immediately upon its passage and approval.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 82,

A bill for an act to amend sections 1642, 1644, 1645, 1646, 1647,

7678, 7683a, 7683b, 7683c, 7683d and 7683f of the Revised Codes, North Dakota, 1899, relating to the protection of game, the division of the state into game districts, the appointment of district game wardens, the issuing of permits to hunt, the disposition of money received from the sale of permits and enacting other provisions relating thereto and providing penalties for violation thereof.

And recommend that the same be amended as follows:

By striking out section 7678 and inserting in lieu thereof:

"Every person who has in his or her possession any of the birds or animals mentioned in the last section at any time prior to the opening of the respective seasons during which it shall be lawful to hunt or kill the same, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace of the county in which such offense is committed, is punishable in the manner and to the extent provided in the last section for the killing of the same; provided, that any person may retain possession of such birds or game five days from the close of their respective seasons:

"And further, provided, if any person having the possession of any such birds or game lawfully killed, desires to retain same for a longer period than five days from the close of their respective seasons, he may apply to the state game warden, or his deputy, for a tag properly stamped, and describing such game, which tag shall be attached to each bird or separate part of game, and shall remain securely fastened thereto until the same is used for food."

And when so amended recommend the same do pass.

Also,

Concurrent Resolution

And memorial to congress relative to the present method of the election of United States senators by the legislatures of the several states.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 57,

A bill for an act to amend section 2559 of the Revised Codes of the state of North Dakota, of 1899, relating to notice of election to township officers.

And recommend that the same be amended as follows:

Insert section 2 as follows:

Section 2. Repeal.) All acts and parts of acts in conflict with the provisions of this act, are hereby repealed.

Change the emergency clause to section 3.

And when so amended recommend the same do pass.

Also,

House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Re-

vised Codes of the state of North Dakota, 1899, relating to, not entitled to tuition fund, when. Enumeration.

And recommend that the same be amended as follows:

By striking out all of section 714 after word "apportioned" and substituting in lieu thereof the following:

"Provided further that it shall be the duty of the county superintendent to withhold the apportionment of the county and state tuition fund from any school district other than the new districts herein provided for; which has not maintained school therein for a period of not less than four school months in the school year preceding such apportionment or has not otherwise provided school facilities for the pupils of that district."

And when so amended recommend the same do pass.

T. E. TUFTE,
Chairman.

Mr. Mallough moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The house returned to the ninth order of business.

INTRODUCTION OF BILLS.

Mr. McClure introduced
House Bill No. 237,

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

Was read the first and second times, and
Referred to the committee on state affairs.

CALENDAR.

Senate Bill No. 66,

A concurrent resolution providing for the submission of a proposed amendment to section 162 of the constitution of the state of North Dakota to the ninth general legislative assembly of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 72, nays none, and not voting 28.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Rogers
Allen	Kraabel	Rose
Beck	Leech	Ryan
Bourassa	Lillie	Scheer
Braaten	Lish	Schouweller
Brown	Lyons	Senour
Burtness	McClure	Severson
Buttz	McCrea	Simpson
Cassell	McDowell	Smart of Nelson
Chevalier	McGahan	Smart of Traill
Connolly	McKnight	Stavens
Dahl	McLain	Steinberg
Dickinson	Meldinger	Thompson
Dieball	Midgarden	Truemner
Elton	Miller	Tufte
Ellison	Mooney	Underwood
Fried	Noben	Wagner
Gagnon	Noltmier	Wall
Gilbert	Oksendahl	Watts
Gullerud	Palfrey	Weed
Hammer	Peterson of Towner	Weigel
Hanson	Peterson of Wells	Welo
Harvey	Phifer	Wing
Hill	Robillard	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Flados	Palmer
Baker of Ramsey	Heath	Patterson
Bartz	Johnson	Richmond
Blank	Lee	Shiels
Bostrom	Maddock	Skjold
Chaffee	Mallough	Stevens
Chisholm	Mattson	Van Arnam
Cole	McKenzie	Watson
Davis	Movius	Mr. Speaker
Ferguson		

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

Mr. McLain moved

That the vote by which Senate Bills No. 44 and No. 66 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 52,

A bill for an act to amend section 706 Revised Codes 1899 relating to district high schools, and providing for the establishment of district graded schools.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 73, nays 2, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Ryan
Allen	Leech	Scheer
Baker of Ramsey	Lillie	Schouweller
Bartz	Lish	Senour
Beck	McClure	Severson
Bourassa	McDowell	Shiels
Brown	McGahan	Skjold
Burtness	McKnight	Simpson
Chaffee	McLain	Smart of Nelson
Chevalier	Meldinger	Smart of Traill
Connolly	Midgarden	Stavens
Dahl	Miller	Steinberg
Davis	Mooney	Thompson
Dickinson	Noben	Truemner
Dieball	Noltmier	Tufte
Elton	Oksendahl	Underwood
Ellison	Palfrey	Wagner
Fried	Peterson of Towner	Wall
Fried	Peterson of Wells	Watson
Gilbert	Phiffer	Watts
Gullerud	Richmond	Weed
Hammer	Robillard	Weigel
Hill	Rogers	Welo
Knudtson	Rose	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Gagnon	McKenzie
Blank	Harvey	Movius
Bostrom	Heath	Palmer
Braaten	Johnson	Patterson
Buttz	Lee	Stevens
Cassell	Maddock	Van Arnam
Chisholm	Mallough	Wing
Cole	Mattson	Young
Ferguson	McCrea	Mr. Speaker

Messrs. Hanson and Lyons voted in the negative.

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

Mr. Ryan moved

That the vote by which Senate Bill No. 52 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 13, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 120,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the supreme court of the state of North Dakota.

Also,

Senate Bill No. 128,

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

Also,

Senate Bill No. 60,

A bill for an act to amend sections 1, 2 and 3 of chapter 84 of the session laws of 1901 the same being sections 643, 681 and 682 of the Revised Codes of 1899 as amended in 1901, relating to education.

Also,

Senate Bill No. 72,

A bill for an act to amend section 3068 of the Revised Codes of the state of North Dakota for 1899.

Also,

Senate Bill No. 74,

A bill for an act to amend and re-enact sections 1823, 1824 and 1825 of the Revised Codes of the state of North Dakota for the year 1899, relating to the organization of counties.

Also,

Senate Bill No. 151,

A bill for an act authorizing the board of trustees of the deaf and dumb asylum to issue bonds to provide a fund for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

Also,

Mr. Speaker:

I have the honor to return herewith

House Bill No. 41,

A bill for an act to amend section 2 of chapter 142 of the laws of 1887, entitled an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota.

Which the senate has amended

By striking out the word "July" in line 2 of section 2494, and inserting the word "September" in lieu thereof in the engrossed bill,

And passed as amended.

Also,

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

Which the senate has amended

By striking out the word "September" in line 15, section 1243, engrossed bill, and substituting the word "October" in lieu thereof.

By striking out the word "is" in line 20 of said section and substituting the word "are" in lieu thereof.

By striking out the word "restrain" in line 23 of said section and substituting the word "distrain" in lieu thereof.

By striking out the word "destrained" in line 34 of said section and substituting the word "distrain" in lieu thereof.

And passed as amended.

Also,

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member of Battery A, State National Guard.

Which the senate has passed without change.

R. M. TUTTLE,
Secretary.

CALENDAR.

Senate Bill No. 50,

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings of the North Dakota educational association.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 65, nays none, absent and not voting 35.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Bourassa
Brown
Burtness
Cassell
Chevalier
Connolly
Dahl

Messrs.—

Lyons
Mallough
McGahan
McKnight
McLain
Meldinger
Midgarden
Miller
Mooney
Noben

Messrs.—

Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg

Messrs.—	Messrs.—	Messrs.—
Dickinson	Noltmier	Thompson
Dieball	Oksendahl	Truemner
Elton	Palfrey	Tufte
Ellison	Peterson of Townner	Underwood
Gilbert	Peterson of Wells	Wagner
Hammer	Phifer	Wall
Hanson	Richmond	Watson
Harvey	Robillard	Watts
Kraabel	Rogers	Weed
Leech	Rose	Weigel
Lillie	Ryan	Young
Lish	Scheer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Flados	McCrea
Baker of Ramsey	Fried	McDowell
Beck	Gagnon	McKenzie
Blank	Gullerud	Movius
Bostrom	Heath	Palmer
Braaten	Hill	Patterson
Buttz	Johnson	Stevens
Chaffee	Knudtson	Van Arnam
Chisholm	Lee	Welo
Cole	Maddock	Wing
Davis	Mattson	Mr. Speaker
Ferguson	McClure	

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

Mr. Miller moved

That the vote by which Senate Bill No. 50 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Wall moved

That the house concur in the senate amendment to House Bill No. 41,

A bill for an act to amend section 2 of chapter 142 of the laws of 1887, entitled an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota.

Which motion prevailed, and

The amendment was concurred in.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 63, nays none, absent and not voting 37.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lillie	Ryan
Allen	Lish	Scheer
Bourassa	Lyons	Schouweiler

Messrs.—	Messrs.—	Messrs.—
Brown	Mallough	Senour
Burtness	McGahan	Severson
Buttz	McKnight	Shiels
Cassell	McLain	Skjold
Chevallier	Meidinger	Simpson
Connolly	Midgarden	Smart of Nelson
Dahl	Miller	Stavens
Dickinson	Mooney	Steinberg
Dieball	Noben	Thompson
Elton	Noltimier	Truemner
Ellison	Oksendahl	Tufte
Gilbert	Peterson of Towner	Underwood
Gullerud	Peterson of Wells	Wagner
Hammer	Phifer	Wall
Hanson	Richmond	Watts
Harvey	Robillard	Weed
Kraabel	Rogers	Weigel
Leech	Rose	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Fried	McKenzie
Baker of Ramsey	Gagnon	Movius
Bartz	Heath	Palfrey
Beck	Hill	Palmer
Blank	Johnson	Patterson
Bostrom	Knudtson	Smart of Traill
Braaten	Lee	Stevens
Chaffee	Maddock	Van Arnam
Chisholm	Mattson	Watson
Cole	McClure	Welo
Davis	McCrea	Wing
Ferguson	McDowell	Mr. Speaker
Flados		

Messrs. Blank, Heath and Stevens being excused.

So the bill as amended by the senate passed and the title was agreed to.

Mr. Cassell moved

That the house do concur in senate amendments to

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

Which motion prevailed, and

And the amendments were concurred in.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 59, nays none, absent and not voting 41.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lish	Ryan
Allen	Lyons	Schouweller
Bartz	Mallough	Senour
Bourassa	McClure	Severson
Brown	McGahan	Shiels
Burtness	McKnight	Skjold
Buttz	McLain	Simpson
Cassell	Meidinger	Stavens
Chevalier	Midgarden	Steinberg
Connolly	Miller	Truemner
Dickinson	Mooney	Tufte
Dieball	Noben	Underwood
Ellison	Noltimier	Wagner
Gilbert	Oksendahl	Wall
Gullerud	Peterson of Wells	Watts
Hammer	Phifer	Weed
Hanson	Richmond	Weigel
Harvey	Robillard	Welo
Leech	Rogers	Young
Lillie	Rose	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Fried	Palfrey
Baker of Ramsey	Gagnon	Palmer
Beck	Heath	Patterson
Blank	Hill	Peterson of Towner
Bostrom	Johnson	Scheer
Braaten	Knudtson	Smart of Nelson
Chaffee	Kraabel	Smart of Trall
Chisholm	Lee	Stevens
Cole	Maddock	Thompson
Dahl	Mattson	Van Arnam
Davis	McCrea	Watson
Elton	McDowell	Wing
Ferguson	McKenzie	Mr. Speaker
Flados	Movius	

Messrs. Blank, Heath and Stevens being excused.

So the bill as amended by the senate passed and the title was agreed to.

Senate Bill No. 61,

A bill for an act to amend section 481 of the Revised Codes of 1899, providing for the formation of election precincts.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 67, nays none, absent and not voting 33.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lillie	Rose
Allen	Lyons	Ryan
Bartz	Maddock	Scheer
Beck	Mallough	Schouweller

Messrs.—	Messrs.—	Messrs.—
Bourassa	McClure	Senour
Brown	McGahan	Severson
Burtness	McKnight	Shiels
Buttz	McLain	Skjold
Cassell	Meidinger	Simpson
Connolly	Midgarden	Smart of Nelson
Dahl	Miller	Smart of Traill
Dieball	Mooney	Stavens
Elton	Noben	Steinberg
Ellison	Noltmier	Truemner
Ferguson	Oksendahl	Tufta
Gilbert	Palfrey	Wagner
Gullerud	Peterson of Towner	Wall
Hammer	Peterson of Wells	Watts
Hanson	Phifer	Weed
Harvey	Richmond	Weigel
Hill	Robillard	Welo
Leech	Rogers	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Asiakson	Fried	McKenzie
Baker of Ramsey	Gagnon	Movius
Blank	Heath	Palmer
Bostrom	Johnson	Patterson
Braaten	Knudtson	Stevens
Chaffee	Kraabel	Thompson
Chevallier	Lee	Underwood
Chisholm	Lish	Van Arnam
Cole	Mattson	Watson
Davis	McCrea	Wing
Dickinson	McDowell	Mr. Speaker
Flados		

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

The chief clerk announced that the speaker pro tem was about to sign

Senate Bill No. 80,

A bill for an act authorizing the state board of equalization to include in the annual levy for bond interest and bond sinking fund a sufficient amount to pay the interest and provide a sinking fund for the state normal school bonds issued under the provisions of section ten (10) chapter eighty-nine (89) session laws of 1891.

Also,

Senate Bill No. 79,

A bill for an act authorizing the board of trustees of the state reform school to issue bonds to provide for the furnishing of the and equipment of the same, and for the purchase of lands adjoining the state reform school necessary to furnish employment for the inmates of said reform school.

Also,

Senate Bill No 43,

A bill for an act authorizing the board of trustees of the state university and school of mines to issue bonds to provide a fund for the necessary repairs of the buildings of the state university and to pay the floating indebtedness of said university.

Also,

Senate Bill No. 81,

A bill for an act authorizing the board of directors of the state normal schools to issue bonds to provide a fund for the other necessary improvements for the normal school at Valley City and Mayville.

Also,

Senate Bill No. 63,

A bill for an act to provide for the erection and construction of the north wing of the capitol, for the issuance and sale of one hundred thousand dollars of bonds, and for the sale of lands granted the state for the purpose of erecting public buildings at the capitol.

And the speaker pro tem signed the same in the presence of the house.

Mr. Ryan moved

That the house resolve into a committee of the whole for the purpose of considering House Bill No. 17.

Which motion prevailed, and

The house resolved itself into a committee of the whole for the consideration of House Bill No. 17.

The speaker pro tem called Mr. Cassell to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

Your committee of the whole have had under consideration

House Bill No. 17,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

And recommend that the same be placed on its third reading and final passage.

M. B. CASSELL,
Chairman.

Mr. Cassell moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Buttz moved

That the house do now adjourn.

Which motion was lost.

Mr. Young moved

That the rules be suspended and House Bill No. 17 be placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 17.

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 61, nays 4, absent and not voting 35.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Baker of Ramsey
Beck
Bourassa
Brown
Burtness
Cassell
Chaffee
Connolly
Dahl
Dieball
Elton
Ellison
Fried
Gilbert
Gullerud
Hammer
Harvey
Hill
Kraabel

Messrs.—

Leech
Lillie
Lish
Lyons
Mallough
McClure
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltmier
Oksendahl
Palfrey
Peterson of Towner
Peterson of Wells

Messrs.—

Robillard
Ryan
Scheer
Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Thompson
Tuft
Wagner
Wall
Watts
Weed
Weigel
Welo
Young

Those who voted in the negative were:

Messrs.—

Buttz
Phifer

Messrs.—

Richmond

Messrs.—

Rose

Absent and not voting:

Messrs.—

Aslakson
Bartz
Blank
Bostrom
Braaten
Chevallier
Chisholm
Cole
Davis
Dickinson
Ferguson
Flados

Messrs.—

Gagnon
Hanson
Heath
Johnson
Knudtson
Lee
Maddock
Mattson
McCrea
McDowell
Movius
Palmer

Messrs.—

Patterson
Rogers
Stavens
Steinberg
Stevens
Truemner
Underwood
Van Arnam
Watson
Wing
Mr. Speaker

Messrs. Blank, Heath and Stevens being excused.

So the bill passed and the title was agreed to.

Mr. Smart of Nelson explained his vote.

Mr. Richmond moved

That the house do now adjourn,

Which motion was lost.

Mr. Beck moved

That the vote by which House Bill No. 17 passed be reconsidered, and

The motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 13, 1903.

Mr. Speaker:

I have the honor to inform you that the senate has concurred in the concurrent resolution authorizing the appointment of a committee to visit Madison, Wis., between this date and the 20th inst.

Also,

That the senate has concurred in the concurrent resolution petitioning and memorializing the legislature of Wisconsin to pass a bill providing a grain and warehouse commission at the city of Superior.

R. M. TUTTLE,

Secretary.

Mr. Fried moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,

Chief Clerk.

FORTY-SIXTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK NORTH DAKOTA,
February 20, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

There being no objection the roll call was dispensed with.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Buttz presented the following petition:

Lisbon, N. D., Feb. 11, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

THOMAS GILBERTSON,
FRANK RUSSEL,
ANDREW SANDAGER,
R. S. ADAMS,
A. H. LAUGHLIN,
WALTER L. WILLIAMS,
And Fifty Others.

Mr. Young presented the following petition:

Valley City, N. D., Feb. 13, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

L. J. FLACH, Chief,
And Fifty-six Others.

Mr. Young presented the following communication:

Rogers, N. D., Feb 10, 1903.

Gentlemen: There is before your body, House Bill No. 102, introduced by Mr. Ryan, relative to "Domestic" mutual insurance companies doing a hail insurance business. Under that bill, if it should become a law, it would

be impossible to do any mutual hail insurance business, because we could not get any officers, agents or adjusters to do any work unless they would be sure of getting paid for their work.

I have insured my crops for a good many years with the Alliance Hail association, which I know is doing a straight and honest business.

I, for one, would not like this association shut out from doing any more business. I, therefore, would ask you, gentlemen, to do all you can to prevent the passage of the above mentioned bill.

I herewith enclose the annual statement of the Alliance Hail association of North Dakota.

I remain yours truly,
C. J. CHRISTIANSON.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker:

Your committee on banks and banking to whom was referred
House Bill No. 55,

A bill for an act to amend section 1 of house bill No. 4.

Have had the same under consideration and recommend that further consideration of this bill be indefinitely postponed.

AUG. PETERSON,
Chairman.

Mr. Peterson of Wells moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 203,

A bill for an act to amend section 6613 of the Revised Codes relating to fees and salaries of clerks of county courts.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 116,

A bill for an act to amend and re-enact subdivision 6 of section 3576 of article 3, civil code of the Revised Codes of 1899, relating to acknowledgments by deputies.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 39,

A bill for an act fixing the time of making the annual tax levy and repealing all laws not in conformity therewith.

Have had the same under consideration, and recommend that the same be amended as follows:

Section 1. Section 2494 of the political code is amended to read as follows:

"The city council of such cities shall on or before the first Monday in September in each year, make the tax levy for the current fiscal year, and fix the rate of taxation upon property in such city, and the city auditor of said city shall forthwith transmit the same to the county auditor of such county or counties."

And when so amended recommend the same do pass.

A. L. WALL,
Chairman.

Mr. Wall moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred House Bill No. 166,

A bill for an act to provide for the election of and defining the jurisdiction of police magistrates in cities, incorporated towns and villages.

Have had the same under consideration and recommend that the same do pass.

A. L. WALL,
Chairman.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member of Battery A, State National Guard.

Also,

House Bill No. 41,

A bill for an act to amend section 2494, article 15 of the Revised Codes of 1899 relating to the tax levy and rate of taxation in cities.

Also,

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Re-

vised Codes of North Dakota, relating to delinquent personal property taxes.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

EXECUTIVE COMMUNICATION.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA.
February 14, 1903.

To the House of Representatives:

Mr. Speaker:

I have the honor to inform you that I have approved and filed with the Honorable Secretary of State

House Bill No. 1,

A bill for an act to amend section 2 of chapter 151, of the session Laws of 1901, prescribing the manner in which township taxes may be levied, fixing the rate of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases.

Also,

House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

Also,

House Bill No. 25,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

I have the honor to be,

Very respectfully,
FRANK WHITE,
Governor.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 20, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 26,

A bill for an act to prevent the adulteration, misbranding and

selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, providing for the inspection and analysis of foods, charging the North Dakota Government Agricultural Experiment Station with the duty thereof, charging the state's attorney with the enforcement hereof and making an appropriation therefor.

Also,

Senate Bill No. 145,

A bill for an act to amend and re-enact section 274a, 274b, 274c, 274d, 274e, 274f, 274g of chapter 4 of the political code of 1899, relating to the collection and reporting of vital statistics, prescribing the duties of officers who collect and report such statistics, defining the duties of county auditors in relation thereto and fixing compensation and method of paying the same, and providing penalties for the violation of this act.

Also,

Senate Bill No. 77,

A bill for an act to amend section 273 of the Revised codes of North Dakota, relating to expenses incurred by local boards of health.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,
Secretary.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Mallough introduced

House Bill No. 238,

A bill for an act to license solicitors for benevolent organizations.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Young introduced

House Bill No. 239,

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Petersen of Wells introduced

House Bill No. 240,

A bill for an act to amend sections 7593, 7602, 7604, 7608 of the Revised Codes of the state of North Dakota, relative to prohibition, and unlawful dealing in intoxicating liquors and prescribing penalties therefor.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Simpson introduced

House Bill No. 241,

A bill for an act to limit the terms of school treasurers.

Which was read the first and second times, and

Referred to the committee on education.

Mr. Peterson of Wells introduced

House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock, "where and at what valuation to be listed."

Which was read the first and second times, and

Referred to the committee on banking.

Mr. Davis introduced

House Bill No. 243,

A bill for an act to amend section 1232 of the Revised Codes of the state of North Dakota, 1899, relating to tax lists, when delivered to treasurer.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Davis introduced

House Bill No. 244,

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to, when real estate taxes become due and delinquent. Penalty and interest.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Buttz moved

That the senate be requested to return to the house

House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Which motion prevailed.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 130,

A bill for an act to regulate the sale and analysis of commercial fertilizers and prescribing a penalty for the violation thereof.

Also,

House Bill No. 167,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for ascertaining the value as nearly as possible for the assistance of assessors in the assessment of their property and the taxation of the same.

Also,

House Bill No. 188,

A bill for an act to amend section 1605 of the Revised Codes of 1899 of the state of North Dakota, relating to the compensation, bonds and qualifications of district veterinarians.

Also,

House Bill No. 192,

A bill for an act to amend section 1530 of the Revised Codes of North Dakota, relating to the salaries and fees to be paid to the commissioners of insanity and others in attendance at the meetings of the county board of commissioners for the insane.

Also,

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Also,

House Bill No. 80,

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

Also,

House Bill No. 81,

A bill for an act amending section 3071a of the Revised Codes for 1899, relating to the time when property must be removed from cars.

Also,

House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to, not entitled to tuition fund, when. Enumeration.

And find the same correctly engrossed.

A. L. WALL,
Chairman Pro Tem.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 120,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the supreme court of the state of North Dakota.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 128,

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

Was read the first and second times, and
Referred to the committee on ways and means.

Senate Bill No. 60,

A bill for an act to amend sections 1, 2 and 3 of chapter 84 of the session laws of 1901 the same being sections 643, 681 and 682 of the Revised Codes of 1899, as amended in 1891, relating to education.

Was read the first and second times, and
Referred to the committee on education.

Senate Bill No. 72,

A bill for an act to amend section 3068 of the Revised Codes of the state of North Dakota for 1899.

Was read the first and second times, and
Referred to the committee on railroads.

Senate Bill No. 74,

A bill for an act to amend and re-enact sections 1823, 1824, and 1825 of the Revised Codes of the state of North Dakota for the year 1899, relating to the organization of counties.

Was read the first and second times, and
Referred to the committee on counties and county boundaries.

Senate Bill No. 151,

A bill for an act authorizing the board of trustees of the deaf and dumb asylum to issue bonds to provide a fund for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

Was read the first and second times, and
Referred to the joint committee on educational institutions.

Mr. Buttz moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FORTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 21, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Roll call.

Prayer by the chaplain.

All members present except Messrs. Baker of Ramsey, Blank, Bostrom, Brown, Burtness, Chevalier, Cole, Dahl, Elton, Ferguson, Gagnon, Gullerud, Hill, Johnson, Knudtson, Kraabel, Lee, Lish, Maddock, McDowell, Meidinger, Movius, Oksendahl, Patterson, Phifer, Richmond, Robillard, Rose, Ryan, Severson, Sheils, Steinberg, Thompson, Underwood, Wagner, Watson and Welo.

Messrs. Burtness, Chevalier, Lish, Maddock, McDowell, Patterson, Rose, Sheils, and Steinberg being excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-eighth day have carefully examined the same and recommend that the same be corrected as follows:

On page 9, following the concurrent resolution by Mr. Mattson, the words "which the house has passed and your favorable consideration thereof is respectfully requested," be omitted.

On page 9, in line 11, from the bottom of said page, the word "adoption," be changed to "adopted."

On page 10, line 4, from the bottom of said page, the word "revised," be corrected as to spelling.

And when so amended recommend that the same be approved.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The speaker announced that

House Bill No. 235,

A bill for an act to amend section 237, of the Revised Codes, 1899, and to amend section 238, of chapter 169, of session laws, 1901, relating to state depositories.

Was recalled from the committee on state affairs and

Referred to the committee on banks and banking.

Also,

House Bill No. 239,

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

Was recalled from the committee on judiciary and

Referred to the committee on state affairs.

Also,

House Bill No. 234,

A joint resolution pertaining to coal lands and making an appropriation to ascertain what coal lands belonging to the state bear lignite coal.

Was recalled from the committee on appropriations and

Referred to the committee on judiciary.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Smart of Traill presented the following petition:

Hillsboro, N. D., Feb. 11, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

JOHN CARMODY,
E. Y. SARLES,
And Fifty Others.

Mr. Weed moved

That only the first two names in petitions be printed in the journal.

Which motion prevailed.

The speaker presented the following communication:

Aneta, N. D., Feb. 16, 1903.

To the Speaker of the House of Representatives of the State of North Dakota:

Honored Sir: At a meeting held in the Baptist church in the town of

Aneta, Feb. 15, 1903, when nearly 140 people were assembled, the passage of the "anti-cigarette" and the "age of consent" bills were voted upon unanimously urged to be passed by your honorable body.

We, therefore, request you to bring this notice before all the members of the house, and request them in the name of civic righteousness and purity to pass these two bills. In behalf of the citizens of Aneta, N. D.

ALEX DOUGLAS,

Pastor of the Baptist Church.

WILLIS R. WILSON,

Pastor of the Methodist Church.

H. S. QUANBECK,

Pastor of the Lutheran Church.

J. F. CHEESMAN,

Pastor of the Presbyterian Church.

Mr. Bourrasa presented the following communication:

Rolla, N. D., Feb 14, 1903.

Dear Sir: At a meeting of the Rolla Woman's Christian Temperance Union, Thursday evening, Feb. 12, the following resolutions were unanimously adopted:

Resolved, That we, as an organization, existing for pure morals, the uplift of humanity, and the protection of the home, do heartily endorse House Bills Nos. 59 and 84, regarding the sale of cigarettes and cigarette papers in the state; and bill to raise the age of consent from 16 to 18 years, and that we most respectfully urge our senator and representatives of Rolette county, to use all honorable means in their power to secure the enactment of said measures into laws.

Respectfully,

MRS. J. W. HOSKINS,

Corresponding Secretary.

Mr. Wagner presented the following communication:

Rolla, N. D., Feb. 14, 1903.

Dear Sir: At a meeting of the Rolla Woman's Christian Temperance Union, Thursday evening, Feb. 12, the following resolutions were unanimously adopted:

Resolved, That we, as an organization, existing for pure morals, the uplift of humanity, and the protection of the home, do heartily endorse House Bills Nos. 59 and 84, regarding the sale of cigarettes and cigarette papers in the state, and bill to raise the age of consent from 16 to 18 years, and that we most respectfully urge our senator and representatives of Rolette county, to use all honorable means in their power to secure the enactment of said measures into laws.

Respectfully,

MRS. W. J. HOSKINS,

Corresponding Secretary.

Mr. Young presented the following communication:

Valley City, N. D., Feb. 20, 1903.

Dear Sir: I find in the Minneapolis Journal of yesterday a Madison, Wis., item touching on the Wisconsin grain inspection bill, wherein it is said that there is some question about the constitutionality of making up the board of inspection from parties outside of the state of Wisconsin (i. e.) allowing the governors of New York and North Dakota to recommend the appointment of one member each from their respective states. In your talk with me yesterday you referred to this matter, and

upon giving it some thought, I have reached the conclusion that should the bill pass as it is, that it is quite likely that it will be found to be of no force. While of course it would be much better for us to have representation on the board of inspection, still, if there is any doubt as to the validity of the measure as it stands, I would strongly advise to allow the governor of Wisconsin to appoint the entire board. For several years past the Minnesota inspection has been so rank, that it becomes a sheer necessity for us wheat growers in North Dakota to have two strings to our bow, so far as inspection is concerned. I trust you will exhaust every source to inform yourself as to the legality of the grain bill now before the Wisconsin legislature, and should it be found that it is faulty, as to the make up of the board of inspection, by all means recommend that the appointing power be placed in the governor of Wisconsin. Give West Superior a chance, things cannot be worse than they have been. "Now's the day and now's the hour," etc. This grain inspection through West Superior is the most important matter before our legislature today.

Sincerely yours,

WYLIE NIELSON.

Mr. Lyons moved

That all petitions presented before the house be tabled.

Which motion was lost.

Mr. Smart of Nelson presented the following petition:

Aneta, N. D., Feb. 16, 1903.

To the Speaker of the House of Representatives of the State of North Dakota:

Honored Sir: At a meeting held in the Baptist church in the town of Aneta, Feb. 15, 1903, when nearly 140 people were assembled, the passage of the "anti-cigarette" and the "age of consent" bills were voted upon unanimously urged to be passed by your honorable body.

We, therefore, request you to bring this notice before all the members of the house, and request them in the name of civic righteousness and purity to pass these two bills. In behalf of the citizens of Aneta, N. D.

ALEX DOUGLAS,

Pastor of the Baptist Church.

WILLIS R. WILSON,

Pastor of the Methodist Church.

H. S. QUANBECK,

Pastor of the Lutheran Church.

J. F. CHEESMAN,

Pastor of the Presbyterian Church.

Mr. Dickinson presented the following petition:

Towner City, N. D., Feb. 11, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

W. W. HEFFRON,

J. P. CRAWFORD,

And Thirty-nine Others.

Mr. Peterson of Towner presented the following petition:

Cando, N. D., Feb. 11, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and

vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

T. W. CONYERS,
GEO. B. THOM,
And Fifty Others.

Mr. Lillie presented the following petition:

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

PETER B. FERGUSON,
ISAAC KELLY,
And Forty-eight Others.

Mr. Tuftte presented the following petition:

Northwood, N. D., Feb. 12, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

M. V. LINWELL,
CHAS. GUSTAFSON,
And Forty-two Others.

Mr. Heath presented the following communication:

Grandin, N. D., Feb. 10, 1903.

Dear Sir: The Methodist congregations in Grandin and Centerville voted last Sabbath unanimously in favor of the anti-cigarette bill, and also the bill to raise the age of consent of young girls from 16 to 18 years. We hope you will use your influence to have these bills passed.

Yours truly,
JOSEPH S. MILLER,
Pastor Methodist Episcopal Church.

Mr. Gilbert presented the following petition:

Casselton, N. D., Feb. 16, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

A. L. FROST,
FRED J. KENCKE,
And Forty-eight Others.

Mr. Leech presented the following petition:

Fargo, N. D., Feb. 19, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

FARGO GROCERY CO.,
A. BASSETT, Capt. C. H. Co.,
And Forty-eight Others.

Mr. Cassell presented the following petition:

Hope, N. D., Feb. 16, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

O. L. BOWEN,
JOHN WAMBERG,
And Fifty-one Others.

Mr. Simpson presented the following petition:

Glenn Ullin, N. D., Feb. 11, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

W. T. MORN,
H. F. BEKTOLD,
And Fifty Others.

Mr. Cassell presented the following petition:

We, the undersigned residents of Cooperstown, N. D., petition your honorable body to pass the bill now pending forbidding the importation and sale of cigarettes within the state; also the bill raising the age of consent to 18 years.

MRS. T. F. KERR,
And Twenty-nine Others.

Mr. Stavens presented the following communication:

Hope, N. D., Feb. 12, 1903.

Dear Sir: The Riverside W. C. T. U. desires very much the passage of the anti-cigarette bill and of the bill raising the age of consent to 18 years, and respectfully ask your support of same.

We also ask if you will oppose any measure to repeal or weaken the penalty clause or any measure tending to weaken the prohibition law.

Very respectfully,
LYDIA M. NORTHROP,
President of Riverside W. C. T. U.

Mr. Lyons moved

That all petitions and communications be referred to the committee on temperance.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 227,

A bill for an act to create a state board of control, and provide for the management and control of charitable, reformatory,

penal and educational institutions of the state, and to make an appropriation therefor, and abolishing existing boards governing such institutions.

Have had the same under consideration and recommend that the same be amended as follows:

Amend title by inserting before the word "charitable," the words "public property."

Amend section 18 by inserting after the word institutions, line 3, "the board of trustees of public property at Bismarck," and after the word "Bottineau," in line 10 of section 18 of the printed bill, the words "the board of trustees of the scientific school at Wahpeton," and after the word "act" in line 17, of section 18, insert the words "the public property at Bismarck," and after the word "Bottineau," in line 21, of section 18, insert the words, "and the scientific school at Wahpeton."

And when so amended recommend that the same do pass.

W. J. WATTS,
Chairman.

Mr. Chaffee moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate Bill No. 60,

A bill for an act to amend and re-enact chapter 84, of the session laws of 1901, relating to education.

Have had the same under consideration, and recommend that the same be amended as follows:

In line 12, page 2 of the printed bill, insert after the word "president," the words "and clerks."

In line 14, page 2, insert after the word "members" the words, "and clerks."

In section 681, line 11, page 2, insert after the word "that," the words "in counties having the district system," and after the word "president," in the same line, the words, "and clerk."

In line 12, page 3, after the words "members." the words, "and clerks," and in the same line strike out the words, "he or they," and insert in lieu thereof the words, "such president or board," and also in the same line strike out the words "the board," and insert in lieu thereof the word "them."

In line 14, page 3, strike out the word "and" before "members," and insert after the word "members" the words "and clerks."

In line 16, insert after the word "dollars," the words "for each representative."

Add section 4. Repealing clause.

And when so amended recommend the same do pass.

GEO. W. H. DAVIS,
Chairman.

Also,

House Bill No. 218,

A bill for an act relating to military instruction as an optional branch of instruction in the public schools of the state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House bill No. 225,

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Section 2. All acts or parts of acts in conflict with this act are hereby repealed.

And when so amended recommend that the same do pass.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House Bill No. 208,

For an act to amend section 744 of the Revised Codes of the state of North Dakota, 1899, relating to certificates, when revocable.

Have had the same under consideration and recommend that the same do pass.

GEO. W. H. DAVIS,
Chairman.

The committee on privileges and elections made the following majority report:

Mr. Speaker:

Your committee on privileges and elections to whom was referred

House Bill No. 95,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Have had the same under consideration and recommend that the same do not pass.

GEO. McKENZIE,
C. W. BUTTZ,
N. ROBILLARD,
AUG. PETERSON,
J. A. WEED.

The committee on privileges and elections made the following minority report:

Mr. Speaker:

Your committee on privileges and elections to whom was referred

House Bill No. 95,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Have had the same under consideration and recommend that the same do pass.

H. P. RYAN,
J. L. HARVEY,
M. MADDOCK,
W. F. LEECH.

Mr. Davis moved

That the house consider the majority and minority reports of committee on privileges and elections on House Bill No. 95 in the open session of the house on Tuesday the twenty-fourth day of February, 1903, at 4 o'clock p. m. That the bill be then debated, the time of debate to be equally divided between those favoring the majority and the minority reports, and at the conclusion of the debate the bill be placed on its third reading, the roll called and the bill be "passed" or "not passed" as the house by roll call directs.

Which motion prevailed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 229,

A bill for an act to amend and re-enact section 441 of the Revised Codes of North Dakota, being chapter 114 of the session laws of 1901, relating to jurors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 101,

A bill for an act to amend section 1896 of the Revised Codes relating to term of offices of county commissioners and also to repeal chapter 33 of the special laws of 1885.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 210,

A bill for an act to provide for notice to be given before cancellation, termination or forfeiture of or under any instrument for the future conveyance of lands, or of any equity therein, and to prohibit agreements for such cancellation, termination or forfeiture without such notice.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 206,

For an act to amend chapter 114 of the session laws of 1901, relating to jurors.

Have had the same under consideration, and recommend that the same be amended as follows:

By striking out "and" in line 5 of the printed bill; also by striking out "taxpayers," in line 6 of the printed bill.

By inserting in line 16 of the printed bill after the word "Judges," "members of the legislature."

And when so amended recommend the same do pass.

Also,

House Bill No. 221,

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Have had the same under consideration and recommend that the same do pass.

Also,

Substitute for House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bond therefor and raising and appropriating funds for the erection of such academy buildings and for the maintenance and government of said academy.

Have had the same under consideration and recommend that the same be amended as follows:

The title be amended as follows:

A bill for an act to amend and re-enact sections 928, 924, 925, 926, 927, 929, 930, 932, 933, and to repeal section 928 and 931 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science, and providing for the issuing of bonds for the purpose of erecting suitable buildings for the said academy and for the maintenance thereof.

By striking out the words "state academy," in line 20, page 3 of the original substitute bill and inserting in lieu thereof the words, "North Dakota academy."

By adding thereto the following:

Section 3. Sections 928 and 931 of the Revised Codes of North Dakota, and all acts and parts of acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

C. W. BUTTZ,
Chairman.

Mr. Davis offered the following resolution and moved its adoption:

Resolved, That the standing committees of the house, (except the committee on enrollment and engrossment) to be directed to report to the house all bills in their possession not later than Thursday, Feb. 26, the fifty-second day of the session.

Which motion prevailed.

Mr. Davis moved

That when we adjourn today we adjourn to meet Tuesday, February 24, 1903.

Which motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Ellison introduced

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Wagner introduced

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Allen introduced
House Bill No. 247,

A bill for an act making it unlawful to sell any liquid put up in bottles, to be drank as a beverage or tonic, unless the same shall have a label upon the outside on which is printed the true and correct analysis of all the ingredients contained therein.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Allen introduced
House Bill No. 248,

A bill for an act to amend section 3146 of the Revised Codes of 1899, relating to the time for the holding of the annual meeting for the election of directors, and who may vote.

Which was read the first and second times, and
Referred to the committee on banks and banking.

Mr. Leech introduced
House Bill No. 249,

A bill for an act to provide for the improvement of public highways in townships adjoining incorporated cities.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Cassell introduced
House Bill No. 250,

A bill for an act to amend chapter 170 of the session laws of 1901, relating to the state examiner, his appointment, term of office, qualifications, examination of banks, salary, deputies and their salaries, and penalty for malfeasance.

Which was read the first and second times, and
Referred to the committee on banks and banking.

Mr. Cassell introduced
House Bill No. 251,

A bill for an act to repeal a special act of the legislative assembly of the territory of Dakota of 1885, approved by the governor March 13, 1885, entitled "an act to create a joint school township in the counties of Griggs and Steele."

Which was read the first and second times, and
Referred to the committee on education.

Mr. Cassell introduced
House Bill No. 252,

A bill for an act to amend section 7464 of the Revised Codes as amended by chapter 82 of the session laws of 1901, relating to embezzlement.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Young introduced

House Bill No. 253,

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.

Which was read the first and second times, and

Referred to the committee on grain and grain grading.

Mr. Young introduced

House Bill No. 254,

A bill for an act to amend section 5630, relating to trials in district court without a jury, and appeals therefrom.

Which was read the first and second times, and

Referred to the committee on judiciary.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 77,

A bill for an act to amend section 273 of the Revised Codes of North Dakota, relating to expenses incurred by local boards of health.

Was read the first and second times, and

Referred to the committee on public health.

Senate Bill No. 145,

A bill for an act to amend and re-enact section 274a, 274b, 274c, 274d, 274e, 274f, 274g of chapter 4 of the political code of 1899, relating to the collection and reporting of vital statistics, prescribing the duties of officers who collect and report such statistics, defining the duties of county auditors in relation thereto and fixing compensation and method of paying the same, and providing penalties for the violation of this act.

Was read the first and second times, and

Referred to the committee on public health.

Senate Bill No. 26,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, providing for the inspection and analysis of foods, charging the North Dakota Government Agricultural Experiment Station with the duty thereof, charging the state's attorney with the enforcement hereof and making an appropriation therefor.

Was read the first and second times, and

Referred to the committee on state affairs.

The committee on engrossed bills made the following report:

Mr Speaker:

Your committee on engrossed bills have examined

House Bill No. 39,

A bill for an act fixing the time of making the annual tax levy and repealing all laws not in conformity therewith.

Also,

House Bill No. 166,

A bill for an act to provide for the election of and defining the jurisdiction of police magistrates in cities, incorporated towns and villages.

Also,

House Bill No. 170,

A bill for an act to provide for the enlargement of the boundaries of organized counties by embracing within said boundaries any contiguous unorganized territory.

And find the same correctly engrossed.

M. MATTSON,
Chairman.

The chief clerk announced that the speaker was about to sign

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member of Battery A, State National Guard.

Also,

House Bill No. 41,

A bill for an act to amend section 2494, article 15 of the Revised Codes of 1899 relating to the tax levy and rate of taxation in cities.

Also,

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

And the speaker signed the same in the presence of the house.

THIRD READING OF HOUSE BILLS.

House Bill No. 188,

A bill for an act to amend section 1605 of the Revised Codes of 1899 of the state of North Dakota, relating to the compensation, bonds and qualifications of district veterinarians.

Was read the third time.

Mr. Davis moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FIFTIETH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK NORTH DAKOTA,
February 24, 1903.

The house assembled at 2 o'clock p. m. pursuant to adjournment, and was called to order by the chief clerk, who announced that the speaker was absent and had designated Mr. Leech of Cass as speaker pro tem.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Patterson, Ryan, Steinberg, Underwood and Mr. Speaker.

Messrs. Ryan and Underwood being excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Midgarden presented the following petition:

Fargo, N. D., Feb. 19, 1903.

To the Members of the Legislative Assembly of North Dakota:

Gentlemen: The North Dakota Hardware association in convention assembled, hereby petition your honorable body to not pass any legislation that will in any manner be detrimental to mutual fire insurance companies.

NORTH DAKOTA RETAIL HARDWARE ASSOCIATION,
By C. N. BARNES,
Secretary.

Mr. Gagnon presented the following petition:

Grafton, N. D., Feb. 12, 1903.

We, the undersigned citizens and firemen of this district, respectfully request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

G. M. BAHR,
And Forty-eight Others.

Mr. Severson presented the following petition:

We, the undersigned voters and taxpayers of Hickson and vicinity, Cass county, do hereby petition and pray our members of senate and

house of tenth legislative district, to vote for and use their influence for the passage of House Bill No. 95, "known as Davis primary election bill."

EGBERT GILBERTSON,
And Forty-five Others.

REPORTS OF STANDING COMMITTEES.

The committee on apportionment made the following report:

Mr. Speaker:

Your committee on apportionment to whom was referred
House Bill No. 174,

A bill for an act defining the Fourth senatorial and representative district of North Dakota and prescribing the number of senators and representatives therein.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 175,

A bill for an act defining the Third senatorial and representative district of North Dakota and prescribing the number of senators and representatives therein.

Have had the same under consideration and recommend that the same do pass.

W. F. LEECH,

Chairman.

The committee on joint educational institutions made the following report:

Mr. Speaker:

Your committee on joint educational institutions to whom was referred

Senate Bill No. 151,

A bill for an act authorizing the board of trustees of the deaf and dumb asylum to issue bonds to provide a fund for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. I. F. WAGNER.

Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 100,

A bill for an act relating to the time of holding village annual elections in incorporated villages, and to amend and re-enact

sections 2355 and 2358 of the Revised Codes of North Dakota for the year A. D. 1899.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 93,

A bill for an act to amend and re-enact section 7553 of chapter 61 of the penal code of thee Revised Codes of 1899, relating to injuries to or obstruction of any telegraph lines or appurtenances or apparatus therewith connected by adding thereto and bringing within the provisions therewith telephone lines.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 89,

A bill for an act to amend section 1530, Revised Codes of 1899 relating to the compensation and expenses of the board of insanity.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 79,

A bill for an act concerning land titles.

Have had the same under consideration and come to no conclusion thereon.

Your committee recommend that the said bill go to the house calendar for the consideration of the house.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 219,

A bill for an act to amend section 2092 of the Revised Codes relating to fees of justices of the peace.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting in line 29, of the printed bill, after the word "cause," "after the first day."

And when so amended recommend the same do pass.

C. W. BUTTZ,
Chairman.

Mr. McGahan moved
 That the report be adopted.
 Which motion prevailed, and
 The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 House Bill No. 183,

A bill for an act to amend section 404 of the Revised Codes relating to the boundaries and terms of court of the Second judicial district of the state of North Dakota and attaching certain unorganized counties to the county of Williams for judicial purposes.

Have had the same under consideration, and recommend that the same do pass.

Also,

House Bill No. 209,

A bill for an act regulating the service of processes by constables and the charging and collection of fees therefor.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
 Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 House Bill No. 228,

A bill for an act providing for a license to sell cigarettes and cigarette paper.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
 Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 House Bill No. 202,

A bill for an act to repeal section 5454a of the compiled laws of 1899.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

C. W. BUTTZ,
 Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 24, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Substitute for Senate Bill No 2,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Also,

Senate Bill No. 127,

A bill for an act to amend section 377 of the Revised Codes of 1899, relating to general terms of the supreme court, and section 378 of the Revised Codes of 1899, relating to appeals, motions and hearings in the supreme court.

Also,

Senate Bill No. 148,

A bill for an act to prohibit the sale or gift to, and use by minors under the age of fifteen years of firearms, shells, etc., and providing penalties for violations hereof.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith
House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

As requested by your honorable body.

R. M. TUTTLE,

Secretary.

Mr. McLain moved

That House Bill No. 6 be remessaged back to the senate.

Mr. Young moved

As a substitute that the vote by which House Bill No. 6 passed be reconsidered and

The bill be recommitted to the committee on judiciary.

Which motion prevailed, and
House bill No. 6 was so referred.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 205,

A bill for an act to amend section 5526 of the Revised Codes of 1899, relating to exemptions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 226,

A bill for an act relating to the election of public officers in the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 74,

A bill for an act to amend section 5518 of the Revised Codes of North Dakota 1899, relating to exemptions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 108,

A bill for an act making appropriation for furnishing vaults in state buildings with fire proof furniture.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MORRIS BECK,
Chairman.

Mr. Beck moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 236,

A bill for an act to provide funds for the purchase of books for the university law library.

Have had the same under consideration and recommend that the same be indefinitely postponed

MORRIS BECK,
Chairman.

Mr. Beck moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 8,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Have had the same under consideration, and recommend that the same be amended as follows:

Strike out lines 7, 8, 9, 10, 11, 12, 13 and 14, of original bill.

Strike out the figures "\$75,000" in line 16, and in lieu thereof, insert the figures "\$67,700."

In line 17, of original bill, strike out the figures "\$42,200," and in lieu thereof, insert the figures "\$36,000."

In line 18, strike out the figures "\$26,500," and in lieu thereof, insert the figures "\$25,000."

In line 19, of original bill, strike out the figures "\$5,000," and in lieu thereof, insert the figures "\$4,000."

In line 20, of original bill, strike out the figures, "\$3,500," and insert in lieu thereof the figures "\$2,500."

In line 23, of original bill, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,000.00."

Strike out line 26 of original bill.

Strike out in line 33 the figures "\$305,750" and insert in lieu thereof the figures "\$160,000.00."

And when so amended recommend the same do pass.

MORRIS BECK,
Chairman.

Mr. Beck moved

That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Have had the same under consideration and recommend that the same be amended as follows:

That wherever the words "two thousand five hundred dollars" appear in said bill they be stricken out and the words "fifteen hundred dollars" be inserted in lieu thereof.

And when so amended recommend the same do pass.

MORRIS BECK,
Chairman.

Mr. Beck moved

That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 196,

A bill for an act authorizing the payment of the sum of one hundred dollars to the clerk of the district court of Stark county for services in connection with cases arising in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman.

Have had the same under consideration and recommend that the same do pass.

MORRIS BECK,
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 90,

A bill for an act making an appropriation for the promotion
of immigration.

Have had the same under consideration and recommend that
the same be indefinitely postponed.

MORRIS BECK,
Chairman.

Mr. Beck moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 106,

A bill for an act to appropriate money to pay Edward M. Aldrich
for horses killed by order of the district veterinarian of the
First district.

Have had the same under consideration and recommend that
the same be indefinitely postponed.

MORRIS BECK,
Chairman.

Mr. Beck moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 24, 1903.

Mr. Speaker:

I have the honor to inform you that the senate has passed the
following

CONCURRENT RESOLUTION.

Whereas, the demand by business men, teachers, pupils and other
residents of the state of North Dakota, for copies of the Second Biennial
Report of the State Geological Survey of the State of North Dakota, by
Frank A. Wilder, has been so great as to exhaust its present edition;
Therefore, be it

Resolved, by the senate of the state of North Dakota, the house of
representatives concurring:

That the secretary of state be instructed and empowered to have printed an additional edition of two thousand five hundred (2,500) copies of the Second Biennial Report of the State Geological Survey of the State of North Dakota for gratuitous distribution.

And your concurrence in the same is respectfully requested.

R. M. TUTTLE,

Secretary.

Mr. McLain moved

That the house do concur in the senate concurrent resolution relating to the printing of more copies of the report of the State Geological Survey.

Which motion prevailed, and

The house concurred in the senate concurrent resolution.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 89,

A bill for an act making an annual appropriation to the Florence Crittenden Home and Hospital for friendless women and children of Bismarck, N. D., to aid in defraying the current and contingent expenses.

Have had the same under consideration and recommend that the same be amended as follows:

That the title be amended by striking out the word "annual."

That all after section 1 be stricken out and the following be inserted in lieu thereof:

There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of six hundred dollars to the Florence Crittendon home and hospital for friendless women and children, of Bismarck, N. D., to aid in defraying the current and contingent expenses of said institution; three hundred dollars to be paid July 1, 1903, and three hundred dollars to be paid July 1, 1904, to the trustees of said institution.

And when so amended recommend the same do pass.

MORRIS BECK,

Chairman.

Mr. McGahan moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate Bill No. 102,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for conservatories, for installation of electric light plant, for equipment of science hall and for

other necessary buildings and improvements for the North Dakota agricultural college at Fargo.

Have had the same under consideration and recommend that the same do pass.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 66,

A bill for an act amending section 1425 of the Revised Codes of 1899, authorizing an annual appropriation for the maintenance of the national guard of the state.

Have had the same under consideration and recommend that the same be amended as follows:

That wherever the words "twenty thousand dollars" appear in said bill they be stricken out and the words "nineteen thousand dollars" be inserted in lieu thereof.

And when so amended recommend the same do pass.

MORRIS BECK,
Chairman.

Mr. McGahan moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 96

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota, appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

MORRIS BECK,
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the figures "\$19,200.00" of the original bill and inserting in lieu thereof the following:

For the erection of a central monument in Oakwood cemetery and

appropriate markings to commemorate the names and mark the graves of deceased Union soldiers, who have or may die in the Soldiers' home and have been or may be buried in such cemetery at Lisbon, N. D., and for the purpose of purchasing and keeping an appropriate record of the names, company and regiment, of soldiers dying in the Soldiers' home at Lisbon, N. D. Said money to be expended for the purpose above set forth, under the direction of the board of trustees of said Soldiers' home

\$ 1,500.00

Total..... \$ 20,700.00

Also,

Amend said bill by inserting, after the word "thereto," in line five of the printed bill, the following, to-wit:

"And for other purposes."

And when so amended recommend that the same do pass.

MORRIS BECK,
Chairman.

Mr. Beck moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 21,

A bill for an act making an annual appropriation to the North Dakota Poultry Association, of Fargo, N D., to aid it in defraying the expenses and paying premiums of annual exhibitions of poultry and to aid in the development of the poultry industry in this state.

Have had the same under consideration and recommend that the same do pass.

MORRIS BECK.
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Have had the same under consideration and recommend that the same be amended as follows:

That wherever the words "three hundred dollars" appear in said bill they be stricken out and the words "twenty-five hundred dollars" be inserted in lieu thereof.

And when so amended recommend that the same do pass.

MORRIS BECK,
Chairman.

Mr. McGahan moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 200,

A bill for an act for the appropriation of monies for the payment or lease of one cottage of Oak Park Cottage Sanitarium for tuberculosis at Minot, Ward county, N. D., for the maintenance of poor consumptives at said sanitarium and authorizing the payment thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MORRIS BECK,
Chairman.

Mr. Beck moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.
The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 150,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota.

Have had the same under consideration and recommend that the same do pass.

MORRIS BECK,
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred
House Bill No. 199,

A bill for an act to establish and locate at Minot in Ward county a state sanitarium for poor consumptives.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MORRIS BECK,
Chairman.

Mr. Beck moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on schools and public lands made the following report:

Mr. Speaker:

Your committee on schools and public lands to whom was referred

House Bill No. 194,

A bill for an act repealing section 2949, Revised Codes of 1899, relating to payment for state and school lands for railroad right of way.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. N. CHAFFEE,
Chairman.

Mr. Chaffee moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on schools and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred House Bill No. 213,

A bill for an act to amend section 3563 of the Revised Codes of 1899, relating to recording of transfers of real estate, and giving validity to the recording of instruments heretofore recorded.

Have had the same under consideration and recommend that the same do pass.

The committee on highways and bridges made the follow report:

Mr. Speaker:

Your committee on highways and bridges to whom was referred Senate Bill No. 88,

A bill for an act to amend sections 1447 and 1448 of the Revised Codes as amended by section 1, chapter 79 of the laws of 1899 relating to the establishment, construction and maintenance of drains.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT,
Chairman.

The committee on woman suffrage made the following report:

Mr. Speaker:

Your committee on woman suffrage to whom was referred House Bill No. 197,

A bill for an act to amend section 2726 Revised Codes of North Dakota, 1899, relating to license and certificate of marriage.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. F. STEVENS,
Chairman.

Mr. Stevens moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred Senate Bill No. 85,

A bill for an act to amend section 3225a of chapter 19½ of the Revised Codes (Civil Code), of 1899, being section 1, of chapter 156 of the session laws of 1899, being an act to provide for the granting of the right of way by municipal corporations for telephone lines on and over public grounds, streets, alleys and highways, and making valid such grants heretofore made.

Have had the same under consideration and recommend that the same do pass.

A. L. WALL,
Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 232,

A bill for an act to amend section 2082, of the Revised Codes of 1899, relating to fees to be charged by sheriffs.

Have had the same under consideration and recommend that the same do not pass.

P. J. LYONS,
Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 231,

A bill for an act to amend sections 1880 and 1883 of the Revised Codes, relating to county seat elections.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

P. J. LYONS,
Chairman.

Mr. Lyons moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Richmond moved

That House Bill No. 70, a special order for 2:30 p. m. this day, be made a special order for Thursday, February 26, at 2:30 p. m. Which motion prevailed.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred

House Bill No. 217,

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition

Have had the same under consideration and recommend that the same do pass.

GEO. A. McCREA

Chairman.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred

House Bill No. 132,

A bill for an act fixing the maximum quantity of intoxicating liquors which may be sold in the state of North Dakota by any one druggist having a permit to sell such liquors therein, during any month such permit may be in force, and prescribing penalties for a violation of such provision.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. A. McCREA,

Chairman.

Mr. McCrea moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The speaker in the chair.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred

House Bill No. 60,

A bill for an act to amend section 7594 of the Revised Codes of 1899 relating to druggists permits to sell intoxicating liquors, prescribing the qualifications necessary to obtain such permits and the manner in which the same may be obtained and cancelled and fixing penalties in certain cases.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. A. McCREA,
Chairman.

Mr. McCrea moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on mileage and per diem made the following report:

Mr. Speaker:

Your committee on mileage and per diem respectfully report and recommend to the house, that the speaker of the house and the chief clerk be authorized and directed to issue to J. G. Hamilton a voucher at the same rate per diem as is allowed the chief clerk, to be in full settlement of services rendered by him to the speaker, the members of the house, and the clerical and administrative officers thereof, at the request of the house.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on mileage and per diem made the following report:

Mr. Speaker:

Your committee on mileage and per diem respectfully report and recommend that Wm. Merrick, who was at the organization of the house, elected an assistant journal clerk and who was detailed by the speaker and chief clerk to act as an assistant to the chief clerk, and who has performed the duties of such position in a most efficient and satisfactory manner, receive and be paid the same compensation as is paid the journal clerk and assistants to the chief clerk, and that the speaker of the house and its chief clerk be authorized and directed to issue a voucher at such rate in full settlement of all services performed by him.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred

House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock, "where and at what valuation to be listed."

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. Speaker:

Your committee on banks and banking to whom was referred House Bill No. 201,

A bill for an act to amend section 1267 of the Revised Codes relating to redemptions from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.

Have had the same under consideration and recommend that the same do pass.

AUG. PETERSON,
Chairman.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred House Bill No. 185,

A bill for an act to amend section 82 of chapter 126 of the laws of 1897, relating to revenue and taxation.

Have had the same under consideration and recommend that further consideration of this bill be indefinitely postponed.

AUG. PETERSON,
Chairman.

Mr Peterson of Towner moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred House Bill No. 216,

A bill for an act to amend chapter five of the laws of 1901, being an act to provide for making unknown parties defendant in certain civil actions and to amend sections 5904, 5905, 5906, 5907, 5907a, 5908, 5909, 5910, 5911, 5912, 5913, of the Revised Codes of North Dakota for 1899, relating to the determination of conflicting claims to real estate and other actions and enacting other provisions relating thereto.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 212,

A bill for an act to amend section 1257 of the Revised Codes of 1899, and to repeal section 1245 of the Revised Codes of 1899, relating to the lien of personal property taxes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. V. BROWN,
Chairman.

Mr. Brown moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 168,

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Have had the same under consideration, and recommend that the same do pass.

Also,

House Bill No. 207,

A bill for an act to amend section 1207 of the Revised Codes of the state of North Dakota for 1899, relating to valuation of property to be assessed.

Have had the same under consideration and recommend that the same be indefinitely postponed

C. V. BROWN,
Chairman.

Mr. Brown moved ?

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 238,

A bill for an act to license solicitors for benevolent organizations.

Have had the same under consideration, and recommend that the same be amended as follows:

Amend title by striking out the words "an act entitled."

Amend enacting clause so as to read:

"Be it enacted by the legislative assembly of the state of North Dakota."

Amend section 3 by striking out the last four words thereof.

Amend section 5 by adding thereto the words, "and shall be subject to punishment as provided in section 6812 of the revised codes."

And when so amended recommend the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Have had the same under consideration and recommend that the same be amended as follows:

Amend title by adding thereto the words "relating to interrogatories and property statement prerequisite to admission of patients to hospital for insane."

Amend bill by inserting immediately after the enacting clause, "section 1. Amendment.) That section 1526, of the revised codes, be amended so as to read as follows:

Section."

Strike out first line under heading "Property Statement," and insert in lieu thereof the following, "_____ of _____, being first duly sworn, makes answers to the following questions as herein set forth."

Strike out the certificate of the county judge to the property statement and insert in lieu thereof the following:

"I hereby certify that the foregoing _____ was by me duly sworn and that _____ gave the foregoing answers, and after reading (or hearing read) the same, made oath that the said answers were true to the best of his knowledge and belief, and subscribed his name thereto this _____ day of _____ A. D., 19—.

"County Judge and Chairman of Commissioners of Insanity in and for _____ County, North Dakota."

And when so amended recommed that the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 61,

A bill for an act to amend section 481 of the Revised Codes of 1899, providing for the formation of election precincts.

Senate Bill No. 66,

A concurrent resolution providing for the submission of a proposed amendment to section 162 of the constitution of the state of North Dakota to the ninth general legislative assembly of North Dakota.

Senate Bill No. 52,

A bill for an act to amend section 706 Revised Codes 1899 relating to district high schools, and providing for the establishment of district graded schools.

Senate Bill No. 50,

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings to the North Dakota educational association.

Senate Bill No. 44,

A bill for an act amending section 423 of the Revised Codes of 1899, relating to oath of office to be taken by persons who have been admitted to practice in the courts of North Dakota.

And the speaker signed the same in the presence of the house.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 214,

Proposed amendment to the constitution of the state of North Dakota.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 189,

A bill for an act to amend sections 998 and 998a of the Revised
Codes of North Dakota of 1899.

Have had the same under consideration and recommend that
the same be amended as follows:

Amend title by adding thereto the words, "relating to patients of the
hospital for the insane and powers and duties of commissioners of
insanity and board of trustees of said hospital."

Amend bill by inserting immediately after the enacting clause:

"Section 1. Amendment.) That sections 998 and 998a, of the revised
codes, be amended so as to read as follows:

"Section 998."

Before the number "998a," insert the word "section."

In the repeal clause strike out the number "998b," and insert in lieu
thereof, "section 2. Repeal.)"

In the emergency clause strike the number "998c," and insert in lieu
thereof, "section 3. Emergency.)"

And when so amended recommend the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

EXECUTIVE COMMUNICATION.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA.
February 24, 1903.

To the House of Representatives:

I have the honor to inform you that I have approved and filed
with the Honorable Secretary of State

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member
of Battery A, State National Guard.

Also,

House Bill No. 41,

A bill for an act to amend section 2494, article 15 of the
Revised Codes of 1899 relating to the tax levy and rate of taxation
in cities.

Also,

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

I have the honor to be,

Very respectfully,
FRANK WHITE,
Governor.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 235,

A bill for an act to amend section 237, of the Revised Codes, 1899, and to amend section 238, of chapter 169, of session laws, 1901, relating to state depositories.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2, section 238, between the words "shall" and "deposit," insert the words "furnish and."

And strike out the last five lines of said section.

And when so amended recommend the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 237,

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 243,

A bill for an act to amend section 1232 of the Revised Codes of the state of North Dakota, 1899, relating to tax lists, when delivered to treasurer.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 76,

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 244,

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to, when real estate taxes become due and delinquent. Penalty and interest.

Have had the same under consideration, and recommend that the same be amended as follows:

After the word "per cent." in the 7th line, insert "and on the first day of June following an additional penalty of three per cent."

And when so amended recommend the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 94,

A bill for an act for the protection of game, defining what shall be considered prima facie evidence of the violation of this act, and providing a penalty therefor.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 220,

A bill for an act fixing the time when it shall be lawful for stock to run at large, fixing the liability of owners of unregistered males in certain cases and prescribing the manner of abolishing the provisions of the act in a county.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after "1901," in last line of bill and insert "and all acts or parts of acts in conflict with the provisions of this act are hereby repealed."

And when so amended recommend the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate Bill No. 92,

A bill for an act to amend sections 1139 and 1141 of the Revised Codes, North Dakota, 1899, relating to the township road tax list, the return thereof to the township clerk by the overseer of highways, and the making out and delivering by the township clerk of the delinquent road tax list to the county auditor and providing the times at which such duties shall be performed.

Have had the same under consideration and recommend that he same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

Senate Bill No. 74,

A bill for an act to amend and re-enact sections 1823, 1824, and 1825 of the Revised Codes of the state of North Dakota for the year 1899, relating to the organization of counties.

Have had the same under consideration and recommend that the same do pass.

P. J. LYONS,
Chairman.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 95,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Also,

Substitute for House Bill No. 98,

A bill for an act to amend section 652 of the Revised Codes of 1899, relating to the salary of county superintendents of schools, deputy, traveling expenses.

Also,

House Bill No. 203,

A bill for an act to amend section 6613 of the Revised Codes relating to fees and salaries of clerks of county courts.

Also,

House Bill No. 208,

For an act to amend section 744 of the Revised Codes of the state of North Dakota, 1899, relating to certificates, when revocable.

Also,

House Bill No. 210,

A bill for an act to provide for notice to be given before cancellation, termination or forfeiture of or under any instrument for the future conveyance of lands, or of any equity therein, and to prohibit agreements for such cancellation, termination or forfeiture without such notice.

Also,

House Bill No. 221,

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Also,

House bill No. 225,

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 227,

A bill for an act to create a state board of control, and provide for the management and control of charitable, reformatory, penal and educational institutions of the state, and to make an appropriation therefor, and abolishing existing boards governing such institutions.

Also,

Concurrent Resolution

Urging the defeat of the Quarles Bill now pending in congress and which relates to the repeal of the commutation feature of the existing homestead law.

And find the same correctly engrossed.

M. MATTSON,
Chairman Pro Tem.

MOTIONS AND RESOLUTIONS.

Mr. Chaffee moved that
House Bill No. 227,

A bill for an act to create a state board of control, and provide for the management and control of charitable, reformatory, penal and educational institutions of the state, and to make an appropriation therefor, and abolishing existing boards governing such institutions.

Be recommitted to the committee on state affairs.

Which motion prevailed.

Mr. Weed moved that
House Bill No. 56,

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota for the year 1899, relating to druggist's permit to sell intoxicating liquors.

Be returned to the house from the committee on temperance.

Which motion prevailed.

Mr. Davis offered the following resolution and moved its adoption:

Resolved, That the speaker be authorized to appoint, on or before Thursday, Feb. 26, a steering committee to consist of seven members to perform the usual duties thereof.

Mr. Young moved as a substitute that this be made a special order for 2:30 p. m. to-morrow.

Which motion prevailed.

The house returned to the fifth order of business.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 227,

A bill for an act to create a state board of control, and provide for the management and control of charitable, reformatory, penal and educational institutions of the state, and to make an appropriation therefor, and abolishing existing boards governing such institutions.

Have had the same under consideration and recommend that the same be amended as follows:

In line 13, of section 1, of the printed bill, change the word "three" to "four."

In line 2, of section 5, of the printed bill, strike out the word "Fargo," and insert in lieu thereof the words, "the capitol building at seat of government."

In line 4, of section 10, of the printed bill, strike out the word "Fargo," and insert in lieu thereof the words "the seat of government."

In section 18, strike out the words "the board of trustees of public property at Bismarck," and the words "the public property at Bismarck," where the same occur.

And when so amended recommend that the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

UNFINISHED BUSINESS.

House Bill No. 188,

A bill for an act to amend section 1605 of the Revised Codes of 1899 of the state of North Dakota, relating to the compensation, bonds and qualifications of district veterinarians.

The question being upon the final passage of the bill.

The vote was called and there were ayes 89, nays 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Aslakson.
Allen
Aandahl
Bartz
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chisholm
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey

Messrs.—

Heath
Hill
Johnson
Knutdson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Maddock
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Oskendahl
Palfey
Palmer
Peterson of Towner

Messrs.—

Peterson of Wells.
Phifer
Richmond
Robillard
Rogers
Rose
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson.
Smart of Trall
Stavens
Stevens
Thompson
Truemner
Tuft
Van Arnam
Wagner
Wall
Watson
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Beck
Chevalier
Cole

Messrs.—

Noltmier
Patterson
Ryan

Messrs.—

Steinberg
Underwood
Weed

Mr. Watts voted in the negative.

Messrs. Ryan and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Miller moved that the vote by which House Bill No. 188 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker announced a recess until 3:20 p. m.

After recess.

INTRODUCTION AND FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Harvey introduced

House Bill No. 255,

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Wagner introduced

House Bill No. 256,

A bill for an act to amend section 1936 of the Revised Codes of 1899, relative to the proceedings of board to be published.

Which was read the first and second times, and
Referred to the committee on public printing.

Mr. Senour introduced

House Bill No. 257,

A bill for an act changing and defining the boundaries of Billings county.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. McClure introduced

House Bill No. 258,

A bill for an act changing and defining the boundaries of Stark county.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Leech introduced
House Bill No. 259,

A bill for an act to amend sections 2134, 2141, 2155, 2251, and
2254 of the Revised Codes of 1899, relating to cities.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Wall introduced
House Bill No. 260,

A bill for an act to amend sections 4063 and 4064 of the Revised
Codes of 1899, relating to and regulating the legal and contract
rates of interest and defining usury.

Which was read the first and second times, and
Referred to the committee on banks and banking.

Mr. Dieball introduced
House Bill No. 261,

A bill for an act changing and defining the boundaries of Mer-
cer county.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Buttz introduced
House Bill No. 262,

A bill for an act to amend section 1653 of the Revised Codes of
1899, relating to fishways.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Van Arnam by request introduced
House Bill No. 263,

A bill for an act to amend section 1804 of the Revised Codes of
North Dakota, 1899, defining legal newspapers, qualified to do
legal printing.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Van Arnam introduced
House Bill No. 264,

A bill for an act to declare bills, notes and other negotiable
instruments obtained by fraudulent representations or artifices
void in the hands of any persons.

Which was read the first and second times, and
Referred to the committee on banks and banking.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 2,

A bill for an act fixing the salaries of the judges of the district
court.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 127,

A bill for an act to amend section 377 of the Revised Codes of 1899, relating to general terms of the supreme court, and section 378 of the Revised Codes of 1899, relating to procedure therein.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 148,

A bill for an act to prohibit the sale or gift to, and use by minors under the age of fifteen years of firearms, shells, etc., and providing penalties for violation hereof.

Was read the first and second times, and
Referred to the committee on judiciary.

THIRD READING OF HOUSE BILLS.

CALENDAR.

The speaker called Mr. Young to the chair.

House Bill No. 130,

A bill for an act to regulate the sale and analysis of commercial fertilizers and prescribing a penalty for the violation thereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays 7, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Palmer
Allen	Harvey	Peterson of Towner
Aslakson	Heath	Peterson of Wells
Baker of Ramsey	Hill	Phifer
Bartz	Johnson	Robillard
Beck	Knudtson	Rogers
Blank	Kraabel	Scheer
Bostrom	Lee	Severson
Bourassa	Leech	Shiels
Braaten	Lillie	Skjold
Brown	Lyons	Simpson
Burtness	Mallough	Smart of Nelson
Buttz	Mattson	Smart of Trall
Cassell	McDowell	Stavens
Chaffee	McGahan	Stevens
Chevalier	McKenzie	Thompson
Chisholm	McKnight	Truemner
Cole	McLain	Tufts
Dahl	Meldinger	Wagner

Messrs.—	Messrs.—	Messrs.—
Davis	Midgarden	Wall
Dieball	Miller	Watson
Elton	Mooney	Watts
Ellison	Noben	Weigel
Ferguson	Noltimier	Welo
Flados	Oksendahl	Wing
Gagnon	Palfrey	Young
Gilbert		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Schouweiler	Senour
Hanson	Movius	Weed
Lish		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dickinson	McCrea	Steinberg
Fried	Patterson	Underwood
Hammer	Richmond	Van Arnam
Maddock	Rose	Mr. Speaker
McClure	Ryan	

Messrs. Ryan and Underwood being excused.

So the bill passed and the title was agreed to.

The speaker in the chair.

House Bill No. 179,

A bill for an act to amend section 5526 of the Revised Codes of North Dakota, relating to exemptions of personal property in certain cases.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 35, nays 51, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Gagnon	Miller
Baker of Ramsey	Hammer	Movius
Blank	Hanson	Palmer
Bostrom	Heath	Peterson of Wells
Brown	Kraabel	Robillard
Burtness	Lee	Schouweiler
Chaffee	Lish	Skjold
Chisholm	Lyons	Truemmer
Cole	McDowell	Wall
Connolly	McKnight	Weigel
Davis	McLain	Wing
Ferguson	Meidinger	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Phifer
Allen	Harvey	Rogers
Bartz	Hill	Senour
Beck	Johnson	Severson
Bourassa	Knudtson	Shiels
Braaten	Leech	Simpson
Buttz	Lillie	Smart of Nelson
Cassell	Mallough	Smart of Tralli
Chevallier	Mattson	Stevens
Dahl	McClure	Thompson
Dickinson	McGahan	Tufte
Dieball	McKenzie	Wagner
Elton	Mooney	Watson
Ellison	Noben	Watts
Flados	Noltmier	Weed
Fried	Palfrey	Young
Gilbert	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Maddock	Richmond	Steinberg
McCrea	Rose	Underwood
Midgarden	Ryan	Van Arnam
Oksendahl	Scheer	Welo
Patterson	Stavens	

Messrs. Ryan and Underwood being excused.

So the bill was lost.

Mr. Weed explained his vote.

Mr. Mattson moved

That the vote by which House Bill No. 179 was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 24, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 119,

A bill for an act providing for the dismissal of actions in the courts of record of this state which have been pending for a period five years, wherein the plaintiff or his successor in interest has neglected to prosecute said action.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

SPECIAL ORDER.

House Bill No. 95,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays 14, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Richmond
Allen	Knudtson	Rogers
Aslakson	Harvey	Scheer
Bartz	Hill	Schouweiler
Beck	Kraabel	Senour
Bostrom	Lee	Severson
Bourassa	Leech	Shiels
Braaten	Lillie	Skjold
Brown	Lish	Simpson
Burtness	Lyons	Smart of Nelson
Cassell	Mallough	Smart of Traill
Chaffee	McClure	Stavens
Cole	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McLain	Truemner
Davis	Meldinger	Tufte
Dickinson	Midgarden	Van Arnam
Dieball	Miller	Wagner
Elton	Mooney	Wall
Ellison	Noben	Watson
Flados	Noltmier	Weigel
Fried	Oksendahl	Welo
Gilbert	Palfrey	Wing
Gullerud	Palmer	Young
Hammer	Peterson of Towner	Mr. Speaker
Hanson	Peterson of Wells	
Gagnon	Phifer	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Ferguson	McKnight
Blank	Heath	Robillard
Buttz	Mattson	Watts
Chevalier	McCrea	Weed
Chisholm	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Maddock	Rose	Underwood
Movius	Ryan	
Patterson	Steinberg	

Messrs. Ryan and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which House Bill No. 95 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer

Messrs.—

Hanson
Harvey
Heath
Hill
Johnson
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McKenzie
McKnight
McLain
Meidinger
Midgarden
Mooney
Movius
Noben
Noltimier
Oksendahl
Palfrey
Palmer
Peterson of Towner
Peterson of Wells

Messrs.—

Phifer
Richmond
Robillard
Rogers
Rose
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Elton
Maddock
McGahan

Messrs.—

Miller
Patterson
Ryan

Messrs.—

Underwood
Weed

Messrs. Ryan and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Lyons moved

That the house return to the ninth order of business.

Which motion prevailed.

Mr. McLain introduced

House Bill No. 265,

A bill for an act to amend section 1025 of the Revised Codes of 1899 of North Dakota, being section 1 of chapter 33 of the laws of 1895, and to prohibit members of boards of trustees and of boards of managers and officers and employees of state institutions from being interested in contracts, purchases or sales for or on account of said state institutions, except as therein provided.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Burtness introduced

House Bill No. 266,

A bill for an act to legalize irregularities in the formation of school districts and to make valid the acts of the officials thereof.

Which was read the first and second times, and
Referred to the committee on education.

Mr. Lyons introduced

House Bill No. 267,

A bill for an act to amend and re-enact section 7618, Revised Codes of North Dakota, 1899, relating to the liability of common carriers, their officers, agents and employees, in receiving, carrying and delivering intoxicating liquors, and prescribing penalties for the violation of this act.

Which was read the first and second times, and
Referred to the committee on temperance.

Mr. Chaffee moved that the rules be suspended and that House Bill No. 227 be placed on its third reading and final passage.

Which motion prevailed.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal have carefully examined the journal of the thirty-ninth day and recommend that the same be corrected as follows:

On page 9, in that portion of the page relating to the votes on Senate Bill No. 52, the figures be so changed as to show ayes 71, and absent and not voting, 27.

On page 15, line 16, from the bottom of said page, the word "announced" be corrected as to spelling, and that on page 15, in the third line from the bottom of said page, the word "the" be corrected as to spelling.

Your committee begs leave to further report that they have examined the Journal of the forty-sixth day, and recommend that the same be amended as follows:

On page 1, after line 22 from the top of said page, the following be added: "Mr. Buttz moved that the petition be referred to the committee on appropriations,

"Which motion prevailed and the petition was so referred."

On page 3, line 5, the word "corporations" to be corrected as to spelling.

And when so amended recommend that the journals of the thirty-ninth and forty-sixth days be approved.

And your committee also reports the examination of the journal for the forty-seventh day and find the same correct.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The house took a recess for ten minutes.

After recess.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 227,

A bill for an act to create a state board of control, and provide for the management and control of charitable, reformatory, penal and educational institutions of the state, and to make an appropriation therefor, and abolishing existing boards governing such institutions.

And find the same correctly re-engrossed.

M. MATTSON,
Chairman.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills respectfully report that at the hour of 2:25 p. m., February 9

House Bill No. 9,

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval bonds.

House Bill No. 19,

A bill for an act providing how the unoccupied lots of town sites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

House Bill No. 126,

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace, in case of vacancy.

Also,

At the hour of 2:40 p. m., February 11.

House Bill No. 2,

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the Blind Asylum at Bathgate, North Dakota.

Also,

At the hour of 2:10 p. m., February 13

House Bill No. 1,

A bill for an act to amend section 2 of chapter 151, of the Session Laws of 1901, relating to taxation,

House Bill No. 16,

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.

House Bill No. 25,

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

Also,

At the hour of 3 p. m., February 21

House Bill No. 11,

A bill for an act for the relief of James McKechnie, a member of Battery A, State National Guard.

Also,

House Bill No. 41,

A bill for an act to amend section 2 of chapter 142 of the laws of 1887, entitled an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota.

Also,

House Bill No. 51,

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.

Were delivered to his excellency, the governor, for his approval.

W. A. McCLURE,

Chairman.

House Bill No. 227,

A bill for an act to create a state board of control, and provide for the management and control of charitable, reformatory, penal and educational institutions of the state, and to make an appropriation therefor, and abolishing existing boards governing such institutions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 66, nays 17, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Robillard
Aslakson	Hill	Rogers
Beck	Johnson	Scheer
Blank	Knudtson	Schouweiler
Bostrom	Kraabel	Severson
Bourassa	Leech	Shiels
Braaten	Lish	Simpson
Brown	Lyons	Smart of Nelson
Buttz	Maddock	Smart of Traill
Cassell	Mallough	Stavens
Chaffee	Mattson	Thompson
Chevalier	McDowell	Truemner
Cole	McGahan	Tufte
Davis	McKenzie	Wagner
Dieball	McKnight	Wall
Ellison	Meidinger	Watson
Fried	Midgarden	Watts
Gagnon	Palfrey	Weigel
Gilbert	Palmer	Welo
Gullerud	Peterson of Wells	Wing
Hammer	Phifer	Young
Harvey	Richmond	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanson	Noltimier
Bartz	Lillie	Senour
Burtness	McLain	Skjold
Connolly	Mooney	Stevens
Dickinson	Movius	Weed
Elton	Noben	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	McC'lure	Rose
Chisholm	McCrea	Ryan
Dahl	Miller	Steinberg
Ferguson	Oksendahl	Underwood
Flados	Patterson	Van Arnam
Lee	Peterson of Towner	

Messrs. Ryan and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Chaffee moved

That the vote by which House Bill No. 227 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. McCrea moved

That the house return to the fifth order of business.

Which motion prevailed.

REPORT OF STANDING COMMITTEE.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

Have had the same under consideration and recommend that the same be amended as follows:

Amendment No. 1. At page 2, printed bill, line 11, after the word "engaged," insert "personally" and "individually."

Amendment No. 2. At line 19, on page 2, in place of the word "eighty," insert the word "seventy."

Amendment No. 2 1/2. At line 20, on page 2, after the word "or," insert "ward of any."

Amendment No. 3. At line 53, on page 4, after the words "thousand dollars," insert "executed by five freeholders of the county who shall justify in double the amount of said bond."

Amendment No. 4. That the form of the affidavit on application for liquor on pages 7 and 8 shall be as follows:

No..... Date.....
State of North Dakota, County of.....ss.

I, the undersigned, do solemnly swear that my real name is; that I reside at (if in a city the street and number must be given. if in a town or village name of street must be given, if in the country, the quarter section, township and range); County of, State of; that of is necessary and actually needed by to be used as a medicine for the disease of; that it is not intended as a beverage, nor to sell nor to give away, and that I am over twenty-one years of age. I therefore make application to, druggist, for said liquor.

Applicant.

Subscribed in my presence and sworn to before me this day 19..

Pharmacist.

State of North Dakota, County of, ss.

On this day of, in the year, before me personally appeared, known to me (or proved to me on oath of) to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same.

Pharmacist.

Amendment No. 5. That the form of the affidavit on application for liquor on pages 8 and 9 shall be as follows:

No..... Date
State of North Dakota, County of, ss.

I, the undersigned, do solemnly swear that my real name is; that I reside at; (if in a city, the street and number must be given, and if in a town or village the name of the street must be given, if in the country, the quarter section, township and range), county of state of that of is required by myself to be used for purposes, to be used for; that it is not intended for a beverage, nor to sell, nor to give away, and that I am over twenty-one years of age. I therefore make application to, druggist, for said liquor.

.....,
Applicant.

Subscribed in my presence and sworn to before me this day of, 19...

.....,
Pharmacist.

State of North Dakota, County of, ss.

On this day of, in the year, before me personally appeared, known to me (or proved to me on oath of,) to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same.

.....,
Pharmacist.

Amendment No. 6. At line 76, on page 11, after the word "be", insert "returned intact and."

Amendment No. 7. That an emergency clause be attached to said bill.

And when so amended recommend the same do pass.

GEO. A. McCREA,
Chairman.

Mr. McCrea moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.
Mr. Weed moved
That the house do now adjourn.
Which motion prevailed and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FIFTY-FIRST DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 25, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Maddock, Patterson, Rose, Scheer, Underwood and Weed.

Messrs. Maddock and Underwood being excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of fiftieth day have carefully examined the same and recommend that the same be corrected as follows:

On page 7, line 14, from the bottom of said page, the word "postponed," be corrected as to spelling.

On page 10, regarding the report of the committee on appropriations, the word "following," be corrected as to spelling.

On page 11, line 14, the word "report," be corrected as to spelling.

On page 13, line 18, the word "made," be corrected as to spelling, and on line 5, from the bottom of said page, said line, be corrected to read, "same do pass."

On page 28, line 16, the word "under," be corrected as to spelling, and in line 9, from the bottom of said page, the word "report," be corrected as to spelling.

On page 34, regarding House Bill 95, the word "called," be corrected as to spelling.

On page 41, line 14, the words "I" and "therefore," be separated.

And when so amended recommend that the same be approved.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The speaker recalled from the judiciary committee
House Bill No. 259,

A bill for an act to amend sections 2134, 2141, 2155, 2251, and 2254 of the Revised Codes of 1899, relating to cities.

And referred the same to the committee on municipal corporations.

PETITIONS AND COMMUNICATIONS.

Mr. Welo presented the following petition:

We, the undersigned citizens and taxpayers of Ward county, North Dakota, do hereby petition our honorable senator and representatives, to use all honorable means for the division of the second judicial district, and for this we ever pray.

JOHN ANDERSON,
And Fifty Others.

Mr. Plain presented the following petition:

Milton, N. D. Feb. 12, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

CHARLES A. OLSON,
And Fifty Others.

Mr. Flados presented the following petition:

Milnor, N. D., 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

A. A. NEWGARD,
And Forty Others.

Mr. Davis presented the following petitions:

The undersigned, electors and taxpayers of Ramsey county, believing that a division of the second judicial district is necessary to insure a proper and adequate administration of justice, respectfully petition our representatives in the present legislature to exert their influence to secure the passage of either the senate bill, introduced for that purpose by Senator Hale, or the House Bill No. 70, as amended.

Dated Devils Lake,, Feb. 18, 1903.

J. E. WATT,
Chairman Republican County Central Committee.
P. J. KERSTIN,
Chairman Democratic County Central Committee.
And Two Hundred Others.

The undersigned, electors and taxpayers of Ramsey county, believing that a division of the second judicial district is necessary to insure a proper and adequate administration of justice, respectfully petition our representatives in the present legislature to exert their influence to secure the passage of either the senate bill, introduced for that purpose by Senator Hale, or the House Bill No. 70, as amended.

Dated at Devils Lake, Feb. 18, 1903.

HOMER RESLER,
Attorney at Law.
ALBERT SWENSON,
And Thirty-two Others.

Mr. Mooney presented the following petition:

The undersigned hereby petition your honorable body to pass Senate Bill No. 42, introduced by Senator Lavayea, of Larimore, relating to druggists' permits, and also Senate Bill No. 168, introduced by Senator McArthur, of Bottineau, providing for the payment of \$50 reward for evidence securing the conviction of persons violating the prohibitory law.

The above was endorsed by a vote by a meeting of Niagara citizens in the city (or town) of Niagara, state of North Dakota, on 21st day of February, 1903, and the undersigned were authorized to so attest.

MRS. J. W. NASON,
President W. C. T. U.,
And Ten Others.

Referred to the committee on temperance.

Mr. Aslakson presented the following petition:

The undersigned electors and taxpayers of Ramsey county, believing that a division of the second judicial district is necessary, to insure proper and adequate administration of justice, respectfully petition our representatives in the present legislature to exert their influence to secure the passage of either the Senate Bill introduced for that purpose by Senator Hale, or the House Bill No. 70, as amended.

M. O. SIMONSTAD,
Secretary Republican Central Committee.
And One Hundred Others.

Mr. Smart presented the following petition:

Lakota, N. D., Feb. 11, 1903.

To the Hon. A. H. Smart and Samuel L. Dahl, of the Seventeenth District, Capital, Bismarck, N. D.:

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill No. 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

GILBERT JORGENSEN,
LEON DUPUIS,
And Fifty Others.

REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred:

House Bill No. 24,

A bill providing for a joint committee to investigate and report upon the coal deposits of the state and to provide for the development of same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 26,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, providing for the inspection and analysis of foods, charging the North Dakota Government Agricultural Experiment Station with the duty thereof, charging the state's attorney with the enforcement hereof and making an appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on forestry made the following report:

Mr. Speaker:

Your committee on forestry to whom was referred

House Bill No. 224,

A bill for an act to promote forest tree culture.

Have had the same under consideration and recommend that the same do pass.

J. M. MATSON,
Chairman.

The committee on judiciary made the following report: .

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 258,

A bill for an act changing and defining the boundaries of Stark county.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 262,

A bill for an act to amend section 1653 of the Revised Codes of 1899, relating to fishways.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 211,

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406, 6408, 6409, 6410, of the Revised Codes, relating to claims against estates of decedents.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 240,

A bill for an act to amend sections 7593, 7602, 7604, 7608 of the Revised Codes of the state of North Dakota, relative to prohibition, and unlawful dealing in intoxicating liquors and prescribing penalties therefor.

Have had the same under consideration and came to no conclusion thereon, and recommend that the same be placed upon the calendar for the consideration of the house.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 25, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 20,

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Which the senate has passed unchanged.

Also,

House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Which the senate has amended as follows; and passed as amended:

On lines 6 and 7 of the printed bill, strike out the words "and such justice shall appoint a day for the sale thereof," and insert in lieu thereof, "and such justice shall designate a place where such sale shall be held and shall name the day and the time of day for such sale."

Also,

House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

Which the senate has passed unchanged.

Also,

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

Which the senate has passed unchanged.

Also,

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Which the senate has amended as follows; and passed as amended:

In line 10 of the printed bill, strike out the words "six months," and insert in lieu thereof the words, "thirty days;" also strike out the word "two," and insert in lieu thereof the word "one."

In line 11, strike out the word "fifty."

Also,

House Bill No. 94,

A bill for an act to provide for the adoption of children.

Further consideration of which the senate has indefinitely postponed.

R. M. TUTTLE,

Secretary.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred
House Bill No. 193,

A bill for an act to amend section 30711 of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES ELTON,
Chairman.

Mr. Buttz moved

That the report be adopted.

Mr Tufte moved

As a substitute that the bill be referred to General Orders.
Which substitute motion prevailed.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred
Senate Bill No. 72,

A bill for an act providing for the amendment of section 3068 of the Revised Codes of 1899, relative to the loading and shipping of grain.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 144,

A bill for an act to amend section 2977 of the Revised Codes of 1899, relating to stopping of trains before crossing other railroads or drawbridges.

Have had the same under consideration and recommend that the same do pass.

JAS. ELTON,
Chairman.

The committee on coal lands and mining made the following report:

Mr. Speaker:

Your committee on coal lands and mining to whom was referred
House Bill No. 114,

A bill for an act to repeal section 1030 of the Revised Codes of North Dakota, relating to lignite coal to be used.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. M. COLE,
Chairman.

Mr. Cole moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred Senate Bill No. 128,

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

Have had the same under consideration and recommend that the same be amended as follows:

To strike out the word "(five)" in line 2 of subdivision 16, and insert in lieu thereof the word "(ten)."

And when so amended recommend that the same do pass.

C. H. BAKER,
Chairman.

Mr. Baker moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund, and the transfer of certain unexpended balances.

Have had the same under consideration and recommend that the same do pass.

C. H. BAKER,
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred House Bill No. 251,

A bill for an act to repeal a special act of the legislative assembly of the territory of Dakota of 1885, approved by the governor March 13, 1885, entitled "an act to create a joint school township in the counties of Griggs and Steele."

Have had the same under consideration and recommend that the same do pass.

GEO. W. H. DAVIS,
Chairman.

The committee on warehouses, grain grading and dealing made the following report:

Mr. Speaker:

Your committee on warehouses, grain grading and dealing to whom was referred

House Bill No. 223,

A bill for an act to amend sections 1738, 1739, 1741 and 1743a of the political code of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Amend the title to read:

A bill for an act to amend sections 1738, 1739, 1741 and 1743a, relating to licenses of commission merchants.

Also, in section 4, in line 5, after the word "product" insert the words "or any farm products."

And when so amended recommend the same do pass.

M. MATTSON,
Chairman.

Mr. Mattson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 21,

A bill for an act making an annual appropriation to the North Dakota Poultry Association, of Fargo, N D., to aid it in defraying the expenses and paying premiums of annual exhibitions of poultry and to aid in the development of the poultry industry in this state.

Also,

House Bill No. 238,

A bill for an act to license solicitors for benevolent organizations.

Also,

House Bill No. 96

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota,

appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Also,

House Bill No. 150,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota.

Also,

House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Also,

House Bill No. 219,

A bill for an act to amend section 2092 of the Revised Codes relating to fees of justices of the peace.

Also,

House Bill No. 220,

A bill for an act fixing the time when it shall be lawful for stock to run at large, fixing the liability of owners of unregistered males in certain cases and prescribing the manner of abolishing the provisions of the act in a county.

Also,

House Bill No. 243,

A bill for an act to amend section 1232 of the Revised Codes of the state of North Dakota, 1899, relating to tax lists, when delivered to treasurer.

Also,

House Bill No. 216,

A bill for an act to amend chapter five of the laws of 1901, being an act to provide for making unknown parties defendant in certain civil actions and to amend sections 5904, 5905, 5906, 5907, 5907a, 5908, 5909, 5910, 5911, 5912, 5913, of the Revised Codes of North Dakota for 1899, relating to the determination of conflicting claims to real estate and other actions and enacting other provisions relating thereto.

And find the same correctly engrossed.

M. MATTSON,
Chairman Pro Tem.

Mr. Lyons moved

That the house concur in senate amendment to

House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Which motion prevailed.

The question being upon the final passage of the bill as amended by the senate.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Palmer
Allen	Hammer	Peterson of Towner
Aslakson	Hanson	Peterson of Wells
Baker of Ramsey	Harvey	Phifer
Bartz	Heath	Richmond
Beck	Hill	Robillard
Blank	Johnson	Rogers
Bostrom	Knudtson	Scheer
Bourassa	Kraabel	Schouweiler
Braaten	Leech	Senour
Brown	Lish	Severson
Burtness	Lyons	Shiels
Buttz	Mallough	Simpson
Cassell	Mattson	Smart of Nelson
Chaffee	McClure	Smart of Traill
Chevalier	McCrea	Stavens
Chisholm	McDowell	Steinberg
Cole	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McKnight	Tufte
Davis	McLain	Van Arnam
Dickinson	Meidinger	Wagner
Dieball	Midgarden	Wall
Elton	Miller	Watson
Ellison	Mooney	Watts
Ferguson	Movius	Weigel
Flados	Noben	Welo
Fried	Noltmier	Wing
Gagnon	Oksendahl	Young
Gilbert	Palfrey	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Lee	Rose	Truemner
Lillie	Ryan	Underwood
Maddock	Skjold	Weed
Patterson		

Messrs. Maddock and Underwood being excused.

So the bill as amended passed and the title was agreed to.

Mr. Buttz moved

That the house concur in senate amendment to

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Which motion prevailed.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Peterson of Wells
Allen	Hanson	Phifer
Aslakson	Heath	Richmond
Baker of Ramsey	Hill	Robillarda
Bartz	Johnson	Rogers
Beck	Kraabel	Ryan
Blank	Lee	Scheer
Bostrom	Leech	Schouweiler
Bourassa	Lillie	Senour
Braaten	Lish	Severson
Burtness	Lyons	Shiels
Buttz	Mallough	Skjold
Cassell	Mattson	Simpson
Chaffee	McClure	Smart of Nelson
Chevalier	McCrea	Smart of Traill
Chisholm	McDowell	Stavens
Cole	McGahan	Steinberg
Connolly	McKenzie	Stevens
Dahl	McKnight	Thompson
Davis	McLain	Truemner
Dickinson	Meidinger	Tufto
Dieball	Midgarden	Van Arnam
Elton	Miller	Wagner
Ellison	Mooney	Wall
Ferguson	Movius	Watson
Flados	Noben	Watts
Fried	Noitimier	Weigel
Gagnon	Oksendahl	Welo
Gilbert	Palfrey	Young
Gullerud	Palmer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Patterson	Underwood
Harvey	Peterson of Towner	Weed
Knudtson	Rose	Wing
Maddock		

Messrs. Maddock and Underwood being excused.

So the bill as amended passed and the title was agreed to.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was rereferred

House Bill No. 6,

A bill for an act to provide for the examination of a party, or

of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Have had the same under consideration and recommend that the same do pass.

This bill was reported on Jan. 23, and the house passed the same and sent it to the senate. The bill was recalled from the senate and on the 24th inst. was again referred to this committee.

Have considered said bill and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report of the committee be adopted.

And the bill be placed on its final passage.

Which motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays 14, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Allen
Aslakson
Baker of Ramsey
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dieball
Elton
Ellison
Ferguson
Flados
Gagnon
Gilbert
Gullerud
Hammer

Messrs.—

Hanson
Heath
Hill
Johnson
Knutdson
Kraabel
Lee
Leech
Lillie
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meldinger
Midgarden
Miller
Mooney
Noltimier
Oksendahl
Palmer

Messrs.—

Peterson of Towner
Peterson of Wells
Phifer
Robillard
Rogers
Ryan
Scheer
Schouweiler
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Tuft
Van Arnam
Watson
Watts
Weigel
Welo
Wing
Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lish	Truemner
Bartz	Movius	Wagner
Chaffee	Noben	Wall
Fried	Richmond	Young
Harvey	Senour	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dickinson	Patterson	Underwood
Maddock	Rose	Weed
Palfrey		

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Buttz moved

That the vote by which

House Bill No. 6

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 24, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 123,

A bill for an act authorizing the board of trustees of the industrial school and school for manual training to issue bonds to provide a fund for the outstanding floating indebtedness and for the completion of the furnishing and equipment of the building of said institution.

Also,

Senate Bill No. 140,

A bill for an act authorizing and directing the board of university and school lands to create and invest a sinking fund for the payment of bonds issued by state educational, charitable or other state institution, defining the manner of creating such sinking fund, and prescribing the duties of the board of university and school lands in relation thereto.

Also,

Senate Bill No. 138,

A bill for an act to amend section number 4795, of the Revised Codes, relating to sales of buildings upon foreclosure of mechanics' liens thereon.

Also,

Senate Bill No. 170,

A Bill for an act to amend and re-enact section 1271 of the Revised Codes of 1899, relating to sale of property bid in for the county.

Also,

Senate Bill No. 160,

A bill for an act fixing the time for holding terms of the district court in the various counties comprising the fourth judicial district of North Dakota.

Also,

Senate Bill No. 167,

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

Also,

Senate Bill No. 165,

A bill for an act relating to where county records shall be kept.

Also,

Senate Bill No. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Also,

Senate Bill No. 153,

A bill for an act to amend section 108 of the Revised Codes of North Dakota, for the year 1899, relating to the duties of state treasurer.

Also,

Senate Bill No. 177,

A bill for an act to amend section 1249 of the Revised Code relating to sheriffs fees for making distress and sale.

Also,

Senate Bill No. 178,

A bill for an act defining the word "valuation" when used as a basis on which salaries are paid and fixing the time salaries shall begin when based on valuation.

Also,

Senate Bill No. 141,

A bill for an act to amend section 3134 of the Revised Codes of

1899, relating to organization of county mutual insurance companies.

Also,

Senate Bill No. 95.

A bill for an act to encourage the improvement of live stock, and to regulate the purchase and sale thereof, and prescribing penalties for the violation of the provisions of this act.

Also,

Senate Bill No. 173,

A bill for an act to amend and re-enact sections 759 and 761 of the Revised Codes, relating to education.

Also,

Senate Bill No. 129,

A bill for an act to amend section 5124 of the civil code of the Revised Codes of North Dakota.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

SPECIAL ORDER.

Mr. Young offered the following resolution and moved its adoption:

Resolved by the House:

That the speaker be authorized to appoint a steering committee of eleven members to take charge of all bills on third reading after Friday next and report such bills to the house for action. All bills to be placed on the calendar in the order they are reported from the steering committee.

Which motion prevailed.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 168,

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

Also,

House Bill No. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Also,

House Bill No. 174,

A bill for an act defining the Fourth senatorial and representatives therein.

Also,

House Bill No. 175,

A bill for an act defining the Third senatorial and representative district of North Dakota and prescribing the number of senators and representatives therein.

Also,

House Bill No. 183,

A bill for an act to amend section 404 of the Revised Codes relating to the boundaries and terms of court of the Second judicial district of the state of North Dakota and attaching certain unorganized counties to the county of Williams for judicial pur-

Also,

House Bill No. 196,

A bill for an act authorizing the payment of the sum of one hundred dollars to the clerk of the district court of Stark county for services in connection with cases arising in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman.

Also,

House Bill No. 201,

A bill for an act to amend section 1267 of the Revised Codes relating to redemptions from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.

Also,

House Bill No. 209,

A bill for an act regulating the service of processes by constables and the charging and collection of fees therefor.

Also,

House Bill No. 213,

A bill for an act to amend section 3563 of the Revised Codes of 1899, relating to recording of transfers of real estate, and giving validity to the recording of instruments heretofore recorded.

Also,

House Bill No. 217,

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law.

Also,

House Bill No. 228,

A bill for an act providing for a license to sell cigarettes and cigarette paper.

Also,

House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes,

1899, relating to bank stock, "where and at what valuation to be listed."

Also,

House Bill No. 232,

A bill for an act to amend section 2082, of the Revised Codes of 1899, relating to fees to be charged by sheriffs.

Also,

House Bill No. 235,

A bill for an act to amend section 237, of the Revised Codes, 1899, and to amend section 238, of chapter 169, of session laws, 1901, relating to state depositories.

Also,

House Bill No. 237,

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

Also,

House Bill No. 244,

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to, when real estate taxes become due and delinquent. Penalty and interest.

And find the same correctly engrossed.

M. MATTSON,
Chairman Pro Tem.

A minority of the committee on railroads made the following report:

Mr. Speaker:

A minority of your committee on railroads, to whom was referred Senate Bill No. 72,

Have had the same under consideration and find that for a period of about sixty days (threshing time) in a year nearly all the farmers and dealers in grain are "fighting" for cars in which to ship grain; and if the railroad company is compelled to allow each shipper to hold a car "forty-eight hours" a large per cent of those who are threshing will be unable to obtain cars, and consequently they will be obliged to either "dump" their grain upon the ground, stop threshing, or sell to the elevators. The elevators can hold the grain and wait for cars. Therefore, in the interest of the farmer who loads the car as he threshes his grain, your committee believes it would be a great injustice to him to allow an elevator company to hold cars "forty-eight hours," thereby depriving the railroad company of their use and preventing the farmer from obtaining them. Your committee do not believe that even the socialists, anarchists or populists desire the railroad company to build sufficient cars to furnish each and every shipper a car at the same time, as all would want to ship during threshing season, consequently when they have not sufficient cars to allow every shipper to hold cars forty-eight hours, what will the farmer do? Why, he will have to sell to the elevator company (who has taken advantage of the law by holding cars forty-eight hours, when in fact they could have loaded them in two hours) or stop threshing; perhaps he can "dump" his grain upon the ground.

Another objection the committee urges to-wit: Is the provision in the bill that allows the small shipper to hold (for the purpose of loading) a car of less than sixty thousand pounds capacity for only twenty-four hours. That would give the railroad company the power to give all the small cars to the farmer, who is loading from his threshing machine on the side track, and the elevators the large cars, who could hold them for forty-eight hours. Thus it gives the railroad company the discretion to make a distinction between the elevator companies and the small shipper, giving the former the large cars and the small cars to the farmer who would be compelled to load within "twenty-four hours." My observation with railroad companies and with all business men how the railroad company can and will allow a car or cars to stand on and within the law. Thus you find that the so-called "helpless farmer" of which the writer of this report is one will get the little "twenty-four hour" car and one of the "bloated" corporations, the elevators, at which this bill is ostensibly aimed will get the large forty-eight hour car.

At this time of the year or about nine months in each year, there is but little demand for cars in this state, your committee can understand how the railroad company can, and will allow a car or cars to sand on their sidetracks without doing injustice to anyone for many days, and even months, but when the busy threshing season comes everyone ought to "hustle," that is, spare no pains or energy in loading and shipping cars with the greatest possible dispatch. If the legislature can compel the railroads to let a car stand on sidetrack for forty-eight hours, each session thereafter can add to and prolong the time to a week or perhaps a month! Therefore, your committee respectfully recommends that the further consideration of Senate Bill No. 72 be indefinitely postponed.

C. W. BUTTZ,
P. J. LYONS.

MOTIONS AND RESOLUTIONS.

Mr. Davis offered the following resolution and moved its adoption:

Resolved by the house, that there be printed one hundred extra copies of the permanent edition of the House Journal to be distributed by the secretary of state to the newspapers published in the state, when they request the same.

Which motion prevailed.

INTRODUCTION AND FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Bostrom introduced
House Bill No. 268,

A bill for an act making it a misdemeanor for a tenant or tenants to remove goods, chattels or personal property from leased premises without giving due notice to the landlord, his agent or violation of this act.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Van Arnum introduced

House Bill No. 269,

A bill for an act to amend section 641, Revised Codes of 1899, defining duties of county superintendent of schools.

Which was read the first and second times, and Referred to the committee on education.

Mr. Richmond introduced

House Bill No. 270,

A bill for an act to amend section 279 of the Revised Codes relating to the admission of persons to practice medicine.

Which was read the first and second times, and Referred to the committee on public health.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 89,

A bill for an act making an annual appropriation to the Florence Crittenden Home and Hospital for friendless women and children, of Bismarck, N. D., to aid in defraying the current and contingent expenses.

And find the same correctly engrossed

M. MATTSON,

Chairman Pro Tem.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 119,

A bill for an act providing for the dismissal of actions in the courts of record of this state which have been pending for a period five years, wherein the plaintiff or his successor in interest has neglected to prosecute said action.

Was read the first and second times, and Referred to the committee on judiciary.

CALENDAR.

THIRD READING OF HOUSE BILLS.

House Bill No. 167,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for ascertaining the value as nearly as possible for the assistance of assessors in the assessment of their property and the taxation of the same.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Phifer
Allen	Hill	Richmond
Baker of Ramsey	Johnson	Robillard
Bartz	Kraabel	Rogers
Beck	Lee	Ryan
Blank	Lillie	Schouweler
Bostrom	Lish	Senour
Bourassa	Lyons	Severson
Brown	Mattson	Shiels
Burtness	McClure	Skjold
Buttz	McCrea	Simpson
Cassell	McDowell	Smart of Trail
Chevalier	McGahan	Stavens
Chisholm	McKnight	Steinberg
Cole	McLain	Stevens
Connolly	Midgarden	Thompson
Dahl	Meidinger	Tufts
Davis	Miller	Van Arnam
Dieball	Mooney	Wagner
Elton	Movius	Wall
Ellison	Noben	Watson
Ferguson	Noltmier	Watts
Flados	Palfrey	Weigel
Fried	Palmer	Wing
Gagnon	Patterson	Young
Gilbert	Peterson of Towner	Mr. Speaker
Gullerud	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Knudtson	Scheer
Braaten	Leech	Smart of Nelson
Chaffee	Mallough	Truemner
Dickinson	Maddock	Underwood
Hanson	McKenzie	Weed
Harvey	Oksendahl	Welo
Heath	Rose	

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Brown moved

That the vote by which

House Bill No. 167

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objection the house returned to the fifth order of business.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 257,

A bill for an act changing and defining the boundaries of Billings county.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

The speaker called Mr. Young to the chair.

House Bill No. 192,

A bill for an act to amend section 1530 of the Revised Codes of North Dakota, relating to the salaries and fees to be paid to the commissioners of insanity and others in attendance at the meetings of the county board of commissioners for the insane.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 2, nays 91, absent and not voting 7.

Those who voted in the negative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer

Messrs.—

Hanson
Harvey
Heath
Hill
Johnson
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Patterson

Messrs.—

Peterson of Wells
Peterson of Towner
Phifer
Richmond
Robillard
Rogers
Ryan
Scheer
Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Steinberg
Stavens
Thompson
Truemner
Tufte
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Weio
Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Stevens	Weed
Mallough	Underwood	Mr. Speaker
Rose		

Messrs. Miller and Young voted in the affirmative.

Messrs. Maddock and Underwood being excused.

So the bill was lost.

Mr. Aandahl moved

That Senate Bill No. 72 be recalled from general orders and

That the majority report be adopted.

Mr. Buttz moved

To lay the motion on the table.

Which motion was lost

The question being upon the original motion

The same prevailed.

House Bill No. 221,

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays 34, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Harvey	Phifer
Bartz	Heath	Richmond
Beck	Knudtson	Robillard
Blank	Leech	Rogers
Bostrom	Lillie	Ryan
Brown	Lish	Scheer
Burtness	Lyons	Schouweller
Buttz	Mallough	Simpson
Cassell	Mattson	Skjold
Chaffee	McClure	Stevens
Chevalier	McCrea	Wall
Connolly	McGahan	Watson
Davis	Meidinger	Weigel
Dickinson	Movius	Welo
Dieball	Palfrey	Young
Elton	Palmer	Mr. Speaker
Fried	Patterson	
Gagnon	Peterson of Towner	
Hammer	Peterson of Wells	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Shiels
Allen	Kraabel	Smart of Nelson
Baker of Ramsey	Lee	Smart of Traill
Bourassa	McKnight	Stavens
Braaten	McLain	Steinberg
Cole	Midgarden	Thompson
Dahl	Mooney	Tufte
Ellison	Noben	Wagner
Ferguson	Noltmier	Watts
Flados	Oksendahl	Wing
Gullerud	Senour	
Hanson	Severson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chisholm	McDowell	Truemner
Gilbert	McKenzie	Underwood
Hill	Miller	Van Arnam
Maddock	Rose	Weed

Messrs. Maddock and Underwood being excused.

So the bill passed and the emergency clause was lost and the title was agreed to.

Mr. Young explained his vote.

Mr. Mattson moved

That the vote by which

House Bill No. 221

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 25, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 198,

A bill for an act granting the consent and permission of the state of North Dakota to the construction and maintenance of a highway across, within, under and through the waters of Devils Lake, extending from Pelican Point to the southerly bank of said lake, and ratifying all acts heretofore performed in the construction or maintenance thereof.

Also.

Senate Bill No. 174,

A bill for an act to validate ordinance and resolution providing

for local improvements in cities and contracts made and obligations incurred pursuant thereto, and to prescribe the duties of courts in relation thereto.

Also,

Senate Bill No. 204,

A bill for an act extending the jurisdiction of justices of the peace in organized counties over unorganized counties which are a part of the same judicial subdivision, and providing for the payment of expenses in criminal prosecutions arising in said unorganized counties.

Also,

Senate Bill No. 159,

A bill for an act providing the manner in which names of candidates for United States senator may be certified to the legislative assembly.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

House Bill No. 170,

A bill for an act to provide for the enlargement of the boundaries of organized counties by embracing within said boundaries any contiguous unorganized territory.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays none, absent and not voting 17.

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Cole
Connolly
Dahl
Davis
Dieball
Elton
Ellison
Ferguson
Flados
Harvey

Messrs.—

Heath
Hill
Johnson
Kraabel
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Oksendahl
Phifer

Messrs.—

Robillard
Rogers
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Tuft
Truemner
Wall
Watson
Wagner
Watts
Weigel

Messrs.—	Messrs.—	Messrs.—
Fried	Palfrey	Welo
Gilbert	Palmer	Wing
Gullerud	Patterson	Young
Hammer	Peterson of Towner	
Hanson	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lee	Rose
Bostrom	Leech	Underwood
Chisholm	Maddock	Van Arnam
Dickinson	McDowell	Weed
Gagnon	McGahan	Mr. Speaker
Knudtson	Richmond	

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 66,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the Federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Also,

House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Also,

House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

House Bill No. 154,

A bill for an act regulating the handling of gasoline.

Was read the third time.

Mr. Chaffee moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed

The speaker in the chair.

Mr. Buttz moved that

House Bill No. 128,

A bill for an act to provide for a machinist's lien.

Be re-referred to the committee on judiciary.

Which motion prevailed, and

The bill was so re-referred.

Mr. Leech moved

That the rules be suspended and the house consider Senate Bill No. 72 and place the same on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 72,

A bill for an act to amend section 3068 of the Revised Codes of the state of North Dakota for 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays 10, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Burtness
Cassell
Chevalier
Chisholm
Cole
Connolly
Dahl
Dieball
Elton
Ellison
Flados
Fried
Gagnon
Gullerud
Hammer
Harvey

Messrs.—

Heath
Hill
Johnson
Knudtson
Leech
Lillie
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey
Patterson
Peterson of Towner

Messrs.—

Peterson of Wells
Phifer
Robillard
Scheer
Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Trall
Stavens
Steinberg
Stevens
Thompson
Tuftø
Van Arnam
Wagner
Wall
Watts
Weigel
Welo
Wing
Young

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Ryan
Buttz	Kraabel	Mr. Speaker
Davis	Lyons	
Dickinson,	McLain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Lish	Rose
Chaffee	Maddock	Truemner
Ferguson	Palmer	Underwood
Gilbert	Richmond	Watson
Lee	Rogers	Weed

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Hanson explained his vote.

Mr. Mattson moved

That the vote by which
Senate Bill No. 72

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Mattson moved

That the further consideration of
House Bill No. 80,

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

Be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.
House Bill No. 81,

A bill for an act amending section 3071a of the Revised Codes for 1899, relating to the time when property must be removed from cars.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays 7, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Robillard
Allen	Heath	Rogers
Aslakson	Hill	Ryan
Baker of Ramsey	Johnson	Schouweller
Bartz	Kraabel	Severson
Beck	Lee	Shiels
Blank	Leech	Skjold
Bostrom	Mallough	Simpson
Bourassa	Mattson	Smart of Nelson
Braaten	McClure	Smart of Trail

Messrs.—

Brown
Burtness
Buttz
Cassell
Chisholm
Connolly
Dahl
Dieball
Elton
Ellison
Ferguson
Fried
Gagnon
Gilbert
Gullerud
Hammer

Messrs.—

McDowell
McGahan
McKenzie
McKnight
Meidinger
Midgarden
Miller
Mooney
Noben
Noltmier
Oksendahl
Palfrey
Patterson
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Stavens
Steinberg
Stevens
Thompson
Truemner
Tuftø
Van Arnam
Wagner
Wall
Watson
Weigel
Welo
Wing
Young
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Dickinson
Hanson
Lyons

Messrs.—

McLain
Movius

Messrs.—

Scheer
Senour

Absent and not voting:

Messrs.—

Chaffee
Chevalier
Cole
Davis
Flados
Knudtson

Messrs.—

Lillie
Lish
Maddock
McCrea
Palmer

Messrs.—

Richmond
Rose
Underwood
Watts
Weed

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Hanson explained his vote.

Mr. Aandahl moved

That the vote by which

House Bill No. 81

Passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to, not entitled to tuition fund, when. Enumeration.

Was read the third time.

Mr. Davis asked unanimous consent to make an amendment.

There being no objection the request was granted.

Mr. Davis offered the following amendment and moved its adoption:

In line 17, of printed bill, add after the word "months," the words, "in each school of said district."

Which motion prevailed, and
The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 93, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Peterson of Towner
Allen	Harvey	Peterson of Wells
Aslakson	Heath	Phifer
Baker of Ramsey	Hill	Richmond
Bartz	Johnson	Robillard
Beck	Knudtson	Rogers
Blank	Kraabel	Ryan
Bostrom	Lee	Scheer
Bourassa	Leech	Schouweiler
Braaten	Lillie	Senour
Burtness	Lish	Severson
Buttz	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McClure	Simpson
Chevallier	McCrea	Smart of Nelson
Chisholm	McDowell	Smart of Traill
Cole	McGahan	Stavens
Connolly	McKenzie	Steinberg
Dahl	McKnight	Stevens
Davis	McLain	Thompson
Dickinson	Meidinger	Truemner
Dieball	Midgarden	Tufts
Elton	Miller	Van Arnam
Ellison	Mooney	Wagner
Ferguson	Movius	Wall
Flados	Noben	Watson
Fried	Noltimier	Watts
Gagnon	Oksendahl	Weigel
Gilbert	Palfrey	Wing
Gullerud	Palmer	Young
Hammer	Patterson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Rose	Welo
Lyons	Underwood	
Maddock	Weed	

Messrs. Maddock and Underwood being excused.

Mr. Davis moved

To amend the title to read as follows:

A bill for an act to amend and re-enact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to when school district not entitled to tuition fund and enumeration of children in newly organized districts.

Which motion prevailed, and
The title was so amended.

So the bill as amended passed and the title as amended was agreed to.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 6.

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

And find the same correctly re-engrossed.

Also,
House Bill No. 92,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

The house took a recess until 4:30 p. m.

AFTER RECESS.

Mr. Mattson moved

That the rules be suspended and

That the house take up Senate Bill No. 51, and that the same be put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 51,

A bill for an act to provide for the erection of public grain warehouses and grain elevators, on or near the right of way of railways, and providing for condemnation proceedings in connection therewith, and to repeal sections 1796, 1797 and 1799 of the Revised Codes North Dakota, 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Peterson of Wells
Allen	Johnson	Phifer
Aslakson	Knudtson	Robillard
Bartz	Kraabel	Rogers
Beck	Lee	Ryan
Blank	Leech	Scheer
Bourassa	Lillie	Schouweiler
Braaten	Lish	Senour
Burtness	Lyons	Severson
Cassell	Mallough	Shiels
Chaffee	Mattson	Skjold
Chevalier	McClure	Simpson
Cole	McCrea	Smart of Nelson
Connolly	McGahan	Smart of Traill
Dahl	McKnight	Stavens
Dickinson	McLain	Steinberg
Dieball	Meldinger	Stevens
Elton	Midgarden	Thompson
Ellison	Miller	Truemner
Ferguson	Mooney	Tuftø
Flados	Movius	Wagner
Fried	Noben	Wall
Gagnon	Noltimier	Watson
Gullerud	Oksendahl	Watts
Hammer	Palfrey	Weigel
Hanson	Palmer	Welo
Harvey	Patterson	Young
Heath	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Gilbert	Rose
Bostrom	Maddock	Underwood
Brown	McDowell	Van Arnam
Buttz	McKenzie	Weed
Chisholm	Richmond	Wing
Davis		

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Mattson moved

That the vote by which

Senate Bill No. 51

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Concurrent Resolution

And memorial to congress relative to the present method of the election of United States senators by the legislatures of the several states.

Was read the third time.

Mr. Young moved that the roll call be dispensed with.

Which motion was lost.

The question being on the final passage of the concurrent resolution.

The roll was called and there were ayes 80, nays 7, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Peterson of Wells
Allen	Hammer	Phifer
Aslakson	Hanson	Schouweller
Bartz	Harvey	Senour
Beck	Heath	Severson
Blank	Hill	Shiels
Bostrom	Johnson	Simpson
Bourassa	Knudtson	Skjold
Braaten	Kraabel	Smart of Nelson
Brown	Lee	Smart of Traill
Burtness	Lillie	Stavens
Cassell	McClure	Steinberg
Chaffee	McCrea	Stevens
Chevalier	McKnight	Thompson
Chisholm	McLain	Truemner
Cole	Meldinger	Tufte
Connolly	Midgarden	Van Arnam
Dahl	Miller	Wagner
Davis	Mooney	Wall
Dieball	Movius	Watson
Elton	Noben	Watts
Ellison	Noltmier	Weed
Ferguson	Oksendahl	Weigel
Flados	Palfrey	Wing
Fried	Palmer	Young
Gagnon	Patterson	
Gilbert	Peterson of Towner	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buttz	Lyons	Mr. Speaker
Leech	Mattson	
Lish	McGahan	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	McKenzie	Ryan
Dickinson	Richmond	Scheer
Maddock	Robillard	Underwood
Mallough	Rogers	Welo
McDowell	Rose	

Messrs. Maddock and Underwood being excused.

So the concurrent resolution passed and the title was agreed to.

Mr. Tufte moved

That the vote by which

The concurrent resolution

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Midgarden moved

That the rules be suspended and Senate Bill No. 4 be placed on its third reading and final passage.

Which motion prevailed.

The speaker recalled House Bill No. 252 from the committee on state affairs and referred the same to the committee on judiciary.

Senate Bill No. 4,

A bill for an act to establish an institution for the feeble-minded and to provide for its support and management.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Richmond
Allen	Johnson	Robillard
Aslakson	Knudtson	Rogers
Bartz	Kraabel	Ryan
Beck	Lee	Scheer
Blank	Leech	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Burtness	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McClure	Simpson
Chevalier	McCrea	Smart of Traill
Connolly	McGahan	Stavens
Dahl	McKnight	Steinberg
Davis	McLain	Thompson
Dickinson	Meidinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Van Arnam
Ellison	Mooney	Wagner
Ferguson	Movius	Wall
Flados	Noben	Watson
Fried	Noltimier	Watts
Gagnon	Oksendahl	Weigel
Gilbert	Palfrey	Weio
Gullerud	Palmer	Wing
Hammer	Patterson	Young
Hanson	Peterson of Towner	Mr. Speaker
Harvey	Peterson of Wells	
Heath	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Cole	Rose
Bostrom	Lillie	Smart of Nelson
Brown	Maddock	Stevens
Buttz	McDowell	Underwood
Chisholm	McKenzie	Weed

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Midgarden moved
That the vote by which
Senate Bill No. 4

Was passed be reconsidered and the motion to reconsider be
laid upon the table,

Which motion prevailed.

Mr. Davis moved
That the rules be suspended and
Senate Bill No. 151,

A bill for an act authorizing the board of trustees of the deaf
and dumb asylum to issue bonds to provide a fund for the pur-
chase of additional land, for the erection of necessary additional
buildings, and for such other improvements as may be needed
for the deaf and dumb asylum at Devils Lake, North Dakota.

Be placed on its third reading and final passage.

Mr. Buttz moved
That the motion be laid on the table,
Which motion was lost.

The question being on the original motion the same prevailed.

Senate Bill No. 151,

A bill for an act authorizing the board of trustees of the deaf
and dumb asylum to issue bonds to provide a fund for the pur-
chase of additional land, for the erection of necessary additional
buildings, and for such other improvements as may be needed
for the deaf and dumb asylum at Devils Lake, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays none, absent
and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Richmond
Allen	Johnson	Robillard
Aslakson	Knudtson	Rogers
Bartz	Kraabel	Ryan
Beck	Lee	Scheer
Blank	Lillie	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Burtness	Mallough	Shiels
Buttz	McClure	Skjold
Chaffee	McCrea	Simpson
Chevaller	McDowell	Smart of Nelson
Connolly	McGahan	Smart of Traill
Dahl	McKenzie	Stavens
Davis	McKnight	Steinberg
Dickinson	McLain	Stevens

Messrs.—
 Dieball
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gagnon
 Gilbert
 Gullerud
 Hammer
 Hanson
 Harvey
 Heath

Messrs.—
 Meidinger
 Midgarden
 Miller
 Mooney
 Noben
 Noltimier
 Oksendahl
 Palfrey
 Palmer
 Patterson
 Peterson of Towner
 Peterson of Wells
 Phifer

Messrs.—
 Thompson
 Truemner
 Tufto
 Wagner
 Wall
 Watson
 Watts
 Weigel
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—
 Baker of Ramsey
 Bostrom
 Brown
 Cassell
 Chisholm

Messrs.—
 Cole
 Leech
 Maddock
 Mattson
 Movius

Messrs.—
 Rose
 Underwood
 Van Arnam
 Weed

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which

Senate Bill No. 151

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The speaker called Mr. Ryan to the chair.

REPORT OF STANDING COMMITTEE

The committee on engrossed bills made the following report:

Mr. Speaker:

The committee on engrossed bills have examined

House Bill No. 8,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

And find the same correctly engrossed.

H. P. RYAN,
 Chairman.

House Bill No. 203,

A bill for an act to amend section 6613 of the Revised Codes relating to fees and salaries of clerks of county courts.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 78, nays 5, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Kraabel	Peterson of Wells
Aslakson	Lee	Phifer
Bartz	Leech	Rogers
Blank	Lillie	Scheer
Bourassa	Lish	Schouweiler
Burtness	Lyons	Senour
Buttz	Mallough	Severson
Chevalier	McClure	Shiels
Cole	McCrea	Slkjold
Davis	McGahan	Simpson
Dickinson	McKenzie	Smart of Traill
Dieball	McKnight	Stavens
Elton	McLain	Steinberg
Ferguson	Meidinger	Stevens
Flados	Midgarden	Thompson
Fried	Miller	Truemner
Gagnon	Mooney	Tufte
Gilbert	Movius	Wagner
Gullerud	Noben	Wall
Hammer	Oksendahl	Watts
Hanson	Palfrey	Weigel
Heath	Palmer	Welo
Hill	Patterson	Wing
Johnson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Noltimier	Smart of Nelson
Knudtson	Ryan	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Dahl	Robillard
Beck	Ellison	Rose
Bostrom	Harvey	Underwood
Braaten	Maddock	Van Arnam
Brown	Mattson	Watson
Cassell	McDowell	Weed
Chaffee	Peterson of Towner	Young
Chisholm	Richmond	Mr. Speaker
Cannolly		

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Buttz moved

That the vote by which

House Bill No. 203

Was passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

House Bill No. 39,

A bill for an act fixing the time of making the annual tax levy and repealing all laws not in conformity therewith.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Peterson of Wells
Aandahl	Heath	Phifer
Allen	Hill	Richmond
Aslakson	Johnson	Robillard
Bartz	Knudtson	Rogers
Beck	Kraabel	Ryan
Bourassa	Lee	Scheer
Braaten	Leech	Schouweiler
Brown	Lillie	Senour
Burtness	Lish	Severson
Buttz	Lyons	Shiels
Cassell	Mallough	Skjold
Chaffee	Mattson	Simpson
Connolly	McClure	Smart of Nelson
Dahl	McCrea	Smart of Traill
Davis	McDowell	Stavens
Dickinson	McGahan	Steinberg
Dieball	McKenzie	Stevens
Elton	McKnight	Thompson
Ellison	McLain	Truemner
Ferguson	Meidinger	Tufte
Flados	Miller	Underwood
Fried	Mooney	Wagner
Gagnon	Movius	Wall
Gilbert	Noben	Watson
Gullerud	Noltimier	Welgel
Hammer	Oksendahl	Welo
Hanson	Palmer	Wing
Harvey	Peterson of Towner	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Cole	Rose
Blank	Maddock	Van Arnam
Bostrom	Midgarden	Watts
Chevalier	Palfrey	Weed
Chisholm	Patterson	Mr. Speaker

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Cassell moved

To amend the title as follows:

By striking out the word "fixing" and inserting in lieu thereof the words "to amend section 2494 of the Revised Codes relating to."

Which motion prevailed, and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Lyons moved

That the rules be suspended and Substitute for House Bill No. 138 be placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 166,

A bill for an act to provide for the election of and defining the jurisdiction of police magistrates in cities, incorporated towns and villages.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 3, nays 67, absent and not voting 30.

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Ryan
Allen	Kraabel	Scheer
Beck	Leech	Schouweller
Blank	Lish	Senour
Bourassa	Lyons	Shiels
Burtness	Mattson	Skjold
Cassell	McClure	Simpson
Chaffee	McDowell	Smart of Nelson
Connolly	McGahan	Smart of Traill
Davis	McKnight	Stavens
Dickinson	McLain	Steinberg
Dieball	Meldinger	Stevens
Elton	Midgarden	Thompson
Ellison	Miller	Truemner
Ferguson	Noben	Tufts
Fried	Noltmier	Van Arnam
Gagnon	Oksendahl	Wagner
Gullerud	Palfrey	Weigel
Hammer	Palmer	Wing
Hanson	Peterson of Wells	
Harvey	Phifer	
Heath	Richmond	
Hill	Rogers	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Gilbert	Rose
Baker of Ramsey	Knudtson	Severson
Bartz	Lee	Underwood
Bostrom	Lillie	Wall
Braaten	Maddock	Watson
Brown	McCrea	Watts
Chevalier	McKenzie	Weed
Chisholm	Mooney	Welo
Cole	Movius	Young
Dahl	Patterson	Mr. Speaker
Flados	Peterson of Towner	

Messrs. Buttz, Mallough and Robillard voted in the affirmative,

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. McGahan moved
That the vote by which
House Bill No. 166

Was lost be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 189,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

Mr. Lyons moved

That the amendments to Substitute for House Bill No. 138 be adopted.

Which motion prevailed, and
The amendments were adopted.

The speaker in the chair.

Substitute for House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bond therefor and raising and appropriating funds for the erection of such academy buildings and for the maintenance and government of said academy.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 80, nays 2, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bostrom
Braaten
Burtness
Buttz
Cassell
Chaffee
Connolly

Messrs.—

Heath
Hill
Johnson
Knudtson
Kraabel
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea

Messrs.—

Richmond
Robillard
Scheer
Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg

Messrs.—	Messrs.—	Messrs.—
Dahl	McGahan	Stevens
Dickinson	McKenzie	Thompson
Dieball	McKnight	Truemner
Elton	McLain	Tufts
Ellison	Meidinger	Van Arnam
Ferguson	Midgarden	Wagner
Flados	Miller	Wall
Fried	Mooney	Watson
Gagnon	Noben	Weigel
Gilbert	Noltmier	Welo
Gullerud	Palfrey	Wing
Hammer	Palmer	Young
Hanson	Peterson of Wells	Mr. Speaker
Harvey	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Davis	Peterson of Towner
Bourassa	Lee	Rogers
Brown	Maddock	Rose
Chevalier	McDowell	Underwood
Chisholm	Movius	Watts
Cole	Patterson	Weed

Messrs. Oksendahl and Ryan voted in the negative.

Messrs. Maddock and Underwood being excused.

So the bill as amended passed and the title was agreed to.

Mr. Connolly moved

That the vote by which

Substitute for House Bill No. 138

Was passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

The house returned to the fourteenth order of business.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 198,

A bill for an act granting the consent and permission of the state of North Dakota to the construction and maintenance of a highway across, within, under and through the waters of Devils Lake, extending from Pelican Point to the southerly bank of said lake, and ratifying all acts heretofore performed in the construction or maintenance thereof.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 174,

A bill for an act to validate ordinance and resolution providing for local improvements in cities and contracts made and obligations incurred pursuant thereto, and to prescribe the duties of courts in relation thereto.

Was read the first and second times, and
Referred to the committee on municipal corporations.

Senate Bill No. 204,

A bill for an act extending the jurisdiction of justices of the peace in organized counties over unorganized counties which are a part of the same judicial subdivision, and providing for the payment of expenses in criminal prosecutions arising in said unorganized counties.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 159,

A bill for an act providing the manner in which names of candidates for United States senator may be certified to the legislative assembly.

Was read the first and second times, and
Referred to the committee on privileges and elections.

Senate Bill No. 129,

A bill for an act to amend section 5124 of the civil code of the Revised Codes of North Dakota.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 172,

A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Was read the first and second times, and
Referred to the committee on education.

Senate Bill No. 95,

A bill for an act to encourage the improvement of live stock, and to regulate the purchase and sale thereof, and prescribing penalties for the violation of the provisions of this act.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 141,

A bill for an act to amend section 3134 of the Revised Codes of 1899, relating to organization of county mutual insurance companies.

Was read the first and second times, and
Referred to the committee on insurance.

Senate Bill No. 178,

A bill for an act defining the word "valuation" when used as a basis on which salaries are paid and fixing the time salaries shall begin when based on valuation.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 177,

A bill for an act to amend section 1249 of the Revised Codes relating to sheriffs fees for making distress and sale.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 153,

A bill for an act to amend section 108 of the Revised Codes of North Dakota, for the yea 1899, relating to the duties of state treasurers.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 165,

A bill for an act relating to where county records shall be kept.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 167,

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 160,

A bill for an act fixing the time for holding terms of the district court in the various counties comprising the fourth judicial district of North Dakota.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 170,

A Bill for an act to amend and re-enact section 1271 of the Revised Codes of 1899, relating to sale of property bid in for the

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 138,

A bill for an act to amend section number 4795, of the Revised

Codes, relating to sales of buildings upon foreclosure of mechanics' liens thereon.

Was read the first and second times, and
Referred to the committee on judiciary.

Senate Bill No. 123,

A bill for an act authorizing the board of trustees of the industrial school and school for manual training to issue bonds to provide a fund for the outstanding floating indebtedness and for the completion of the furnishing and equipment of the building of said institution.

Was read the first and second times, and
Referred to the committee on appropriations.

Senate Bill No. 140,

A bill for an act authorizing and directing the board of university and school lands to create and invest a sinking fund for the payment of bonds issued by state educational, charitable or other state institution, defining the manner of creating such sinking fund, and prescribing the duties of the board of university and school lands in relation thereto.

Was read the first and second times, and
Referred to the committee on education.

Mr. McClure moved

That all house bills on the calendar or reported from standing committees tomorrow have preference and be disposed of before any bills reported by the steering committee.

Which motion prevailed.

Substitute for House Bill No. 98,

A bill for an act to amend section 652, Revised Codes, 1899, relating to salary of county superintendent of schools. Deputy. Traveling expenses.

Which motion prevailed, and

Mr. Davis moved:

That the bill be amended as follows:

On page 2, line 14, of printed bill, after the word "preceding," insert the word "school."

Which motion prevailed, and
The amendment was adopted.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes, 61 nays 3, absent and not voting 35.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Kraabel	Rogers
Aslakson	Leech	Ryan
Beck	Lillie	Schouweller
Blank	Lyons	Senour
Burtness	Mallough	Severson
Buttz	McClure	Shiels
Cassell	McCrea	Skjold
Chaffee	McGahan	Simpson
Connolly	McKenzie	Smart of Nelson
Davis	McKnight	Smart of Traill
Dickinson	McLain	Stevens
Elton	Meldinger	Thompson
Ellison	Midgarden	Tufte
Ferguson	Miller	Wall
Flados	Mooney	Watson
Fried	Noltimier	Watts
Gagnon	Palmer	Weigel
Gullerud	Peterson of Wells	Welo
Heath	Phifer	Young
Hill	Richmond	Mr. Speaker
Johnson	Robillard	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bourassa	Harvey	Noben

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Peterson of Towner
Baker of Ramsey	Hanson	Rose
Bartz	Knudtson	Scheer
Bostrom	Lee	Stavens
Braaten	Lish	Steinberg
Brown	Maddock	Truemner
Chevalier	Mattson	Underwood
Chisholm	McDowell	Van Arnam
Cole	Movius	Wagner
Dahl	Oksendahl	Weed
Dieball	Palfrey	Wing
Gilbert	Patterson	

Messrs. Maddock and Underwood being excused.

Mr. Davis moved

That the title be amended to read as follows:

A bill for an act to amend section 652 of the Revised Codes of 1899, relating to the salary and mileage of county superintendents of schools and providing for a deputy and clerical assistance.

Which motion prevailed, and

The title as amended was adopted.

So the bill as amended passed and the title as amended was agreed upon.

Mr. Kraabel moved that the vote by which Substitute for House Bill No. 98 passed be reconsidered, and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Mallough moved

That no more bills be introduced after tomorrow unless by unanimous consent.

Which motion was lost.

Mr. Richmond moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FIFTY-SECOND DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 26, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Maddock, Rose and Underwood.

Messrs. Maddock and Underwood being excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Cassell moved

That all petitions presented be printed in the journal without being read.

Which motion prevailed.

PETITIONS AND COMMUNICATIONS.

Mr. Lee presented the following petition:

To the Honorable House of Representatives of the Legislative Assembly of the State of North Dakota:

Gentlemen:

In respectfully submitting a petition for a small appropriation for treatment of poor consumptives I beg of you to consider a few facts and figures in connection therewith. You are all familiar with the fact that tuberculosis or consumption is a communicable disease, dangerous to

public health and that more people die from consumption than from any other disease. You are also all familiar with the campaign, which has been instituted all over the world against this disease and you have all some time or other heard of the sanatorium treatment which not only European governments, but also besides Canada, a number of our states, have taken up. In Minnesota the governor, by an act of the legislature, appointed a commission to investigate this subject of a state sanatorium for consumptives. The report of the commission, from which these facts and figures are collected, states that Massachusetts was the first state in the union to build a sanatorium for consumptives. New York state has appropriated \$150,000 for a sanatorium. Pennsylvania and Connecticut appropriated large sums to assist societies and institutions who care for consumptive poor in those states. Maryland and Minnesota have appointed investigating committees to study this subject and in Minnesota a bill for the appropriation for \$150,000 for a sanatorium has been reported on favorably by the committee. The United States Army and Marine hospital service each have a sanatorium in New Mexico. Wherever such institutions are in existence they are filled to the utmost capacity showing that they are highly appreciated by the class of sufferers, for whom they were intended. In Germany the treatment has proved so satisfactory that in addition to the sixty sanatoria for the working classes now in operation twenty-five are in process of construction and twenty private institutions for the richer classes are in operation.

The insurance companies have found the treatment at a sanatorium so beneficial that they have built sanatoria to which they send their consumptives for three or four months' treatment.

What is the result of this treatment?

The ultimate benefit can be judged from the reports of the Hanseatic Insurance company, this company, as all of them are, is under strict government control, its ideal result of treatment from standpoints of the insurance company is the ability to do a full day's work, we find in their reports of those treated during each year, the percentage given of those that are able to work all the time. Of tuberculous patients treated in 1895, fifty-seven per cent (57 per cent) were workers in 1900. Of those treated in 1896, 70 per cent were workers in 1900. Of those treated in 1897, 70 per cent were workers in 1900. Of those treated in 1898, 56 per cent were workers in 1900. For the year 1901, eleven institutions reported results. The percentage represented average able to do full work is 84 plus, Massachusetts state sanatorium gives out of 865 cases treated an average percentage of 83 during three years, who were able to return to work. That means that out of 865 cases 718 were able to return to work. At Oak Park (my own sanatorium) all were more or less emergency cases or cases that I did not have the heart to turn away. Had I the means to secure necessary help I could have the house full and twice as many on the waiting list. For want of help I have patiently and cheerfully attended to the nursing myself in the hope that some day the public will realize the value of such an institution and that the state will follow the example of Pennsylvania and Connecticut, who both have appropriated large sums to assist societies and institutions who care for the consumptive poor in those states.

And I ask for only a small sum.

For lack of help I have had to turn a number of applicants away. Of the four cases actually treated at the sanatorium two are able to work. One is improved and one died. This gives a result of fifty per cent able to work. Professional ethics forbids me to give any statistics of cases which consulted me at the sanatorium and which were sent home with instructions similar to those given resident patients.

What will the state gain by such an appropriation?

I shall let no less authority than the Minnesota State Sanitary association answer this question and I shall change only the number of beds and the percentage of recovery to the one which the Oak Park sanatorium presents. If a sanatorium with fifteen beds in North Dakota would care for thirty patients a year, the very low estimate, fifty per cent of these would regain their health permanently. That is fifteen lives would be saved. If we say that the money value of a life is \$500 a year, these fifteen lives would be worth in money \$7,500 a year and in three years with these saved the second and the third year it would amount to \$45,000. But as about 75 per cent of early cases are usually able to return to work, this estimate is far below the probable results. I can therefore truly and frankly say that the state of North Dakota could never make a better or more profitable investment than to appropriate \$5,000 for the care of its consumptive poor at Oak Park sanatorium. As there is presently no such institution in the state, most of this money will go out of the state. I take pride in saying that from a financial point of view my appeal to your august body is well taken. But I appeal to you also in the name and for the sake of humanity.

"Humanity demands that the tuberculous poor should be decently housed. It is not enough that we provide them a roof under which they may exist and a diet sufficient to maintain them until such time as they may be called upon to die." (Care of the Tuberculous, Prof. M. Bracken.) Of all sad sights one of the saddest is the tuberculous patient, probably a youth doomed slowly but surely to death, because he lacks the means to take treatment and get well. If I should mention anything which in my mind is even more sad or more cruel it would be to present to you a youth, or a mother of many children who has been improved at the sanatorium, but who is doomed, because she has no means of continuing the treatment. It is indeed heart-rending to first let these patients taste the sweetness of improvement and then be forced to dismiss them because they have no means or friends to help them. I have at present some of these poor cases under treatment and it would be a sad affair, if I, after this appeal to your honorable body, should be forced to dismiss them.

This petition does not come from myself alone; if it did, I would never think of presenting it. But it is the voice and sentiment of the great majority of the citizens of our state.

I would therefore pray that their appeal be favorably considered by your honorable body and voted on carefully and conscientiously.

Respectfully yours,

VOSS MOHN, M. D.

To the House of Representatives of North Dakota :

The undersigned hereby petition your honorable body to pass Senate Bill No. 42, introduced by Senator Lavayea, of Larimore, relating to druggists' permits, and also Senate Bill No. 168, introduced by Senator McArthur, of Bottineau, providing for the payment of \$50 reward for evidence securing the conviction of persons violating the prohibitory law.

The above was endorsed by vote by a meeting of Methodist Episcopal congregation, and unanimous, in the city (or town) of Bottineau, state of North Dakota, on Feb. 22, 1903, and the undersigned were authorized to so attest.

REV. F. C. JOHNSON, Chairman.

Mr. Johnson presented the following petition:

Park River Feb. 12, 1903.

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and

vote for the passage of House Bill No. 137, as we believe that the firemen entitled to this recognition at the hands of the people.

JOHN WYLLIE,

And 53 Others.

Mr. Watson presented the following petition:

To the House of Representatives of North Dakota:

The undersigned hereby petition your honorable body to pass Senate Bill No. 42, introduced by Senator Lavayea, of Larimore, relating to druggists' permits, and also Senate Bill No. 168, introduced by Senator McArthur, of Bottineau, providing for the payment of \$50 reward for evidence securing the conviction of persons violating the prohibitory law.

The above was endorsed by vote by a meeting of Baptist church in the city (or town) of Bottineau, state of North Dakota, on Sunday, February 22, 1903, and the undersigned were authorized to so attest.

J. S. FERGUSON,

And 171 Others.

Mr. Smart of Traill presented the following petition:

To the Honorable Members of the Legislature:

Hillsboro, N. D.

Whereas, it has been shown that food adulteration is largely practiced by the manufacturers of food products for North Dakota trade; and, whereas, it has been clearly demonstrated by scientists of world repute that chemical preservatives are injurious to health and the substitution of worthless products in other foods defraud the people who must buy the same.

We, the citizens of Traill county, petition the members of the legislature for the passage of the Lewis Pure Food Bill and ask that the law be fully enforced.

NELS TWEET,

And 80 Others.

Mr. Hill presented the following petition :

To the House of Representatives of North Dakota :

The undersigned hereby petition your honorable body to pass Senate Bill No. 42, introduced by Senator Lavayea, of Larimore, relating to druggists' permits, and also Senate Bill No. 168, introduced by Senator McArthur, of Bottineau, providing for the payment of \$50 reward for evidence securing the conviction of persons violating the prohibitory law.

The above was endorsed by vote by a meeting of the people at morning service at M. E. church in the city (or town) of Leonard, Cass county, state of North Dakota, on February 22, 1903, and the undersigned were authorized to so attest.

M. E. WATTS,

And 17 Others.

Mr. Watson presented the following petition :

To the House of Representatives of North Dakota :

The undersigned hereby petition your honorable body to pass Senate Bill No. 42, introduced by Senator Lavayea, of Larimore, relating to druggists' permits, and also Senate Bill No. 168, introduced by Senator McArthur, of Bottineau, providing for the payment of \$50 reward for evidence securing the conviction of persons violating the prohibitory law.

The above was endorsed by vote by a meeting of the citizens in the city (or town) of Bottineau, state of North Dakota, on February 20 and 21, and the undersigned were authorized to so attest.

G. K. VIKAN,
And 38 Others.

Mr. Severson presented the following petition :

We, the undersigned citizens and firemen of this district, respectfully petition and request that you use all honorable means in your power and vote for the passage of House Bill 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

J. F. SAVAGE,
And 29 Others.

Mr. Weed presented the following communication :

THE POPULAR ELECTION BILL.

The debate upon the popular election bill, Senator Simpson's Senate Bill No. 159, was opened by Senator LaMoure. "When the senate committee considered that bill, Mr. President," he said, "I took occasion to record myself against it for the reason that I believed that some day there might possibly be candidates for the United States senate who would not, under the provisions of the bill, receive that consideration to which they might be entitled, and I did not want to vote for a bill that would place them at a disadvantage. Mr. President, in my awkward way I endeavor to express myself in favor of fair play. I believe fair play should be a fundamental principle. I don't believe in promoting Punch and Judy shows. I don't believe that the men now occupying public places should have the advantage over ordinary citizens. Under the provisions of this measure the present senator and representative has an advantage over any other citizen. Why? Because there is not a federal official in this state but would be going around through the state advancing the cause of the man who made him. Why, Mr. President, did not one of our recently appointed federal officials, the man who presides over the destinies of the little newspaper published at Grand Forks, state: 'P. J. McCumber put the collar on me. He is alone responsible, and I to him.' Imagine this condition, and this paper, Mr. President—Mr. McCumber pulls the string and Mr. Winship dances. Go a little further south, Mr. President, to Fargo, and you find a couple of land officers, good fellows, it is true, but who must dance when the strings are pulled. And to another well known official there the senator says: 'Mr. Marshal get down into the purllus of your city and work for me. And out here on the Missouri slope another man is sent out to Painted Woods or some other place to work for his maker. Are these things fair? No. Now take my own case. My father-in-law was recently appointed to a federal position. Now comes the senator to me and says: 'Jud. get out and dance.' (Laughter.) Mr. President, I can't dance. Now we have good men in this state and I say give all of them a fair show. Don't put things where federal officials control. Why, Mr. President, this bill would eliminate M. N. Johnson as a candidate. Where would my friend from Cass county be, the man who was unanimously indorsed by his delegation. And another gentleman who sits directly behind me, what chance would he have if this bill passed? Mr. President, they would have no chance against a horde of federal officials. For this reason I vote against the bill."

REPORTS OF STANDING COMMITTEES.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred

House Bill No. 104,

A bill for an act to amend chapter 207 of the laws of 1901, same being an amendment of section 1596 of the Revised Codes of 1899, same being section 1596 of the Revised Codes of 1895 relating to veterinarian districts.

Have had the same under consideration and recommend that he same be indefinitely postponed.

J. H. McLAIN,

Chairman.

Mr. McLain moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred
Senate Bill No. 145,

A bill for an act to amend and re-enact section 274a, 274b, 274c, 274d, 274e, 274f, 274g of chapter 4 of the political code of 1899, relating to the collection and reporting of vital statistics, prescribing the duties of officers who collect and report such statistics, defining the duties of county auditors in relation thereto and fixing compensation and method of paying the same, and providing penalties for the violation of this act.

Have had the same under consideration and recommend that the same do pass.

Also.

Senate Bill No. 77,

A bill for an act to amend section 273 of the Revised Codes of North Dakota, relating to expenses incurred by local boards of health.

Have had the same under consideration and recommend that the same do pass.

J. H. McLAIN,

Chairman.

The committee on warehouses, grain grading and dealing made the following report:

Mr. Speaker:

Your committee on warehouses, grain grading and dealing to whom was referred

House Bill No. 253,

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.

Have had the same under consideration and recommend that the same do pass.

M. MATTSON,
Chairman.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred Senate Bill No. 174,

For an act to validate ordinance and resolution providing for local improvements in cities and contracts made and obligations incurred pursuant thereto, and to prescribe the duties of courts in relation thereto.

Have had the same under consideration and recommend that the same do pass.

A. L. WALL,
Chairman.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 259,

A bill for an act to amend sections 2134, 2141, 2155, 2251, and 2254 of the Revised Codes of 1899, relating to cities.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. L. WALL,
Chairman.

Mr. Wall moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on live stock industry made the following report:

Mr. Speaker:

Your committee on live stock industry to whom was referred House Bill No. 164,

A bill for an act to amend section 1 of chapter 123, session laws 1901, being an act to amend section 1549, Revised Codes, 1899, relating to time when lawful for stock to run at large.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. B. PHIFER,
Acting Chairman.

Mr. Phifer moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on live stock industry made the following report:

Mr. Speaker:

Your committee on live stock industry to whom was referred
House Bill No. 156,

A bill for an act to amend chapter 197 of the session laws of 1901, being section 6153 of the Revised Codes of 1899, relating to liability of owners for trespass of animals.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. B. PHIFER,
Acting Chairman.

Mr. Phifer moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on live stock industry made the following report:

Mr. Speaker:

Your committee on live stock industry to whom was referred,
House Bill No. 198,

A bill for an act to amend and re-enact chapter 121 of the laws of North Dakota for the year 1901, concerning the inspection of live stock.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 91,

A bill for an act to repeal sections 1586 and 1587 of the Revised Codes of 1899, relating to cruelty to animals.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. B. PHIFER,
Acting Chairman.

Mr. Phifer moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 109,

A bill for an act prohibiting foreign mutual insurance com-

panies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,
Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 22,

A bill for an act requiring mutual fire insurance companies hereafter organized in this state to deposit funds with the state treasurer as security for the performance of their contracts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,
Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 144,

A bill for an act providing for the appointment of a public officer to be known as state fire marshal and prescribing his duties.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,
Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 110,

A bill for an act relating to domestic mutual insurance compa-

nies that transact a hail insurance business, prescribing the duties of the treasurer, providing for the compensation of officers, agents and employees, fixing the time for the payment of their salaries and expenses, declaring contracts void and fixing a penalty for the violation of such act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,
Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration thereof was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 105,

A bill for an act to amend section 3146 of the Revised Codes of North Dakota, relating to the time for the election of directors of county mutual insurance companies, who may vote at such elections, and who shall be considered members of said companies.

Have had the same under consideration and recommend that the same be indefinitely postponed

ANTON FRIED,
Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 102,

A bill for an act relating to domestic mutual insurance companies that transact a hail insurance business, prescribing the duties of the treasurer, providing for the compensation of officers, agents, and employes, fixing the time for the payment of their salaries and expenses, declaring contracts void and fixing a penalty for the violation of such act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,
Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 92,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,
Chairman.

Mr. Fried moved.

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 10,

A bill for an act to amend chapter 109 of the session laws of 1901, to amend section 3137 of the Revised Codes of 1899, relative to the limitation of hail insurance.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

ANTON FRIED,
Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 230,

A bill for an act relating to insurance companies that transact a hail insurance business, making it a misdemeanor to charge more than the actual cash premium whether premium is paid in cash or by note, said note not to draw more than legal banking interest, providing a penalty for violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,
Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred:

House Bill No. 191,

A bill for an act to amend section 3087 of the Revised Codes pertaining to the organization of domestic insurance companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,

Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 222,

A bill for an act relating to insurance companies transacting a hail insurance business in this state, making such companies liable for all losses to crops by hail from 12 o'clock noon on the day immediately following the day upon which the application is taken.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,

Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report.

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 82,

A bill for an act requiring mutual fire insurance companies to deposit with the state treasurer funds for the security of their members.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ANTON FRIED,

Chairman.

Mr. Fried moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.
The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 254,

A bill for an act to amend section 5630, relating to trials in district court without a jury, and appeals therefrom.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 113,

A bill for an act to amend section 421 of the Revised Codes of 1899, relating to the qualifications of applicants for admission to practice as attorneys and counselors at law.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 252,

A bill for an act to amend section 7464 of the Revised Codes as amended by chapter 82 of the session laws of 1901, relating to embezzlement.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 249,

A bill for an act to provide for the improvement of public highways in townships adjoining incorporated cities.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 261,

A bill for an act changing and defining the boundaries of Mercer county.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 255,

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.

C. W. BUTTZ,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 90,

A bill for an act repealing sections 7460a and 7460b, of the Revised Codes of 1899.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 204,

A bill for an act extending the jurisdiction of justices of the peace in organized counties over unorganized counties which are a part of the same judicial subdivision, and providing for the payment of expenses in criminal prosecutions arising in said unorganized counties.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 127,

A bill for an act to amend section 377 of the Revised Codes of 1899, relating to general terms of the supreme court, and section 378 of the Revised Codes of 1899, relating to appeals, motions and hearings in the supreme court.

Have had the same under consideration, and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 47,

A bill for an act to repeal chapter 60 of the session laws of 1897, being section number 6615a of the Revised Codes of 1899, forbidding and preventing the practice of law by judges of the county courts having increased jurisdiction.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred

House Bill No. 23,

A bill for an act to amend section 7524 of the Revised Codes of North Dakota prescribing penalty for receiving deposits by any bank, banking house, exchange broker, deposit office, firm, company or corporation when becoming insolvent.

Also,

House Bill No. 77,

A bill for an act to amend section 3251 of the Revised Codes of North Dakota, prescribing penalties for receiving deposit in any bank, or banking association, when such banking association is insolvent.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AUG. PETERSON,
Chairman.

Mr. Peterson of Wells moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bills was indefinitely postponed.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred.

House Bill No. 248,

A bill for an act to amend section 3146 of the Revised Codes

of 1899, relating to the time for the holding of the annual meeting for the election of directors, and who may vote.

Have had the same under consideration and recommend that the same do pass.

AUG. PETERSON,
Chairman.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred House Bill No. 260,

A bill for an act to amend sections 4063 and 4064 of the Revised rates of interest and defining usury.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AUG. PETERSON,
Chairman.

Mr. Peterson of Wells moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 239,

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

Have had the same under consideration, and recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 148,

A bill for an act to amend section 2071 under the Revised Codes of North Dakota, relating to the payment of probate fees to the county treasurer.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 263,

A bill for an act to amend section 1804 of the Revised Codes of North Dakota, 1899, defining legal newspapers, qualified to do legal printing.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 247,

A bill for an act making it unlawful to sell any liquid put up in bottles, to be drank as a beverage or tonic, unless the same shall have a label upon the outside on which is printed the true and correct analysis of all the ingredients contained there.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 215,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

Have had the same under consideration and respectfully report a substitute bill, and recommend that the same do pass.

W. J. WATTS,
Chairman.

The minority of the committee on state affairs made the following report:

Mr. Speaker:

A minority of your committee on state affairs to whom was referred

Substitute for House Bill No. 215,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

Have had the same under consideration and recommend that the same be amended as follows:

In line 27 of the substitute bill strike out the words "thirty-five" and insert in lieu thereof the words "forty-five."

And when so amended recommend the same do pass.

A. H. SMART,
T. WELO,
THOS. JOHNSON,
T. H. THOMPSON,
CHAS. WEIGEL,
H. STEINBERG.

Mr. Smart of Nelson moved

That the minority report be adopted.

Mr. Cassell moved as a substitute

That the majority report be adopted.

Which substitute motion prevailed and

The majority report was adopted.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 198,

A bill for an act granting the consent and permission of the state of North Dakota to the construction and maintenance of a highway across, within, under and through the waters of Devils Lake, extending from Pelican Point to the southerly bank of said lake, and ratifying all acts heretofore performed in the construction or maintenance thereof.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 111,

A bill for an act to amend section 1566 of the Revised Codes as amended by chapter 215 of the laws of 1901 relating to bounty for killing wolves and coyotes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

The majority of your committee on judiciary to whom was referred

House Bill No. 128,

A bill for an act to provide for a machinist's lien.

Have had the same under consideration and **recommend that** the further consideration of the same be indefinitely postponed.

C. W. BUTTZ,

Chairman.

A minority of the committee on judiciary made the following report:

Mr. Speaker:

A minority of your committee on judiciary to whom was referred

House Bill No. 128,

A bill for an act to provide for a machinist's lien.

Have had the same under consideration and **recommend that** the same do pass.

GEO. VAN ARNAM,
E. L. RICHMOND,
F. N. CHAFFEE,
GEORGE M. YOUNG,
J. J. FERGUSON.

Mr. Young moved

That the minority report be adopted.

Mr. Leech moved

As a substitute motion that the majority report be adopted.

Which substitute motion prevailed and the further consideration of House Bill No. 128 was indefinitely postponed.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund, and the transfer of certain unexpended balances.

Also

House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating

to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

Also,

House Bill No. 211,

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406, 6408, 6409, 6410, of the Revised Codes, relating to claims against estates of decedents.

Also,

House Bill No. 223,

A bill for an act to amend sections 1738, 1739, 1741 and 1743a of the political code of North Dakota.

Also,

House Bill No. 224,

A bill for an act to promote forest tree culture.

Also,

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

Also,

House Bill No. 39,

A bill for an act fixing the time of making the annual tax levy and repealing all laws not in conformity therewith.

Also,

House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to, not entitled to tuition fund, when. Enumeration.

Also,

House Bill No. 221,

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Also,

House Bill No. 240,

A bill for an act to amend sections 7593, 7602, 7604, 7608 of the Revised Codes of the state of North Dakota, relative to prohibition, and unlawful dealing in intoxicating liquors and prescribing penalties therefor.

Also,

House Bill No. 251,

A bill for an act to repeal a special act of the legislative as-

sembly of the territory of Dakota of 1885, approved by the governor March 13, 1885, entitled "an act to create a joint school township in the counties of Griggs and Steele."

Also,

House Bill No. 262,

A bill for an act to amend section 1653 of the Revised Codes of 1899, relating to fishways.

And find the same correctly engrossed.

Also,

Mr. Speaker:

Your committee on engrossed bills have examined

Substitute for House Bill No. 98,

A bill for an act to amend section 652, Revised Codes, 1899, relating to salary of county superintendents of schools. Deputy. Traveling expenses.

Also,

Substitute for House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bond therefor and raising and appropriation fund for the erection of such academy buildings and for the maintenance and government of said academy.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

Also,

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Also,

House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Also,

House Bill No. 20,

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Also,

House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

And find the same correctly enrolled.

Also,

Mr. Speaker:

Your committee on enrolled bills respectfully report that at the hour of 4:10 p. m., February 26th

House Bill No. 20,

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Also,

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

Also,

House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

Also,

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Also,

House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Were delivered to his excellency the governor for his approval.

W. A. McCLURE,

Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Davis offered the following resolution and moved its adoption:

Resolved, That as the steering committee will not take any action on bills until after Friday's session, the present standing committees are hereby allowed an extension of time until Saturday afternoon's session on bills which may come into their possession.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of

1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

Also,

House Bill No. 20,

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Also,

House Bill No. 27,

A bill for an act to amend sections 1676, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Also,

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.

Also,

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

And the speaker signed the same in the presence of the house.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Harvey introduced

House Bill No. 271,

A bill for an act to amend and re-enact section 5936 of the Revised Codes of 1899 of North Dakota, relating to practice in contempts.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Peterson of Towner introduced

House Bill No. 272,

A bill for an act to amend section 28 of the Revised Codes of North Dakota, 1899, relating to legislative officers and employes and their compensation.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Weed introduced

House Bill No. 273,

A bill for an act to amend section 373 of the Revised Codes of North Dakota of 1899, relating to eligibility of deputies, clerks and subordinates of public officers.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Brown introduced

House Bill No. 274.

A bill for an act to amend and revise section 497a of the Revised Codes of 1889 regulating caucuses and nomination for office.

Which was read the first and second times, and

Referred to the committee on state affairs.

THIRD READING OF HOUSE BILLS.

House bill No. 225,

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota relating to the organization of schools on petition.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson

Messrs.—

Harvey
Heath
Hill
Johnson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltimier
Oskendahl
Palfey
Palmer
Patterson

Messrs.—

Peterson of Wells
Phifer
Richmond
Robillard
Rogers
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Van Arnam
Wagner
Wall
Watson
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Maddock	Underwood
Buttz	Peterson of Towner	Watts
Elton	Rose	
Knudtson	Simpson	

Messrs. Maddock and Underwood being excused.

Mr. Skjold moved

That the title be amended to read as follows:

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota, relating to the organization of schools on petition.

So the bill passed and the title as amended was agreed to.

Mr. Skjold moved

That the vote by which

House Bill No. 225

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 208,

For an act to amend section 744 of the Revised Codes of the state of North Dakota, 1899, relating to certificates, when revocable.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 89, nays 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Phifer
Allen	Hill	Richmond
Aslakson	Johnson	Robillard
Bartz	Kraabel	Rogers
Beck	Lee	Ryan
Blank	Leech	Scheer
Bourassa	Lillie	Senour
Braaten	Lish	Severson
Brown	Lyons	Shiels
Burtness	Mallough	Skjold
Buttz	Mattson	Simpson
Cassell	McClure	Smart of Nelson
Chaffee	McCrea	Smart of Traill
Chevalier	McDowell	Stavens
Chisholm	McGahan	Steinberg
Connolly	McKenzie	Stevens
Dahl	McKnight	Thompson
Davis	McLain	Truemner
Dickinson	Meidinger	Tuft
Dieball	Midgarden	Wagner
Ellison	Miller	Wall
Ferguson	Mooney	Watson
Flados	Movius	Watts

Messrs.—	Messrs.—	Messrs.—
Fried	Noben	Weed
Gagnon	Noltmier	Weigel
Gilbert	Oksendahl	Welo
Gullerud	Palfrey	Wing
Hammer	Palmer	Young
Hanson	Patterson	Mr. Speaker
Harvey	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Maddock	Schouweiler
Cole	Peterson of Towner	Underwood
Elton	Rose	Van Arnam
Knudtson		

Mr. Bostrom voted in the negative.

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Gagnon moved

That the vote by which

House Bill No. 208

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Aandahl moved

That the further consideration of

House Bill No. 210,

A bill for an act to provide for notice to be given before cancellation, termination or forfeiture of or under any instrument for the future conveyance of lands, or of any equity therein, and to prohibit agreements for such cancellation, termination or forfeiture without such notice.

Be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Richmond moved

That House Bill No. 70, now in special orders, be placed on its third reading and final passage.

Which motion prevailed, and

House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundares of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Was read the third time.

Mr. Richmond moved

That the bill be amended as follows:

In sections 3 and 4 change the word "Pierce" to "Bottineau."

Which motion prevailed, and

The amendment was adopted.

The question being upon the final passage of the bill as amended:

The roll was called and there were ayes 81, nays 10, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Patterson
Allen	Harvey	Peterson of Wells
Aslakson	Heath	Phifer
Baker of Ramsey	Hill	Richmond
Bartz	Johnson	Robillard
Beck	Kraabel	Rogers
Blank	Lee	Ryan
Bostrom	Leech	Schouweiler
Bourassa	Lillie	Senour
Brown	Lish	Shiels
Burtness	Lyons	Skjold
Buttz	Mallough	Simpson
Cassell	Mattson	Smart of Nelson
Chaffee	McClure	Smart of Traill
Chevalier	McCrea	Stevens
Chisholm	McDowell	Truemner
Cole	McGahan	Tufte
Connolly	McKenzie	Van Arnam
Dahl	McLain	Wagner
Davis	Meidinger	Wall
Dickinson	Miller	Watson
Dieball	Mooney	Watts
Ferguson	Movius	Weigel
Flados	Noltimier	Welo
Fried	Oksendahl	Wing
Gagnon	Palfrey	Young
Gilbert	Palmer	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Braaten	Scheer	Steinberg
Knudtson	Severson	Thompson
McKnight	Stavens	Weed
Noben		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Elton	Hanson	Peterson of Towner
Ellison	Maddock	Rose
Gullerud	Midgarden	Underwood

Messrs. Maddock and Underwood being excused.

So the bill as amended passed and the title was agreed to.

Mr. Richmond moved

That the vote by which

House Bill No. 70

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The speaker called Mr. Baker of Ramsey to the chair.

REPORT OF SPECIAL COMMITTEES.

The committee on engrossed bills made the following report:
Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 257,

A bill for an act changing and defining the boundaries of Billings county.

Also,

House Bill No. 258,

A bill for an act changing and defining the boundaries of Stark county.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

House Bill No. 168,

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Robillard
Allen	Heath	Rogers
Aslakson	Hill	Ryan
Baker of Ramsey	Johnson	Scheer
Bartz	Knudtson	Schouweller
Blank	Kraabel	Senour
Bostrom	Leech	Severson
Bourassa	Lillie	Shiels
Braaten	Lyons	Skjold
Burtness	Mallough	Simpson
Buttz	McCrea	Smart of Nelson
Cassell	McDowell	Smart of Traill
Chaffee	McGahan	Stavens
Chevalier	McKenzie	Steinberg
Cole	McKnight	Stevens
Connolly	McLain	Thompson
Dahl	Meldinger	Truemner
Davis	Midgarden	Tufte
Dickinson	Miller	Wagner
Dieball	Mooney	Wall

Messrs.—	Messrs.—	Messrs.—
Ellison	Movius	Watson
Ferguson	Noben	Watts
Flados	Palfrey	Weed
Fried	Palmer	Weigel
Gilbert	Patterson	Welo
Gullerud	Peterson of Wells	Wing
Hammer	Phifer	Young
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Lish	Peterson of Towner
Brown	Maddock	Richmond
Chisholm	Mattson	Rose
Elton	McClure	Underwood
Gagnon	Noltimier	Van Arnam
Lee	Oksendahl	Mr. Speaker

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved

That the vote by which

House Bill No. 168

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The speaker in the chair.

House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

Was read the third time.

Mr. McGahan moved

That the bill be amended as follows:

In line 44, page 9, of printed bill, insert after the word "affidavit" the words "to any one person in each 24 hours."

Which motion prevailed, and

The amendment was adopted.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 85, nays 7, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Heath	Richmond
Aslakson	Hill	Rogers
Bartz	Johnson	Scheer
Beck	Kraabel	Schouweiler
Blank	Lee	Senour
Bostrom	Leech	Severson
Bourassa	Lillie	Shiels
Braaten	Lish	Skjold
Brown	Lyons	Simpson
Burtness	Mallough	Smart of Nelson
Buttz	McClure	Smart of Traill
Cassell	McCrea	Stavens
Chaffee	McGahan	Stevens
Chevalier	McKenzie	Thompson
Cole	McKnight	Truemner
Connolly	McLain	Tufto
Dahl	Meidinger	Van Arnam
Davis	Midgarden	Wagner
Dickinson	Miller	Wall
Dieball	Mooney	Watson
Elton	Noben	Watts
Ellison	Noltimier	Weed
Ferguson	Casendahl	Weigel
Flados	Palfrey	Welo
Fried	Palmer	Wing
Gagnon	Patterson	Young
Gilbert	Peterson of Wells	Mr. Speaker
Gullerud		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Mattson	Ryan
Hammer	Movius	Steinberg
Harvey		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chisholm	McDowell	Rose
Knudtson	Peterson of Towner	Underwood
Maddock	Robillard	

Messrs. Maddock and Underwood being excused.

So the bill as amended passed, and the title was agreed to.

Mr. Davis moved
That the vote by which
House Bill No. 204

Was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 26, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

Also,

Senate Bill No. 155,

A bill for an act to amend section 30711 of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.

Also,

Senate Bill No. 202,

A bill for an act to amend and re-enact section 1986, Revised Codes of North Dakota, revision of 1899.

Also,

Senate Bill No. 133,

A bill for an act to amend sections 2680b and 2680d of the Revised Codes of the state of North Dakota, 1899, relating to dissolution of townships.

Also,

Senate Bill No. 195,

A bill for an act to amend section 7282 of the penal code of 1899 of chapter 39, relating to other injuries to persons.

Also,

Senate Bill No. 124,

A bill for an act to amend section 1112 of the Revised Codes of North Dakota for the year 1899.

Also,

Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

Also,

Senate Bill No. 158,

A bill for an act to amend section 59 of the Revised Codes of North Dakota for the year 1899, relating to the printing of biennial, annual and special reports; how printed.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,

House Bill No. 122,

A bill for an act to amend section 163, of chapter 4, of the Revised Codes of 1899, relating to county agricultural fairs. **Special tax.**

Further consideration of which the senate has indefinitely postponed.

Also,

Mr. Speaker:

I have the honor to inform you that the senate has passed the following concurrent resolution:

"Whereas, article V, of the constitution of the United States, provides that 'the congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or on the application of the legislatures of two-thirds of the several states shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by convention in three-fourths thereof, etc.; and,

"Whereas, the house of representatives of the congress of the United States has on four separate occasions passed by a two-thirds vote a resolution proposing an amendment to the constitution providing for the election of United States senators by direct vote of the people; and,

"Whereas, the United States senate has each time refused to consider or vote upon said resolution, thereby denying to the people of the several states a chance to secure this much desired change in the method of electing senators; therefore, be it

"Resolved, By the senate and house of representatives of the state of North Dakota that, under the authority of article V, of the constitution of the United States, application is hereby made to congress to forthwith call a constitutional convention for the purpose of submitting to the states for ratification, an amendment to the federal constitution providing for the election of United States senators by direct vote of the people; and,

Resolved, That the secretary of the state be, and is, hereby directed to forward a properly authenticated copy of these resolutions to the president of the United States, to the president of the senate of the United States, and to the speaker of the house of representatives of the United States."

And your concurrence therein is respectfully requested.

R. M. TUTTLE,

Secretary.

Mr. Leech moved

That the further consideration of

House Bill No. 209,

A bill for an act regulating the service of processes by constables and the charging and collection of fees therefor.

Be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

House Bill No. 8,

A bill for an act to provide an appropriation for the current

and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays 1, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Harvey	Rogers
Aslakson	Heath	Ryan
Baker of Ramsey	Hill	Scheer
Bartz	Johnson	Schouweller
Beck	Knudtson	Senour
Blank	Kraabel	Severson
Bostrom	Leech	Shiels
Braaten	Lillie	Skjold
Brown	Lish	Simpson
Buttz	Lyons	Smart of Nelson
Cassell	Mallough	Smart of Traill
Chaffee	Mattson	Stavens
Chevalier	McClure	Steinberg
Chisholm	McGahan	Stevens
Cole	McLain	Thompson
Connolly	Meidinger	Truemner
Dahl	Miller	Tufts
Davis	Mooney	Wagner
Dickinson	Movius	Wall
Dieball	Noben	Watson
Ellison	Noltmier	Weed
Ferguson	Oksendahl	Weigel
Flados	Palfrey	Welo
Fried	Palmer	Wing
Gagnon	Patterson	Young
Gullerud	Peterson of Wells	Mr. Speaker
Hammer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bourassa	McDowell	Robillard
Burness	McKenzie	Rose
Elton	McKnight	Underwood
Lee	Midgarden	Van Arnam
Maddock	Peterson of Towner	Watts
McCrea	Richmond	

Mr. Gilbert voted in the negative.

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Beck moved

That the vote by which

House Bill No. 8

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The house returned to the sixth order of business.

The following reports were read:

Your committee, appointed in accordance with a concurrent resolution passed by your honorable bodies on February 13th, 1903, in relation to a conference with the legislature of the state of Wisconsin, now in session at Madison, regarding what is known and called as an act "creating a grain and warehouse commission for the city of Superior, and for licensing and regulating elevators and warehouses and the storage, weighing and inspection of grain in said city," now pending before that body, respectfully submit the following report:

Your committee's authority for making said trip and holding said conference, was derived from your concurrent resolution, which reads as follows:

"Whereas, The farmers of the state of North Dakota are large producers of grain and greatly interested in obtaining a fair and equitable inspection thereof; and,

"Whereas, The system of inspection and grain grading prevailing at Minneapolis, Duluth and other terminals under the control of the grain and warehouse commissioners of Minnesota, has resulted in great injustice to the grain producers of this state, and such producers are demanding relief through this legislature; and,

"Whereas, a bill has been introduced into the legislature of the state of Wisconsin for the purpose of establishing a grain and warehouse commission at the city of Superior, in which it is proposed to accord representation to the state of North Dakota, and it is reported that the said bill is being opposed in the said Wisconsin legislature by certain elevator interests, and it is also reported that the state of North Dakota is not in sympathy with said bill; now therefore,

"Be it Resolved by the House of Representatives, the Senate Concurring:

"That a special committee be appointed to consist as follows:

"The honorable commissioner of agriculture, two members from the senate to be appointed by the president of the senate, and three members of the house, to be appointed by the speaker, for the purpose of visiting the city of Madison during the adjournment from February 13 to February 20, and urge upon the senators and representatives of the state of Wisconsin the desirability of the passage of said bill, and assure them of the hearty cooperation of the members of the Eighth Legislative Assembly of North Dakota."

Acting under said authority your committee proceeded to Madison and there met representatives of the Superior board of trade, members of the senate committee on state affairs of said state of Wisconsin and the Hon. Robert LaFollette, governor of said state, and with them discussed the proposed measure.

Until our arrival at the city of Madison, but one member of your committee had seen a copy of the measure pending before the legislature of said state of Wisconsin and had no knowledge of the proposed measure, save public rumor and the statements made before this body by the gentlemen who represented the board of trade of the city of Superior. From such public rumor, and representations so made as aforesaid, your committee were led to believe, and we also think that this legislative assembly was under the impression, that the measure pending before the legislature of Wisconsin was one under the auspices and control of the state of Wisconsin, when as a matter of fact all said proposed measure purports to institute a grain and warehouse commission for the city of Superior, with a membership of one or more members of the board of trade of the city of Superior, the state of North Dakota and the state of New York.

Section 2 of the proposed measure reads as follows: "The three commissioners shall be appointed by the governor of Wisconsin in manner

as follows: Before making such appointment the governor shall, by letter, or otherwise, request the governor of the state of North Dakota, the board of trade of the city of Superior, and the governor of the state of New York, to each respectively recommend one or more persons for appointment upon such commission, and upon receipt of such recommendations, or any of them, the governor shall consider the persons so recommended, and shall then appoint the three commissioners, but shall not be confined in making such appointment to the persons so recommended."

Your committee at once noticed that the concluding sentence of said section was a purely optional recommendation to the governor of the state of Wisconsin and was as much an optional clause as it is possible to make in the English language. We quote again the particular clause to which we refer: "But shall not be confined in making such appointment to the persons so recommended."

Our first inquiry was why said clause was in the optional form, instead of mandatory. The Wisconsin senate committee on state affairs explained that their understanding as to the reason why said clause so read, was in order to avoid a constitutional objection; that under the constitution of Wisconsin the governor of that state, in making appointments to public boards, was confined to citizens of said state. We further report that said Wisconsin senate committee on state affairs did not give us any assurances that they would recommend the passage of the measure, even with this optional clause therein.

Your committee then held a conference with Hon. Robert LaFollette, governor aforesaid, and asked him whether or not our state would be represented on the board, in case said proposed measure became a law. The honorable governor would not commit himself positively that a man from the states of North Dakota or New York would be appointed thereon, but did state that if said proposed measure became a law he would give any recommendations made under its provisions due and careful consideration.

Your committee further respectfully represent that in their combined judgment they consider the appointment of a man from the state of New York equally, if not more important than that one of our own citizens should be a member of said board, as the vital and paramount principle of the proposed new inspection for the city of Superior rests upon the proposition that for the farmers of the state of North Dakota to receive any portion of the benefits claimed to follow said proposed inspection, as presented before this body by the representative of the Superior board of trade, it is vitally important to have on said board a man who would have the interests of the export trade in view, in order that the identical wheat raised by our farmers shall be shipped abroad and said export trade secure our wheat without admixture of lower grades, from other localities, as the main worth of our wheat as it finally reaches the foreign market controls the price paid our producers at our local elevators.

Your committee further report that the very sensational articles sent out by interested parties to the newspapers, claiming that one member of your committee, at least, was avowedly against the proposed legislation and that said member had been forced to give up his credentials, is false, and we declare said reports and all of them to be without foundation in fact.

Your committee are in favor of a grain and warehouse commission for the city of Superior or the state of Wisconsin, but for the reasons given above, we cannot recommend to this body the expediency of further requesting the legislature of the state of Wisconsin to pass the proposed bill until we are assured that the states of North Dakota and New York will be represented upon said commission. Your committee is in favor of a free, fair and open market for the products of our state, to the end that the highest price possible may be secured the producers of our state and if the establishment of a system of grades and inspection at the city

of Superior will enhance the interests of the state of North Dakota we are in favor of the same and to further carry out this proposition your committee offer the following

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate Concurring:

That if the governor of the state of Wisconsin, or any other state, having in view the establishing of any open market for the sale of the products of North Dakota, should request the governor of North Dakota to recommend a member of a grain and warehouse commission, or other legal body having for its object the free, fair and open disposal of the products of our state, that such request be granted and the governor of the state of North Dakota is requested to make such recommendation.

Dated this 26th day of February, 1903.

JUDSON LaMOURE,

J. B. SHARPE,

On Behalf of the Senate.

M. MATTSON,

W. F. LEECH,

On Behalf of the House.

R. J. TURNER,

Commissioner of Agriculture and Labor.

Minority report of special committee, appointed under resolution adopted on Feb. 13, 1903.

To the Honorable Members of the Senate and House:

Gentlemen: I beg leave to report that I cannot subscribe to the majority report for the reasons which will appear herein.

The statement made in the draft of the majority report submitted to me that the members of this legislature had been misled as to the provisions of the bill introduced into the legislature of Wisconsin, known as Senate Bill No. 114, is incorrect. Mr. Schmitt of West Superior appeared on February 12th, before the special committee appointed under concurrent resolution early in the session. At this meeting Mr. Schmitt stated to the committee that he had brought with him a carbon copy of the bill which was to be introduced about that time in the Wisconsin senate, and said that it was the only one he had as the bill had not been printed, the bill was examined by more than one member of the committee and was open to inspection by all. On the following morning I sent the carbon copy of the Senate Bill referred to, to the chief clerk's desk, and offered a resolution providing that two hundred copies should be printed. If the entire committee was not advised as to the contents of the bill, it was through no fault whatsoever, of the gentleman representing the Superior board of trade. He had only one copy of the bill, and I submit that it was proper that he should leave it with the special committee, which was made up of members of both the senate and house and two of the state officers.

The resolution adopted on February 13th instructed the committee to visit the capitol of the state of Wisconsin to urge upon the senators and representatives of that state the desirability of passing the bill above referred to, providing for the establishment of a grain and warehouse commission at the city of Superior, and to assure them of the hearty cooperation of the members of the Eighth Legislative Assembly of the state of North Dakota. The majority of the committee urge two reasons why the instructions could not be followed out; (1) because the bill does not make the appointment of a resident of the state of North Dakota mandatory; and (2) because the governor of Wisconsin would not give positive assurance of the appointment of a resident of this state.

It is true that the bill does not make the appointment of a resident of this state mandatory, but the bill is in the hands of the Wisconsin state

affairs committee, and if the majority of this committee believe that the bill is not in proper form I submit that they should suggest suitable and proper changes. Those who have given considerable study to the character of the bill, however, believe that if the bill were to make the appointment of a resident of the state of North Dakota obligatory that the bill would be unconstitutional. My own belief is that section 2 of the bill could not be drawn in a more favorable manner, without getting outside of the limits prescribed by the constitution of Wisconsin.

The bill has been in my judgment very carefully drawn and is designed to correct the abuses which have existed for years under the Minnesota system of grain inspection. That such abuses exist is a matter of almost universal knowledge among our farmers who have been systematically robbed but in addition to the facts presented by our farmers and in corroboration thereof I call to your attention the official report of the chief inspector of grain of the state of Minnesota showing the total receipts and shipments of grain for the year ending August 31, 1901, from which I quote:

- No. 1 Hard—Receipts, 341,567; shipments, 1,000,438.
- No. 1 Northern—Receipts, 10,070,414; shipments, 16,900,917.
- No. 2 Northern—Receipts, 7,341,594; Shipments—3,978,311.
- No. 3 Spring—Receipts, 1,335,830; shipments, 444,041.
- Rejected—Receipts, 256,063; shipments, 134,471.
- No Grade—Receipts, 1,335,521; shipments, 344,823.

A study of these figures cannot fail to show that the practice of raising grades and mixing the grain prevails under the Minnesota inspection to a very large and alarming extent. The practice has been to give lower and more rigid grades early in the season while the bulk of the grain is being received and higher and more liberal grades thereafter. The investigating committee of the Minnesota legislature—appointed in 1899 to investigate the charges made of unjust and inaccurate inspection made under the Minnesota law—concludes its review of the testimony taken with the following serious charge: "From this it appears that nearly one-third of the crop has been marketed each year before the farmer is enabled to get the grade that his crop merits" (Appendix Minn. House Journal 1899, page 5). Again this same investigating committee in seeking for the cause of these hardships to the producer made the following charge: "That early in the season the inspection made by your inspectors was very severe against the producer and that subsequently, later in the season, somewhere about the middle of October, and from that on, much more liberal grades were given." The defense made by the chief inspector when called to the witness stand was in his words: "We take the benefit of the doubt until we get started, because we don't know what we are getting into." Another of his reasons was "In order to have a little margin, one which we can carry our crop through on, without exercising apprehension on the part of eastern buyers." From the foregoing it will appear that the ills which our farmers complain of are not imaginary.

The design of the Wisconsin bill is to make it next to impossible to follow the practices which have made the Minnesota system of inspection so unpopular and injurious to the producing class. That part of the proposed law relating to the mixing of grain reads as follows, viz:

"Such grain to be in all cases inspected and graded by a duly authorized inspector appointed under the provisions of this chapter, and to be stored with grain of similar grade, and in no case shall grain of a different grade be mixed together while in store; if the owner or consignee so requests, and the warehouseman consents thereto, his grain of the same grade may be kept in a bin by itself, apart from that of other owners, which bin shall thereupon be marked and known as a special bin. If a warehouse receipt be issued for grain so kept separate, it shall state on

its face that it is a special bin, and shall state the number of such bin, and all grain delivered from such warehouse shall be inspected on its delivery by a duly authorized inspector of grain appointed under this chapter."

* * * *

"It shall not be lawful for any public warehouseman to mix grain of different grades together, or to select the different qualities of the same grade for the purpose of storing or delivering the same. Nor shall he attempt to deliver grain of one grade for another, or in any way tamper with grain while in his possession or custody, with a view of securing any profit to himself or any other person. And in no case, even of grain stored in separate bins, shall he be permitted to mix grain of different grades together while in store."

Assuming for the sake of argument that the governor of Wisconsin would not appoint a resident of this state as one of the commissioners I still believe if the bill were enacted into a law and placed in operation that it would result in great benefit to the grain raisers of this state for the reason that it would afford a competing market. But the majority of the committee say that the governor would not give them any "positive assurance." In talking with some of the other members of the committee I learned that the governor said among other things: "This bill provides that the governor of North Dakota and New York may each recommend one or more men for appointment and it is fair to assume that I will carry out the purpose of the bill." I submit, gentlemen, that it is fair to presume that the governor of Wisconsin will do so if the proposed system of inspection is established at West Superior. The great bulk of grain business will come from North Dakota, perhaps 80 per cent of it, and it will amount to many millions of bushels, and I repeat that it is fair to presume that the governor of Wisconsin will do what he can to encourage the shipment of our grain to West Superior and that with the proposed bill before him, the spirit and intention of which is so clearly to give North Dakota representation, it would be a slap and insult to the grain raisers of this state to pass over the recommendation of the governor of North Dakota, and that such action would seriously interfere with the shipment of grain to West Superior. This is a business proposition for the people of North Dakota and it is also a business proposition for the people of Wisconsin, and we should give them credit for taking wise and proper action in the premises.

What I have stated above is based entirely upon the facts known before we left North Dakota and the statements made to me by the majority of the committee regarding their interview with the state affairs committee and the governor of Wisconsin, at which meetings I was not present. The remainder of this report is based upon what I actually saw and heard myself. I interviewed several of the senators and representatives, among them Senator Hatton, of the state affairs committee, and from them I learned that the bill had a good chance of becoming a law but that it was being opposed by certain elevator interests and that one of the attorneys of the Great Northern Railroad Company had asked for a hearing before the committee. I also had an interview with the governor and asked him to make as definite a statement as possible as to what his action would be if the bill was passed by the senate and house of Wisconsin. His reply was: "My rule has been to not promise to make appointments and if it were not for this I might make my reply more definite. But I will say that the spirit and intention of this law is that the executive should appoint two members of the board recommended by the executives of the states of North Dakota and New York and if the bill becomes a law it will be my purpose to carry out the intention of the law. I will say further, Mr. Young, that I will appoint any man named by the governor of North Dakota unless the people of your state protest against

such an appointment, in which case I think it would be my duty to consider the protest."

I therefore feel confident that if the proposed bill becomes a law that North Dakota will be represented upon the board of grain commissioners (1) because of the nature of the governor's assurance to me, (2) because the people of Wisconsin want our grain and it is a business proposition to them to give us representation upon the board.

What we want is an honest inspection,, and a board so constituted as to produce uniform grading during all seasons of the year, with a man from North Dakota whose special business it would be to see that grain is properly inspected in, and a man from New York whose special duty it will be to see that it is inspected out according to the same standard as the inspection, the terminal man and mixer who has both robbed the farmer and injured the reputation of our grain will lose his graft.

In view of the misleading character of some of the newspaper reports which have had a tendency to make it appear that the people of North Dakota are lukewarm as to the Wisconsin grain inspection proposition I respectfully recommend that the legislature of North Dakota declare its belief that the passage by the legislature of Wisconsin of that certain bill known as Senate Bill 114 would have a tendency to improve the condition of our grain producers and shippers.

Respectfully submitted,

GEORGE M. YOUNG.

Mr. Young moved

The adoption of the minority report.

Mr. Leech moved

As a substitute that the majority report be adopted.

Which substitute motion was lost.

The question being upon the adoption of the minority report

The same prevailed and

The minority report was adopted.

Mr. Davis moved

House Bill No. 183,

A bill for an act to amend section 404 of the Revised Codes relating to the boundaries and terms of court of the Second judicial district of the state of North Dakota and attaching certain unorganized counties to the county of Williams for judicial purposes.

Be made a special order for Monday, March 1st, at 2:30 p. m.

Which motion prevailed.

House Bill No. 174,

A bill for an act defining the Fourth senatorial and representative district of North Dakota and prescribing the number of senators and representatives therein.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 72, nays none, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—

Aandahl
 Allen
 Baker of Ramsey
 Bartz
 Blank
 Bostrom
 Bourassa
 Braaten
 Brown
 Cassell
 Chaffee
 Chevalier
 Cole
 Davis
 Dickinson
 Dieball
 Ellison
 Ferguson
 Flados
 Gilbert
 Gullerud
 Hammer
 Hanson
 Heath

Messrs.—

Hill
 Johnson
 Kraabel
 Lee
 Leech
 Lillie
 Lyons
 Mallough
 McClure
 McLain
 Meidinger
 Midgarden
 Miller
 Mooney
 Noben
 Noltmier
 Oksendahl
 Palfrey
 Palmer
 Patterson
 Peterson of Wells
 Phifer
 Richmond
 Robillard

Messrs.—

Rogers
 Scheer
 Schouweiler
 Senour
 Severson
 Shiels
 Skjold
 Simpson
 Smart of Nelson
 Smart of Traill
 Stavens
 Stevens
 Thompson
 Truemner
 Tufte
 Van Arnam
 Wagner
 Wall
 Watson
 Weed
 Weigel
 Welo
 Wing
 Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
 Beck
 Burtness
 Buttz
 Chisholm
 Connolly
 Dahl
 Elton
 Fried
 Gagnon

Messrs.—

Harvey
 Knudtson
 Lish
 Maddock
 Mattson
 McCrea
 McDowell
 McGahan
 McKenzie

Messrs.—

McKnight
 Movius
 Peterson of Towner
 Rose
 Ryan
 Steinberg
 Underwood
 Watts
 Young

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal have carefully examined the journal of the fifty-first day and recommend that the same be corrected as follows:

On page 3, that line thirteen from the top of said page be omitted.

On page 6, line 10, said line be changed to read "Mr. Speaker."

On page 11, line 1, the word "in" be corrected as to spelling.

On page 10, in the second line from the bottom of said page, the words "pro tem" be added to the word "chairman."

On page 13, line 9, the word "committee" be corrected as to spelling.

On page 20 the words "pro tem" be added after the word "chairman," in the report of the committee on engrossed bills.

On page 24 the name of Mr. Gullerud be placed in the column of those voting nay on roll call and omitted from those absent and not voting.

On page 30, line 4, the figures "91" be changed to "93," and in line 5 the figure "9" be changed to "7."

On page 31, in line 12 from the bottom of said page, the word "its" be corrected as to spelling.

And when so amended recommend that the journal of the fifty-first day stand approved.

Also,

Mr. Speaker:

Your committee further recommends that the journal of the fiftieth day be corrected as follows:

On page 39 the figures in the roll call on House Bill No. 227 be changed to show 67 voting aye and 16 nay, and on the same page, in the list of those voting aye on roll call the name of Mr. Lillie be so placed as to show his vote in the affirmative, and on page 40 the name of Mr. Lillie be omitted where it shows his vote as cast in the negative on House Bill No. 227.

And when so amended recommend that the journal of the fiftieth day as amended stand approved.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The house took a recess until 4:30 p. m.

AFTER RECESS.

House Bill No. 175,

A bill for an act defining the Third senatorial and representative district of North Dakota and prescribing the number of senators and representatives therein.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Rogers
Allen	Harvey	Ryan
Aslakson	Heath	Scheer
Baker of Ramsey	Johnson	Schouweiler
Bartz	Kraabel	Senour
Beck	Lee	Severson
Blank	Leech	Shiels
Bostrom	Lillie	Skjold
Bourassa	Lish	Simpson
Braaten	Lyons	Smart of Nelson
Brown	Mallough	Smart of Trail
Burtness	Mattson	Stavens
Buttz	McClure	Steinberg
Cassell	McCrea	Stevens
Chaffee	McGahan	Thompson
Chevalier	McKenzie	Truemner
Connolly	McKnight	Tufts
Dahl	McLain	Van Arnam
Davis	Meidinger	Wagner
Dieball	Midgarden	Wall
Ellison	Mooney	Watts
Ferguson	Movius	Weed
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Patterson	Wing
Gullerud	Peterson of Wells	Young
Hammer	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chisholm	Maddock	Peterson of Towner
Cole	McDowell	Richmond
Dickinson	Miller	Robillard
Elton	Noben	Rose
Flados	Noltmier	Underwood
Hill	Palmer	Watson
Knudtson		

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Midgarden moved

That the vote by which

House Bill No. 175

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 219,

A bill for an act to amend section 2092 of the Revised Codes relating to fees of justices of the peace.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 71, nays none, absent and not voting 29.

Those who voted in the affirmative were:

Messrs.—

Aandahl
 Allen
 Aslakson
 Baker of Ramsey
 Blank
 Bostrom
 Bourassa
 Braaten
 Brown
 Burtness
 Buttz
 Cassell
 Chaffee
 Connolly
 Dahl
 Davis
 Fried
 Gagnon
 Gilbert
 Gullerud
 Hammer
 Hanson
 Heath
 Hill

Messrs.—

Johnson
 Kraabel
 Lee
 Leech
 Lillie
 Lyons
 Mallough
 Mattson
 McClure
 McCrea
 McGahan
 McKenzie
 McKnight
 McLain
 Meldinger
 Midgarden
 Movius
 Oksendahl
 Palfrey
 Patterson
 Peterson of, Wells
 Phifer
 Ryan
 Scheer

Messrs.—

Schouweiler
 Senour
 Severson
 Shiels
 Skjold
 Simpson
 Smart of Nelson
 Smart of Traill
 Steinberg
 Stevens
 Thompson
 Truemner
 Tufte
 Wagner
 Wall
 Watson
 Watts
 Weed
 Weigel
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Bartz
 Beck
 Chevalier
 Chisholm
 Cole
 Dickinson
 Dieball
 Elton
 Ellison

Messrs.—

Ferguson
 Flados
 Harvey
 Knudtson
 Lish
 Maddock
 McDowell
 Miller
 Mooney
 Noben

Messrs.—

Noitimier
 Palmer
 Peterson of Towner
 Richmond
 Robillard
 Rogers
 Rose
 Stavens
 Underwood
 Van Arnam

Messrs. Maddock and Underwood being excused.

So the bill as amended passed and the title was agreed to.

House Bill No. 228,

A bill for an act providing for a license to sell cigarettes and cigarette paper.

Was read the third time.

Mr. Bartz moved

That further consideration of the bill be indefinitely postponed,
 Which motion was lost.

The question being upon the final passage of the bill.

The roll was called and there were ayes 42, nays 38, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Palfrey
Allen	Hanson	Severson
Braaten	Heath	Shiels
Burtness	Hill	Skjold
Buttz	Johnson	Smart of Nelson
Cassell	Kraabel	Smart of Traill
Chaffee	Lillie	Stavens
Chevalier	Mallough	Tufte
Cole	Mattson	Wall
Dahl	McCrea	Watson
Davis	McKnight	Watts
Dickinson	McLain	Welo
Ferguson	Midgarden	Wing
Gilbert	Mooney	Young

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Lee	Richmond
Baker of Ramsey	Leech	Ryan
Bartz	Lish	Scheer
Blank	Lyons	Schouweiler
Bostrom	McClure	Senour
Bourassa	McGahan	Simpson
Brown	McKenzie	Steinberg
Connolly	Meidinger	Stevens
Dieball	Movius	Van Arnam
Flados	Oksendahl	Wagner
Fried	Patterson	Weed
Hammer	Peterson of Wells	Weigel
Knudtson	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	McDowell	Robillard
Chisholm	Miller	Rogers
Elton	Noben	Rose
Ellison	Noltimier	Thompson
Gagnon	Palmer	Truemner
Harvey	Peterson of Towner	Underwood
Maddock		

Messrs. Maddock and Underwood being excused.

So the bill was lost.

Messrs. Ryan, Schouweiler and Stevens explained their votes.

Mr. Ryan moved that
House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Be made a special order for Monday, March 2d, at 3 o'clock p. m.

Which motion prevailed.

House Bill No. 196,

A bill for an act authorizing the payment of the sum of one

hundred dollars to the clerk of the district court of Stark county for services in connection with cases arising in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 71, nays 10, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Richmond
Allen	Heath	Robillard
Aslakson	Hill	Rogers
Baker of Ramsey	Johnson	Ryan
Bartz	Knudtson	Scheer
Blank	Leech	Schouweiler
Bostrom	Lillie	Senour
Bourassa	Lish	Skjold
Braaten	Lyons	Simpson
Brown	Mattson	Smart of Nelson
Burtness	McClure	Smart of Traill
Buttz	McDowell	Stevens
Cole	McGahan	Thompson
Connolly	McKenzie	Truemner
Davis	McKnight	Van Arnam
Dickinson	McLain	Wagner
Dieball	Meldinger	Wall
Ellison	Midgarden	Watson
Ferguson	Mooney	Weed
Flados	Movius	Weigel
Gagnon	Oksendahl	Welo
Gilbert	Patterson	Young
Hammer	Peterson of Wells	Mr. Speaker
Hanson	Phifer	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell	Gullerud	Stavens
Chaffee	Mallough	Steinberg
Fried	Severson	Tufte
Kraabel		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	McCrea	Peterson of Towner
Chevallier	Miller	Rose
Chisholm	Noben	Shiels
Dahl	Noltmier	Underwood
Elton	Palfrey	Watts
Lee	Palmer	Wing
Maddock		

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Young explained his vote.

Mr. Senour moved
That the vote by which
House Bill No. 196

Was passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

Mr. Lyons moved

That the chief clerk be instructed to have printed 300 copies of the minority report of the special committee sent to Madison, Wis.

Mr. Buttz moved

As a substitute that 300 copies of both the majority and minority reports be printed.

Which substitute motion prevailed.

House Bill No. 89,

A bill for an act making an annual appropriation to the Florence Crittenton Home and Hospital for friendless women and children, of Bismarck, N. D., to aid in defraying the current and contingent expenses.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Richmond
Allen	Hill	Ryan
Aslakson	Johnson	Scheer
Baker of Ramsey	Knudtson	Schouweller
Bartz	Kraabel	Senour
Blank	Lee	Severson
Bostrom	Leech	Shiels
Burtness	Lillie	Skjold
Buttz	Lish	Simpson
Cassell	Lyons	Smart of Nelson
Chaffee	Mallough	Smart of Traill
Chevallier	Mattson	Stavens
Chisholm	McClure	Steinberg
Connolly	McDowell	Stevens
Dahl	McGahan	Thompson
Davis	McKenzie	Truemner
Dickinson	McKnight	Tufte
Dieball	McLain	Van Arnam
Ellison	Meidinger	Wagner
Ferguson	Midgarden	Wall
Flados	Miller	Watson
Fried	Mooney	Watts
Gagnon	Movius	Weed
Gilbert	Oksendahl	Weigel
Gullerud	Palfrey	Welo
Hammer	Patterson	Wing
Hanson	Peterson of Wells	Young
Harvey	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Maddock	Peterson of Towner
Bourassa	McCrea	Robillard
Braaten	Noben	Rogers
Brown	Noltimier	Rose
Cole	Palmer	Underwood
Elton		

Messrs. Maddock and Underwood being excused.

Mr. McGahan moved

To amend the title to read as follows:

A bill for an act making an appropriation to the Florence Crittenton Home and Hospital of Bismarck, N. D., for friendless women and children and to aid in defraying the current and contingent expenses.

Which motion prevailed.

So the bill passed and the title as amended was agreed to.

House Bill No. 201,

A bill for an act to amend section 1267 of the Revised Codes relating to redemptions from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.

Was read the third time

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Richmond
Allen	Heath	Ryan
Aslakson	Hill	Scheer
Baker of Ramsey	Johnson	Schouwelder
Bartz	Knudtson	Senour
Blank	Kraabel	Severson
Bostrom	Lee	Shiels
Bourassa	Leech	Skjold
Braaten	Lillie	Simpson
Burtaess	Lyons	Smart of Nelson
Buttz	Mallough	Smart of Trail
Cassell	Mattson	Stavens
Chaffee	McClure	Steinberg
Chevaller	McDowell	Stevens
Connolly	McGahan	Thompson
Dahl	McKenzie	Truemner
Davis	McKnight	Tuft
Dickinson	McLain	Van Arnam
Dieball	Meldinger	Wagner
Ellison	Midgarden	Wall
Ferguson	Miller	Watson
Flados	Mooney	Watts
Fried	Movius	Weed
Gagnon	Oksendahl	Welo
Gilbert	Palfrey	Wing
Gullerud	Peterson of Wells	Young
Hammer	Phifer	Mr. Speaker
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Maddock	Peterson of Towner
Brown	McCrea	Robillard
Chisholm	Noben	Rogers
Cole	Noltimier	Rose
Elton	Palmer	Underwood
Lish	Patterson	Weigel

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

The speaker called Mr. Ryan to the chair.

Mr. Leech gave notice that tomorrow he would call up for reconsideration the action of the reports of the special committee that were at Madison, Wis.

House Bill No. 216,

A bill for an act to amend chapter five of the laws of 1901, being an act to provide for making unknown parties defendant in certain civil actions and to amend sections 5904, 5905, 5906, 5907, 5907a, 5908, 5909, 5910, 5911, 5912, 5913, of the Revised Codes of North Dakota for 1899, relating to the determination of conflicting claims to real estate and other actions and enacting other provisions relating thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Ryan
Allen	Heath	Scheer
Aslakson	Hill	Schouweiler
Baker of Ramsey	Johnson	Senour
Bartz	Knudtson	Severson
Blank	Kraabel	Shiels
Bostrom	Lee	Skjold
Bourassa	Leech	Simpson
Braaten	Lillie	Smart of Nelson
Brown	Lish	Smart of Traill
Burtness	Lyons	Stavens
Buttz	Mallough	Steinberg
Cassell	Mattson	Stevens
Chaffee	McKenzie	Thompson
Chevalier	McKnight	Truemner
Connolly	McLain	Tufts
Dahl	Meidinger	Van Arnam
Davis	Midgarden	Wagner
Dickinson	Miller	Wall
Dieball	Mooney	Watson
Ellison	Movius	Watts
Ferguson	Oksendahl	Weed

Messrs.—	Messrs.—	Messrs.—
Flados	Palfrey	Weigel
Fried	Patterson	Welo
Gagnon	Peterson of Wells	Wing
Gullerud	Phifer	Young
Hammer	Richmond	Mr. Speaker
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	McClure	Palmer
Chisholm	McCrea	Peterson of Towner
Cole	McDowell	Robillard
Elton	McGahan	Rogers
Gilbert	Noben	Rose
Maddock	Noltimier	Underwood

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

House Bill No. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 68, nays 1, absent and not voting 31.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Ryan
Allen	Harvey	Scheer
Baker of Ramsey	Heath	Schouweiler
Blank	Hill	Senour
Bourassa	Johnson	Severson
Brown	Kraabel	Shiels
Burtness	Leech	Skjold
Buttz	Lyons	Smart of Nelson
Cassell	Mallough	Smart of Traill
Chaffee	McClure	Steinberg
Chevallier	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McKnight	Tufte
Davis	McLain	Van Arnam
Dickinson	Midgarden	Wagner
Dieball	Miller	Wall
Ellison	Mooney	Watts
Ferguson	Oksendahl	Weed
Flados	Palfrey	Weigel
Fried	Patterson	Welo
Gagnon	Peterson of Wells	Wing
Gilbert	Phifer	Young
Gullerud		Mr. Speaker

Absent and not voting:**Messrs.—**

Aslakson
Beck
Bostrom
Braaten
Chisholm
Cole
Elton
Hanson
Knutdson
Lee
Lillie

Messrs.—

Lish
Maddock
Mattson
McCrea
McDowell
Meidinger
Movius
Noben
Noltimier
Palmer

Messrs.—

Peterson of Towner
Richmond
Robillard
Rogers
Rose
Simpson
Stavens
Truemner
Underwood
Watson

Mr. Bartz voted in the negative.

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved that

House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Be placed on its third reading and final passage,

Which motion prevailed.

House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Blank
Bourassa
Braaten
Burtness
Buttz
Cassell
Chaffee
Chevalier
Chisholm
Connolly
Dahl
Davis
Dickinson
Dieball
Ellison
Ferguson

Messrs.—

Harvey
Heath
Hill
Johnson
Knutdson
Kraabel
Lee
Leech
Lillie
Mallough
Mattson
McClure
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney

Messrs.—

Phifer
Richmond
Robillard
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Steinberg
Stevens
Tufte
Van Arnam
Wagner
Wall
Watts
Weed

Messrs.—	Messrs.—	Messrs.—
Flados	Movius	Weigel
Fried	Oksendahl	Welo
Gagnon	Palfrey	Wing
Gilbert	Patterson	Young
Gullerud	Peterson of Wells	Mr. Speaker
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Lyons	Rogers
Bostrom	Maddock	Rose
Brown	McCrea	Stavens
Cole	Noben	Thompson
Elton	Noitimier	Truemner
Hammer	Palmer	Underwood
Lish	Peterson of Towner	Watson

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved
That the vote by which
House Bill No. 142

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The speaker in the chair.

House Bill No. 238,

A bill for an act to license solicitors for benevolent organizations.

Was read the third time.

The question being upon the final passage of the bill.

The roll being called there were ayes 73, nays 2, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Ellison	Mooney
Allen	Johnson	Schouweiler
Baker of Ramsey	Knudtson	Senour
Blank	Kraabel	Severson
Bourassa	Lee	Shiels
Braaten	Leech	Skjold
Brown	Lillie	Simpson
Burtness	Lyons	Smart of Nelson
Buttz	Mallough	Smart of Traill
Cassell	McClure	Stavens
Chevalier	McDowell	Steinberg
Connolly	McGahan	Stevens
Dahl	McKenzie	Thompson
Davis	McKnight	Truemner
Dickinson	McLain	Tufte
Dieball	Midgarden	Van Arnam

Messrs.—	Messrs.—	Wagner
Ferguson	Movius	Wall
Flados	Oksendahl	Watson
Gagnon	Palfrey	Watts
Gilbert	Patterson	Weigel
Hammer	Peterson of Wells	Welo
Harvey	Phifer	Wing
Heath	Ryan	Young
Hill	Scheer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Hanson	Noltmier
Bartz	Lish	Palmer
Beck	Maddock	Peterson of Towner
Bostrom	Mattson	Robillard
Chaffee	McCrea	Rogers
Chisholm	Meidinger	Rose
Cole	Miller	Underwood
Elton	Noben	Weed
Fried		

Messrs. Gullerud and Richmond voting in the negative.

Messrs. Maddock and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Mallough moved

That the vote by which

House Bill No. 238

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davis moved that the house defer action on

House Bill No. 66,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the Federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Until we hear from the senate,

Which motion prevailed.

Mr. Gilbert moved

That the house take a recess until tomorrow at 10 o'clock a. m.

Which motion prevailed.

And the house took a recess.

A. O. ANDERSON,
Chief Clerk.

FIFTY-SECOND DAY—AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 27, 1903.

The house assembled at 10 o'clock a. m., pursuant to recess taken.

REPORT OF STANDING COMMITTEE.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in chambers in the eighth judicial district, and regulate practice on motions.

And find the same correctly re-engrossed.

H. P. RYAN,
Chairman.

House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899, relating to interrogatories and property statement prerequisite to admission of patients to hospital for insane.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 71, nays none, absent and not voting 29.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bourassa
Braaten
Brown
Burntress

Messrs.—

Knudtson
Kraabel
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan

Messrs.—

Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg

Messrs.—

Chevalier
 Connolly
 Dahl
 Davis
 Dickinson
 Ellison
 Flados
 Gagnon
 Hammer
 Hanson
 Harvey
 Heath
 Hill
 Johnson

Messrs.—

McLain
 Meidinger
 Midgarden
 Miller
 Mooney
 Movius
 Noben
 Palfrey
 Patterson
 Peterson of Wells
 Phifer
 Rogers
 Ryan
 Scheer

Messrs.—

Stevens
 Thompson
 Tufto
 Van Arnam
 Wagner
 Wall
 Watts
 Weed
 Weigel
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
 Bostrom
 Buttz
 Cassell
 Chaffee
 Chisholm
 Cole
 Dieball
 Elton
 Ferguson

Messrs.—

Fried
 Gilbert
 Gullerud
 Lee
 Leech
 Lillie
 Maddock
 McKenzie
 McKnight
 Noltimier

Messrs.—

Oksendahl
 Palmer
 Peterson of Towner
 Richmond
 Robillard
 Rose
 Truemner
 Underwood
 Watson

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill passed and the title was agreed to.

House Bill No. 189,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899, relating to patients of the hospital for the insane and powers and duties of commissioners of insanity and board of trustees of said hospital.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays none, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—

Aandahl
 Allen
 Aslakson
 Bartz
 Beck
 Blank
 Bourassa
 Braaten
 Brown
 Burtness
 Buttz

Messrs.—

Harvey
 Heath
 Hill
 Johnson
 Knudtson
 Kraabel
 Lillie
 Lish
 Lyons
 Mallough
 Mattson

Messrs.—

Phifer
 Rogers
 Ryan
 Scheer
 Schouweiler
 Senour
 Severson
 Shiels
 Skjold
 Simpson
 Smart of Nelson

Messrs.—	Messrs.—	Messrs.—
Chevalier	McCrea	Smart of Traill
Chisholm	McDowell	Stavens
Dahl	McGahan	Steinberg
Davis	McKenzie	Stevens
Dickinson	McKnight	Tufte
Elton	McMain	Van Arnam
Ellison	Meidinger	Wagner
Ferguson	Midgarden	Wall
Flados	Miller	Watts
Fried	Mooney	Weed
Gagnon	Movius	Weigel
Gilbert	Noben	Welo
Gullerud	Palfrey	Wing
Hammer	Patterson	Young
Hanson	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Leech	Richmond
Bostrom	Maddock	Robillard
Cassell	McClure	Rose
Chaffee	Noltimier	Thompson
Cole	Oksendahl	Truemner
Connolly	Palmer	Underwood
Dieball	Peterson of Towner	Watson
Lee		

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill passed and the title was agreed to.

Mr. Buttz moved

That House Bill No. 93 be put on its third reading and final passage.

Which motion prevailed.

House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 69, nays 8, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Richmond
Allen	Hill	Robillard

Messrs.—	Messrs.—	Messrs.—
Bartz	Johnson	Ryan
Beck	Lish	Scheer
Blank	Lyons	Schouweller
Bourassa	Mallough	Senour
Brown	Mattson	Severson
Burtness	McClure	Shiels
Buttz	McCrea	Skjold
Chevalier	McDowell	Simpson
Connolly	McGahan	Smart of Nelson
Dahl	McKenzie	Steinberg
Davis	McKnight	Stevens
Dickinson	McLain	Van Arnam
Dieball	Meidinger	Wagner
Elton	Midgarden	Wall
Ellison	Miller	Watts
Ferguson	Mooney	Weed
Flados	Movius	Weigel
Fried	Noben	Welo
Gagnon	Patterson	Wing
Hammer	Peterson of Wells	Young
Hanson	Phifer	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Braaten	Palfrey	Thompson
Gullerud	Smart of Traill	Tuft
Kraabel	Stavens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Harvey	Palmer
Baker of Ramsey	Knudtson	Peterson of Towner
Bostrom	Lee	Rogers
Cassell	Leech	Rose
Chaffee	Lillie	Truemner
Chisholm	Maddock	Underwood
Cole	Noltmier	Watson
Gilbert	Oksendahl	

Messrs. Maddock, Underwood and Peterson of Towner being excused.

Mr. Buttz moved

That the title be amended to read as follows:

A bill for an act making appropriations for the current and contingent expenses of the soldiers home located at Lisbon, North Dakota, for making permanent improvements and additions thereto and for erecting a monument in Oakwood cemetery.

Which motion prevailed, and
The title as amended was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Young moved

That the calendar be taken up in its regular order beginning at House Bill No. 66.

Which motion prevailed.

House Bill No. 66,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the Federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays none, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Beck
Blank
Bourassa
Braaten
Brown
Burtness
Buttz
Chevalier
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hanson
Harvey

Messrs.—

Heath
Hill
Knudtson
Kraabel
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McLain
Midgarden
Miller
Mooney
Movius
Noben
Noitimier
Oksendahl
Palfrey
Peterson of Wells
Phifer
Robillard

Messrs.—

Scheer
Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Tuft
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Johnson	Patterson
Baker of Ramsey	Lee	Peterson of Towner
Bartz	Leech	Richmond
Bostrom	Lillie	Rogers
Cassell	Maddock	Rose
Chaffee	McKnight	Ryan
Chisholm	Meidinger	Truemner
Cole	Palmer	Underwood
Hammer		

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill passed and the title was agreed to.

House Bill No. 96,

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota, 1899, relating to the manufacture and sale of dairy products, the appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Scheer
Allen	Hill	Schouweiler
Aslakson	Johnson	Senour
Beck	Kraabel	Severson
Blank	Lish	Shiels
Braaten	Lyons	Skjold
Brown	Mallough	Simpson
Burtness	Mattson	Smart of Nelson
Buttz	McClure	Smart of Traill
Cassell	McCrea	Stavens
Chaffee	McDowell	Steinberg
Chevalier	McGahan	Stevens
Chisholm	McKenzie	Thompson
Dahl	McKnight	Truemner
Davis	McLain	Tufte
Dickinson	Meidinger	Van Arnam
Dieball	Midgarden	Wagner
Elton	Miller	Wall
Ellison	Mooney	Watson
Ferguson	Movius	Watts
Flados	Noben	Weed
Fried	Palfrey	Weigel
Gagnon	Patterson	Welo
Gilbert	Peterson of Wells	Wing
Gullerud	Phifer	Young
Hanson	Ryan	Mr. Speaker
Harvey		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Knudtson	Palmer
Bartz	Lee	Peterson of Towner
Bostrom	Leech	Richmond
Bourassa	Lillie	Robillard
Cole	Maddock	Rogers
Connolly	Noltimier	Rose
Hammer	Oksendahl	Underwood

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill passed and the title was agreed to.

Mr. Phifer moved

That the vote by which House Bill No. 96 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 21,

A bill for an act making an annual appropriation to the North Dakota Poultry Association, of Fargo, N D., to aid it in defraying the expenses and paying premiums of annual exhibitions of poultry and to aid in the development of the poultry industry in this state.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes, 42, nays 35, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Gagnon	Phifer
Baker of Ramsey	Gilbert	Ryan
Bartz	Heath	Senour
Beck	Hill	Severson
Blank	Lish	Shiels
Brown	Lyons	Skjold
Burtness	Mallough	Simpson
Buttz	Mattson	Van Arnam
Chisholm	McClure	Wall
Dahl	McGahan	Watson
Davis	McLain	Weigel
Dieball	Meidinger	Welo
Flados	Miller	Young
Fried	Movius	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Smart of Nelson
Allen	Johnson	Smart of Traill
Bourassa	Knudtson	Stavens
Braaten	Kraabel	Steinberg
Cassell	McCrea	Stevens

Messrs.—	Messrs.—	Messrs.—
Cole	Noben	Thompson
Connolly	Patterson	Tufte
Elton	Midgarden	Wagner
Ellison	Mooney	Watts
Ferguson	Peterson of Wells	Weed
Gullerud	Rogers	Wing
Hammer	Schouweiler	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Maddock	Peterson of Towner
Chaffee	McDowell	Richmond
Chevalier	McKenzie	Robillard
Dickinson	McKnight	Rose
Harvey	Noltmier	Scheer
Lee	Oksendahl	Truemner
Leech	Palfrey	Underwood
Lillie	Palmer	

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill was lost.

Mr. Van Arnam explained his vote.

House Bill No. 150,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Rogers
Allen	Hill	Ryan
Aslakson	Knudtson	Scheer
Bartz	Kraabel	Schouweiler
Beck	Lish	Senour
Blank	Lyons	Severson
Bourassa	Mallough	Shiels
Braaten	Mattson	Skjold
Brown	Maddock	Simpson
Burtness	McClure	Smart of Nelson
Buttz	McDowell	Smart of Traill
Cassell	McGahan	Stavens
Chaffee	McKenzie	Steinberg
Chevalier	McLain	Stevens
Cole	Meldinger	Thompson
Connolly	Midgarden	Tufte
Dahl	Miller	Van Arnam
Davis	Mooney	Wagner
Dickinson	Movius	Wail
Ellison	Noben	Watson

Messrs.—	Messrs.—	Messrs.—
Ferguson	Noltmier	Watts
Fried	Palfrey	Weigel
Gagnon	Patterson	Welo
Gullerud	Peterson of Wells	Wing
Hammer	Phifer	Young
Hanson	Richmond	Mr. Speaker
Harvey		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Johnson	Palmer
Bostrom	Lee	Peterson of Towner
Chisholm	Leech	Robillard
Dieball	Lillie	Rose
Elton	McCrea	Truemner
Flados	McKnight	Underwood
Gilbert	Oksendahl	Weed

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill passed and the title was agreed to.

House Bill No. 235,

A bill for an act to amend section 237, of the Revised Codes, 1899, and to amend section 238, of chapter 169, of session laws, 1901, relating to state depositories.

Was read the third time.

Mr. Cassell moved

That the bill be referred back to the committee on state affairs.

Which motion prevailed. And the bill was so referred.

House Bill No. 237,

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays 1, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Robillard
Allen	Kraabel	Rogers
Aslakson	Lee	Rose
Bartz	Leech	Ryan
Beck	Lillie	Scheer
Braaten	Lish	Schouweiler
Brown	Lyons	Senour
Burness	Mallough	Severson
Buttz	Mattson	Shiels
Cassell	McClure	Skjold
Chaffee	McCrea	Simpson

Messrs.—

Chevalier
 Connolly
 Dahl
 Davis
 Dickinson
 Dieball
 Elton
 Ellison
 Flados
 Fried
 Gagnon
 Gilbert
 Gullerud
 Hanson
 Harvey
 Heath
 Hill

Messrs.—

McGahan
 McKenzie
 McLain
 Meidinger
 Midgarden
 Miller
 Mooney
 Movius
 Noben
 Noltimier
 Oksendahl
 Palfrey
 Patterson
 Peterson of Wells
 Phifer
 Richmond

Messrs.—

Smart of Nelson
 Smart of Traill
 Stavens
 Steinberg
 Stevens
 Thompson
 Truemner
 Tufte
 Van Arnam
 Wagner
 Wall
 Watts
 Weigel
 Welo
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
 Bostrom
 Bourassa
 Chisholm
 Cole
 Ferguson

Messrs.—

Hammer
 Johnson
 Maddock
 McDowell
 McKnight
 Palmer

Messrs.—

Peterson of Towner
 Underwood
 Watson
 Weed
 Wing

Mr. Blank voted in the negative.

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill passed and the title was agreed to.

The speaker called Mr. McGahan to the chair.

House Bill No. 243,

A bill for an act to amend section 1232 of the Revised Codes of the state of North Dakota, 1899, relating to tax lists, when delivered to treasurer.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aandahl
 Allen
 Aslakson
 Beck
 Blank
 Bourassa
 Burtness
 Buttz
 Cassell
 Chaffee

Messrs.—

Hill
 Johnson
 Kraabel
 Leech
 Lillie
 Lish
 Lyons
 Mallough
 Mattson
 McClure

Messrs.—

Robillard
 Rogers
 Ryan
 Scheer
 Schouweiler
 Senour
 Severson
 Shiels
 Skjold
 Simpson

Messrs.—	Messrs.—	Messrs.—
Chevalier	McCrea	Smart of Nelson
Chisholm	McDowell	Smart of Traill
Dahl	McGahan	Stavens
Lavis	McKenzie	Steinberg
Dickinson	McKnight	Stevens
Dieball	McLain	Thompson
Elton	Meidinger	Tufte
Ellison	Midgarden	Van Arnam
Fried	Mooney	Wagner
Gagnon	Movius	Wall
Gilbert	Noben	Watts
Gullerud	Palfrey	Weigel
Hammer	Patterson	Wing
Hanson	Peterson of Wells	Young
Harvey	Phifer	Mr. Speaker
Heath	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Flados	Peterson of Towner
Bartz	Knudtson	Rose
Bostrom	Lee	Truemner
Braaten	Maddock	Underwood
Brown	Miller	Watson
Cole	Noltmier	Weed
Connolly	Oksendahl	Welo
Ferguson	Palmer	

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill as amended passed and the title was agreed to.

House Bill No. 213,

A bill for an act to amend section 3563 of the Revised Codes of 1899, relating to recording of transfers of real estate, and giving validity to the recording of instruments heretofore recorded.

Was read the third time.

Mr. Cassell asked unanimous consent to offer an amendment.

There being no objection the request was granted and Mr. Cassell offered the following amendment and moved its adoption:

Amend by inserting in sub-division 2, of section 1, after the word "judgment," the words "was rendered."

Which motion prevailed, and
The amendment was adopted.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Peterson of Wells
Allen	Hammer	Phifer
Aslakson	Hanson	Richmond
Bartz	Harvey	Scheer
Beck	Heath	Schouweller
Blank	Hill	Senour
Bostrom	Johnson	Shiels
Bourassa	Kraabel	Skjold
Braaten	Leech	Simpson
Brown	Lish	Smart of Nelson
Burtness	Lyons	Smart of Traill
Cassell	Mallough	Stavens
Chaffee	Mattson	Steinberg
Chisholm	McCrea	Stevens
Connolly	McGahan	Thompson
Dahl	McKenzie	Truemner
Davis	McKnight	Tuftø
Dickinson	McLain	Van Arnam
Dieball	Meldinger	Wagner
Elton	Midgarden	Wall
Ellison	Miller	Watts
Ferguson	Mooney	Weigel
Flados	Movius	Welo
Fried	Noben	Wing
Gagnon	Palfrey	Young
Gilbert		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	McClure	Rogers
Buttz	McDowell	Rose
Chevaller	Noltmier	Ryan
Cole	Oksendahl	Severson
Knudtson	Palmer	Underwood
Lee	Patterson	Watson
Lillie	Peterson of Towner	Weed
Maddock	Robillard	Mr. Speaker

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill as amended passed and the title was agreed to.

House Bill No. 232,

A bill for an act to amend section 2082, of the Revised Codes of 1899, relating to fees to be charged by sheriffs.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays none, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Phifer
Allen	Hill	Richmond
Aslakson	Johnson	Ryan

Messrs.—	Messrs.—	Messrs.—
Bartz	Kraabel	Scheer
Blank	Leech	Schouweller
Bourassa	Lillie	Senour
Braaten	Lish	Severson
Brown	Lyons	Shiels
Burtness	Mallough	Skjold
Cassell	Mattson	Simpson
Chevalier	McClure	Smart of Nelson
Chisholm	McDowell	Smart of Traill
Connolly	McGahan	Stavens
Dahl	McKenzie	Steinberg
Davis	McLain	Stevens
Dickinson	Meidinger	Thompson
Dieball	Midgarden	Truemner
Elton	Miller	Tufte
Ellison	Mooney	Van Arnam
Flados	Movius	Wagner
Fried	Noben	Wall
Gagnon	Oksendahl	Weigel
Gilbert	Paifrey	Welo
Gullerud	Patterson	Wing
Hanson	Peterson of Wells	Young
Harvey		

Absent and not voting: ·

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Knudtson	Robillard
Beck	Lee	Rogers
Bostrom	Maddock	Rose
Buttz	McCrea	Underwood
Chaffee	McKnight	Watson
Cole	Noitimier	Watts
Ferguson	Palmer	Weed
Hammer	Peterson of Towner	Mr. Speaker

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill passed and the title was agreed to.

House Bill No. 217,

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law.

Was read the third time.

Mr. Van Arnam moved

That the further consideration of the bill be made a special order for Tuesday, March 3d, at 2:30 p. m.

Which motion prevailed and

The bill was made a special order for March 3d at 2:30 p. m.

The speaker in the chair

House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes,

1899, relating to bank stock, "where and at what valuation to be listed."

Was read the third time.

Mr. Movius moved

That the further consideration of House Bill No. 242 be made a special order for 2:30 p. m. this afternoon.

Which motion was lost.

The question being upon the final passage of the bill

The roll was called and there were ayes 38, nays 38, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartz	Hill	Palfrey
Blank	Kraabel	Patterson
Brown	Lee	Peterson of Wells
Buttz	Leech	Phifer
Cassell	Lyons	Richmond
Chaffee	Mallough	Ryan
Cole	Mattson	Scheer
Connolly	McClure	Senour
Dickinson	McGahan	Simpson
Dieball	McLain	Stavens
Gagnon	Meldinger	Weigel
Gilbert	Miller	Mr. Speaker
Heath	Movius	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Rogers
Allen	Hanson	Shiels
Aslakson	Harvey	Skjold
Bourassa	Johnson	Smart of Nelson
Braaten	Knudtson	Smart of Traill
Burtness	Lish	Steinberg
Chevalier	McCrea	Stevens
Dahl	McDowell	Thompson
Davis	McKenzie	Tufto
Elton	Midgarden	Wagner
Ellison	Mooney	Watts
Ferguson	Noben	Wing
Fried	Oksendahl	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	McKnight	Truemmer
Beck	Noltmier	Underwood
Bostrom	Palmer	Van Arnam
Chisholm	Peterson of Towner	Wall
Flados	Robillard	Watson
Hammer	Rose	Weed
Lillie	Schouweiler	Welo
Maddock	Severson	Young

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill was lost.

Mr. McCrea explained his vote.

The speaker recalled House Bill No. 273 from the committee on state affairs and referred to committee on elections and privileges.

The house returned to the ninth order of business and
The Committee on State Affairs introduced

Substitute for House Bill No. 215,

A bill for an act for the inspection of illuminating oils and gasoline for the appointment of a state inspector and deputies, of oils and gasoline prescribing their duties designating their fees for such inspections, and providing for the payment and disposition of such fees; providing for making chemical tests, providing penalties for the violation of this act; requiring the state inspectors and deputies to make reports; and designating ports of entry where illuminating oils and gasoline shipped into this state shall be inspected.

Which was read the first and second times, and
Referred to the committee on engrossment.

House Bill No. 244,

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to, when real estate taxes become due and delinquent. Penalty and interest.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 64, nays none, absent and not voting 36.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Bartz
Blank
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevallier
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Fried
Gullerud
Hammer
Hanson
Harvey
Heath

Messrs.—

Hill
Johnson
Kraabel
Leech
Mallough
Mattson
McClure
McDowell
McKnight
McLain
Meldinger
Midgarden
Miller
Mooney
Noben
Palfrey
Peterson of Wells
Phifer
Richmond
Robillard
Rogers

Messrs.—

Ryan
Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Wagner
Watts
Welgel
Welo
Wing
Mr. Speaker

Absent and not voting:

Messrs.—

Allen
Aslakson
Baker of Ramsey
Beck
Bostrom
Bourassa
Chisholm
Cole
Connolly
Ferguson
Flados
Gagnon

Messrs.—

Gilbert
Knudtson
Lee
Lillie
Lish
Lyons
Maddock
McCrea
McGahan
McKenzie
Movius
Noltimier

Messrs.—

Oksendahl
Palmer
Patterson
Peterson of Towner
Rose
Scheer
Underwood
Van Arnam
Wall
Watson
Weed
Young

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill passed and the title was agreed to.

Mr. Gagnon moved
That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 27, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Maddock, Noltimier, Peterson of Towner, Rose, Skjold and Underwood.

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Smart of Trail presented the following petition:

The undersigned hereby petition your honorable body to pass Senate Bill No. 42, introduced by Senator Lavayea, of Larimore, relating to druggists' permits, and also Senate Bill No. 168, introduced by Senator McArthur, of Bottineau, providing for the payment of \$50 reward for evidence securing the conviction of persons violating the prohibitory law.

The above was endorsed by a vote by a meeting of Congregational Sunday school in the town of Caledonia, state of North Dakota, on Feb. 22, 1903, and the undersigned were authorized to so attest.

J. P. CLARK, Superintendent,
Chairman.

N. M. BRIGGS,
Teacher.

MINA HERBRANDSON,
Teacher.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 177,

A bill for an act to amend section 1249 of the Revised Codes relating to sheriffs fees for making distress and sale.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 178,

A bill for an act defining the word "valuation" when used as a basis on which salaries are paid and fixing the time salaries shall begin when based on valuation.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 160,

A bill for an act fixing the time for holding terms of the district court in the various counties comprising the fourth judicial district of North Dakota.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 119,

A bill for an act providing for the dismissal of actions in the courts of record of this state which have been pending for a period five years, wherein the plaintiff or his successor in interest has neglected to prosecute said action.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 138,

A bill for an act to amend section number 4795, of the Revised Codes, relating to sales of buildings upon foreclosure of mechanics' liens thereon.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred
House Bill No. 270,

A bill for an act to amend section 279 of the Revised Codes relating to the admission of persons to practice medicine.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

J. H. McLAIN,
Chairman.

Mr. McLain moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 140,

A bill for an act authorizing and directing the board of university and school lands to create and invest a sinking fund for the payment of bonds issued by state educational, charitable or other state institution, defining the manner of creating such sinking fund, and prescribing the duties of the board of university and school lands in relation thereto.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting before the word "It" in line 1, of section 1, the words, "for the purpose of providing for the payment of bonds issued by state institutions and the interest thereon."

In line 12, of section 1, strike out the words "are to," and insert in lieu thereof, the word "may."

In line 17 of section 1, strike out the words "are to," and insert in lieu thereof the word "may."

And when so amended recommend that the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred:
House Bill No. 265,

A bill for an act to amend section 1025 of the Revised Codes of

1899 of North Dakota, being section 1 of chapter 33 of the laws of 1895, and to prohibit members of boards of trustees and of boards of managers and officers and employees of state institutions from being interested in contracts, purchases or sales for or on account of said state institutions, except as therein provided.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 167,

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners. the same be indefinitely postponed.

The further consideration of the bill was indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 170,

A Bill for an act to amend and re-enact section 1271 of the Revised Codes of 1899, relating to sale of property bid in for the county.

Have had the same under consideration and recommend that the same be amended as follows:

Amend title by striking out all thereof after the figures "1899," and insert in lieu thereof the words "relating to the mode of procedure in obtaining title to property bid in for the county at tax sale and prescribing manner of sale and conveyance of such property and the disposition of the proceeds of such sale."

And when so amended recommend the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 165,

A bill for an act relating to where county records shall be kept.

Have had the same under consideration, and recommend that the same do pass.

Also,

Senate Bill No. 153,

A bill for an act to amend section 108 of the Revised Codes of North Dakota, for the year 1899, relating to the duties of state treasurer.

Have had the same under consideration, and recommend that the same do pass.

W. J. WATTS,
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House Bill No. 266,

A bill for an act to legalize irregularities in the formation of school districts and to make valid the acts of the officials thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House Bill No. 269,

A bill for an act to amend section 641, Revised Codes of 1899, defining duties of county superintendent of schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
House Bill No. 241,

A bill for an act to limit the terms of school treasurers.

Have had the same under consideration and recommend that
the same be indefinitely postponed.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on elections and privileges made the following
report:

Mr. Speaker:

Your committee on elections and privileges to whom was re-
ferred

Senate Bill No. 159,

A bill for an act providing the manner in which names of can-
didates for United States senator may be certified to the legisla-
tive assembly.

Have had the same under consideration and recommend that
the same be indefinitely postponed.

W. F. LEECH,
Chairman.

Mr. Leech moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely post-
poned:

The committee on elections and privileges made the following
report:

Mr. Speaker:

Your committee on elections and privileges to whom was re-
ferred

House Bill No. 273,

A bill for an act to amend section 373 of the Revised Codes of
North Dakota of 1899, relating to eligibility of deputies, clerks
and subordinates of public officers.

Have had the same under consideration and recommend that
the same do pass.

W. F. LEECH,
Chairman.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

House Bill No. 141,

A bill for an act prescribing the manner of nominating candidates for political offices, and fixing the penalty for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. F. LEECH,
Chairman.

Mr. Leech moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate Bill No. 173,

A bill for an act to amend and re-enact sections 759 and 761 of the Revised Codes, relating to education.

Have had the same under consideration and recommend that the same do pass.

GEO. W. H. DAVIS,
Chairman.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Ryan introduced

House Bill No. 275,

A bill for an act prescribing who may execute assignments, discharges, satisfactions, etc., of liens on real estate on behalf of corporations, and by legalizing prior-like instruments.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Sheils introduced

House Bill No. 276,

A bill for an act to amend section 1, chapter 69, of the session laws of 1901, relating to dipping tanks.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Hanson introduced

House Bill No. 277,

Concurrent resolution. Proposed constitutional amendment, Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Elton introduced

House Bill No. 278,

A bill for an act to amend section 4792 of the Revised Codes of North Dakota, 1899, relating to clerk of court's record of mechanic's liens.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Lee introduced

House Bill No. 279,

A bill for an act to amend section 4680 of the Revised Codes of 1899, relating to liens on future interest.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Richmond introduced

House Bill No. 280,

A bill for an act to provide for the manner of changing names of persons, and for registry of names.

Which was read the first and second times, and

Referred to the committee on state affairs.

REPORT OF STANDING COMMITTEE

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 198,

A bill for an act to amend and re-enact chapter 121 of the laws of North Dakota for the year 1901, concerning the inspection of live stock.

Also,

House Bill No. 215,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

Also,

House Bill No. 225,

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 239,

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

Also,

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Also,

House Bill No. 248,

A bill for an act to amend section 3146 of the Revised Codes of 1899, relating to the time for the holding of the annual meeting for the election of directors, and who may vote.

Also,

House Bill No. 249,

A bill for an act to provide for the improvement of public highways in townships adjoining incorporated cities.

Also,

House Bill No. 252,

A bill for an act to amend section 7464 of the Revised Codes as amended by chapter 82 of the session laws of 1901, relating to embezzlement.

Also,

House Bill No. 253,

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.

Also,

House Bill No. 254,

A bill for an act to amend section 5630, relating to trials in district court without a jury, and appeals therefrom.

Also,

House Bill No. 255,

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.

Also,

House Bill No. 261,

A bill for an act changing and defining the boundaries of Mercer county.

And find the same correctly engrossed.

Also,

House Bill No. 89,

A bill for an act making an appropriation to the Florence Crittenton Home and Hospital for friendless women and children of Bismarck, N. D., to aid in defraying the current and contingent expenses.

Also,

House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal

section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

And find the same correctly re-engrossed.

H. P. RYAN,
Chairman.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 202,

A bill for an act to amend and re-enact section 1986, Revised Codes of North Dakota, revision of 1899.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

Was read the first and second times, and
Referred to the committee on railroads.

Also,

Senate Bill No. 155,

A bill for an act to amend section 30711 of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.

Was read the first and second times, and
Referred to committee on railroads.

Also,

Senate Bill No. 133,

A bill for an act to amend sections 2680b and 2680d of the Revised Codes of the state of North Dakota, 1899, relating to dissolution of townships.

Was read the first and second times, and
Referred to committee on municipal corporations.

Also,

Senate Bill No. 195,

A bill for an act to amend section 7282 of the penal code of 1899 of chapter 39, relating to other injuries to persons.

Which was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 124,

A bill for an act to amend section 1112 of the Revised Codes of North Dakota for the year 1899.

Was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

Was read the first and second times, and

Referred to committee on taxes and tax laws.

Also,

Senate Bill No. 158,

A bill for an act to amend section 59 of the Revised Codes of North Dakota for the year 1899, relating to the printing of biennial, annual and special reports; how printed.

Was read the first and second times, and

Referred to the committee on state affairs.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 27, 1903.

Mr. President:

I have the honor to transmit herewith

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Also,

Senate Bill No. 196,

A bill for an act to provide for the contribution, purchase and custody of historical sites and relics in the state of North Dakota and to appropriate money therefor.

Also,

Senate Bill No. 3,

A bill for an act providing for a bounty on wolves and coyotes, creating a fund for the payment of the same and regulating the manner of procuring said bounty.

Also,

Senate Bill No. 78,

A bill for an act to amend section 273 of the Revised Codes of Revised Codes of 1899 relating to state board of health.

Also,

Senate Bill No. 135,

A bill for an act to amend section 334 of the Revised Codes of 1899, relating to clerk hire for state officers.

Also,

Senate Bill No. 23,

A bill for an act to provide for the maintenance of the Indus-

trial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Also,

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers institutes.

Also,

Senate Bill No. 117,

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie, Allred and Wallace.

Also,

Senate Bill No. 110,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the state's attorney of the county of Stark for the years 1901 and 1902, for services in prosecuting criminals and in doing and performing all the other acts that the law provides a state's attorney shall do and perform in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.

Also,

Senate Bill No. 207,

A bill for an act to authorize the various organizations composing the North Dakota National Guard to build armories, to create a board to supervise the construction thereof and to issue bonds therefor.

Also,

Senate Bill No. 208,

A bill for an act to amend section 1419, of the Revised Codes of North Dakota for 1899, relating to the payment of armory rent to the respective organizations of the North Dakota National Guard.

Also,

Senate Bill No. 172,

A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Also,

Senate Bill No. 171,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Also,

Senate Bill No. 30,

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

Also,

Senate Bill No. 69,

A bill for an act to make an appropriation for the current and contingent expenses of the state reform school at Mandan, and for permanent improvements thereto.

Also,

Senate Bill No. 16,

A bill for an act to amend sections 867, 867a, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

Also,

Senate Bill No. 134,

A bill for an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building.

Also,

Senate Bill No. 136,

A bill for an act to amend section 637 of the Revised Codes of 1899, relating to the salary and traveling expenses to be paid the superintendent of public instruction.

Also,

Senate Bill No. 156,

A bill for an act prescribing the duties and authority of the commissioners of public printing in relation to certain printing and making an appropriation to pay for the public printing authorized by law.

Also,

Senate Bill No. 22,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Also,

Senate Bill No. 184,

A bill for an act authorizing the board of trustees of public property to purchase vehicles, harness and necessary equipment for the use of the governor's office and executive mansion and making appropriation therefor.

Senate Bill No. 31,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the St. Louis World's Fair, to be held in 1904 at the city of St. Louis, Missouri, and at the Lewis and Clarke Centennial and Pacific Exposition and Oriental Fair to be held in 1905 at the city of Portland, Oregon, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

Also,

Senate Bill No. 157,

A bill for an act to amend section 904a of article 1, chapter 10, of the political code of 1899, relating to education and charitable institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

Also,

Senate Bill No. 197,

A bill for an act to amend section 9, of chapter 8, of the session laws of 1901, relating to the agricultural and geological survey and pertaining to the appropriation therefor.

Also,

Senate Bill No. 103,

A bill for an act appropriating money for the purchase of pure-bred stock for breeding purposes for the experiment station at Fargo, for salary of state veterinarian, for enlarging the scope of investigation by the station staff of the experiment station at Fargo, for maintaining the sub-experiment station at Edgeley and erecting and erecting suitable buildings thereon, for locating and maintaining and erecting suitable buildings on a sub-experiment station at or near Minot, in Ward county, and locating and operating a sub-station at or near Dickinson in Stark county.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,

House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Which the house has passed unchanged.

R. M. TUTTLE,

Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Ryan moved

That the house concur in the senate concurrent resolution relating to article V of the constitution of the United States.

Which motion prevailed, and

The senate concurrent resolution was concurred in.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 196,

A bill for an act to provide for the contribution, purchase and custody of historical sites and relics in the state of North Dakota and to appropriate money therefor.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 23,

A bill for an act to provide for the maintenance of the industrial school, and school for manual training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 135,

A bill for an act to amend section 334 of the Revised Codes of 1899, relating to clerk hire for state officers.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 3,

A bill for an act providing for a bounty on wolves and coyotes, creating a fund for the payment of the same and regulating the manner of procuring said bounty.

Was read the first and second times, and

Referred to committee on appropriations.

Also,

Senate Bill No. 31,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the St. Louis World's Fair, to be held in 1904 at the city of St. Louis, Missouri, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

Was read the first and second times, and

Referred to committee on appropriations.

Also,

Senate Bill No. 184,

A bill for an act authorizing the board of trustees of public property to purchase vehicles, harness and necessary equipment for the use of the governor's office and executive mansion and making appropriation therefor.

Which was read the first and second times, and

Referred to committee on appropriations.

Also,

Senate Bill No. 22,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Was read the first and second times, and

Referred to committee on appropriations.

Also,

Senate Bill No. 134,

A bill for an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building.

Was read the first and second times, and

Referred to committee on appropriations.

Also,

Senate Bill No. 69,

A bill for an act to make an appropriation for the current and contingent expenses of the state reform school at Mandan, and for permanent improvement thereto.

Was read the first and second times, and

Referred to committee on appropriations.

Also,

Senate Bill No. 30,

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 171,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 172,

A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 208,

A bill for an act to amend section 1419, of the Revised Codes of North Dakota for 1899, relating to the payment of armory rent to the respective organizations of the North Dakota National Guard.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 207,

A bill for an act to authorize the various organizations composing the North Dakota National Guard to build armories, to create a board to supervise the construction thereof and to issue bonds therefor.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 110,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the state's attorney of the county of Stark for the years 1901 and 1902, for services in prosecuting criminals and in doing and performing all the other acts that the law provides a state's attorney shall do and per-

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 117,

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie, form in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.

Which was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 16,

A bill for an act to amend sections 867, 867a, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 136,

A bill for an act to amend section 637 of the Revised Codes of 1899, relating to the salary and traveling expenses to be paid the superintendent of public instruction.

Which was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 156,

A bill for an act prescribing the duties and authority of the

commissioners of public printing in relation to certain printing and making an appropriation to pay for the public printing the same do pass.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 197,

A bill for an act to amend section 9, of chapter 8, of the session lawe of 1901, relating to the agricultural and geological survey and pertaining to the appropriation therefor.

Also,

Senate Bill No. 157,

A bill for an act to amend section 904a of article 1, chapter 10, institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 103,

A bill for an act appropriating money for the purchase of pure-bred stock for breeding purposes for the experiment station at Fargo, for salary of state veterinarian, for enlarging the scope of investigation by the station staff of the experiment station at Fargo, for maintaining the sub-experiment station at Edgeley and erecting and erecting suitable buildings thereon, for locating and maintaining and erecting suitable buildings on a sub-experiment station at or near Minot, in Ward county, and locating and operating a sub-station at or near Dickinson in Stark county.

Was read the first and second times, and
Referred to committee on appropriations.

Also,

Senate Bill No. 78,

A bill for an act to amend section 244 of article 5, chapter 4, Revised Codes of 1899 relating to state board of health.

The chief clerk announced that the speaker was about to sign

Was read the first and second times, and
Referred to committee on appropriations.

Senate Bill No. 151,

A bill for an act authorizing the board of trustees of the deaf and dumb asylum to issue bonds to provide a fund for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

Also,

Senate Bill No. 51,

A bill for an act to provide for the erection of public grain

warehouses and grain elevators, on or near the right of way of railways, and providing for condemnation proceedings in connection therewith, and to repeal sections 1796, 1797 and 1799 of the Revised Codes North Dakota, 1899.

The committee on engrossed bills made the following report:
Mr. Speaker:

Your committee on enrolled and engrossed bills have examined House Bill No. 93,

A bill for an act making appropriations for the current and contingent expenses of the soldiers home located at Lisbon, North Dakota, for making permanent improvements and additions thereto and for erecting a monument in Oakwood cemetery.

Also,
House Bill No. 213,

A bill for an act to amend section 3563 of the Revised Codes of 1899, relating to recording of transfers of real estate, and giving validity to the recording of instruments heretofore recorded.

And find the same correctly re-engrossed.

H. P. RYAN,
Chairman.

THIRD READING OF HOUSE BILLS.

House Bill No. 220,

A bill for an act fixing the time when it shall be lawful for stock to run at large, fixing the liability of owners of unregistered males in certain cases and prescribing the manner of abolishing the provisions of the act in a county.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 61, nays 24, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Kraabel	Senour
Aslakson	Leech	Severson
Baker of Ramsey	Lillie	Shiels
Braaten	Lish	Smart of Nelson
Burtness	Lyons	Smart of Traill
Buttz	Mallough	Stavens
Cassell	Mattson	Steinberg
Chaffee	McClure	Stevens
Chevalier	McCrea	Thompson
Dahl	McLain	Truemner
Davis	Miller	Tufte
Dickinson	Mooney	Van Arnam
Elton	Noben	Wagner

Messrs.—	Messrs.—	Messrs.—
Ellison	Palfrey	Wall
Ferguson	Palmer	Watson
Flados	Phifer	Watts
Gilbert	Richmond	Weigel
Gullerud	Ryan	Wing
Hammer	Scheer	Young
Heath	Schouweller	Mr. Speaker
Knudtson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gagnon	Meidinger
Bartz	Hanson	Midgarden
Blank	Hill	Movius
Bourassa	Johnson	Oksendahl
Cole	Lee	Robillard
Connolly	McGahan	Rogers
Dieball	McKenzie	Weed
Fried	McKnight	Welo

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Maddock	Peterson of Wells
Bostrom	McDowell	Rose
Brown	Noltimier	Skjold
Chisholm	Patterson	Simpson
Harvey	Peterson of Towner	Underwood

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Young explained his vote.

Mr. Cassell moved

That the vote by which House Bill No. 220 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined House Bill No. 79,

A bill for an act concerning land titles.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

House Bill No. 79,

A bill for an act concerning land titles.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 73, nays 13, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Rogers
Allen	Johnson	Ryan
Aslakson	Knudtson	Scheer
Baker of Ramsey	Kraabel	Schouweiler
Beck	Leech	Senour
Blank	Lyons	Severson
Bourassa	Mallough	Shiels
Braaten	McClure	Simpson
Brown	McCrea	Smart of Traill
Burtness	McGahan	Stavens
Buttz	McKenzie	Steinberg
Cassell	McLain	Stevens
Chevalier	Meidinger	Thompson
Dahl	Midgarden	Truemmer
Davis	Miller	Tufte
Dickinson	Mooney	Wall
Dieball	Movius	Watson
Elton	Noben	Watts
Ellison	Oskendahl	Weed
Ferguson	Palley	Weigel
Flados	Palmer	Welo
Gilbert	Peterson of Wells	Wing
Gullerud	Phifer	Young
Harvey	Richmond	Mr. Speaker
Heath		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartz	Hanson	McKnight
Chaffee	Fried	Robillard
Cole	Mattson	Van Arnam
Connolly	McDowell	Wagner
Hammer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Lish	Peterson of Towner
Chisholm	Maddock	Skjold
Gagnon	Noltimier	Smart of Nelson
Lee	Patterson	Underwood
Lillie	Rose	

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Ryan moved

That the vote by which House Bill No. 79 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 73, nays 7, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Ryan
Allen	Kraabel	Schouweiler
Aslakson	Leech	Senour
Baker of Ramsey	Lillie	Severson
Beck	Mattson	Shiels
Blank	McDowell	Simpson
Bourassa	McKenzie	Smart of Nelson
Braaten	McKnight	Smart of Traill
Burtness	McLain	Stavens
Buttz	Meidinger	Steinberg
Cassell	Midgarden	Stevens
Chaffee	Miller	Thompson
Chevalier	Mooney	Truemmer
Dahl	Noben	Tufte
Davis	Noltmier	Van Arnam
Dieball	Oasendahl	Wagner
Elton	Palfrey	Wall
Ellison	Palmer	Watson
Flados	Patterson	Weed
Fried	Peterson of Towner	Weigel
Gilbert	Peterson of Wells	Welo
Gullerud	Phifer	Wing
Hanson	Richmond	Young
Harvey	Rogers	Mr. Speaker
Hill		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Lee	McGahan
Dickinson	Lish	Movius
Hammer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartz	Heath	Robillard
Bostrom	Knudtson	Rose
Chisholm	Lyons	Scheer
Cole	Maddock	Skjold
Connolly	Mallough	Underwood
Ferguson	McClure	Watts
Gagnon	McCrea	

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved

That House Bill No. 161 be recalled from general orders, the amendments adopted and the bill be put on its third reading and final passage.

Which motion prevailed.

House Bill No. 161,

A bill for an act to amend sections 5518, 5522, 5528 and 6391 of the Revised Codes of the state of North Dakota, relating to exemptions.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 54, nays 52, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Johnson	Phifer
Baker of Ramsey	Kraabel	Richmond
Beck	Lee	Scheer
Blank	Lecch	Schouweiler
Brown	Lillie	Senour
Buttz	Lish	Simpson
Cassell	Lyons	Smart of Nelson
Chaffee	Mallough	Stavens
Chisholm	McCrea	Truemner
Cole	McClure	Van Arnam
Davis	McDowell	Wall
Dickinson	McKnight	Watson
Dieball	McLain	Weed
Fried	Mooney	Weigel
Gagnon	Movius	Welo
Gilbert	Palmer	Wing
Hammer	Patterson	Mr. Speaker
Heath	Peterson of Wells	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Rogers
Allen	Hanson	Ryan
Bartz	Harvey	Severson
Bourassa	Knudtson	Sheils
Braaten	McGahan	Smart of Traill
Burtness	Meidinger	Stenberg
Chevalier	Midgarden	Stevens
Dahl	Miller	Thompson
Elton	Nolen	Tufto
Ellison	Oksendahl	Wagner
Flados	Palfrey	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Mattson	Voss
Connolly	McKenzie	Rose
Ferguson	Noltmier	Skjold
Hill	Peterson of Towner	Underwood
Maddock	Robillard	Watts

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Chaffee explained his vote.

Mr. Leech moved

That the vote by which House Bill No. 161 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Simpson moved

That House Bill No. 152 be recalled from special orders and placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—

Aandahl
 Allen
 Aslakson
 Baker of Ramsey
 Bartz
 Beck
 Blank
 Bourassa
 Burtness
 Buttz
 Cassell
 Chaffee
 Chevalier
 Chisholm
 Cole
 Dahl
 Davis
 Dickinson
 Dieball
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gagnon
 Gilbert
 Gullerud
 Hammer
 Hanson

Messrs.—

Harvey
 Heath
 Hill
 Johnson
 Kraabel
 Lee
 Leech
 Lillie
 Lish
 Lyons
 Mallough
 Mattson
 McClure
 McCrea
 McDowell
 McGahan
 McKenzie
 McKnight
 McLain
 Meidinger
 Mergarden
 Mooney
 Movius
 Noben
 Oksendahl
 Palrey
 Palmer
 Peterson of Wells

Messrs.—

Phifer
 Richmond
 Robillard
 Rogers
 Ryan
 Scheer
 Schouweiler
 Severson
 Shells
 Simpson
 Smart of Nelson
 Smart of Trail
 Stavens
 Steinberg
 Stevens
 Thompson
 Truemmer
 Tufta
 Van Arnam
 Wagner
 Wall
 Watson
 Watts
 Weed
 Weigel
 Welo
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Maddock	Rose
Braaten	Miller	Senour
Brown	Noltmier	Skjold
Connolly	Patterson	Underwood
Knudtson	Peterson of Towner	

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.
The house took a recess until 3:35 p. m.

AFTER RECESS.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
February 27, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Also,

House Bill No. 129,

A bill for an act to provide for the bonding of certain officers.

Also,

House Bill No. 48,

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.

Which the senate has passed unchanged.

Also,

House Bill No. 12,

A bill for an act to amend section 7683 of chapter 72 of the penal code of 1899 relating to game and fish.

Further consideration of which the Senate has indefinitely postponed.

R. M. TUTTLE,
Secretary.

The speaker announced the following steering committee for the House:

Messrs. Young, chairman, Davis, Watts, Leech, Chaffee, Lyons, Gilbert, Richmond, McGahan, Ryan and Movius.

Mr. Palmer moved

That the House return to the ninth order of business.
Which motion prevailed, and

Mr. Palmer intraduced
House Bill No. 281,

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota, to the county of Williams in the Eighth judicial district of the state of North Dakota, for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said unorganized county of Allred by the register of deeds of Williams county.

Which was read the first and second times, and
Referred to the steering committee.

House Bill No. 224,

A bill for an act to promote forest tree culture.
Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Blank
Braaten
Brown
Burntress
Buttz
Cassell
Chaffee
Chevalier
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey
Heath
Hill

Messrs.—

Johnson
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Oksendahl
Palfrey
Palmer
Patterson

Messrs.—

Peterson of Wells
Phifer
Richmond
Robillard
Rogers
Ryan
Scheer
Schouweiler
Severson
Shells
Simpson
Smart of Nelson
Smart of Trail
Steinberg
Stevens
Thompson
Tufta
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Cole	Senour
Baker of Ramsey	Connolly	Skjold
Bek	Maddock	Stavens
Bostrom	Noltimier	Truemner
Bourassa	Peterson of Towner	Underwood
Chisholm	Rose	Weed

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the rules be suspended and Senate Bill No. 198 be put on its third reading and final passage.

Which motion prevailed, and

Senate Bill No. 198,

A bill for an act granting the consent and permission of the state of North Dakota to the construction and maintenance of a highway across, within, under and through the waters of Devils Lake, extending from Pelican Point to the southerly bank of said lake, and ratifying all acts heretofore performed in the construction or maintenance thereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 88, nays none, absent and not voting 42.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Krzabel	Rogers
Allen	Lecch	Rose
Aslakson	Lilie	Ryan
Baker of Ramsey	Lish	Scheer
Bartz	Lyons	Schouweiler
Blank	Mallough	Senour
Braaten	Mattson	Severson
Brown	McClure	Shells
Buttz	McCrea	Simpson
Cassell	McDowell	Smart of Nelson
Chaffee	McGahan	Smart of Traill
Chevalier	McKenzie	Stavens
Connolly	McKnight	Steinberg
Dahl	McLain	Stevens
Davis	Meidinger	Thompson
Dickinson	Midgarden	Truemner
Dieball	Miller	Tuft
Elton	Mooney	Van Arnam
Ellison	Movius	Wagner
Ferguson	Noben	Wall
Flados	Noltimier	Watson
Fried	Oksendahl	Watts
Gagnon	Pa'frey	Weed

Messrs.—	Messrs.—	Messrs.—
Gilbert	Palmer	Weigel
Gullerud	Patterson	Welo
Hanson	Peterson of Wells	Wing
Harvey	Phifer	Young
Hill	Richmond	Mr. Speaker
Johnson	Robillard	
Krudtson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Cole	Maddock
Bostrom	Hammer	Peterson of Towner
Bourassa	Heath	Skjold
Chisholm	Lee	Underwood

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 198 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 258,

A bill for an act changing and defining the boundaries of Stark county.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 82, nays 1, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Peterson of Wells
Allen	Harvey	Phifer
Aslakson	Heath	Richmond
Baker of Ramsey	Hill	Rogers
Bartz	Johnson	Scheer
Beck	Knudtson	Schouweiler
Blank	Kraabel	Senour
Bostrom	Leech	Severson
Braaten	Lillie	Shells
Brown	Lish	Simpson
Burtness	Lyons	Smart of Nelson
Buttz	Mattson	Smart of Traill
Cassell	McClure	Steinberg
Chaffee	McCrea	Thompson
Chevalier	McDowell	Truemner
Connolly	McKnight	Tuite
Dahl	McLain	Van Arnam
Davis	Meidinger	Wagner
Dickinson	Midgarden	Wall
Dieball	Miller	Watson
Elton	Mooney	Watts
Ellison	Movius	Weed

Messrs.—	Messrs.—	Messrs.—
Ferguson	Noben	Weigel
Flados	Oksendahl	Welo
Fried	Pa'frey	Wing
Gagnon	Palmer	Young
Gilbert	Patterson	Mr. Speaker
Gullerud		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bourassa	Mallough	Ryan
Chisholm	McKenzie	Skjold
Cole	Noltimier	Stavens
Hammer	Peterson of Towner	Stavens
Lee	Robillard	Underwood
Maddock	Rose	

Mr. McGahan voted in the negative.

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. McClure moved

That the vote by which House Bill No. 258 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 262,

A bill for an act to amend section 1653 of the Revised Codes of 1899, relating to fishways.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 79, nays 1, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Robillard
Alien	Lee	Rogers
Aslakson	Leech	Scheer
Blank	Lillie	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Mallough	Simpson
Burtness	Mattson	Smart of Nelson
Buttz	McClure	Smart of Traill
Cassell	McCrea	Stavens
Chaffee	McDowell	Steinberg
Dickinson	McGahan	Stevens
Dieball	McKnight	Thompson
Elton	McLain	Truemner
Ellison	Meidinger	Tufto
Ferguson	Midgarden	Underwood
Fried	Mooney	Van Arnam
Gagnon	Movius	Wagner
Gilbert	Noben	Wall
Gullerud	Oksendahl	Watson

Messrs.—	Messrs.—	Messrs.—
Hammer	Palfrey	Weigel
Hanson	Palmer	Welo
Harvey	Patterson	Wing
Heath	Peterson of Wells	Young
Hill	Phifer	Mr. Speaker
Johnson	Richmond	
Knudtson		

Absent and not voting:

McKnight	Messrs.—	Messrs.—
Baker of Ramsey	Dahl	Peterson of Towner
Bartz	Davis	Rose
Beck	Flados	Ryan
Bostrom	Maddock	Sheils
Chevallier	McKenzie	Skjold
Chisholm	Miller	Watts
Cole	Noltimier	Weed

Mr. Connolly voted in the negative.

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Butts moved

That the vote by which House Bill No. 262 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Peterson moved

That the vote by which House Bill No. 242 was lost be reconsidered and made a special order for 2.30 p. m. tomorrow.

Which motion prevailed.

Mr. Young moved that the vote by which House Bill No. 21 was lost be reconsidered.

Which motion prevailed.

House Bill No. 21,

A bill for an act making an annual appropriation to the North Dakota Poultry Association, of Fargo, N. D., to aid it in defraying the expenses and paying premiums of annual exhibitions of poultry and to aid in the development of the poultry industry in this state.

The question being upon the final passage of the bill:

The roll was called and there were ayes 40, nays 48, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Heath	Oksendahl
Baker of Ramsey	Hill	Richmond
Bartz	Leach	Ryan
Beck	Lillie	Severson

Messrs.—	Messrs.—	Messrs.—
Blank	Lish	Sheils
Braaten	Lyons	Simpson
Buttz	Mallough	Van Arnam
Chaffee	Mattson	Wall
Davis	McClure	Weed
Dickinson	McGahan	Weigel
Dieball	McLain	Welo
Hammer	Meidinger	Young
Hanson	Movius	Mr. Speaker
Harvey		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Rogers
Allen	Johnson	Scheer
Bourassa	Knudtson	Schouweiler
Brown	Kraabel	Senour
Burtness	Lee	Smart of Nelson
Cassell	McCrea	Smart of Traill
Chevalier	McDowell	Stavens
Connolly	McKnight	Steinberg
Dahl	Midgarden	Stevens
Elton	Mooney	Thompson
Ellison	Noben	Truemner
Ferguson	Palfrey	Tutte
Flados	Palmer	Wagner
Fried	Peterson of Wells	Watson
Gagnon	Phifer	Watts
Gilbert	Robillard	Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	McKenzie	Peterson of Towner
Chisholm	Müller	Rose
Cole	Noltmier	Skjold
Maddock	Patterson	Underwood

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill was lost.

Mr. Gilbert explained his vote.

House Bill No. 211,

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406, 6408, 6409, 6410, of the Revised Codes, relating to claims against estates of decedents.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Ryan
Allen	Johnson	Rogers
Baker of Ramsey	Knudtson	Schouweiler

Messrs.—	Messrs.—	Messrs.—
Bartz	Kraabel	Senour
Beck	Leech	Severson
Blank	Lillie	Shells
Braaten	Lish	Simpson
Brown	Mallough	Smart of Nelson
Burtness	McClure	Smart of Trail
Buttz	McCrea	Stavens
Cassell	McDowell	Steinberg
Chaffee	McGahan	Stavens
Chevalier	McKnight	Thompson
Davis	McLain	Truemmer
Dickinson	Meidinger	Van Arnam
Dieball	Midgarden	Wagner
Elton	Mooney	Wall
Ellison	Movius	Watson
Ferguson	Nobis	Watts
Fried	Palfrey	Weed
Gagnon	Palmer	Weigel
Gilbert	Patterson	Welo
Gullerud	Peterson of Wells	Wing
Hammer	Phifer	Young
Harvey	Richmond	Mr. Speaker
Heath	Robillard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Hanson	Oksendahl
Bostrom	Lee	Peterson of Towner
Bourassa	Lyons	Rose
Chisholm	Maddock	Scheer
Cole	Mattson	Skjold
Connolly	McKenzie	Tufta
Dahl	Miller	Underwood
Flados	Noltmier	

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Cassell moved

That the further consideration of House Bill No. 240 be indefinitely postponed.

Mr. Peterson of Wells moved as a substitute

That the bill be made a special order Monday, March 2nd, at 2:30 p. m.,

Which substitute motion was lost.

The question being on the motion to indefinitely postpone the same prevailed and the further consideration of House Bill No. 240 was indefinitely postponed.

The speaker called Mr. Shiels to the chair.

House Bill No. 251,

A bill for an act to repeal a special act of the legislative as-

sembly of the territory of Dakota of 1885, approved by the governor March 13, 1885, entitled "an act to create a joint school township in the counties of Griggs and Steele."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Peterson of Wells
Allen	Hill	Phifer
Aslakson	Johnson	Richmond
Bartz	Knudtson	Robillard
Beck	Kraabel	Rogers
Blank	Lee	Ryan
Bostrom	Lecch	Scheer
Braaten	Lillie	Schouweiler
Brown	Lish	Severson
Burtness	Lyons	Shells
Buttz	Mallough	Simpson
Cassell	Mattson	Smart of Nelson
Chaffee	McClure	Smart of Traill
Chevalier	McCrea	Stavens
Cole	McDweil	Steinberg
Connolly	McGahan	Stevens
Dahl	McKenzie	Thompson
Davis	McKnight	Tufte
Dickinson	McLain	Van Arnam
Dieball	Meidinger	Wagner
Elton	Midgarden	Wall
Ellison	Mooney	Watson
Ferguson	Movius	Watts
Flados	Noben	Weigel
Fried	Oksendahl	Welo
Gasnon	Pa'frey	Wing
Gilbert	Palmer	Young
Gullerud	Patterson	Mr. Speaker
Hammer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Maddock	Serour
Bourassa	Miller	Skjold
Chisholm	Noltmier	Truemner
Hanson	Peterson of Towner	Underwood
Harvey	Rose	Weed

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund, and the transfer of certain unexpended balances.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 51, nays 28, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Palfrey
Allen	Hill	Patterson
Aslakson	Johnson	Peterson of Wells
Bartz	Knudtson	Ptifer
Blank	Kraabel	Richmond
Brown	Leech	Robillard
Buttz	Lish	Schouweiler
Cassell	Lyons	Senour
Chaffee	Mallough	Severson
Connolly	Mattson	Simpson
Davis	McClure	Stavens
Dieball	McDowell	Steinberg
Elton	McKenzie	Van Arnam
Fidos	McKnight	Wagner
Gagnon	Meidinger	Weed
Hammer	Movius	Weigel
Harvey	Noben	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Braaten	Lillie	Stevens
Burtness	McGahan	Thompson
Chevalier	McLain	Truemner
Dahl	Midgarden	Tuft
Dickinson	Mooney	Wall
Ellison	Rogers	Watson
Ferguson	Ryan	Watts
Fried	Shells	Welo
Gullerud	Smart of Nelson	Wing
Lee	Smart of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Peterson of Towner
Beck	Maddock	Rose
Bostrom	McCrea	Scheer
Bourassa	Miller	Skjold
Chisholm	Noltmier	Underwood
Cole	Oksendahl	Young
Gibert	Palmer	Mr. Speaker

Messrs. Maddock, Underwood and Peterson of Towner being excused.

So the bill was lost.

Mr. Dieball gave notice that on Tuesday, March 3, he would move to reconsider the vote by which House Bill No. 99 was lost.

The speaker in the chair.

House Bill No. 223,

A bill for an act to amend sections 1738, 1739, 1741 and 1743a of the political code of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays 8, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Oksendahl
Alien	Heath	Palfrey
Aslakson	Hill	Patterson
Blank	Johnson	Peterson of Wells
Bourassa	Lee	Phifer
Braaten	Leech	Richmond
Brown	Lillie	Robillard
Burtness	Lish	Rogers
Buttz	Lyons	Scheer
Cassell	Mallough	Schouweiler
Chaffee	Mattson	Severson
Chevalier	McClure	Sheils
Connolly	McCrea	Skjold
Dahl	McDowell	Smart of Nelson
Davis	McGahan	Stavens
Dickinson	McKenzie	Truomner
Dieball	McKnight	Van Arnam
Elton	McLain	Wagner
Ellison	Meidinger	Wall
Ferguson	Midgarden	Watts
Flados	Miller	Weigel
Fried	Mooney	Welo
Gagnon	Movius	Wing
Gilbert	Noben	Young
Hammer	Noltmier	Mr. Speaker
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gullerud	Smart of Traill	Tufte
Knudtson	Steinberg	Watson
Kraabel	Thompson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Maddock	Senour
Bartz	Palmer	Simpson
Beck	Peterson of Towner	Stevens
Bostrom	Rose	Underwood
Chisholm	Ryan	Weed
Cole		

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

House Bill No. 257,

A bill for an act changing and defining the boundaries of Billings county.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 75, nays none, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Rogers
Allen	Heath	Ryan
Aslakson	Hill	Scheer
Bartz	Jonsson	Schouweiler
Blank	Knudtson	Senour
Braaten	Krabel	Severson
Brown	Leect	Shells
Burtness	Littie	Simpson
Buttz	Mallough	Smart of Nelson
Cassell	Mattson	Smart of Traill
Chaffee	McClure	Stavens
Chevalier	McGahan	Steinberg
Chisholm	McKenzie	Stevens
Connolly	McKnight	Thompson
Dahl	McLain	Truemner
Davis	Meidinger	Tuft
Dickinson	Midgarden	Van Arnam
Dieball	Movius	Wagner
Ellison	Oksendahl	Wall
Ferguson	Pa'frey	Watson
Flaños	Palmer	Watts
Fried	Patterson	Weed
Gilbert	Peterson of Wells	Wing
Gullerud	Phifer	Young
Hammer	Robillard	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lish	Noltmier
Beck	Lyens	Peterson of Towner
Bostrom	Maddock	Richmond
Bourassa	McCrea	Rose
Cole	McDowell	Skjold
Elton	Miller	Underwood
Gagnon	Mooney	Weigel
Hanson	Noben	Welo
Lee		

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Senour moved

That the vote by which House Bill No. 257 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. McClure moved

That the vote by which House Bill No. 223 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senate Bill No. 12,

A bill for an act taxing the occupation of hawkers and peddlers, regulating the licensing of persons engaged in such occupation, increasing the ordinary county revenue by such taxation and prescribing penalties for a violation of its provisions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 70, nays 6, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Rogers
Aslakson	Kraabel	Scheer
Bartz	Lee	Schouweiler
Blank	Lillie	Senour
Braaten	Lish	Severson
Brown	Lyons	Shiels
Buttz	Mallough	Simpson
Cassell	Mattson	Smart of Nelson
Chaffee	McClure	Smart of Traill
Chevallier	McCrea	Stavens
Connolly	McGahan	Stevens
Davis	McKenzie	Thompson
Dickinson	McKnight	Truemner
Dieball	McLain	Tuft
Ellison	Meldinger	Van Arnam
Flados	Midgarden	Wagner
Fried	Miller	Wall
Gagnon	Oksendahl	Watson
Gilbert	Palfrey	Watts
Gullerud	Patterson	Weigel
Hammer	Peterson of Wells	Wing
Heath	Phifer	Young
Hill	Robillard	Mr. Speaker
Johnson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Elton	Steinberg
Burtness	Ryan	Weed

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Noltimier
Beck	Harvey	Palmer
Bostrom	Leech	Peterson of Towner
Bourassa	Maddock	Richmond
Chisholm	McDowell	Rose
Cole	Mooney	Skjold
Dahl	Movius	Underwood
Ferguson	Noben	Welo

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Kraabel moved

That the vote by which Senate Bill No. 12 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The House returned to the ninth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Patterson introduced

Senate Bill No. 282,

A bill for an act to repeal chapter 83 of the session laws of 1901.

Which was read the first and second times, and

Referred to the steering committee.

Mr. Leech moved

That Senate Bill No. 26 be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 26,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, providing for the inspection and analysis of foods, charging the North Dakota Government Agricultural Experiment Station with the duty thereof, charging the state's attorney with the enforcement hereof and making an appropriation therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Blank
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chaffee
Chevalier
Cole
Dahl
Davis

Messrs.—

Hill
Johnson
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan

Messrs.—

Robillard
Rogers
Ryan
Scheer
Schouweller
Senour
Severson
Shiels
Simpson
Smart of Nelson
Smart of Trall
Stavens
Steinberg
Stevens
Thompson

Messrs.—

Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey
Heath

Messrs.—

McKenzie
McKnight
McLain
Meidinger
Midgarden
Mooney
Movius
Noben
Noltimier
Oksendahl
Palfrey
Patterson
Peterson of Wells
Phifer

Messrs.—

Truemner
Tufto
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:**Messrs.—**

Baker of Ramsey
Bartz
Beck
Bostrom
Chisholm

Messrs.—

Connolly
Maddock
Miller
Palmer
Peterson of Towner

Messrs.—

Richmond
Rose
Skjold
Underwood

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved

That the vote by which Senate Bill No. 26 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Buttz moved

That Senate Bill No. 183 be referred to the committee on judiciary.

Which motion prevailed.

Senate Bill No. 47.

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:**Messrs.—**

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank

Messrs.—

Gilbert
Gullerud
Hammer
Harvey
Heath
Hill
Johnson

Messrs.—

Patterson
Peterson of Wells
Phifer
Robillard
Rogers
Ryan
Senour

Messrs.—	Messrs.—	Messrs.—
Bourassa	Knudtson	Severson
Braaten	Kraabel	Shiels
Brown	Leech	Simpson
Burtness	Lish	Smart of Nelson
Buttz	Mallough	Smart of Trall
Cassell	Mattson	Stavens
Chaffee	McClure	Steinberg
Chevalier	McCrea	Stevens
Chisholm	McDowell	Thompson
Cole	McGahan	Truemner
Connolly	McKenzie	Tufto
Dahl	McKnight	Wagner
Davis	McLain	Wall
Dickinson	Meidinger	Watson
Dieball	Midgarden	Watts
Elton	Miller	Weed
Ellison	Mooney	Welo
Ferguson	Movius	Wing
Flados	Noben	Young
Fried	Oksendahl	Mr. Speaker
Gagnon	Palfrey	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Noltimier	Schouweiler
Hanson	Palmer	Skjold
Lee	Peterson of Towner	Underwood
Lillie	Richmond	Van Arnam
Lyons	Rose	Weigel
Maddock	Scheer	

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

Mr. Cassell moved

To amend the title by adding thereto the following words:

“Relating to the qualifications of electors.”

Which motion prevailed, and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. McLain moved

That the vote by which Senate Bill No. 82 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. McGahan moved

That the house take a recess until 10 o'clock tomorrow morning,

Which motion prevailed, and

The House took a recess until 10 o'clock tomorrow.

A. O. ANDERSON,

Chief Clerk.

FIFTY-THIRD DAY—AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK NORTH DAKOTA,
February 28, 1903.

The house assembled at 10 o'clock, a. m., pursuant to recess taken.

The speaker called Mr. Leech to the chair.

The steering committee made the following report:

Mr. Speaker:

REPORT OF STEERING COMMITTEE.

Your steering committee recommend that the order of business today to be as follows:

First—Reports of committees.

Second—Third reading of house bills.

Third—Report from steering committee.

GEORGE M. YOUNG.

Chairman.

Mr. Young moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 129,

A bill for an act to amend section 5124 of the civil code of the Revised Codes of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ.

Chairman.

Mr. Buttz moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Substitute for Senate Bill No. 2,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was re-referred.
Senate Bill No. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the figures "\$55,000," in line 4, of section 1, and inserting in lieu thereof, the figures "\$70,000."

By striking out the figures "9,000, 3,500 and 2,500," in lines 7, 8 and 9, of section 3, and insert in lieu thereof, the figures "14,000, 8,500 and 7,500."

By striking out the figures "\$55,000," in line 10, of section 30, and insert in lieu thereof, the figures "\$10,000."

And when so amended recommend that the same do pass.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved
 That the report be adopted.
 Which motion prevailed, and
 The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 House Bill No. 268,

A bill for an act making it a misdemeanor for a tenant or tenants to remove goods, chattels or personal property from leased premises without giving due notice to the landlord, his agent or duly authorized attorney and providing a punishment for the violation of this act.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
 Chairman.

Mr. Buttz moved
 That the report be adopted.
 Which motion prevailed, and
 The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 Senate Bill No. 148,

A bill for an act to prohibit the sale or gift to, and use by minors under the age of fifteen years of firearms, shells, etc., and providing penalties for violation hereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
 Chairman.

Mr. Buttz moved
 That the report be adopted.
 Which motion prevailed, and
 The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
 Senate Bill No. 95,

A bill for an act to encourage the improvement of live stock, and to regulate the purchase and sale thereof, and prescribing penalties for the violation of the provisions of this act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 46,

A bill for an act amending section 5974 of the Revised Code of 1899, relating to when action maintainable for death by wrongful act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 271,

A bill for an act to amend and re-enact section 5936 of the Revised Codes of 1899 of North Dakota, relating to practice in contempts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. BUTTZ,
Chairman.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Harvey moved

That the house reconsider the vote by which the report was adopted.

Mr. Buttz moved as a substitute

That the motion to reconsider be laid upon the table

Which motion prevailed.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred Senate Bill No. 133,

A bill for an act to amend sections 2680b and 2680d of the Revised Codes of the state of North Dakota, 1899, relating to dissolution of townships.

Have had the same under consideration and recommend that the same do pass.

A. L. WALL,
Chairman.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred Senate Bill No. 95,

A bill for an act to encourage the improvement of live stock, and to regulate the purchase and sale thereof and prescribing for the violation of the provisions of this act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. B. PHIFER,
Chairman.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 88,

A bill for an act to amend section 1809 of the Revised Codes of 1899, relating to auditor and treasurer jointly to make semi-annual statement.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 235,

A bill for an act to amend section 237, of the Revised Codes, 1899, and to amend section 238, of chapter 169, of session laws, 1901, relating to state depositories.

Have had the same under consideration and recommend that the same be amended as follows:

Section 237, line 13, after the word "not," strike out "exceed," and insert in lieu thereof, "be less than."

And when so amended recommended that the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on state affairs made the following report.

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 158,

A bill for an act to amend section 59 of the Revised Codes of
North Dakota for the year 1899, relating to the printing of bien-
nial, annual and special reports; how printed.

Have had the same under consideration and recommend that
the same be amended as follows:

In line 8, before the word "there," insert "section 59."

And when so amended recommend that the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 272,

A bill for an act to amend section 28 of the Revised Codes of
North Dakota, 1899, relating to legislative officers and employes
and their compensation.

Have had the same under consideration and recommend that
the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Referred to general orders by request.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 124,

A bill for an act to amend section 1112 of the Revised Codes
of North Dakota for the year 1899.

Have had the same under consideration and recommend that
the same do pass.

Also,

House Bill No. 274,

A bill for an act to amend and re-enact section 497a of the Revised Codes of 1899, regulating caucuses and nominations for office.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

GENERAL ORDERS.

Mr. Tufte moved

That the house resolve itself into a committee of the whole for the consideration of general orders,

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker pro tem called Mr. Cassell to the chair.

When the committee rose it submitted the following report:

The committee of the whole made the following report:

Mr. Speaker:

Your committee of the whole have had under consideration House Bill No. 206,

For an act to amend chapter 114 of the session laws of 1901, relating to jurors.

And recommend the same do pass without the amendments.

Also,

Senate Bill No. 193,

A bill for an act pertaining to the keeping in the office of county auditor, of records of real estate transfers.

And report progress and ask to sit again.

Also,

Senate Bill No. 60,

A bill for an act to amend and re-enact chapter 84, of the session laws of 1901, relating to education.

And recommend that the same be amended as follows:

In line 12, page 2, of the printed bill, insert after the word "president," the words, "and clerks."

In line 14, page 2, insert after the word "members," the words "and clerks."

In section 681, line 11, page 2, insert after the word "that," the words

"in counties having the district system," and after the word "president," in the same line, the words, "and clerk."

In line 12, page 3, after the word "members," the words "and clerks," and in the same line strike out the words "he or they," and insert in lieu thereof, the words "such president or board," and also in the same line strike out the words "the board," and insert in lieu thereof the word "them."

In line 14, page 3, strike out the word "and" before "members," and insert after the word "members," the words "and clerks."

In line 16, insert after the word "dollars," the words "for each representative."

Add section 4. Repealing clause.

And when so amended recommend that the same do pass.

M. B. CASSELL,
Chairman.

Mr. Cassell moved.

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The house returned to the ninth order of business.

Mr. Mattson introduced

House Bill No. 283,

A bill for an act to amend section 1207 of the Revised Codes of North Dakota, 1899, relating to the assessment of property.

Which was read the first and second times, and

Referred to the steering committee.

The house returned to the seventh order of business.

Mr. McGahan moved

That the vote by which house bill No. 88 was lost be reconsidered and the bill be placed on the calendar for third reading and final passage.

Which motion prevailed.

House Bill No. 253,

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.

Was read the third time

The question being upon the final passage of the bill.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—

Allen
Aslakson
Bartz
Beck
Blank

Messrs.—

Hanson
Harvey
Heath
Hill
Johnson

Messrs.—

Peterson of Wells
Phifer
Robillard
Rogers
Ryan

Messrs.—

Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chevalier
Connolly
Dahl
Davis
Dickinson
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gullerud
Hammer

Messrs.—

Knudtson
Kraabel
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Mooney
Noben
Oksendahl
Palmer
Patterson

Messrs.—

Scheer
Schouweler
Shiels
Simpson
Smart of Nelson
Smart of Trail
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Van Arnam
Wagner
Watson
Weed
Weigel
Wing
Young

Absent and not voting:

Messrs.—

Aandahl
Baker of Ramsey
Chaffee
Chisholm
Cole
Dieball
Gilbert
Lee
Maddock

Messrs.—

McCrea
McDowell
Miller
Movius
Noltimier
Palfrey
Peterson of Towner
Richmond
Rose

Messrs.—

Senour
Severson
Skjold
Underwood
Wall
Watts
Weio
Mr. Speaker

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

The house returned to the fifth order of business.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred:

Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

Have had the same under consideration and recommend that the same do pass.

C. V. BROWN,
Chairman.

House Bill No. 198,

A bill for an act to amend and re-enact chapter 121 of the laws of North Dakota for the year 1901, concerning the inspection of live stock.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Buttz
Cassell
Chevalier
Connolly
Dahl
Davis
Dickinson
Elton
Ellison
Flados
Gagnon
Gullerud
Hammer
Hanson

Messrs.—

Harvey
Heath
Hill
Johnson
Knudtson
Kraabel
Leech
Lillie
Lish
Mallough
McClure
McCrea
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Mooney
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Patterson

Messrs.—

Peterson of Wells
Phifer
Robillard
Rogers
Ryan
Scheer
Schouweiler
Severson
Shiels
Simpson
Stavens
Steinberg
Thompson
Truemner
Tufte
Van Arnam
Wagner
Wall
Watson
Weed
Weigel
Welo
Wing
Young

Absent and not voting:

Messrs.—

Baker of Ramsey
Chaffee
Chisholm
Cole
Dieball
Ferguson
Fried
Gilbert
Lee

Messrs.—

Lyons
Maddock
Mattson
McDowell
Miller
Movius
Peterson of Towner
Richmond
Rose

Messrs.—

Senour
Skjold
Smart of Nelson
Smart of Traill
Stevens
Underwood
Watts
Mr. Speaker

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. McClure moved
That the vote by which
House Bill No. 198

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 254,

A bill for an act to amend section 5630, relating to trials in district court without a jury, and appeals therefrom.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Robillard
Allen	Kraabel	Rogers
Aslakson	Lee	Ryan
Bartz	Leech	Scheer
Beck	Lillie	Schouweiler
Blank	Lish	Senour
Braaten	Lyons	Shiels
Brown	Mallough	Simpson
Burtness	Mattson	Smart of Nelson
Cassell	McClure	Smart of Traill
Chevaller	McCrea	Stavens
Cole	McGahan	Steinberg
Dahl	McKenzie	Thompson
Davis	McKnight	Truemner
Dickinson	McLain	Tufte
Elton	Midgarden	Van Arnam
Ellison	Mooney	Wagner
Ferguson	Movius	Wall
Flados	Noben	Watson
Fried	Noltmier	Weed
Gagnon	Palfrey	Weigel
Hammer	Palmer	Welo
Hanson	Patterson	Wing
Heath	Peterson of Wells	Young
Hill	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Gullerud	Richmond
Bostrom	Harvey	Rose
Bourassa	Knudtson	Severson
Buttz	Maddock	Skjold
Chaffee	McDowell	Stevens
Chisholm	Meidinger	Underwood
Connolly	Miller	Watts
Dieball	Oksendahl	Mr. Speaker
Gilbert	Peterson of Towner	

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

House Bill No. 252,

A bill for an act to amend section 7464 of the Revised Codes as amended by chapter 82 of the session laws of 1901, relating to embezzlement.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 71, nays none, absent and not voting 29.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Hill	Robillard
Bartz	Heath	Rogers
Beck	Johnson	Ryan
Blank	Knudtson	Scheer
Bostrom	Kraabel	Schouweiler
Bourassa	Lee	Senour
Braaten	Leech	Shiels
Brown	Lillie	Simpson
Burness	Lish	Smart of Nelson
Buttz	Mattson	Smart of Traill
Cassell	McClure	Stavens
Chevalier	McCrea	Steinberg
Connolly	McKenzie	Stevens
Dahl	McKnight	Thompson
Davis	McLain	Truemner
Dickinson	Meidinger	Tufte
Elton	Midgarden	Wagner
Ellison	Mooney	Wall
Ferguson	Noben	Watson
Flados	Palfrey	Welo
Fried	Palmer	Wing
Gagnon	Patterson	Young
Gullerud	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Maddock	Rose
Baker of Ramsey	Mallough	Severson
Chaffee	McDowell	Skjold
Chisholm	McGahan	Underwood
Cole	Miller	Van Arnam
Dieball	Movius	Watts
Gilbert	Noltimier	Weed
Hammer	Oksendahl	Weigel
Harvey	Peterson of Towner	Mr. Speaker
Lyons	Richmond	

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 72, nays none, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Peterson of Wells
Allen	Heath	Phifer

Messrs.—

Aslakson
Beck
Blank
Bostrom
Bourassa
Braaten
Burtness
Buttz
Cassell
Chevalier
Cole
Connolly
Dahl
Davis
Dickinson
Elton
Ellison
Fried
Gagnon
Gilbert
Gullerud
Hammer

Messrs.—

Hill
Johnson
Knutdson
Kraabel
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McKenzie
McKnight
McLain
Meidinger
Midgarden
Mooney
Noben
Noltmier
Palfrey
Patterson

Messrs.—

Richmond
Robillard
Rogers
Ryan
Scheer
Schouweiler
Senour
Shiels
Simpson
Smart of Nelson
Smart of Traill
Steinberg
Stevens
Thompson
Tufto
Van Arnam
Wagner
Watson
Weigel
Welo
Wing
Young

Absent and not voting:

Messrs.—

Baker of Ramsey
Bartz
Brown
Chaffee
Chisholm
Dieball
Ferguson
Flados
Harvey
Lee

Messrs.—

Maddock
McDowell
McGahan
Miller
Movius
Oksendahl
Palmer
Peterson of Towner
Rose

Messrs.—

Severson
Skjold
Stavens
Truemner
Underwood
Wall
Watts
Weed
Mr. Speaker

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Substitute for House Bill No. 215,

A bill for an act for the inspection of illuminating oils and gasoline for the appointment of a state inspector and deputies, of oils and gasoline prescribing their duties designating their fees for such inspections, and providing for the payment and disposition of such fees; providing for making chemical tests, providing penalties for the violation of this act; requiring the state inspectors and deputies to make reports; and designating ports of entry where illuminating oils and gasoline shipped into this state shall be inspected.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 61, nays 3, absent and not voting 36.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Ryan
Allen	Kraabel	Scheer
Beck	Leech	Severson
Blank	Lish	Shiels
Bostrom	Lyons	Simpson
Braaten	Mattson	Smart of Nelson
Brown	McClure	Smart of Traill
Burtness	McCrea	Stavens
Cassell	McGahan	Steinberg
Chevalier	McKenzie	Stevens
Dahl	McKnight	Thompson
Dickinson	Noben	Truemner
Elton	Noltmier	Tuftø
Ellison	Oksendahl	Wagner
Ferguson	Palfrey	Wall
Flados	Patterson	Watson
Fried	Peterson of Wells	Weigel
Gagnon	Phifer	Welo
Heath	Robillard	Wing
Hill	Rogers	Young
Johnson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartz	Bourassa	Mooney

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Hanson	Palmer
Baker of Ramsey	Harvey	Peterson of Towner
Buttz	Lee	Richmond
Chaffee	Lillie	Rose
Chisholm	Maddock	Schouweller
Cole	Mallough	Senour
Connolly	McDowell	Skjold
Davis	McLain	Underwood
Dieball	Meldinger	Van Arnam
Gilbert	Midgarden	Watts
Gullerud	Miller	Weed
Hammer	Movius	Mr. Speaker

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined House Bill No. 273,

A bill for an act to amend section 373 of the Revised Codes of North Dakota of 1899, relating to eligibility of deputies, clerks and subordinates of public officers.

Also,

House Bill No. 265,

A bill for an act to amend section 1025 of the Revised Codes of 1899 of North Dakota, being section 1 of chapter 33 of the laws of 1895, and to prohibit members of boards of trustees and of boards of managers and officers and employees of state institutions from being interested in contracts, purchases or sales for or on account of said state institutions, except as therein provided.

And find the same correctly engrossed.

Also,

House Bill No. 161,

A bill for an act to amend sections 5518, 5522, 5528 and 6391 of the Revised Codes of the state of North Dakota, relating to exemptions.

And find the same correctly re-engrossed.

H. P. RYAN,
Chairman.

House Bill No. 249,

A bill for an act to provide for the improvement of public highways in townships adjoining incorporated cities.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 18, nays 53, absent and not voting 30.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank

Messrs.—

Bostrom
Bourassa
Brown
Burtness
Chisholm
Heath

Messrs.—

Hill
McClure
Palmer
Peterson of Wells
Young

Those who voted in the negative were:

Messrs.—

Cassell
Chevalier
Cole
Connolly
Dahl
Ellison
Ferguson
Flados
Fried
Gullerud
Hammer
Hanson
Johnson
Kraabel
Lee
Leech
Lyons
Mallough

Messrs.—

Mattson
McCrea
McKenzie
McKnight
Meldinger
Midgarden
Mooney
Movius
Noben
Oksendahl
Palfrey
Patterson
Robillard
Rogers
Ryan
Scheer
Severson
Shiels

Messrs.—

Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufto
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Harvey	Peterson of Towner
Braaten	Knudtson	Phifer
Buttz	Lillie	Richmond
Chaffee	Lish	Rose
Davis	Maddock	Schouweiler
Dickinson	McDowell	Senour
Dieball	McGahan	Skjold
Elton	McLain	Underwood
Gagnon	Miller	Welo
Gilbert	Noitimier	Mr. Speaker

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill was lost.

Mr. Leech gave notice that he would move to reconsider the vote by which house bill No. 249 was lost.

House Bill No. 261,

A bill for an act changing and defining the boundaries of Mercer county.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 71, nays none, absent and not voting 29.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Robillard
Allen	Hanson	Rogers
Aslakson	Harvey	Scheer
Bartz	Heath	Schouweiler
Beck	Hill	Severson
Blank	Johnson	Shiels
Bourassa	Knudtson	Simpson
Braaten	Kraabel	Smart of Nelson
Brown	Lee	Smart of Traill
Burtness	Leech	Stavens
Buttz	Lillie	Steinberg
Cassell	Lish	Stevens
Chevalier	Mallough	Thompson
Cole	McClure	Truemner
Connolly	McKenzie	Tufte
Dahl	McKnight	Van Arnam
Davis	McLain	Wagner
Ellison	Midgarden	Wall
Ferguson	Mooney	Watson
Flados	Movius	Weed
Fried	Noben	Weigel
Gagnon	Palfrey	Wing
Gilbert	Peterson of Wells	Young
Gullerud	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	McCrea	Richmond
Bostrom	McDowell	Rose
Chaffee	McGahan	Ryan
Chisholm	Meidinger	Senour
Dickinson	Miller	Skjold
Dieball	Noltmier	Underwood
Elton	Oksendahl	Watts
Lyons	Palmer	Welo
Maddock	Patterson	Mr. Speaker
Mattson	Peterson of Towner	

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. McClure moved

That the vote by which House Bill No. 261 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 255,

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Harvey	Richmond
Baker of Ramsey	Heath	Robillard
Bartz	Hill	Rogers
Beck	Knudtson	Ryan
Blank	Kraabel	Scheer
Bostrom	Lee	Schouweiler
Bourassa	Leech	Senour
Braaten	Lillie	Shiels
Brown	Lish	Simpson
Burtness	Lyons	Smart of Nelson
Cassell	Mallough	Smart of Traill
Chaffee	Mattson	Stavens
Chisholm	McClure	Steinberg
Cofe	McCrea	Stevens
Connolly	McKenzie	Thompson

Messrs.—	Messrs.—	Messrs.—
Dahl	McKnight	Truemner
Davis	McLain	Tufte
Dickinson	Midgarden	Van Arnam
Elton	Meidinger	Wagner
Ellison	Mooney	Wall
Ferguson	Movius	Watson
Flados	Noben	Watts
Fried	Oksendahl	Weed
Gagnon	Palfrey	Weigel
Gullerud	Palmer	Wing
Hammer	Peterson of Wells	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	McDowell	Rose
Buttz	McGahan	Severson
Chevalier	Miller	Skjold
Dieball	Noltmier	Underwood
Gilbert	Patterson	Welo
Johnson	Peterson of Towner	Mr. Speaker
Maddock		

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Harvey moved

That the vote by which House Bill No. 255 passed, be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 239,

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 72, nays none, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Richmond
Allen	Johnson	Robillard
Bartz	Knudtson	Rogers
Beck	Kraabel	Scheer
Blank	Lee	Schouweller
Bostrom	Leech	Senour
Bourassa	Lillie	Shiels
Braaten	Lish	Simpson
Brown	Lyons	Smart of Nelson
Burtness	Mallough	Smart of Traill
Cassell	Mattson	Stavens
Chevalier	McClure	Steinberg
Cole	Meidinger	Stevens

Messrs.—	Messrs.—	Messrs.—
Dahl	Midgarden	Thompson
Davis	Miller	Truemner
Dickinson	Mooney	Tufts
Ellison	Movius	Van Arnam
Ferguson	Noben	Wagner
Flados	Oksendahl	Wall
Gagnon	Palfrey	Watson
Gilbert	Palmer	Watts
Gullerud	Patterson	Weigel
Hanson	Peterson of Wells	Wing
Heath	Phifer	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Asiakson	Harvey	Peterson of Towner
Baker of Ramsey	Maddock	Rose
Buttz	McCrea	Ryan
Chaffee	McDowell	Severson
Chisholm	McGahan	Skjold
Connolly	McKenzie	Underwood
Dieball	McKnight	Weed
Elton	McLain	Welo
Fried	Noltimier	Mr. Speaker
Hammer		

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

The house returned to the fifth order of business.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 195,

A bill for an act to amend section 7282 of the penal code of 1899 of chapter 39, relating to other injuries to persons.

Have had the same under consideration, and recommend that the same be amended as follows:

In line 8, section 2, of the engrossed bill, strike out the word "fifty," and insert in lieu thereof the word "ten."

And when so amended recommend the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

House Bill No. 248,

A bill for an act to amend section 3146 of the Revised Codes of 1899, relating to the time for the holding of the annual meeting for the election of directors, and who may vote.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Peterson of Wells
Allen	Johnson	Phifer
Aslakson	Knudtson	Richmond
Bartz	Kraabel	Robillard
Beck	Lee	Rogers
Blank	Leech	Ryan
Bostrom	Lillie	Schouweiler
Bourassa	Lish	Severson
Braaten	Mallough	Shiels
Brown	Mattson	Simpson
Burtness	McClure	Smart of Nelson
Cassell	McGahan	Smart of Traill
Connolly	McKenzie	Stavens
Dahl	McKnight	Steinberg
Davis	McLain	Stevens
Dickinson	Meldinger	Thompson
Dieball	Midgarden	Truemner
Ferguson	Mooney	Tufte
Flados	Movius	Wagner
Fried	Noben	Wall
Gilbert	Noltmier	Watson
Gullerud	Oksendahl	Watts
Hammer	Palfrey	Wing
Hanson	Palmer	Young
Heath	Patterson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Harvey	Senour
Buttz	Lyons	Skjold
Chaffee	Maddock	Underwood
Chevalier	McCrea	Van Arnam
Chisholm	McDowell	Weed
Cole	Miller	Weigel
Elton	Peterson of Towner	Welo
Ellison	Rose	Mr. Speaker
Gagnon	Scheer	

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

House Bill No. 265,

A bill for an act to amend section 1025 of the Revised Codes of 1899 of North Dakota, being section 1 of chapter 33 of the laws of 1895, and to prohibit members of boards of trustees and of boards of managers and officers and employees of state institutions from being interested in contracts, purchases or sales for or on account of said state institutions, except as therein provided.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 71, nays none, absent and not voting 29.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Peterson of Wells
Allen	Hammer	Phifer
Aslakson	Hanson	Robillard
Bartz	Harvey	Rogers
Beck	Heath	Ryan
Blank	Hill	Scheer
Bostrom	Johnson	Schouweller
Bourassa	Knudtson	Senour
Braaten	Kraabel	Shiels
Brown	Lee	Smart of Nelson
Burtness	Leech	Smart of Traill
Buttz	Mallough	Stavens
Cassell	Mattson	Steinberg
Chevalier	McClure	Stevens
Connolly	McGahan	Thompson
Dahl	McKenzie	Tufte
Davis	McLain	Van Arnam
Dickinson	Mooney	Wagner
Dieball	Movius	Wall
Ellison	Noben	Watson
Ferguson	Oksendahl	Watts
Flados	Palmer	Wing
Fried	Patterson	Young
Gagnon		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	McCrea	Rose
Chaffee	McDowell	Severson
Chisholm	McKnight	Skjold
Cole	Meldinger	Simpson
Elton	Midgarden	Truemner
Gilbert	Miller	Underwood
Lille	Noltmier	Weed
Lish	Palfrey	Weigel
Lyons	Peterson of Towner	Welo
Maddock	Richmond	Mr. Speaker

Messrs. Maddock, Peterson of Towner, Skjold and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. McLain moved

That the vote by which
House Bill No. 265

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 273,

A bill for an act to amend section 373 of the Revised Codes of

North Dakota of 1899, relating to eligibility of deputies, clerks and subordinates of public officers.

Was read the third time.

Mr. Davis moved

That the further consideration of the bill be made a special order for Monday, March 2nd, at 2:30 p. m.

Which motion prevailed.

Mr. Young moved

That the vote by which all house bills passed this morning be reconsidered and the motion to reconsider be laid upon the table

Which motion prevailed.

Mr. Mallough moved

That the house do now adjourn.

Which motion prevailed and the house adjourned.

A. O. ANDERSON,

Chief Clerk.

FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 28, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment and was called to order by the chief clerk, who stated that the speaker had designated Mr. Leech of Cass as speaker pro tem for the day.

Prayer by the chaplain.
Roll call.

All members present except Messrs. Maddock, Baker of Ramsey, Burtness, Buttz, Noltimier, Peterson of Towner, Richmond, Rose, Smart of Nelson, Underwood and Mr. Speaker.

Messrs. Burtness, Buttz, Maddock, Peterson of Towner and Underwood being excused.

The steering committee made the following report:

Mr. Speaker:

Your steering committee recommend that the house return to the 5th order of business for the purpose of considering such committee reports as are now ready, and that the remainder of the legislative day be devoted exclusively to third reading of house bills now upon the chief clerk's desk.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 28, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 212,

A bill for an act to amend and re-enact section 1081 of the

political code of 1899 as amended by chapter 151 of the session laws of 1901, and to amend and re-enact sections 1082 and 1084 of the political code of 1899, relating to the expenditure of money by contract for road improvements in counties not organized into civil townships and prescribing the duties of county commissioners with reference thereto.

Also,

Senate Bill No. 130,

A bill for an act to protect trade and commerce against unlawful restraints and monopolies, and to prohibit the giving or receiving of rebates on the transportation of property, and prescribing penalties for the violation thereof.

Also,

Senate Bill No. 209,

A bill for an act to amend section 405 of the Revised Codes of 1899, fixing the time of holding the terms of court in the several counties of the Third judicial district.

Also,

Senate Bill No. 186,

A bill for an act to amend and re-enact section 408 of the Revised Codes of 1899, relating to the boundaries and terms of court in the sixth judicial district of the state

Also,

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Also,

Senate Bill No. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

Also,

Senate Bill No. 70,

A concurrent resolution proposing an amendment to the constitution providing for direct legislation by the electors, and that it be referred to the next legislative assembly and with the approval of such legislative assembly be submitted to the qualified electors for adoption or rejection.

Also,

Senate Bill No. 55,

A bill for an act to provide against discrimination in insurance rates, fixing the penalty for violation of the same.

Also,

Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,

House Bill No. 173,

A bill for an act relating to motions for review on appeals to the supreme court.

Which the senate has indefinitely postponed.

R. M. TUTTLE,

Chief Clerk.

Mr. Mallough offered the following resolution and moved its adoption:

Whereas, Representative Buttz, the oldest member of this body is about to leave for the east and will not meet with this body again during this session, therefore be it

Resolved, that a vote of thanks be tendered him for his faithful and earnest service during this session, and the wish of this body is that he may live long to enjoy the fruits of his labors in behalf of the people of North Dakota.

Mr. Cassell moved

That the house adopt the resolution by a rising vote.

Which motion prevailed, and

The resolution was adopted by a rising vote.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 28, 1903.

Mr. President:

I have the honor to transmit herewith
Senate Bill No. 175.

A bill for an act authorizing and empowering the board of county commissioners of each county in this state, to make time deposits of the county funds, and designate depositories therefor.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 88,

A bill for an act to amend section 1809 of the Revised Codes.

of 1899, relating to auditor and treasurer jointly to make semi-annual statement.

Also,

House Bill No. 235,

A bill for an act to amend section 237 of the Revised Codes, 1899, and to amend section 238 of chapter 169 of session laws, 1901, relating to state depositories.

H. P. RYAN,
Chairman.

REPORT OF SPECIAL COMMITTEE.

To the Honorable Senate and House of Representatives of the State of North Dakota:

By concurrent resolution under date of Feb. 13, 1903, the undersigned were commissioned "to inquire into the needs of the State Hospital for the Insane at Jamestown, for additional farming lands, and at what price such lands could be purchased."

Your committee beg leave to report that they visited the asylum, and as far as possible at this season of the year, inspected the land adjacent to the asylum lands, the possible purchase of which was contemplated.

The asylum could, to advantage use more lands both for pasturage and cultivation, but the need is not one of extreme urgency. Your committee have been unable up to the date of making this report to get the price on any of the lands desired, excepting one quarter which was priced at \$22 per acre. This your committee consider at least \$7 per acre more than the land is worth. Under these circumstances your committee are unable to advise the purchase of lands for the purposes indicated.

We believe that if the trustees of the asylum will secure options upon such land as they need at reasonable prices that the next legislature will not hesitate to make reasonable appropriations for purchasing the same.

Respectfully submitted,

FRANK WHITE,
DAVID BARTLETT,
M. D. WILLIAMS.

Bismarck, N. D., Feb. 28, 1903.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal have carefully examined the journal of the fifth-second day and recommend that the same be corrected as follows:

On page 6, line 9, from the bottom of said page, correct the word "and" as to spelling.

On page 23, line 21, the word "house" be corrected as to spelling.

That such corrections as may be necessary be made to show Mr. Baker, of Ramsey, voting in the affirmative on House Bills 175, 219, 169 and 238, instead of absent and not voting, as the printed journal so shows.

And when so amended recommend that the journal of the fifty-second day stand approved.

THOS. HEATH,
Chairman.

Mr. Heath moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 278,

A bill for an act to amend section 4792 of the Revised Codes of North Dakota, 1899, relating to clerk of court's record of mechanic's liens.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 279,

A bill for an act to amend section 4680 of the Revised Codes of 1899, relating to liens on future interest.

Have had the same under consideration and recommend that the same be amended as follows:

The title to read as follows: For an act to amend section 4680 of the Revised Codes of 1899, as amended by chapter 118 of the session laws of 1901, relating to liens on future interest.

By inserting in line three of section one after the figures "1899" the words "as amended by chapter 118 of the session laws of 1901," and by inserting after the word "amended" in line three of section one the words "and re-enacted." And by adding to section 4680 the words "Provided that this section shall not apply to future earnings of threshing machines." Also by adding to said section the following:

Sec. 2. All acts and parts of acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

C. W. BUTTZ,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 202,

A bill for an act to amend and re-enact section 1986, Revised Codes of North Dakota, revision of 1899.

Have had the same under consideration and recommend that the same do pass.

C. W. BUTTZ,
Chairman.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred
Senate Bill No. 155,

A bill for an act to amend section 30711 of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.

Also,

Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

Have had the same under consideration and recommend that the same do pass.

JAMES ELTON,
Chairman.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred
House Bill No. 267,

A bill for an act to amend and re-enact section 7618, Revised Codes of North Dakota, 1899, relating to the liability of common carriers, their officers, agents and employees, in receiving, carrying and delivering intoxicating liquors, and prescribing penalties for the violation of this act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. A. McCREA,
Chairman.

Mr. McCrea moved.

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
House Bill No. 276,

A bill for an act to amend section 1, chapter 69, of the session laws of 1901, relating to dipping tanks.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
House Bill No. 275,

A bill for an act prescribing who may execute assignments, discharges, satisfactions, etc., of liens on real estate on behalf of corporations, and by legalizing prior-like instruments.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG

Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
House Bill No. 171,

A bill for an act to repeal sections numbered 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1773a, 1773b, 1773c, 1773d of article 23 of chapter 22, of the Revised Codes for 1899, and chapter numbered 128 of the session laws of 1901, relating to oil inspection.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

House Bill No. 280.

A bill for an act to provide for the manner of changing names of persons, and for registry of names.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

THIRD READING OF HOUSE BILLS.

House Bill No. 235,

A bill for an act to amend section 237 of the Revised Codes, 1899, and to amend section 238 of chapter 169 of session laws, 1901, relating to state depositories.

Was read the third time.

Mr. Tufte moved that the bill be amended by striking out the word "exceed" in line 13 of the printed bill and inserting in lieu thereof the words "be less than."

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aslakson
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Cassell
Chaffee
Chevalier
Chisholm
Connolly
Davis
Dickinson
Dieball
Elton
Ellison
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson

Messrs.—

Harvey
Heath
Johnson
Knutdson
Kraabel
Lee
Leech
Lillie
Lyons
Mallough
Mattson
McClure
McCrea
McGahan
McKenzie
McLain
Midgarden
Miller
Mooney
Movius
Noben
Oksendahl
Palfrey
Peterson of Wells
Phifer

Messrs.—

Robillard
Rogers
Ryan
Scheer
Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Traill
Stavens
Stevens
Thompson
Truemner
Tufte
Van Arnam
Wagner
Wall
Watts
Watts
Weigel
Welo
Wing
Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lish	Peterson of Towner
Allen	Maddock	Richmond
Baker of Ramsey	McDowell	Rose
Burtness	McKnight	Smart of Nelson
Buttz	Meldinger	Steinberg
Cole	Noltmier	Underwood
Dahl	Palmer	Weed
Ferguson	Patterson	Mr. Speaker
Hill		

Messrs. Burtness, Buttz, Maddock, Peterson of Towner and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Dickinson moved

That the vote by which House Bill No. 235 passed be reconsidered and the motion to reconsider be laid upon the table.
Which motion prevailed.

House Bill No. 88,

A bill for an act to amend section 1309 of the Revised Codes of 1899, relating to auditor and treasurer jointly to make semi-annual statement.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 31, nays 46, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartz	Lish	Schouweiler
Beck	Lyons	Senour
Bostrom	Mattson	Shiels
Connolly	McClure	Simpson
Dieball	McGahan	Van Arnam
Elton	McKenzie	Wagner
Hammer	Movius	Wall
Hanson	Patterson	Weed
Harvey	Peterson of Wells	Weigel
Knudtson	Ryan	Young
Lillie		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Robillard
Bourassa	Hill	Rogers
Braaten	Johnson	Scheer
Brown	Kraabel	Severson
Cassell	Lee	Skjold
Chaffee	Leech	Smart of Traill
Chevalier	Mallough	Stavens
Chisholm	McCrea	Stevens

Messrs.—	Messrs.—	Messrs.—
Cole	McLain	Thompson
Dickinson	Midgarden	Truemner
Ellison	Mooney	Tufte
Flados	Noben	Watson
Fried	Oksendahl	Watts
Gagnon	Palfrey	Welo
Gilbert	Phifer	Wing
Gullerud		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Ferguson	Peterson of Towner
Aslakson	Maddock	Richmond
Baker of Ramsey	McDowell	Rose
Blank	McKnight	Smart of Nelson
Burtness	Meidinger	Steinberg
Buttz	Miller	Underwood
Dahl	Noltimier	Mr. Speaker
Davis	Palmer	

Messrs. Burtness, Buttz, Maddock, Peterson of Towner and Underwood being excused.

So the bill was lost.

SPECIAL ORDERS.

Mr. Peterson moved that
House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock, "where and at what valuation to be listed."

Be amended as follows :

In line 11, after the words "reserve fund," insert "and undivided profit in excess of an amount equal to five per cent of the loans and discounts of such bank."

Which motion prevailed, and
The amendment was adopted.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays 3, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Phifer
Aslakson	Kraabel	Rogers
Bartz	Lee	Ryan
Bostrom	Leech	Scheer
Braaten	Lillie	Schouweiler
Brown	Lish	Senour
Burtness	Lyons	Severson
Cassell	Mallough	Shiels

Messrs.—	Messrs.—	Messrs.—
Chaffee	Mattson	Skjold
Cole	McClure	Simpson
Connolly	McCrea	Smart of Traill
Dickinson	McDowell	Stavens
Dieball	McGahan	Stevens
Elton	McKenzie	Thompson
Ellison	McKnight	Truemner
Ferguson	McLain	Tufts
Flados	Meidinger	Van Arnam
Fried	Midgarden	Wagner
Gagnon	Miller	Wall
Gilbert	Mooney	Watson
Gullerud	Movius	Watts
Hammer	Oksendahl	Weed
Hanson	Palfrey	Weigel
Heath	Patterson	Welo
Hill	Peterson of Wells	Young
Johnson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bourassa	Chisholm	Robillard

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Davis	Richmond
Baker of Ramsey	Harvey	Rose
Beck	Maddock	Smart of Nelson
Blank	Noben	Steinberg
Buttz	Noltimier	Underwood
Chevallier	Palmer	Wing
Dahl	Peterson of Towner	Mr. Speaker

Messrs. Burtness, Buttz, Maddock, Peterson of Towner and Underwood being excused.

So the bill passed and the title was agreed to.

Mr. Peterson moved

That the vote by which House Bill No. 242 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 206,

A bill for an act to amend chapter 114 of the session laws of 1901, relating to jurors.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Rogers
Aslakson	Johnson	Ryan

Messrs.—

Bartz
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Chevalier
Chisholm
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Gagnon
Gilbert
Gullerud
Hanson
Harvey
Heath

Messrs.—

Knudtson
Kraabel
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McKenzie
McLain
Midgarden
Miller
Mooney
Movius
Noben
Oksendahl
Palfrey
Patterson
Peterson of Wells
Phifer
Robillard

Messrs.—

Scheer
Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Young

Absent and not voting:

Messrs.—

Allen
Baker of Ramsey
Beck
Blank
Buttz
Cole
Fried

Messrs.—

Hammer
Lee
Maddock
McGahan
McKnight
Meidinger
Noltmier

Messrs.—

Palmer
Peterson of Towner
Richmond
Rose
Underwood
Wing
Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Tuft moved

That the vote by which House Bill No. 206 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 206,

A bill for an act to amend chapter 114 of the session laws of 1901, relating to jurors.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

Mr. Young moved

That the house take a recess until 3:20 p. m.

Which motion prevailed.

And the house took a recess.

AFTER RECESS.

Mr. Shields moved

That the speaker pro tem be authorized to sign all enrolled bills.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign Senate Bill No. 47,

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Also,

Senate Bill No. 198,

A bill for an act granting the consent and permission of the state of North Dakota to the construction and maintenance of a highway across, within, under and through the waters of Devils Lake, extending from Pelican Point to the southerly bank of said lake, and ratifying all acts heretofore performed in the construction or maintenance thereof.

And the speaker pro tem signed the same in the presence of the house.

The steering committee made the following report:

Mr. Speaker:

Your steering committee recommend that the house take up house and senate bills for first and second reading and that the house then adjourn.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 175,

A bill for an act authorizing and empowering the board of county commissioners of each county in this state, to make time deposits of the county funds, and designate depositories therefor.

Was read the first and second times, and

Referred to steering committee.

Also,

Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and

territory to the organized county of Stark for judicial purposes.

Was read the first and second times, and
Referred to steering committee.

Also,

Senate Bill No. 55,

A bill for an act to provide against discrimination in insurance rates, fixing the penalty for violation of the same.

Was read the first and second times, and
Referred to steering committee.

Senate Bill No. 70,

A concurrent resolution proposing an amendment to the constitution providing for direct legislation by the electors, and that it be referred to the next legislative assembly and with the approval of such legislative assembly be submitted to the qualified electors for adoption or rejection.

Was read the first and second times, and
Referred to steering committee.

Senate Bill No. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

Was read the first and second times, and
Referred to steering committee.

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Was read the first and second times, and
Referred to steering committee.

Senate Bill No. 186,

A bill for an act to amend and re-enact section 408 of the Revised Codes of 1899, relating to the boundaries and terms of court in the sixth judicial district of the state of North Dakota.

Was read the first and second times, and
Referred to steering committee.

Senate Bill No. 209,

A bill for an act to amend section 405 of the Revised Codes of 1899, fixing the time of holding the terms of court in the several

Was read the first and second times, and
Referred to steering committee.

Senate Bill No. 130,

A bill for an act to protect trade and commerce against unlawful restraints and monopolies, and to prohibit the giving or receiving of rebates on the transportation of property, and prescribing penalties for the violation thereof.

Was read the first and second times, and
Referred to steering committee.

Senate Bill No. 212,

A bill for an act to amend and re-enact section 1081 of the political code of 1899 as amended by chapter 151 of the session laws of 1901, and to amend and re-enact sections 1082 and 1084 of the political code of 1899, relating to the expenditure of money by contract for road improvements in counties not organized into civil townships and prescribing the duties of county commissioners with reference thereto.

Was read the first and second times, and
Referred to steering committee.

Mr. Elton moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FIFTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 2, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Baker of Ramsey, Buttz, Cole, Fried, Richmond, Maddock, Miller and Rose.

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

REPORT OF STEERING COMMITTEE.

The steering committee made the following report:

Mr. Speaker:

Your steering committee recommend that the house consider at today's session

1. Reports from committees.
2. First and second readings of senate bills.
3. Third reading of all house bills before the chief clerk for such third reading.
4. Third reading of the following senate bills:

Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

Also,

Senate Bill No. 77,

A bill for an act to amend section 273 of the Revised Codes of

North Dakota, relating to expenses incurred by local boards of health.

Also,
Senate Bill No. 123,

A bill for an act authorizing the board of trustees of the industrial school and school for manual training to issue bonds to provide a fund for the outstanding floating indebtedness and for the completion of the furnishing and equipment of the building of said institution.

Also,
Senate Bill No. 82,

A bill for an act to amend sections 1642, 1644, 1645, 1646, 1647, 7678, 7683a, 7683b, 7683c, 7683d and 7683f of the Revised Codes, North Dakota, 1899, relating to the protection of game, the division of the state into game districts, the appointment of district game wardens, the issuing of permits to hunt, the disposition of money received from the sale of permits and enacting other provisions relating thereto and providing penalties for violation thereof.

Also,
Senate Bill No. 27,

A bill for an act to amend and re-enact section 1209 of the Revised Codes of 1899 relating to the compensation of assessors.

Also,
Senate Bill No. 25,
A bill for an act in relation to the defense of suicides in suits brought upon life insurance policies.

Also,
Senate Bill No. 174,
A bill for an act to validate ordinance and resolution providing for local improvements in cities and contracts made and obligations incurred pursuant thereto, and to prescribe the duties of courts in relation thereto.

Also,
Senate Bill No. 68,
A bill for an act changing the location of the institution for feeble minded from Jamestown to Grafton.

Also,
Senate Bill No. 195,
A bill for an act to amend section 7282 of the penal code of 1899 of chapter 39, relating to other injuries to persons.

Also,

Senate Bill No. 112,

A bill for an act amending section 424 of the Revised Codes of 1899, relating to admission of attorneys on certificates from other states.

Also,

Senate Bill No. 113,

A bill for an act to amend section 421 of the Revised Codes of 1899, relating to the qualifications of applicants for admission to practice as attorneys and counselors at law.

Also,

Senate Bill No. 111,

A bill for an act providing for sending non-resident insane persons to their place of residence at expense of the state.

Also,

Senate Bill No. 39,

A bill for an act defining the mode of inflicting the death penalty; designating the warden of North Dakota penitentiary executioner; prescribing that the death penalty shall only be inflicted within the walls of the North Dakota penitentiary; how execution may be suspended and amending sections 8305 and 8308, of the Revised Codes of North Dakota of 1899.

Also,

Senate Bill No. 106,

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

Also,

Senate Bill No. 108,

A bill for an act providing that no tax shall be set aside for any irregularity or defect in form, or illegality in assessing, laying or levying such tax, if the person against whom, or the property upon which such tax is levied, assessed or laid is in fact liable to taxation, and giving the courts power to amend and correct all irregularities and defects in the form or manner of assessment.

Also,

House Bill No. 275,

A bill for an act prescribing who may execute assignments, discharges, satisfactions, etc., of liens on real estate on behalf of corporations, and by legalizing prior-like instruments.

Also,

House Bill No. 278,

A bill for an act to amend section 4792 of the Revised Codes

of North Dakota, 1899, relating to clerk of court's record of mechanic's liens.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:

Mr. Speaker:

Your committee on engrossed bills have examined
House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock, "where and at what valuation to be listed."

And find the same correctly re-engrossed.

Also,

House Bill No. 275,

A bill for an act prescribing who may execute assignments, discharges, satisfactions, etc., of liens on real estate on behalf of corporations, and by legalizing prior-like instruments.

Also,

House Bill No. 278,

A bill for an act to amend section 4792 of the Revised Codes of North Dakota, 1899, relating to clerk of court's record of mechanic's liens.

Also,

House Bill No. 279,

A bill for an act to amend section 4680 of the Revised Codes of 1899, as amended by chapter 118 of the session laws of 1901, relating to liens on future interest.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 282,

A bill for an act to repeal chapter 83 of the session laws of 1901.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

GEO. M. YOUNG,
Chairman.

Mr. Young moved
 That the report be adopted.
 Which motion prevailed, and
 The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
 House Bill No. 281,

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota, to the county of Williams in the Eighth judicial district of the state of North Dakota, for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said unorganized county of Allred by the register of deeds of Williams county.

Have had the same under consideration and recommend that the same be amended as follows:

That the words "county of Allred," where they occur, be stricken out of title of said bill and the words "counties of Allred and Wallace," be inserted in lieu thereof.

That in section 1, lines 1 and 2, the words "county of Allred," be stricken out and the words "counties of Allred and Wallace," be inserted in lieu thereof.

That in section 2, line 9, the words "county of Allred," be stricken out and the words "counties of Allred and Wallace," be inserted in lieu thereof.

And when so amended recommend the same do pass.

GEO. M. YOUNG,
 Chairman.

Mr. Young moved
 That the report be adopted.
 Which motion prevailed, and
 The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
 House Bill No. 277,

Concurrent resolution. Proposed constitutional amendment,
 Have had the same under consideration and recommend that

the same do pass.

GEO. M. YOUNG,
 Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 120,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the supreme court of the state of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

That after the word "statement," in line 7, of engrossed bill, the words "provided that the provisions of this section shall not apply to judges hereafter elected," be inserted.

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 177,

A bill for an act to amend section 1249 of the Revised Codes relating to sheriff's fees for making distress and sale.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all after the word "shall," in line 18, of engrossed bill, and insert in lieu thereof, "receive a fee of \$1 (one dollar) on such collection to be paid by the delinquent."

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

THIRD READING OF HOUSE BILLS.

House Bill No. 275,

A bill for an act prescribing who may execute assignments, discharges, satisfactions, etc., of liens on real estate on behalf of corporations, and by legalizing prior-like instruments.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays 2, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Phifer
Allen	Johnson	Robillard
Aslakson	Knudtson	Rogers
Bartz	Kraabel	Ryan
Beck	Leech	Scheer
Blank	Lillie	Schouweller
Bostrom	Lish	Senour
Bourassa	Lyons	Severson
Brown	Mallough	Shiels
Cassell	McClure	Simpson
Chaffee	McCrea	Smart of Nelson
Chevalier	McDowell	Smart of Trail
Chisholm	McGahan	Stavens
Cole	McKenzie	Steinberg
Connolly	McKnight	Stevens
Dahl	McLain	Thompson
Dickinson	Meidinger	Truemner
Dieball	Midgarden	Tuft
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Gagnon	Noitimier	Watts
Gilbert	Oksendahl	Weed
Gullerud	Palfrey	Weigel
Hammer	Palmer	Wing
Hanson	Patterson	Young
Harvey	Peterson of Towner	Mr. Speaker
Heath	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Davis	Richmond
Braaten	Fried	Rose
Burtness	Lee	Skjold
Buttz	Maddock	Welo

Messrs. Mattson and Watson voting in the negative.

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

The chief clerk announced that the speaker was about to sign House Bill No. 129,

A bill for an act to provide for the bonding of certain officers.

Also.

House Bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Also,
House Bill No. 48,

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.

Also,
House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane.

Also,
Senate Bill No. 12,

A bill for an act taxing the occupation of hawkers and peddlers, regulating the licensing of persons engaged in such occupation, increasing the ordinary county revenue by such taxation and prescribing penalties for a violation of its provisions.

Also,
Senate Bill No. 26,

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, providing for the inspection and analysis of foods, charging the North Dakota Government Agricultural Experiment Station with the duty thereof, charging the state's attorney with the enforcement hereof and making an appropriation therefor.

And the speaker signed the same in the presence of the house.

The committee on enrolled bills made the following report:
Mr Speaker:

Your committee on enrolled bills have examined

House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane.

Also,
House Bill No. 48,

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.

Also,
House Bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Also,
House Bill No. 129,

A bill for an act to provide for the bonding of certain officers. And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

House Bill No. 278,

A bill for an act to amend section 4792 of the Revised Codes

of North Dakota, 1899, relating to clerk of court's record of mechanic's liens.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 24, nays 4, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Phifer
Allen	Johnson	Robillard
Aslakson	Kraabel	Rogers
Bartz	Lee	Ryan
Beck	Leech	Scheer
Bostrom	Lillie	Senour
Bourassa	Lish	Severson
Braaten	Lyons	Shiels
Cassell	Mallough	Skjold
Chaffee	Mattson	Simpson
Chevalier	McClure	Smart of Nelson
Chisholm	McCrea	Smart of Traill
Connolly	McDowell	Stavens
Dahl	McGahan	Steinberg
Davis	McKenzie	Stevens
Dickinson	McKnight	Thompson
Dieball	McLain	Truemner
Elton	Meidinger	Tuft
Ellison	Midgarden	Underwood
Ferguson	Miller	Van Arnam
Flados	Mooney	Wagner
Gagnon	Movius	Wall
Gilbert	Noben	Watson
Gullerud	Noltmier	Watts
Hammer	Palfey	Weigel
Hanson	Palmer	Wing
Harvey	Patterson	Young
Heath	Peterson of Towner	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Oskendahl	Weed
Knudtson	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Cole	Rose
Blank	Fried	Schouweiler
Burtness	Maddock	Welo
Buttz	Richmond	

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 194,

A bill for an act to amend and re-enact section 163 of the political code of 1899 relating to county agricultural fairs.

Also,

Senate Bill No. 192,

A bill for an act to promote the health and welfare of infants born or cared for in places not the home of their parents and providing penalty for violation of same.

Also,

Senate Bill No. 176,

A bill for an act to amend section 137 of the Revised Codes relating to the duties of state examiner to examine accounts of public officers.

Also,

Senate Bill No. 150,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Also,

Senate Bill No. 216,

A bill for an act to amend section 742 of the Revised Codes of the state of North Dakota of 1899, relating to the qualification of teachers.

Also,

Senate Bill No. 168,

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law.

Also,

Senate Bill No. 226,

A bill for an act making any person or persons restraining and enclosing certain animals in barbed wire corrals or enclosures responsible for damages.

Also,

Senate Bill No. 200,

A bill for an act to amend section 3742, Revised Codes of the state of North Dakota of 1899, relating to order of succession.

Also,

Senate Bill No. 169,

A bill for an act to amend and re-enact section 1549 of the Revised Codes of 1899, and chapter 123, session laws of 1901, relating to time when lawful for stock to run at large.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,

House Bill No. 123,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Also,

House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Also,

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Also,

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

Which the senate has amended as follows, and passed as amended:

Strike out the word "may" in line 8, section 2, and insert the word "shall," in place thereof in engrossed bill.

Also,

House Bill No. 52,

A bill for an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

Which the senate has amended as follows, and passed as amended:

After the word "foreclosure," in line 7, of section 1, of the printed bill, insert the words "and in foreclosure proceedings by action the possession of such power of attorney shall be alleged in the complaint."

Also,
House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Which the senate has amended as follows, and passed as amended:

After the word "corporation," in line 76, page 5, of the printed bill, add the following:

"Provided that any corporation organized under chapter 20½, Revised Codes, 1899, having a savings department, shall make the same reports and be subject to the same examinations and be under the same restrictions as to their savings departments as now provided by law for banks."

Also,
House Bill No. 180,

A bill for an act to amend section 8362 of the Revised Codes of the state of North Dakota, 1899, relating to clerk issuing subpoenas in behalf of a defendant in criminal actions.

Further consideration of which the senate has indefinitely postponed.

Respectfully,
R. M. TUTTLE,
Secretary.

Mr. Speaker:

I have the honor to inform you that the senate has concurred in the house resolution, urging our senators and representatives in congress to use their efforts to defeat that feature of the so-called Quarles bill now pending before congress, to repeal the commutation feature of the existing United States homestead law.

Respectfully,
R. M. TUTTLE,
Secretary.

Mr. Young moved

That the house do now concur in the senate amendments to House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Which motion prevailed.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Robillard
Allen	Lee	Rogers
Aslakson	Leech	Ryan
Bartz	Lillie	Scheer
Beck	Lish	Senour
Bostrom	Lyons	Severson
Bourassa	Mallough	Shiels
Braaten	Mattson	Skjold
Brown	McDowell	Simpson
Cassell	McGahan	Smart of Nelson
Chaffee	McKenzie	Smart of Traill
Chisholm	McKnight	Stavens
Connolly	McLain	Steinberg
Dahl	Midgarden	Stevens
Dickinson	Meldinger	Thompson
Dieball	Miller	Tufte
Elton	Mooney	Underwood
Ellison	Movius	Van Arnam
Ferguson	Noben	Wagner
Gagnon	Noltmier	Wall
Gilbert	Oksendahl	Watson
Hammer	Palfrey	Watts
Hanson	Palmer	Weed
Harvey	Patterson	Young
Heath	Peterson of Towner	Mr. Speaker
Hill	Peterson of Wells	
Johnson	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Flados	Richmond
Blank	Fried	Rose
Burtness	Gullerud	Schouweiler
Buttz	Knudtson	Truemner
Chevalier	Maddock	Weigel
Cole	McClure	Welo
Davis	McCrea	Wing

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill as amended by the senate passed and the title was agreed to.

Mr. Young moved

That the vote by which

House Bill No. 33

Passed as amended be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davis moved

That further action on House Bill No. 35 be deferred until action can be taken by the committee on education.

Which motion prevailed and the bill was so referred.

Mr. Cassell moved

That the house do now concur in the senate amendments to House Bill No. 52,

A bill for an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

Which motion prevailed.

The question being upon the final passage of the bill as amended by the senate.

The roll was called and there were ayes 85, nays 2, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Phifer
Allen	Knudtson	Robillard
Aslakson	Kraabel	Rogers
Bartz	Leech	Ryan
Beck	Lillie	Scheer
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Mallough	Shiels
Cassell	Mattson	Skjold
Chaffee	McClure	Simpson
Chevalier	McCrea	Smart of Traill
Chisholm	McDowell	Stavens
Connolly	McKenzie	Steinberg
Dahl	McKnight	Stevens
Davis	McLain	Thompson
Dickinson	Meidinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Gagnon	Noltmier	Watson
Gilbert	Oxendahl	Watts
Gullerud	Palfrey	Weed
Hammer	Palmer	Weigel
Hanson	Patterson	Wing
Harvey	Peterson of Towner	Young
Heath	Peterson of Wells	Mr. Speaker
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Fried	Rose
Blank	Lee	Schouweiler
Burtness	Maddock	Smart of Nelson
Buttz	Richmond	Welo
Cole		

Messrs. Bostrom and McGahan voting in the negative.

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill as amended by the senate passed and the title was agreed to.

THIRD READING OF SENATE BILLS.

Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901, relating to maintenance of station houses.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 63, nays 17, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lish	Robillard
Allen	Lyons	Rogers
Bartz	Mattson	Ryan
Beck	McClure	Scheer
Bostrom	McCrea	Senour
Bourassa	McDowe!!	Severson
Brown	McGahan	Shells
Chaffee	McKenzie	Skjold
Chevalier	McKnight	Simpson
Chisholm	McLain	Smart of Nelson
Elton	Meidinger	Smart of Traill
Ferguson	Midgarden	Steinberg
Flados	Miller	Stevens
Gagnon	Mooney	Thompson
Gilbert	Movius	Underwood
Hammer	Noben	Wagner
Hanson	Noltimier	Wall
Harvey	Palmer	Weed
Heath	Patterson	Weigel
Johnson	Peterson of Wells	Wing
Lecch	Phifer	Young

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Gullerud	Peterson of Towner
Braaten	Hill	Stavens
Cassell	Kraabel	Tufts
Davis	Mallough	Watts
Dickinson	Oksendahl	Mr. Speaker
Dieball	Pa'frey	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Ellison	Rose
Blank	Fried	Schouweiler
Burtness	Krudtson	Truerner
Buttz	Lee	Van Arnam
Cole	Lille	Watson
Connolly	Maddock	Welo
Dahl	Richmond	

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 77,

A bill for an act to amend section 273 of the Revised Codes of North Dakota, relating to expenses incurred by local boards of health.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Peterson of Wells
Allen	Johnson	Phifer
Aslakson	Knudtson	Robillard
Bartz	Kraabel	Rogers
Beck	Leech	Ryan
Bostrom	Lillie	Scheer
Bourassa	Lish	Senour
Braaten	Lyons	Shells
Brown	Mallough	Skjold
Cassell	Mattson	Simpson
Chaffee	McClure	Smart of Nelson
Chevalier	McCrea	Smart of Trail
Chisholm	McDowell	Stavens
Dahl	McGahan	Steinberg
Davis	McKenzie	Stevens
Dickinson	McKnight	Thompson
Dieball	McLain	Truemmer
Elton	Maidinger	Tufto
Ellison	Midgarden	Underwood
Ferguson	Miller	Wagner
Flados	Mooney	Wall
Gagnon	Noben	Watts
Gilbert	Noltmier	Weed
Gullerud	Oksendahl	Weigel
Hammer	Palfrey	Wing
Hanson	Palmer	Young
Harvey	Patterson	Mr. Speaker
Heath	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Fried	Schouweller
Blank	Lee	Severson
Burtness	Maddock	Van Arnam
Buttz	Movius	Watson
Cole	Richmond	Welo
Connolly	Rose	

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

The speaker called Mr. Gilbert to the chair.

Senate Bill No. 82,

A bill for an act to amend sections 1642, 1644, 1645, 1646, 1647, 7678, 7683a, 7683b, 7683c, 7683d and 7683f of the Revised Codes North Dakota, 1899, relating to the protection of game, the division of the state into game districts, the appointment of district game wardens, the issuing of permits to hunt, the disposition of money received from the sale of permits and enacting other provisions relating thereto and providing penalties for violation thereof.

Was read the third time.

Mr. Davis moved

That the bill be referred back to the steering committee.

Which motion was lost.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays 1, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Beck
Bostrom
Bourassa
Braaten
Brown
Cassell
Chaffee
Chevalier
Chisholm
Dahl
Dickinson
Dieball
Elton
Ellison
Flados
Gagnon
Gilbert
Gullerud
Hammer
Harvey
Hill
Johnson

Messrs.—

Knudtson
Kraabel
Leech
Lillie
Lish
Mallough
Mattson
McClure
McCrea
McDowell
McKenzie
McKnight
McLain
Meldinger
Midgarden
Miller
Mooney
Movius
Noben
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells

Messrs.—

Phifer
Robillard
Rogers
Ryan
Scheer
Senour
Shiels
Simpson
Smart of Nelson
Smart of Traill
Stavens
Stevens
Thompson
Truennèr
Tuft
Underwood
Wagner
Watson
Watts
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Blank
Burtness
Buttz
Cole
Connolly
Ferguson

Messrs.—

Fried
Hanson
Heath
Lee
Lyons
Maddock
McGahan
Noltimier

Messrs.—

Richmond
Rose
Schouweller
Severson
Skjold
Steinberg
Van Arnam
Weed

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Aandahl moved

That the vote by which Senate Bill No. 82 passed be reconsidered and the motion to reconsider be laid upon the table.

Mr. Davis moved

As a substitute that it be made a special order for tomorrow at 2:30 p. m.

Which substitute motion was lost.

The question being upon the original motion the same prevailed.

Mr. Stevens moved

That Senate Bill No. 123 be made a special order for 4 o'clock this afternoon.

Which motion prevailed.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills respectfully report

House Bill No. 7.

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane.

Also,

House Bill No. 48,

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.

Also,

House bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Also,

House Bill No. 129,

A bill for an act to provide for the bonding of certain officers.

Were delivered to the governor for his approval at the hour of 3:10 o'clock p. m., March 2, 1903.

W. A. McCLURE,
Chairman.

Senate Bill No. 27,

A bill for an act to amend and re-enact section 1209 of the Revised Codes of 1899 relating to the compensation of assessors.

Was read the third time.

Mr. Lillie asked unanimous consent to make an amendment.

There being no objection the request was granted, and

Mr. Lillie offered the following amendment and moved its adoption :

In line 15, page 2, after the word "cities," insert the words "towns and villages," also in line 20, after the word "civil," insert the words "or congressional."

Which motion prevailed, and
The amendment was adopted.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 59, nays 16, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Peterson of Towner
Allen	Johnson	Peterson of Wells
Bartz	Knudtson	Robillard
Beck	Lillie	Rogers
Bostrom	Lish	Ryan
Bourassa	Lyons	Scheer
Brown	McClure	Senour
Cassell	McCrea	Shells
Ch. fee	McDowell	Simpson
Connolly	McGahan	Smart of Nelson
Dahl	McKenzie	Stavens
Dickinson	McKnight	Stenberg
Dieball	McLain	Stevens
Elton	Midgarden	Tufte
Ellison	Mooney	Wagner
Ferguson	Movius	Watson
Gagnon	Noltimier	Watts
Gilbert	Oksendahl	Weigel
Hammer	Palmer	Young
Hanson	Patterson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Kraabel	Skjold
Braaten	Lecch	Smart of Traill
Davis	Mallough	Thompson
Flados	Phifer	Truemner
Gullerud	Severson	Wall
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lee	Rose
Blank	Maddock	Schouweiler
Burtness	Mattson	Underwood
Buttz	Meidinger	Van Arnam
Chevallier	Miller	Weed
Chisholm	Nolen	Welo
Cole	Palfrey	Wing
Fried	Richmond	Mr. Speaker
Harvey		

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill as amended passed and the title was agreed to.

Mr. Lillie moved

That the vote by which Senate Bill No. 27 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 211,

A bill for an act to provide for the leasing of common school and other public lands for coal mining purposes, providing the manner and terms of such lease and prescribing penalties for unlawfully removing coal from such lands.

Also,
Senate Bill No. 213,

A bill for an act to amend section 785 of the Revised Codes of 1899, relating to special school districts

Also,
Senate Bill No. 225,
A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,
Substitute for House Bill No. 98,

A bill for an act to amend section 652 of the Revised Codes of 1899, relating to the salary and mileage of county superintendents of schools and providing for a deputy and clerical assistance.

Also,
House Bill No. 121,
A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.

Also,
House Bill No. 176,

A bill for an act to amend section 5498, Revised Codes of 1899,

relating to the filing of abstracts of justices judgments in the office of the clerk of the district court and prescribing the effect thereof.

Also,

House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to when school district not entitled to tuition fund and enumeration of children in newly organized districts.

Also,

House Bill No. 221,

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Which the house has passed unchanged.

Also,

House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

Which the senate has amended as follows :

To the schedule of articles and weights enumerated in section 1, of the bill, add the words "bromus inermus fourteen pounds."

And passed as amended.

Respectfully,

R. M. TUTTLE,

Secretary.

Senate Bill No. 25,

A bill for an act in relation to the defense of suicides in suits brought upon life insurance policies.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz

Messrs.—

Johnson
Krudtson
Kraabel
Lee

Messrs.—

Peterson of Towner
Peterson of Wells
Phifer
Robillard

Messrs.—	Messrs.—	Messrs.—
Blank	Leech	Rogers
Bostrom	Lillie	Ryan
Bourassa	Lish	Scheer
Braaten	Lyons	Serour
Brown	Mallough	Severson
Cassell	Mattson	Shells
Chaffee	McClure	Skjold
Chisholm	McCrea	Simpson
Connolly	McDowell	Smart of Nelson
Dahl	McGahan	Smart of Traill
Davis	McKenzie	Steinberg
Dieball	McKnight	Stevens
Elton	McLain	Thompson
Ellison	Meidinger	Truemner
Ferguson	Midgarden	Underwood
Flados	Mooney	Wagner
Fried	Movius	Wall
Gagnon	Noben	Watson
Gilbert	Noltimier	Weed
Gullerud	Oksendahl	Weigel
Hammer	Pa'frey	Wing
Harvey	Palmer	Young
Heath	Patterson	Mr. Speaker
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Dickinson	Schouweiler
Beck	Hanson	Stavens
Burtness	Maddock	Tutte
Buttz	Miller	Van Arnam
Chevallier	Richmond	Watts
Cole	Rose	Welo

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved

That the vote by which Senate Bill No. 25 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal have carefully examined the journal of the fifty-second day after recess and recommend that the same be amended as follows :

On page 7, such changes as may be necessary, be made so as to show Mr. Dickinson as voting in favor of House Bill No. 21, instead of absent and not voting, as the printed journal shows.

And when so amended recommend that the same be approved.

Also,

Mr. Speaker:

Your committee further reports that they have carefully examined the journal of the fifty-third day and recommend that it be amended as follows:

On page 3, in line 3, from the bottom of said page, the word "referred," be corrected as to spelling.

On page 4, after line 15, there be added the words "have had the same under consideration and recommend that," said words to form line 16 on said page, and that line 17, of the printed journal be omitted.

On page 7, in line 15, from the bottom of said page, the word "discharges," be corrected as to spelling.

On page 11, the words "Mr. President," in line 19, be changed to "Mr. Speaker."

On page 14, in line 13, the word "provide," be corrected as to spelling.

On page 15, line 7, the word "house," be changed to "senate."

On page 19, line 3, of the printed page, be omitted, and the words "authorized by law," inserted in lieu thereof.

In line 9, of the same page, the word "laws," be corrected as to spelling.

On page 19, line 26; the words "erecting and," be omitted.

On page 20, such changes be made to show the speaker signing Senate Bills No. 4 and 72.

On page 22, line 2, the figure "9," be changed to "14."

On page 24, such changes as necessary be made to show Mr. Hill voting in the affirmative on House Bill No. 161, instead of absent and not voting, as the printed journal now shows.

On page 27, line 4, the word "introduced," be corrected as to spelling.

On page 31, line 21, from the bottom of said page, the word "that," be corrected as to spelling.

On page 35, such changes as necessary be made so as to show Mr. Bourassa voting in the negative on House Bill No. 99.

On page 38, such changes be made as are necessary to show Mr. Bourassa as voting in the affirmative on Senate Bill No. 12.

And when so amended recommend that the same be approved:

Also,

Mr. Speaker:

Your committee further reports that they have examined the journal of the fifty-third day after recess and the journal of the fifty-fourth day thereto appended and recommend that the same be amended as follows:

On page 2, line 11, from the bottom of said page, the word "how," be corrected as to spelling.

On page 16, line 16, the name "Leech," be corrected as to spelling.

On page 8, line 5, the word "of," be corrected as to spelling.

On page 10, line 21, the word "excused," be corrected as to spelling.

On page 12, line 9, from the bottom of said page, the word "laws," be corrected as to spelling.

And when so amended recommend that the same stand approved.

THOS. HEATH,
Chairman.

Mr. Heath moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Senate Bill No. 174,

A bill for an act to validate ordinance and resolution providing for local improvements in cities and contracts made and obligations incurred pursuant thereto, and to prescribe the duties of courts in relation thereto.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 64, nays 14, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Palmer
Allen	Hill	Patterson
Aslakson	Johnson	Peterson of Wells
Bartz	Kraabel	Phifer
Bestrom	Leach	Robillard
Brown	Lillie	Rogers
Chaffee	Lish	Ryan
Chevalier	Lyons	Senour
Cole	Mallough	Severson
Davis	Mattson	Shells
Dickinson	McClure	Skjold
Dteball	McDowell	Simpson
Elton	McGahan	Stavens
Ellison	McKnight	Van Arnam
Ferguson	McLain	Wagner
Flados	Meidinger	Wall
Fried	Miler	Watson
Gagnon	Mooney	Weigel
Gilbert	Movius	Wing
Hammer	Noltmier	Young
Hanson	Palfrey	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bourassa	Midgarden	Steinberg
Dahl	Noben	Stevens
Gullerud	Oksendahl	Thompson
Harvey	Peterson of Towner	Tutte
Knudtson	Smart of Nelson	
McCrea	Smart of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Connolly	Schouweiler
Beck	Lee	Truemner

Messrs.—
 Blank
 Braaten
 Burtness
 Buttz
 Cassell
 Chisholm

Messrs.—
 Maddock
 McKenzie
 Richmond
 Rose
 Scheer

Messrs.—
 Underwood
 Watts
 Weed
 Welo
 Mr. Speaker

Messrs. Baker of Ramsey, Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Leech moved

That the vote by which Senate Bill No. 174 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

EXECUTIVE CHAMBER,
 BISMARCK, NORTH DAKOTA,
 March 2, 1903.

To the House of Representatives:

Mr. Speaker:

I have the honor to inform you that I have approved and filed with the honorable secretary of state

House Bill No. 36,

A bill for an act to provide for the registration of apprentices in pharmacy.

Also,

House Bill No. 27,

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Also,

House Bill No. 58,

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving of stolen property.

Also,

House Bill No. 37,

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.

Also,
House Bill No. 20,
A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

I have the honor to be,

Very respectfully,
FRANK WHITE,
Governor.

The speaker in the chair.

The speaker announced a recess until 3:50 p. m.

AFTER RECESS.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1903.

Mr. Speaker:

I have the honor to transmit herewith
House Bill No. 3,

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Which the senate has passed without change.

Also,

House Bill No. 18,

A bill for an act to regulate the practice of optometry in the state of North Dakota.

Which the senate has amended as follows :

After the word "opticians," in line 5, of section 3, in the printed bill, insert the words "who are members of the North Dakota Optical association."

In section 13, line 7, of the engrossed bill, after the syllable "tician," insert the words "skilled in the art of optometry,"

And the senate has also amended the title as follows :

By adding after the words "North Dakota," the following: "Defining the same, creating a state board of optometry, and defining the duties of such board, providing for compensation of its members, and prescribing who, and the conditions upon which, any person may practice optometry in this state, and providing penalties for the violation of the provisions of this act."

And passed the same as amended.

R. M. TUTTLE,
Secretary.

Mr. McLain moved

That the house do now concur in the senate amendments to House Bill No. 18,

A bill for an act to regulate the practice of optometry in the state of North Dakota.

Which motion prevailed.

The question being upon the final passage of the bill as amended by the senate.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Phifer
Allen	Knudtson	Robillard
Aslakson	Kraabel	Rogers
Bartz	Lee	Ryan
Beck	Leech	Scheer
Bourassa	Lillie	Senour
Brown	Lish	Severson
Cassell	Mallough	Sheils
Chevalier	Mattson	Skjold
Cole	McClure	Simpson
Connolly	McGahan	Smart of Nelson
Dahl	McKenzie	Smart of Traill
Davis	McKnight	Stavens
Dickinson	McLain	Steinberg
Dieball	Meidinger	Stevens
Elton	Midgarden	Thompson
Ellison	Miller	Truemner
Flados	Mooney	Tufta
Gagnon	Movius	Underwood
Gilbert	Noben	Van Arnam
Hammer	Noltimier	Wagner
Hanson	Oksendahl	Wall
Harvey	Palfrey	Weigel
Heath	Patterson	Wing
Hill	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Fried	Richmond
Blank	Gullerud	Rose
Bostrom	Lyons	Schouweiler
Braaten	Maddock	Watson
Burtness	McCrea	Watts
Buttz	McDowell	Wed
Chaffee	Palmer	Welo
Chisholm	Peterson of Towner	Young
Ferguson		

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill as amended by the senate passed and the title as amended by the senate was agreed to.

Mr. Shiels moved

That the house do now concur in senate amendments to House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

Which motion prevailed.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Robillard
Allen	Johnson	Rogers
Aslakson	Knudtson	Ryan
Baker of Ramsey	Kraabel	Scheer
Bartz	Lee	Senour
Beck	Leech	Severson
Bourassa	Lillie	Sheils
Braaten	Lish	Skjold
Brown	Lyons	Simpson
Cassell	Mallough	Smart of Nelson
Chevalier	Mattson	Smart of Trail
Cole	McClure	Stavens
Connolly	McDowell	Steinberg
Dahl	McGahan	Stevens
Davis	McKnight	Thompson
Dickinson	McLain	Truemner
Dieball	Meidinger	Tufto
Elton	Midgarden	Underwood
Ellison	Miller	Van Arnam
Ferguson	Mooney	Wagner
Flados	Noben	Wall
Fried	Oksendahl	Watson
Gagnon	Palfrey	Weigel
Gilbert	Palmer	Welo
Gullerud	Patterson	Wing
Hammer	Peterson of Towner	Young
Hanson	Phifer	Mr. Speaker
Hath		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Harvey	Peterson of Wells
Bostrom	Maddock	Richmond
Burtness	McCrea	Rose
Buttz	McKenzie	Schouweiler
Chaffee	Movius	Watts
Chisholm	Noltmier	Weed

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill passed and the title was agreed to.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741
and 774 of the Revised Codes, relating to education.

Have had the same under consideration and recommend that
the house concur in senate amendment to the bill.

GEO. W. H. DAVIS,
Chairman.

Mr. Kraabel moved

As a substitute that the house do not concur in senate amend-
ments to House Bill No. 35 and that the house ask for a confer-
ence committee.

Which motion prevailed.

The speaker appointed as such committee on the part of the
house Messrs. Kraabel, Davis and McCrea.

Senate Bill No. 123,

A bill for an act authorizing the board of trustees of the indus-
trial school and school for manual training to issue bonds to pro-
vide a fund for the outstanding floating indebtedness and for the
completion of the furnishing and equipment of the building of
said institution.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 78, nays none, absent
and not voting 22.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Bostrom
Bourassa
Braaten
Brown
Cassell
Chaffee
Chevalier
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ferguson

Messrs.—

Hill
Johnson
Knutdtsen
Kraabel
Lee
Leech
Lillie
Lyons
Mallough
Mattson
McClure
McDowell
McGahan
McKenzie
McLain
Meidinger
Midgarden
Miller
Mooney

Messrs.—

Robillard
Rogers
Ryan
Scheer
Senour
Severson
Sheils
Skjold
Smart of Nelson
Smart of Traill
Steinberg
Stavens
Thompson
Truemner
Tuft
Underwood
Van Arnam
Wagner
Wall

Messrs.—	Messrs.—	Messrs.—
Flados	Noben	Watson
Gagnon	Noltimier	Watts
Gilbert	Pa'frey	Wood
Gullerud	Palmer	Weigel
Hammer	Patterson	Welo
Hanson	Peterson of Towner	Young
Heath	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Harvey	Peterson of Wells
Blank	Lish	Richmond
Burtness	Maddock	Rose
Buttz	McCrea	Schouweiler
Chisholm	McKnight	Simpson
Cole	Movius	Stavens
Ellison	Oksendahl	Wing
Fried		

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 123 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 68,

A bill for an act changing the location of the institution for feeble minded from Jamestown to Grafton.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Robillard
Alien	Kraabel	Rogers
Aslakson	Lee	Ryan
Bartz	Leech	Scheer
Beck	Lillie	Senour
Bostrom	Lish	Severson
Bourassa	Lyons	Shells
Braaten	Mattson	Skjold
Brown	McClure	Simpson
Cassell	McCrea	Smart of Nelson
Chaffee	McDowell	Smart of Traill
Chevalier	McGahan	Stavens
Cole	McKenzie	Steinberg
Connolly	McKnight	Stavens
Dahl	McLain	Thompson
Davis	Meidinger	Truemner

Messrs.—	Messrs.—	Messrs.—
Dickinson	Midgarden	Tufté
Dieball	Miller	Underwood
Elton	Mooney	Van Arnam
Ellison	Noben	Wagner
Ferguson	Noltimier	Wall
Flados	Oksendahl	Watson
Gagnon	Palfrey	Watts
Gilbert	Palmer	Weigel
Gullerud	Patterson	Welo
Hammer	Peterson of Towner	Wing
Hanson	Peterson of Wells	Young
Heath	Phifer	Mr. Speaker
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
McKnight	Fried	Richmond
Baker of Ramsey	Harvey	Rose
Blank	Knudtson	Schouweiler
Burtness	Maddock	Weed
Buttz	Mallough	
Chisholm	Movius	

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill passed and the title was agreed to.

Mr. Noben moved

That the vote by which Senate Bill No. 68 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 195,

A bill for an act to amend section 7282, of chapter 39 of the penal code of 1899, relating to other injuries to persons, requiring persons selling poisons to properly label and record the same, and providing a penalty for violation of this act.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Robillard
Allen	Kraabel	Rogers
Bartz	Lee	Ryan
Beck	Lillie	Scheer
Blank	Lish	Senour
Bostrom	Lyons	Severson
Bourassa	Mallough	Shiels
Braaten	Mattson	Skjold
Brown	McClure	Simpson

Messrs.—

Cassell
Chaffee
Chevalier
Chisholm
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Gagnon
Gullerud
Hammer
Hanson
Harvey
Hill
Johnson

Messrs.—

McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Burtness
Buttz
Cole

Messrs.—

Fried
Gilbert
Heath
Leech
Maddock

Messrs.—

Movius
Richmond
Rose
Schouweiler
Wing

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 112,

A bill for an act amending section 424 of the Revised Codes of 1899, relating to admission of attorneys on certificates from other states.

Was read the third time.

Mr. Young asked unanimous consent to amend the bill.

There being no objection the request was granted and Mr. Young moved to strike out the "emergency clause."

Which motion prevailed, and

The emergency clause was stricken out.

The question being on the final passage of the bill as amended,

The roll was called and there were ayes 71, nays 5, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson

Messrs.—

Johnson
Knutson
Lee

Messrs.—

Robillard
Rogers
Ryan

Messrs.—	Messrs.—	Messrs.—
Bartz	Leech	Scheer
Beck	Lillie	Senour
Bostrom	Lish	Severson
Bourassa	Mallough	Smart of Nelson
Braaten	Mattson	Smart of Traill
Cassell	McClure	Stavens
Chaffee	McDowell	Steinberg
Chevalier	McKenzie	Stevens
Chisholm	McKnight	Thompson
Dahl	McLain	Truemner
Dickinson	Meidinger	Van Arnam
Dieball	Midgarden	Wagner
Elton	Miller	Wall
Ellison	Mooney	Watson
Ferguson	Noben	Weigel
Gagnon	Noltmier	Welo
Gilbert	Oksendahl	Wing
Hammer	Palfrey	Young
Harvey	Palmer	Mr. Speaker
Heath	Peterson of Wells	
Hill		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gullerud	Shiels	Underwood
Peterson of Towner	Tufte	Weed

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Fried	Patterson
Blank	Hanson	Phifer
Brown	Kraabel	Richmond
Burness	Lyons	Rose
Buttz	Maddock	Schouweller
Cole	McCrea	Simpson
Connolly	McGahan	Skjold
Davis	Movius	Watts
Flados		

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill as amended passed and the title was agreed to.

Senate Bill No. 113,

A bill for an act to amend section 421 of the Revised Codes of 1899, relating to the qualifications of applicants for admission to practice as attorneys and counselors at law.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 23, nays 59, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cassell	Mallough	Van Arnam
Cole	Mattson	Wagner
Dickinson	McCrea	Watts

Messrs.—	Messrs.—	Messrs.—
Ferguson	McLain	Welo
Gilbert	Miller	Wing
Kraabel	Olsen Dahl	Young
Lee	Pa'frey	Mr. Speaker
Lillie	Rogers	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Harvey	Robillard
Aslakson	Heath	Ryan
Bartz	Hill	Scheer
Beck	Jonsson	Severson
Blank	Knudtson	Sheils
Bostrom	Lish	Skjold
Bourassa	Lyons	Simpson
Braaten	McDowell	Smart of Nelson
Brown	McGahan	Smart of Traill
Chaffee	McKenzie	Stavens
Cornolly	McKnight	Steinberg
Dahl	Meldinger	Stevens
Davis	Midgarder	Thompson
Dieball	Mooney	Tufts
Elton	Noben	Underwood
Ellison	Noltmier	Watson
Flaños	Palmer	Weed
Gullerud	Patterson	Wolgel
Hammer	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Gagnon	Rose
Burtness	Leech	Richmond
Buttz	Maddock	Schouweiler
Chevalier	McClure	Senour
Chisholm	Movius	Truemner
Fried	Peterson of Wells	Wall

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill was lost.

Mr. Weed moved

That the vote by which Senate Bill No. 113 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 111,

A bill for an act providing for sending non-resident insane persons to their place of residence at expense of the state.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 71, nays 2, absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Ryan
Alien	Kraabel	Scheer
Bartz	Lecch	Senour
Beck	Lillie	Skjold
Bourassa	Lish	Simpson
Braaten	Lyons	Smart of Nelson
Brown	Mallough	Smart of Traill
Cassell	Mattson	Stavens
Chaffe	McClure	Steinberg
Chisholm	McCrea	Thompson
Connolly	McDowell	Trucmner
Dahl	McGahan	Tuft
Davis	McKenzie	Underwood
Dickinson	McKnight	Van Arnam
Dieball	Midgarden	Wagner
Elton	Miller	Wall
Ellison	Noben	Watson
Gilbert	Noltimier	Watts
Gullerud	Oksendahl	Weigel
Hammer	Palfrey	Welo
Hanson	Palmer	Wing
Harvey	Patterson	Young
Heath	Robillard	Mr. Speaker
Hill	Rogers	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Asiakson	Flados	Peterson of Towner
Baker of Ramsey	Fried	Peterson of Wells
Blank	Gagnon	Phifer
Bostrom	Lee	Richmond
Burtness	Maddock	Rose
Buttz	McLain	Schouweiler
Chevallier	Meidinger	Severson
Co'e	Mooney	Stevens
Ferguson	Movius	Weed

Messrs. Knudtson and Shiels voted in the negative.

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 39.

A bill for an act defining the mode of inflicting the death penalty; designating the warden of North Dakota penitentiary executioner; prescribing that the death penalty shall only be inflicted within the walls of the North Dakota penitentiary; how execution may be suspended and amending sections 8305 and 8308, of the Revised Codes of North Dakota of 1899.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 77, nays 4, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Phifer
Allen	Kraabel	Robillard
Aslakson	Lee	Rogers
Bartz	Leech	Ryon
Bostrom	Lillie	Scheer
Bourassa	Lish	Senour
Braaten	Lyons	Sheils
Brown	Mallough	Skjold
Cassell	Mattson	Simpson
Chaffee	McClure	Smart of Nelson
Chevallier	McCrea	Smart of Traill
Connolly	McDowell	Stavens
Dahl	McGahan	Steinberg
Davis	McLain	Thompson
Dickinson	Meidinger	Truemner
Dieball	Midgarden	Tufto
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Noben	Wagner
Flados	Noitimier	Wall
Gagnon	Oksendahl	Watson
Hammer	Palfrey	Weigel
Hanson	Palmer	Welo
Harvey	Patterson	Wing
Hill	Peterson of Towner	Mr. Speaker
Johnson	Peterson of Wells	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gilbert	Severson	Watts
Heath		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Fried	Richmond
Beck	Gullerud	Rose
Blank	Maddock	Schouweiler
Burtness	McKenzie	Stevens
Buttz	McKnight	Weed
Chisholm	Movius	Young
Cole		

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill passed and the title was agreed to.

Mr. Mattson moved

That the vote by which Senate Bill No. 39 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb, blind and feeble-minded persons in each district in the state.

Which the senate has amended as follows and passed as amended:

Amend title by inserting after the words "deaf" and "dumb," the word "blind."

And also that the word "blind," be inserted in section 704 after the words "deaf" and "dumb," and insert after the clause "a copy of the enumeration of such deaf and dumb persons shall be furnished to the superintendent of the school for the deaf," the clause, "a copy of the enumeration of such blind persons shall be furnished to the superintendent of the school for the blind."

Also,

Senate Bill No. 105,

A bill for an act requiring notice to the vendee or purchaser under any contract for the future conveyance of land hereinafter made to be given before the rights of any vendee or purchaser can terminate.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

Mr. Stevens moved

That Senate Bill No. 112 be recalled from the senate for further consideration.

Which motion prevailed.

Senate Bill No. 106,

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

Was read the third time

The question being upon the final passage of the bill.

The roll was called and there were ayes 83, nays none, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Rogers
Allen	Hill	Ryan
Aslakson	Johnson	Scheer
Bartz	Knudtson	Senour
Beck	Kraabel	Severson
Bostrom	Lee	Shiels
Bourassa	Lillie	Skjold
Braaten	Lyons	Simpson
Brown	Mallough	Smart of Nelson
Cassell	Mattson	Smart of Trail
Chaffee	McClure	Stavens
Chevalier	McCrea	Steinberg
Chisholm	McDowell	Stevens
Cole	McGahan	Thompson
Connolly	McKenzie	Truemner
Dahl	McKnight	Tufte
Dickinson	McLain	Underwood
Dieball	Meidinger	Van Arnam
Elton	Midgarden	Wagner
Ellison	Miller	Wall
Ferguson	Mooney	Watson
Flados	Noben	Watts
Fried	Oksendahl	Welo
Gagnon	Palmer	Weigel
Gilbert	Peterson of Towner	Wing
Gullerud	Peterson of Wells	Young
Hammer	Phifer	Mr. Speaker
Harvey	Robillard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Leech	Patterson
Blank	Lish	Richmond
Burtness	Maddock	Rose
Buttz	Movius	Schouweiler
Davis	Noltimier	Weed
Hanson	Palfrey	

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill passed and the title was agreed to.

Mr. Shiels moved

That the vote by which House Bill No. 276 was lost be reconsidered and the bill be referred to the steering committee.

Which motion prevailed.

Mr. Davis moved

That the house do now concur in senate amendments to House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb, blind and feeble-minded persons in each district in the state.

Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Robillard
Allen	Johnson	Rogers
Aslakson	Knudtson	Ryan
Bartz	Kraabel	Scheer
Beck	Leech	Senour
Cassell	Lish	Severson
Chaffee	Lyons	Shiels
Chevalier	Mallough	Skjold
Chisholm	Mattson	Simpson
Connolly	McClure	Smart of Nelson
Dahl	McCrea	Smart of Traill
Davis	McDowell	Stavens
Dickinson	McGahan	Steinberg
Dieball	McKnight	Stevens
Elton	McLain	Thompson
Ellison	Meidinger	Tuftø
Ferguson	Midgarden	Van Arnam
Fiados	Miller	Wagner
Fried	Mooney	Wall
Gagnon	Noben	Watson
Gilbert	Oksendahl	Watts
Gullerud	Palfrey	Weigel
Hammer	Palmer	Welo
Hanson	Peterson of Towner	Wing
Harvey	Peterson of Wells	Young
Heath	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Cole	Patterson
Blank	Lee	Richmond
Bostrom	Lillie	Rose
Bourassa	Maddock	Schouweller
Braaten	McKenzie	Truemner
Brown	Movius	Underwood
Burtness	Noltimier	Weed
Buttz		

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweller being excused.

So the bill passed and the title was agreed to.

Mr. Cassell moved

That Senate Bill No. 108 be re-referred to the steering committee.

Which motion prevailed.

Mr. Davis asked unanimous consent to reconsider the vote by which Senate Bill No. 21 passed.

There being no objection the request was granted and Mr.

Davis offered the following amendment, by unanimous consent, and moved its adoption:

In line 8, section 1, strike out the words "organized civil townships," and insert the words "such districts," after the word any.

Which motion prevailed, and
The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 86, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Peterson of Wells
Allen	Knudtson	Phifer
Bartz	Kraabel	Robillard
Beck	Lee	Rogers
Bourassa	Leech	Ryan
Braaten	Lillie	Scheer
Brown	Lish	Senour
Cassell	Lyons	Severson
Chaffee	Mallough	Shiels
Chevalier	Mattson	Skjold
Cole	McClure	Simpson
Connolly	McCrea	Smart of Nelson
Dahl	McDowell	Smart of Traill
Davis	McGahan	Stavens
Dickinson	McKenzie	Steinberg
Dieball	McKnight	Thompson
Elton	McLain	Truemner
Ellison	Meidinger	Tuftø
Ferguson	Midgarden	Wagner
Flados	Miller	Wall
Fried	Mooney	Watson
Gagnon	Movius	Watts
Gilbert	Noben	Weed
Gullerud	Noltimier	Weigel
Hammer	Oksendahl	Welo
Hanson	Palfrey	Wing
Harvey	Palmer	Young
Heath	Patterson	Mr. Speaker
Hill	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Buttz	Schouweiler
Baker of Ramsey	Chisholm	Stevens
Blank	Maddock	Underwood
Bostrom	Richmond	Van Arnam
Burtness	Rose	

Messrs. Baker of Ramsey, Buttz, Maddock, Rose and Schouweiler being excused.

So the bill as amended passed and the title was agreed to.

FIRST AND SECOND READING OF HOUSE BILLS.

Mr. McGahan introduced

House Bill No. 284,

A bill for an act defining the duty of railroads, railroad corporations, railroad companies, express companies, car companies and every common carrier other than by water, and the person or persons operating any such common carrier, as receiver, lessee or trustee, in the transportation of any kind of live stock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this act.

Which was read the first and second times, and

Referred to steering committee.

Mr. Weed by request introduced

House Bill No. 285,

A bill for an act to amend section 6153 of the Revised Codes of 1899 relating to liability of owner for trespass of animals.

Which was read the first and second times, and

Referred to steering committee.

Mr. McCrea introduced

House Bill No. 286,

A bill for an act to prescribe the fee to be charged by the examiner of corporations organized under the provisions of chapter 20½ of the Revised Codes of North Dakota, 1899.

Which was read the first and second times, and

Referred to steering committee.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 216,

A bill for an act to amend section 742 of the Revised Codes of the state of North Dakota of 1899, relating to the qualification of teachers.

Was read the first and second times, and

Referred to steering committee.

Senate Bill No. 192,

A bill for an act to promote the health and welfare of infants born or cared for in places not the home of their parents and providing penalty for violation of same.

Was read the first and second times, and

Referred to steering committee.

Senate Bill No. 194,

A bill for an act to amend and re-enact section 163 of the political code of 1899 relating to county agricultural fairs.

Was read the first and second times, and

Referred to steering committee.

Senate Bill No. 200,

A bill for an act to amend section 3742, Revised Codes of the state of North Dakota of 1899, relating to order of succession.

Was read the first and second times, and

Referred to steering committee.

Senate Bill No. 226,

A bill for an act making any person or persons restraining and enclosing certain animals in barbed wire corrals or enclosures responsible for damages.

Was read the first and second times, and

Referred to steering committee.

Senate Bill No. 168,

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law.

Was read the first and second times, and

Referred to steering committee.

Senate Bill No. 150,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Was read the first and second times, and

Referred to the steering committee.

Senate Bill No. 176,

A bill for an act to amend section 137 of the Revised Codes relating to the duties of state examiners to examine accounts of public officers.

Was read the first and second times, and

Referred to the steering committee.

Senate Bill No. 169,

A bill for an act to amend and re-enact section 1549 of the Revised Codes of 1899, and chapter 123, session laws of 1901, relating to time when lawful for stock to run at large.

Was read the first and second times, and

Referred to the steering committee.

Senate Bill No. 211,

A bill for an act to provide for the leasing of common school and other public lands for coal mining purposes, providing the manner and terms of such lease and prescribing penalties for unlawfully removing coal from such lands.

Was read the first and second times, and

Referred to the steering committee.

Senate Bill No. 225,

A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.

Was read the first and second times, and
Referred to the steering committee.

Senate Bill No. 213,

A bill for an act to amend section 785 of the Revised Codes, of 1899, relating to special school districts.

Was read the first and second times, and
Referred to the steering committee.

Senate Bill No. 105,

A bill for an act requiring notice to the vendee or purchaser under any contract for the future conveyance of land hereinafter made to be given before the rights of any vendee or purchaser can terminate.

Was read the first and second times, and
Referred to the steering committee.

The house returned to the seventh order of business.

Mr. Davis offered the following resolution:

Whereas, death has entered the homes of our respected members, Messrs. Rose, Watson, Ryan and Kraabel, removing therefrom a member of each family during this legislative session, therefore be it

Resolved, that the members of this house of representatives extend to Messrs. Rose, Watson, Ryan and Kraabel and their bereaved families, sympathy and condolence.

Resolved, further, that a copy of this resolution be engrossed and mailed to the said members.

Which resolution was adopted.

Mr. Watson moved

That the house take a recess until tomorrow at 10 o'clock a. m.

Which motion prevailed, and

The house took a recess until 10 o'clock a. m. tomorrow.

A. O. ANDERSON,

Chief Clerk.

FIFTY-SIXTH DAY--AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 3, 1903.

The house assembled at 10 o'clock a. m., pursuant to recess taken.

Mr. Dickinson moved
That the house do now adjourn,
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 3, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.
Prayer by the chaplain
Roll call.

All members present except Messrs. Buttz, Maddock and Rose who were excused.

The steering committee made the following report:

Mr. Speaker:

Your steering committee recommend that the order of business for today's session be as follows:

- (1) Reports of committees.
- (2) Third reading of all house bills on the clerk's desk.
- (3) Third reading of the following senate bills in the order named:

Senate Bill No. 120,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the supreme court of the state of North Dakota.

Senate Bill No. 85,

A bill for an act to amend section 3225a of chapter 19½ of the Revised Codes (Civil Code), of 1899, being section 1, of chapter 156 of the session laws of 1899, being an act to provide for the granting of the right of way by municipal corporations for telephone lines on and over public grounds, streets, alleys and highways, and making valid such grants heretofore made.

Senate Bill No. 57,

A bill for an act to amend section 2559 of the Revised Codes of the state of North Dakota, of 1899, relating to notice of election to township officers.

Senate Bill No. 86,

A bill for an act to amend chapter 106 of the session laws of 1901, relating to game and fish.

Senate Bill No. 15,

A bill for an act to amend section 5540 of the Revised Codes of the revision of 1899, relating to the redemption of real property sold upon execution.

Senate Bill No. 115,

A bill for an act to prohibit the delivery or depositing of drugs, medicines, antiseptics, disinfectants and cosmetics, either for internal or external use upon the premises of another.

Senate Bill No. 29,

A bill for an act authorizing the appointment of commissioners of deeds and declaring an emergency to exist.

Senate Bill No. 107,

A bill for an act to amend section 4 of chapter 156, of the session laws of 1901, relating to the appropriation and payment of moneys derived from taxation for the maintenance of state schools.

Senate Bill No. 100,

A bill for an act relating to the time of holding village annual elections in incorporated villages, and to amend and re-enact

sections 2355 and 2358 of the Revised Codes of North Dakota for the year A. D. 1899.

Senate Bill No. 102,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for conservatories, for installation of electric light plant, for equipment of science hall and for other necessary buildings and improvements for the North Dakota agricultural college at Fargo.

Senate Bill No. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Senate Bill No. 119,

A bill for an act providing for the dismissal of actions in the courts of record of this state which have been pending for a period five years, wherein the plaintiff or his successor in interest has neglected to prosecute said action.

Senate Bill No. 160,

A bill for an act fixing the time for holding terms of the district court in the various counties comprising the fourth judicial district of North Dakota.

Senate Bill No. 204,

A bill for an act extending the jurisdiction of justices of the peace in organized counties over unorganized counties which are a part of the same judicial subdivision, and providing for the payment of expenses in criminal prosecutions arising in said unorganized counties.

Senate Bill No. 153,

A bill for an act to amend section 108 of the Revised Codes of North Dakota, for the year 1899, relating to the duties of state treasurers.

Senate Bill No. 60,

A bill for an act to amend and re-enact chapter 84, of the session laws of 1901, relating to education.

Senate Bill No. 89,

A bill for an act to amend section 1530, Revised Codes of 1899 relating to the compensation and expenses of the board of insanity.

Senate Bill No. 108,

A bill for an act providing that no tax shall be set aside for any irregularity or defect in form, or illegality in assessing, lay-

ing or levying such tax, if the person against whom, or the property upon which such tax is levied, assessed or laid is in fact liable to taxation, and giving the courts power to amend and correct all irregularities and defects in the form or manner of assessment.

Senate Bill No. 93,

A bill for an act to amend and re-enact section 7553 of chapter 61 of the penal code of the Revised Codes of 1899, relating to injuries to or obstruction of any telegraph lines or appurtenances or apparatus therewith connected by adding thereto and bringing within the provisions therewith telephone lines.

Senate Bill No. 88,

A bill for an act to amend sections 1447 and 1448 of the Revised Codes as amended by section 1, chapter 79 of the laws of 1899 relating to the establishment, construction and maintenance of drains.

Senate Bill No. 158,

A bill for an act to amend section 59 of the Revised Codes of North Dakota for the year 1899, relating to the printing of biennial, annual and special reports; how printed.

Senate Bill No. 133,

A bill for an act to amend sections 2680b and 2680d of the Revised Codes of the state of North Dakota, 1899, relating to dissolution of townships.

Senate Bill No. 145,

A bill for an act to amend and re-enact section 274a, 274b, 274c, 274d, 274e, 274f, 274g of chapter 4 of the political code of 1899, relating to the collection and reporting of vital statistics, prescribing the duties of officers who collect and report such statistics, defining the duties of county auditors in relation thereto and fixing compensation and method of paying the same, and providing penalties for the violation of this act.

Senate Bill No. 170,

A Bill for an act to amend and re-enact section 1271 of the Revised Codes of 1899, relating to sale of property bid in for the county.

Senate Bill No. 138,

A bill for an act to amend section number 4795, of the Revised Codes, relating to sales of buildings upon foreclosure of mechanics' liens thereon.

Senate Bill No. 140,

A bill for an act authorizing and directing the board of university and school lands to create and invest a sinking fund for the payment of bonds issued by state educational, charitable or other state institution, defining the manner of creating such sinking fund, and prescribing the duties of the board of university and school lands in relation thereto.

Senate Bill No. 173,

A bill for an act to amend and re-enact sections 759 and 761 of the Revised Codes, relating to education.

Senate Bill No. 127,

A bill for an act to amend section 377 of the Revised Codes of 1899, relating to general terms of the supreme court, and section 378 of the Revised Codes of 1899, relating to procedure therein.

Senate Bill No. 178,

A bill for an act defining the word "valuation" when used as a basis on which salaries are paid and fixing the time salaries shall begin when based on valuation.

Senate Bill No. 94,

A bill for an act for the protection of game, defining what shall be considered prima facie evidence of the violation of this act, and providing a penalty therefor.

(4) First and second reading of senate bills.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The conference committee made the following report:

Mr. Speaker:

The conference committee to consider

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

After a full and free conference have agreed to recommend, and do recommend that the senate recede from its amendment, striking out the word "may" and inserting the word "shall," where the word occurs in line 7, section 2, page 2 of the printed bill.

H. E. LAVAYEA,

HENRY HALE,

F. S. TALCOTT,

For the Senate.

A. S. KRAABEL,

GEO. W. H. DAVIS,

GEO. A. McCREA,

For the House.

Mr. Kraabel moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-sixth day have carefully examined the same and recommend that the same be corrected as follows:

On page 6 in line 4 from the bottom of said page the word "discharges" be corrected as to spelling.

On page 8 line 10 from the bottom of said page the word "taxing" be corrected as to spelling.

On page 11 insert after line 25 the words "Which the senate has passed unchanged" such words to form line 26 of said page.

On page 13 line 2 from the bottom of said page the words "committee on education" be inserted in lieu of the words "steering committee."

On page 13, line 6, from the bottom of said page, the word "reconsider" be corrected as to spelling.

On page 17 such changes as are necessary be made to show Mr. Davis voting in the affirmative on Senate Bill No. 82.

On page 26 after line 22 the words "Which the senate has passed unchanged."

On page 27 line 4 from the bottom of said page the word "Ramsey" be corrected as to spelling and as often as it may occur.

On page 37 line 11 from the bottom of said page the word "Mr." be corrected as to spelling.

On page 39 change Senate Bill 31 to Senate Bill 27.

On page 43 on line 6 correct the word Mattson as to spelling.

And when so amended recommend that the same be approved.

THOS. HEATH,

Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined
House Bill No. 3,

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Also,

House Bill No. 18,

A bill for an act to regulate the practice of optometry in the

state of North Dakota, defining the same, creating a state board of optometry and defining the duties of such board, providing for compensation of its members, and prescribing who, and the conditions upon which any person may practice optometry in this state, and providing penalties for the violation of this act.

Also

House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Also

House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

Also,

House Bill No. 52,

A bill for an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

Also,

House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Also,

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Also,

Substitute for House Bill No. 98,

A bill for an act to amend section 652 of the Revised Codes of 1899, relating to the salary and mileage of county superintendents of schools and providing for a deputy and clerical assistance.

Also,

House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb, blind and feeble-minded persons in each district in the state.

Also,

House Bill No. 121,

A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.

Also,

House Bill No. 123,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Also,

House Bill No. 176,

A bill for an act to amend section 5498, Revised Codes of 1899, relating to the filing of abstracts of justices judgments in the office of the clerk of the district court and prescribing the effect thereof.

Also,

House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to when school district not entitled to tuition fund and enumeration of children in newly organized districts.

Also,

House Bill No. 221,

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

And find the same correctly enrolled.

W. A. McCLURE,

Chairman.

The chief clerk announced that the speaker was about to sign House Bill No. 18,

A bill for an act to regulate the practice of optometry in the state of North Dakota, defining the same, creating a state board of optometry and defining the duties of such board, providing for compensation of its members, and prescribing who, and the conditions upon which any person may practice optometry in this state, and providing penalties for the violation of this act.

Also,

House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Re-

vised Codes of the state of North Dakota, 1899, relating to when school district not entitled to tuition fund and enumeration of children in newly organized districts.

Also,

House Bill No. 121,

A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.

Also,

House Bill No. 123,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Also,

House Bill No. 70,

A bill for an act to create the Eighth judicial district of the state of North, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on mo-

Also,

Substitute for House Bill No. 98,

A bill for an act to amend section 652 of the Revised Codes of 1899, relating to the salary and mileage of county superintendents of schools and providing for a deputy and clerical assistance.

Also,

House Bill No. 221,

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Also,

House Bill No. 176,

A bill for an act to amend section 5498, Revised Codes of 1899, relating to the filing of abstracts of justices judgments in the office of the clerk of the district court and prescribing the effect thereof.

Also,

House Bill No. 52,

A bill for an act requiring agents and attorneys to have a

power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

Also,

House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the session laws of 1901, amending section 1722 of the political code of 1899, relating to weights and measures.

Also,

House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Also,

House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb and feeble minded persons in each district in the state.

Also,

House Bill No. 3,

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Also,

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

And the speaker signed the same in the presence of the house.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed bills made the following report:
Mr. Speaker:

Your committee on engrossed bills have examined

House Bill No. 277,

Concurrent resolution. Proposed constitutional amendment.

Also

House Bill No. 281,

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota, to the county of Williams in the Eighth judicial district of the state of North Dakota for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said

unorganized county of Allred by the register of deeds of Williams county.

And find the same correctly engrossed.

H. P. RYAN,
Chairman.

THIRD READING OF HOUSE BILLS.

House Bill No. 281,

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota, to the county of Williams in the Eighth judicial district of the state of North Dakota, for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said unorganized county of Allred by the register of deeds of Williams county.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 91, nays 2, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Richmond
Allen	Harvey	Robillarda
Aslakson	Heath	Rogers
Baker of Ramsey	Hill	Ryan
Bartz	Johnson	Scheer
Beck	Knudtson	Schouweiler
Blank	Kraabel	Severson
Bostrom	Leech	Shiels
Bourassa	Lillie	Skjold
Braaten	Lyons	Simpson
Brown	Mallough	Smart of Nelson
Burtness	Mattson	Smart of Traill
Cassell	McCrea	Stavens
Chaffee	McDowell	Steinberg
Chevallier	McGahan	Stevens
Chisholm	McKenzie	Thompson
Cole	McKnight	Truemner
Connolly	McLain	Tufts
Davis	Meidinger	Underwood
Dickinson	Midgarden	Van Arnam
Dieball	Miller	Wagner
Elton	Mooney	Wall
Ellison	Movius	Watson
Ferguson	Noben	Watts
Flados	Noitimier	Weed
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Palmer	Wing
Gullerud	Peterson of Towner	Young
Hammer	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Lee	Maddock
Dahl	Lish	Patterson

Messrs McClure and Senour voted in the negative.

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Palmer moved

That the vote by which House Bill No. 281 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 277,

Concurrent resolution. Proposed constitutional amendment, Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 54, nays 42, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lish	Robillard
Aslakson	Lyons	Rogers
Baker of Ramsey	McClure	Ryan
Blank	McDowell	Scheer
Bostrom	McGahan	Schouweiler
Brown	McKenzie	Senour
Chaffee	McKnight	Severson
Chisholm	McLain	Simpson
Connolly	Meidinger	Smart of Nelson
Dickinson	Midgarden	Smart of Traill
Flados	Miller	Stavens
Gagnon	Noben	Stevens
Gilbert	Noltmier	Thompson
Hammer	Oksendahl	Van Arnam
Hanson	Palmer	Weed
Knudtson	Patterson	Weigel
Kraabel	Peterson of Towner	Welo
Lee	Peterson of Wells	Young

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ferguson	Palfrey
Bartz	Fried	Phifer
Beck	Gullerud	Richmond
Bourassa	Harvey	Shiels
Braaten	Heath	Skjold
Burtness	Hill	Steinberg
Cassell	Johnson	Truemner
Chevalier	Leech	Tufte
Cole	Lillie	Underwood
Dahl	Mallough	Wagner
Davis	Mattson	Wall
Dieball	McCrea	Watts
Elton	Mooney	Wing
Ellison	Movius	Mr. Speaker

Absent and not voting:

Messrs.—

Buttz

Maddock

Messrs.—

Rose

Messrs.—

Watson

Messrs. Buttz, Maddock and Rose being excused.

Mr. Stevens explained his vote.

So the bill passed and the title was agreed to.

Mr. Lyons moved

That the vote by which House Bill No. 277 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 3, 1903.

Mr. Speaker:

I have the honor to inform you that the president of the senate has appointed Senators Lavayea, Hale and Talcott as members of the conference committee on the part of the senate to consider the senate amendments to House Bill No. 35.

Also,

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 148,

A bill for an act making it unlawful for any person to take or solicit orders for intoxicating liquors within the state of North Dakota.

Also,

Senate Bill No. 149,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899, relating to payment of board and treatment of patients committed to the hospital for the insane and powers of commissioners of insanity therein.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,
Secretary.

The chief clerk announced that the speaker was about to sign Senate Bill No. 174,

A bill for an act to validate ordinance and resolution providing for local improvements in cities and contracts made and

obligations incurred pursuant thereto, and to prescribe the duties of courts in relation thereto.

Also,
Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

Also,
Senate Bill No. 25,

A bill for an act in relation to the defense of suicides in suits brought upon life insurance policies.

Also,
Senate Bill No. 82,

A bill for an act to amend sections 1642, 1644, 1645, 1646, 1647, 7678, 7683a, 7683b, 7683c, 7683d and 7683f of the Revised Codes North Dakota, 1899, relating to the protection of game, the division of the state into game districts, the appointment of district game wardens, the issuing of permits to hunt, the disposition of money received from the sale of permits and enacting other provisions relating thereto and providing penalties for violation thereof.

Also,
Senate Bill No. 68,

A bill for an act changing the location of the institution for feeble minded from Jamestown to Grafton.

Also,
Senate Bill No. 77,

A bill for an act to amend section 273 of the Revised Codes of North Dakota, relating to expenses incurred by local boards of health.

Also,
Senate Bill No. 195,

A bill for an act to amend section 7282 of the penal code of 1899 of chapter 39, relating to other injuries to persons.

Also,
Senate Bill No. 123,

A bill for an act authorizing the board of trustees of the industrial school and school for manual training to issue bonds to provide a fund for the outstanding floating indebtedness and for the completion of the furnishing and equipment of the building of said institution.

And the speaker signed the same in the presence of the house.

REPORTS OF STEERING COMMITTEE.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 176.

A bill for an act to amend section 137 of the Revised Codes relating to the duties of state examiner to examine accounts of public officers.

Have had the same under consideration, and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 175,

A bill for an act authorizing and empowering the board of county commissioners of each county in this state, to make time deposits of the county funds, and designate depositories therefor.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "bond" in line 7 of section 2 of engrossed bill insert the words: "issued by some surety company authorized to do business in this state and approved by such board of county commissioners."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 186,

A bill for an act to amend and re-enact section 408 of the Revised Codes of 1899, relating to the boundaries and terms of court in the sixth judicial district of the state of North Dakota.

Have had the same under consideration, and recommend that the same be amended as follows:

By striking out the word "Wallace" wherever it appears in the engrossed bill.

And when so amended recommended that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted,
Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 216,

A bill for an act to amend section 742 of the Revised Codes of the state of North Dakota of 1899, relating to the qualifications of teachers.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 209,

A bill for an act to amend section 405 of the Revised Codes of 1899, fixing the time of holding the terms of court in the several counties of the Third judicial district.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all after line 11, of section 6, of engrossed bill and including line 16, of engrossed bill.

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

House Bill No. 279,

A bill for an act to amend section 4680 of the Revised Codes of 1899, as amended by chapter 118 of the session laws of 1901, relating to liens on future interest.

Have had the same under consideration and recommend that the same be amended as follows:

By adding to section 1, the following: "Provided that this section shall not apply to future earnings of threshing machines."

And by adding thereto the following: "Section 2. All acts and parts of acts in conflict herewith are hereby repealed."

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 207,

A bill for an act to authorize the various organizations composing the North Dakota National Guard to build armories, to create a board to supervise the construction thereof and to issue bonds therefor.

Have had the same under consideration and recommend that he same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 76,

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

Have had the same under consideration and recommend that the same do not pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 105,

A bill for an act requiring notice to the vendee or purchaser under any contract for the future conveyance of land hereinafter made to be given before the rights of any vendee or purchaser can terminate.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 226,

A bill for an act making any person or persons restraining and enclosing certain animals in barbed wire corrals or enclosures responsible for damages.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 192,

A bill for an act to promote the health and welfare of infants born or cared for in places not the home of their parents and providing penalty for violation of same.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
House Bill No. 283,

A bill for an act to amend section 1207 of the Revised Codes of North Dakota, 1899, relating to the assessment of property.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 3,

A bill for an act providing for a bounty on wolves and coyotes, creating a fund for the payment of the same and regulating the manner of procuring said bounty.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 225,

A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.

Have had the same under consideration and recommend that he further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed:

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 141,

A bill for an act to amend section 3134 of the Revised Codes of 1899, relating to organization of county mutual insurance companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 208,

A bill for an act to amend section 1419, of the Revised Codes of North Dakota for 1899, relating to the payment of armory rent to the respective organizations of the North Dakota National Guard.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,

Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes.

Have had the same under consideration, and recommend that the same be amended as follows:

Strike out the word "Wallace" where it appears in line 1 of engrossed

bill and also strike out after the word "Bowman" in line 2 and 3 of original bill the words "and the territory formerly known as the unorganized county of Williams."

And when so amended recommend the same do pass.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 3, 1903.

Mr. Speaker:

I have the honor to transmit

Senate Bill No. 47.

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Which the senate has recalled from the governor and amended by striking out in line 18 of the printed bill the words "gained a residence" and have added in lieu thereof the words "resided ninety days," and your favorable consideration of the same is respectfully requested.

R. M. TUTTLE,

Secretary.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 70,

A concurrent resolution proposing an amendment to the constitution providing for direct legislation by the electors, and that it be referred to the next legislative assembly and with the approval of such legislative assembly be submitted to the qualified electors for adoption or rejection.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Mr. McGahan moved as a substitute that the bill be recommended to pass, and that the bill be placed on its third reading and final passage.

Mr. Davis asked unanimous consent to make an amendment to Senate Bill No. 70. Objected to.

Roll call demanded.

The question being upon the substitute motion.

The roll was called and there were ayes 48, nays 49, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Oksendahl
Aslakson	Hanson	Palmer
Baker of Ramsey	Harvey	Patterson
Bartz	Knudtson	Peterson of Towner
Beck	Lee	Peterson of Wells
Blank	Lish	Ryan
Bostrom	Lyons	Scheer
Bourassa	Mattson	Schouweller
Brown	McClure	Senour
Chisholm	McDowell	Simpson
Cole	McGahan	Stevens
Connolly	McKenzie	Van Arnam
Dieball	McLain	Wagner
Flados	Meidinger	Weed
Fried	Movius	Weigel
Gagnon	Noben	Welo

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Kraabel	Shiels
Braaten	Leech	Skjold
Burtness	Lillie	Smart of Nelson
Cassell	Mallough	Smart of Traill
Chaffee	McCrea	Stavens
Chevalier	McKnight	Steinberg
Dahl	Midgarden	Thompson
Davis	Miller	Truemner
Dickinson	Mooney	Tufte
Elton	Noltimier	Underwood
Ellison	Palfrey	Wall
Ferguson	Phifer	Watson
Gilbert	Richmond	Watts
Gullerud	Robillard	Wing
Heath	Rogers	Young
Hill	Severson	Mr. Speaker
Johnson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Maddock	Rose

Messrs. Buttz, Maddock and Rose being excused.

So the substitute motion was lost.

The question being upon the original motion the same prevailed and the further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 200,

A bill for an act to amend section 3742, Revised Codes of the state of North Dakota of 1899, relating to order of succession.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
House Bill No. 276,

A bill for an act to amend section 7, chapter 69, of the session laws of 1901, relating to dipping tanks.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 108,

A bill for an act providing that no tax shall be set aside for any irregularity or defect in form, or illegality in assessing, laying or levying such tax, if the person against whom, or the property upon which such tax is levied, assessed or laid is in fact liable to taxation, and giving the courts power to amend and correct all irregularities and defects in the form or manner of assessment.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 212,

A bill for an act to amend and re-enact section 1081 of the political code of 1899 as amended by chapter 151 of the session laws of 1901, and to amend and re-enact sections 1082 and 1084 of the political code of 1899, relating to the expenditure of money by contract for road improvements in counties not organ-

ized into civil townships and prescribing the duties of county commissioners with reference thereto.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 213,

A bill for an act to amend section 785 of the Revised Codes of 1899, relating to special school districts

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 168,

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 3, 1903.

The following message was received from the senate:

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 218,

A bill for an act amending and re-enacting section 4738 Revised Codes 1899, relating to the execution of mortgages on personal property.

Also,

Senate Bill No. 201,

A bill for an act defining the duty of railroads, railroad corporations, railroad companies, express companies, car companies and every common carrier other than by water, and the person or persons operating any such common carrier, as receiver, lessee or trustee, in the transportation of any kind of live stock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this act.

Also,

Senate Bill No. 162,

A bill for an act declaring it a misdemeanor to obtain credit from livery stable keepers by use of false pretenses.

Also,

Senate Bill No. 166,

A bill for an act to amend and re-enact section 1115b of article 5 of chapter 11, of the Revised Codes of 1899, relating to the purchase of road machinery.

Also,

Senate Bill No. 154,

A bill for an act to amend section 1039 of the Revised Codes of North Dakota of 1899, relating to statistics of township, city and village assessors.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 3,

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Also,

House Bill No. 18,

A bill for an act to regulate the practice of optometry in the state of North Dakota, defining the same, creating a state board of optometry and defining the duties of such board, providing for compensation of its members, and prescribing who, and the conditions upon which any person may practice optometry in this state, and providing penalties for the violation of this act.

Also,

House Bill No. 33,

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.

Also,

House Bill No. 46,

A bill for an act to amend section 1 of chapter 213 of the session laws of 1891, amending section 1720 of the political code of 1899, relating to weights and measures.

Also,

House Bill No. 52,

A bill for an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.

Also,

House Bill No. 70,

A bill for an act to create the eighth judicial district of the state of North Dakota and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Also,

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Also,

Substitute for House Bill No. 98,

A bill for an act to amend section 652 of the Revised Codes of 1899, relating to the salary and mileage of county superintendents of schools and providing for a deputy and clerical assistance.

Also,

House Bill No. 103,

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb and feeble minded persons in each district in the state.

Also,

House Bill No. 121,

A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.

Also,

House Bill No. 123,

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Also,

House Bill No. 176,

A bill for an act to amend section 5498, Revised Codes of 1899, relating to the filing of abstracts of justices judgments in the office of the clerk of the district court and prescribing the effect

Also,

House Bill No. 182,

A bill for an act to amend and re-enact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to when school district not entitled to tuition fund and enumeration of children in newly organized districts.

Also,

House Bill No. 221,

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Were delivered to the governor for his approval at the hour of 3:45 o'clock, March 3, 1903.

W. A. McCLURE,
Chairman.

The speaker announced a recess until 3:30 p. m.

AFTER RECESS.

Mr. McGahan gave notice that tomorrow at 2:30 p. m. he would move to reconsider the vote by which Senate Bill No. 70 was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 228,

A bill for an act creating the office of inspector general of weights and measures.

Also,

Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

Also,

Senate Bill No. 227,

A bill for an act to provide for the extension and enlargement and improvement of water systems in incorporated cities.

Also,

Senate Bill No. 231,

A bill for an act to amend and re-enact chapter 92 of the session laws of 1901, relating to the fees of clerks of the district court.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,
Secretary.

MESSAGE FROM THE GOVERNOR.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 3, 1903.

To the house of representatives:

I have the honor to inform you that I have approved and filed with the honorable secretary of state

House Bill No. 48,

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.

Also,

House Bill No. 63,

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Also,

House Bill No. 129,

A bill for an act to provide for the bonding of certain officers.

Also,

House Bill No. 7,

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota Hospital for the Insane.

I have the honor to be

Very respectfully,

FRANK WHITE,

Governor.

SPECIAL ORDER.

House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund and the transfer of certain unexpected balances.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 53, nays 35, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Allen
Baker of Ramsey
Bartz
Blank
Bostrom
Bourassa

Messrs.—

Harvey .
Heath
Leech
Lyons
Mallough
McClure

Messrs.—

Phifer
Robillard
Rogers
Ryan
Senour
Severson

Messrs.—	Messrs.—	Messrs.—
Brown	McCrea	Skjold
Burtness	McDowell	Simpson
Chisholm	McGahan	Steinberg
Davis	McKnight	Stevens
Dickinson	McLain	Underwood
Dieball	Miller	Van Arnam
Elton	Movius	Wagner
Flados	Noben	Wall
Gagnon	Noltmier	Weigel
Gilbert	Palmer	Young
Hammer	Patterson	Mr. Speaker
Hanson	Peterson of Towner	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Braaten	Lillie	Smart of Nelson
Cassell	Mattson	Smart of Traill
Chaffee	Meldinger	Stavens
Chevalier	Midgarden	Thompson
Cole	Mooney	Truemner
Connolly	Oksendahl	Tufte
Ellison	Palfrey	Watson
Ferguson	Peterson of Wells	Watts
Gullerud	Richmond	Weed
Johnson	Scheer	Welo
Knudtson	Schouweller	Wing
Kraabel	Shiels	

Absent and not voting:

Aandahl	Dahl	Lish
Aslakson	Fried	McKenzie
Beck	Hill	Rose
Buttz	Lee	

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. McGahan explained his vote.

Mr. Weed explained his vote.

Mr. Dieball moved

That the vote by which House Bill No. 99 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 3, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes

of North Dakota for 1899, fixing date when term of county auditor shall begin.

Also,

House Bill No. 146.

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.

Also,

House Bill No. 17,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Which the senate has passed without change.

R. M. TUTTLE,

Secretary.

SPECIAL ORDER.

House Bill No. 273,

A bill for an act to amend section 373 of the Revised Codes of North Dakota of 1899, relating to eligibility of deputies, clerks and subordinates of public officers.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes, 38, nays 51, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Beck
Bostrom
Burtness
Chevalier
Connolly
Fried
Gagnon
Hanson
Harvey
Leech
Lish

Messrs.—

Lyons
Mallough
McClure
McDowell
McGahan
McLain
Meidinger
Midgarden
Miller
Mooney
Noltmier
Patterson
Rogers

Messrs.—

Ryan
Scheer
Schouweller
Senour
Steinberg
Tuffe
Underwood
Van Arnam
Wall
Weed
Young
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Aslakson
Baker of Ramsey
Bartz
Blank
Bourassa
Braaten
Cassell
Chaffee

Messrs.—

Gullerud
Heath
Hill
Knudtson
Kraabel
Lee
Lillie
Mattson

Messrs.—

Robillard
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens

Messrs.—	Messrs.—	Messrs.—
Chisholm	McCrea	Stevens
Cole	McKnight	Thompson
Davis	Noben	Wagner
Dickinson	Oksendahl	Watson
Dieball	Palfrey	Watts
Ellison	Peterson of Towner	Weigel
Ferguson	Peterson of Wells	Welo
Flados	Phifer	Wing
Gilbert	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Hammer	Palmer
Buttz	Johnson	Rose
Dahl	McKenzie	Truemner
Elton	Movius	

Messrs. Buttz, Maddock and Rose being excused.

So the bill was lost.

Mr. Davis explained his vote.

Mr. Lyons explained his vote.

Mr. Ryan explained his vote.

Mr. Weed explained his vote.

Mr. Van Arnam moved

That House Bill No. 217 be made a special order for Thursday at 3:30 p. m.

Which motion prevailed, and

House Bill No. 217 was made a special order for Thursday at 2:30 p. m.

THIRD READING OF SENATE BILLS.

The speaker called Mr. Mallough to the chair.

Senate Bill No. 120,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the supreme court of the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 37, nays 48, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Mallough	Skjold
Bostrom	McClure	Steinberg
Burtness	McCrea	Truemner
Chaffee	McGahan	Tufte
Davis	McLain	Van Arnam
Dickinson	Mooney	Wall
Dieball	Oksendahl	Watson

Messrs.—
 Elton
 Gilbert
 Heath
 Hill
 Leech
 Lillie

Messrs.—
 Palmer
 Patterson
 Richmond
 Senour
 Severson

Messrs.—
 Watts
 Weigel
 Weilo
 Wing
 Young

Those who voted in the negative were:

Messrs.—
 Aandahl
 Aslakson
 Baker of Ramsey
 Bartz
 Beck
 Blank
 Bourassa
 Braaten
 Brown
 Cassell
 Chisholm
 Cole
 Connolly
 Dahl
 Ellison
 Ferguson

Messrs.—
 Fried
 Gagnon
 Gullerud
 Harvey
 Kraabel
 Lee
 Lish
 Lyons
 Mattson
 McDowell
 McKnight
 Meidinger
 Midgarden
 Noben
 Noltmier
 Palfrey

Messrs.—
 Peterson of Towner
 Peterson of Wells
 Phifer
 Robillard
 Rogers
 Ryan
 Scheer
 Shiels
 Simpson
 Smart of Nelson
 Smart of Traill
 Stavens
 Stevens
 Thompson
 Underwood
 Weed

Absent and not voting:

Messrs.—
 Buttz
 Chevalier
 Flados
 Hammer
 Hanson

Messrs.—
 Johnson
 Knudtson
 Maddock
 McKenzie
 Miller

Messrs.—
 Movius
 Rose
 Schouweiler
 Wagner
 Mr. Speaker

Messrs. Buttz, Maddock and Rose being excused.

So the bill was lost.

Mr. McGahan explained his vote.

Mr. Ryan gave notice that he would move to reconsider the vote by which Senate Bill No. 120 was lost.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
 BISMARCK, NORTH DAKOTA,
 March 3, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 96,

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota,

1899, relating to the manufacture and sale of dairy products, the appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Also,

House Bill No. 127,

A bill for an act to amend and re-enact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.

Also,

House Bill No. 75,

A bill for an act to provide for the assessment of property omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Also,

House Bill No. 84,

A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes 1899, defining rape, abduction, carnal abuse of children and seduction.

Which the senate has passed without change.

Also,

House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies and for fixing the number and compensation of such deputies.

Which the senate has amended as follows, and passed as amended:

After the word "deeds," insert the words "and clerk hire," in line 15, of section 1, on page 2, of printed bill.

After the word "deeds," insert the words "and clerk hire," in line 18, of section 1, on page 2, of printed bill.

Also on line 18, of printed bill, after the word "dollars," add; "provided, however, that all moneys received for compiling or the continuation of abstracts of title shall be turned over to the county treasurer, who shall credit the same to the county general fund."

Also,

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Which the senate has amended as follows, and passed as amended:

On line 4, of section 5, strike out after the word "chapter," the figures "143," and insert "142."

On line 5, of section 5, strike out all after the word "thereto." a

insert the following: "and section 3132 Revised Codes of 1899, and upon such corporations filing in the office of the commissioner of insurance a certificate issued by the state auditor, to the effect that such corporation has complied with the provisions of 3258c together with a certified copy of its articles of incorporation, and the payment of the proper fees therefor, the commissioner of insurance shall issue to such corporation a certificate as provided in section 3115d, and shall issue to its agents certificates as provided in section 3124, which certificates shall be issued yearly on the filing by such corporation of a statement of its condition as of December 31st of the year last ending."

On line 8, of section 4, of the printed bill after the words "two hundred," strike out the words "and fifty."

And your concurrence is respectfully requested.

R. M. TUTTLE,
Secretary.

Mr. Young moved

That the house do now concur in senate amendments to

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Which motion prevailed.

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 83, nays none, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Rogers
Allen	Lee	Ryan
Aslakson	Leech	Scheer
Bartz	Lillie	Schouweller
Blank	Lish	Senour
Bostrom	Lyons	Severson
Bourassa	Mallough	Shiels
Brown	Mattson	Skjold
Burtness	McClure	Simpson
Cassell	McCrea	Smart of Nelson
Chaffee	McDowell	Smart of Traill
Chevalier	McKenzie	Steinberg
Chisholm	McKnight	Stevens
Cole	McLain	Thompson
Connolly	Meidinger	Truemner
Davis	Midgarden	Tufts
Dickinson	Miller	Underwood

Messrs.—

Dieball
Elton
Ellison
Flados
Fried
Gagnon
Gilbert
Harvey
Heath
Hill
Johnson

Messrs.—

Mooney
Movius
Noben
Oksendahl
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer
Richmond
Robillard

Messrs.—

Van Arnam
Wagner
Wall
Watson
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Beck
Braaten
Buttz
Dahl
Ferguson

Messrs.—

Gullerud
Hammer
Hanson
Knudtson
Maddock
McGahan

Messrs.—

Noltimier
Palfrey
Rose
Stavens
Watts

Messrs. Buttz, Maddock and Rose being excused.

So the bill as amended by the senate passed and the title was agreed to.

Mr. Underwood moved

That the vote by which House Bill No. 33 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker in the chair.

Mr. Van Arnam moved

That the house do now concur in senate amendments to House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies and for fixing the number and compensation of such deputies.

Which motion prevailed.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Blank
Bostrom
Bourassa
Brown

Messrs.—

Johnson
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Lyons

Messrs.—

Peterson of Wells
Phifer
Richmond
Robillard
Rogers
Scheer
Schouweller
Senour

Messrs.—	Messrs.—	Messrs.—
Burtress	Mallough	Severson
Cassell	Mattson	Shiels
Chaffee	McClure	Simpson
Chevalier	McCrea	Smart of Nelson
Chisholm	McDowell	Smart of Traill
Davis	McGahan	Stavens
Dickinson	McKnight	Steinberg
Dieball	McLain	Stevens
Elton	Meidinger	Thompson
Ellison	Midgarden	Truemner
Ferguson	Miller	Tufté
Flados	Mooney	Underwood
Fried	Movius	Van Arnam
Gagnon	Noben	Wagner
Gilbert	Noltmier	Wall
Gullerud	Oksendahl	Weigel
Hammer	Palfrey	Welo
Hanson	Palmer	Wing
Harvey	Patterson	Young
Heath	Peterson of Towner	Mr. Speaker
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartz	Connolly	Ryan
Beck	Dahl	Skjold
Braaten	Maddock	Watson
Buttz	McKenzie	Watts
Cole	Rose	Weed

Messrs. Buttz, Maddock and Rose being excused.

So the bill as amended by the senate passed and the title was agreed to.

Senate Bill No. 85,

A bill for an act to amend section 3225a of chapter 19½ of the Revised Codes (Civil Code), of 1899, being section 1, of chapter 156 of the session laws of 1899, being an act to provide for the granting of the right of way by municipal corporations for telephone lines on and over public grounds, streets, alleys and highways, and making valid such grants heretofore made.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Phifer
Allen	Hanson	Robillard
Aslakson	Heath	Rogers
Baker of Ramsey	Hill	Scheer
Bartz	Johnson	Schouweiler
Beck	Lee	Senour
Blank	Leech	Severson

Messrs.—

Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud

Messrs.—

Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McKnight
Meldinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Peterson of Towner
Peterson of Wells

Messrs.—

Shiels
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufto
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Bostrom
Buttz
Chevaller
Harvey
Knutdson
Kraabel

Messrs.—

Maddock
McGahan
McKenzie
McLain
Patterson
Richmond

Messrs.—

Rose
Ryan
Skjold
Underwood

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Mooney moved

That the vote by which Senate Bill No. 85 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 57,

A bill for an act to amend section 2559 of the Revised Codes of the state of North Dakota, of 1899, relating to notice of election to township officers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck

Messrs.—

Hammer
Hanson
Harvey
Heath
Hill

Messrs.—

Rogers
Scheer
Schouweller
Senour
Severson

Messrs.—

Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gilbert
Gullerud

Messrs.—

Johnson
Leech
Lillie
Mallough
Mattson
McClure
McKnight
McLain
Meldinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Phifer
Robillard

Messrs.—

Shiels
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuftø
Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Buttz
Gagnon
Knudtson
Kraabel
Lee

Messrs.—

Lish
Lyons
Maddock
McCrea
McDowell
McGahan

Messrs.—

McKenzie
Peterson of Wells
Richmond
Rose
Ryan
Skjold

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 86,

A bill for an act to amend chapter 106 of the session laws of 1901, relating to game and fish.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 75, nays 10, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bourassa
Braaten
Brown
Burtness

Messrs.—

Hanson
Harvey
Heath
Hill
Johnson
Knudtson
Kraabel
Leech
Lillie
Lish
Mallough

Messrs.—

Phifer
Rogers
Ryan
Scheer
Schouweller
Severson
Shiels
Simpson
Smart of Nelson
Smart of Traill
Stavens

Messrs.—	Messrs.—	Messrs.—
Cassell	McClure	Steinberg
Chaffee	McCrea	Stevens
Chevalier	McLain	Thompson
Connolly	Meldinger	Tufte
Davis	Midgarden	Underwood
Dieball	Miller	Van Arnam
Elton	Mooney	Wall
Ellison	Noben	Watson
Flados	Noltmier	Weed
Fried	Palfrey	Weigel
Gagnon	Palmer	Welo
Gilbert	Patterson	Wing
Gullerud	Peterson of Towner	Young
Hammer	Peterson of Wells	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Chisholm	McKnight	Truemner
Cole	Oksendahl	Wagner
Lee	Robillard	Watts
McDowell		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Lyons	Movius
Buttz	Maddock	Richmond
Dahl	Mattson	Rose
Dickinson	McGahan	Senour
Ferguson	McKenzie	Skjold

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 15,

A bill for an act to amend section 5540 of the Revised Codes of the revision of 1899, relating to the redemption of real property sold upon execution.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Robillard
Allen	Johnson	Rogers
Aslakson	Knudtson	Ryan
Baker of Ramsey	Kraabel	Schouweller
Bartz	Leech	Senour
Blank	Lillie	Severson
Bostrom	Mallough	Shiels
Bourassa	McClure	Skjold
Braaten	McCrea	Simpson
Brown	McDowell	Smart of Nelson
Burtness	McGahan	Smart of Traill
Cassell	McKnight	Stavens
Chaffee	McLain	Steinberg

Messrs.—	Messrs.—	Messrs.—
Chevalier	Meidinger	Stevens
Connolly	Midgarden	Thompson
Dahl	Miller	Truemner
Davis	Mooney	Tufte
Dieball	Movius	Underwood
Ellison	Noben	Van Arnam
Ferguson	Noitimier	Wagner
Flados	Oksendahl	Wall
Gagnon	Palfrey	Watson
Gilbert	Patterson	Weigel
Gullerud	Peterson of Wells	Welo
Hammer	Phifer	Wing
Harvey	Richmond	Mr. Speaker
Heath		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Hanson	Palmer
Buttz	Lee	Peterson of Towner
Chisholm	Lish	Rose
Cole	Lyons	Scheer
Dickinson	Maddock	Watts
Elton	Mattson	Weed
Fried	McKenzie	Young

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 115,

A bill for an act to prohibit the delivery or depositing of drugs, medicines, antiseptics, disinfectants and cosmetics, either for internal or external use upon the premises of another.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 78, nays 1, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Rogers
Allen	Heath	Ryan
Aslakson	Hill	Scheer
Baker of Ramsey	Johnson	Schouweller
Bartz	Knudtson	Senour
Beck	Kraabel	Severson
Bourassa	Lee	Shiels
Braaten	Leech	Skjold
Brown	Lillie	Simpson
Burtness	Mallough	Smart of Nelson
Cassell	McCrea	Smart of Traill
Chaffee	McGahan	Stavens
Chevalier	McKnight	Steinberg
Chisholm	McLain	Thompson
Dahl	Meidinger	Truemner
Davis	Midgarden	Tufte

Messrs.—	Messrs.—	Messrs.—
Dickinson	Miller	Underwood
Dieball	Noben	Van Arnam
Elton	Oksendahl	Wagner
Ellison	Palfrey	Wall
Ferguson	Patterson	Watson
Flados	Peterson of Towner	Watts
Gagnon	Peterson of Wells	Weigel
Gilbert	Phifer	Wing
Gullerud	Richmond	Young
Hanson	Robillard	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Lyons	Movius
Bostrom	Maddock	Noltmier
Buttz	Mattson	Palmer
Cole	McClure	Rose
Connolly	McDowell	Stevens
Fried	McKenzie	Weed
Lish	Mooney	Welo

Mr. Hammer voted in the negative.

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. McLain moved that the title be amended by adding after the words "upon the premises of another" the following: "And to provide a penalty for violation of this act."

Which motion prevailed, and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

The speaker called Mr. Cassell to the chair.

Senate Bill No. 29,

A bill for an act authorizing the appointment of commissioners of deeds and declaring an emergency to exist.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 66, nays 8, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Kraabel	Robillard
Baker of Ramsey	Leech	Rogers
Bartz	Lillie	Ryan
Beck	Lish	Schouweiler
Bourassa	Mallough	Shiels
Brown	McClure	Smart of Nelson
Burtness	McCrea	Smart of Traill
Cassell	McDowell	Stavens

Messrs.—	Messrs.—	Messrs.—
Chaffee	McGahan	Steinberg
Chevalier	McKenzie	Thompson
Dahl	McKnight	Truemner
Davis	McLain	Tufte
Dickinson	Meidinger	Underwood
Dieball	Midgarden	Van Arnam
Elton	Noben	Wagner
Fried	Palfrey	Wall
Gagnon	Palmer	Watson
Gilbert	Patterson	Watts
Gullerud	Peterson of Towner	Weigel
Heath	Peterson of Wells	Young
Hill	Phifer	Mr. Speaker
Johnson	Richmond	
Knudtson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Harvey	Severson
Connolly	Lee	Skjold
Flados	Senour	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Noltmier
Blank	Hanson	Oksendahl
Bostrom	Lyons	Rose
Braaten	Maddock	Scheer
Buttz	Mattson	Simpson
Chisholm	Miller	Stevens
Cole	Mooney	Weed
Ellison	Movius	Welo
Ferguson	Lyons	Wing

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Watson moved

That the vote by which Senate Bill No. 29 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Weed gave notice that tomorrow at 3 o'clock p. m. he would move to reconsider the vote by which House Bill No. 273 was lost.

Senate Bill No. 107,

A bill for an act to amend section 4 of chapter 156, of the session laws of 1901, relating to the appropriation and payment of moneys derived from taxation for the maintenance of state schools.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays 1, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Robillard
Allen	Johnson	Rogers
Aslakson	Knudtson	Ryan
Bart	Kraabel	Scheer
Beck	Lee	Schouweiler
Blank	Leech	Senour
Bostrom	Lillie	Severson
Bourassa	Lyons	Shiels
Braaten	Mallough	Skjold
Brown	McClure	Simpson
Burtness	McCrea	Smart of Nelson
Cassell	McDowell	Smart of Traill
Chevalier	McKenzie	Stavens
Chisholm	McKnight	Steinberg
Cole	McLain	Thompson
Dahl	Meidinger	Truemmer
Davis	Midgarden	Tufte
Dickinson	Miller	Van Arnam
Dieball	Noben	Wagner
Elton	Noltmier	Wall
Ellison	Palfrey	Watson
Ferguson	Palmer	Watts
Flados	Patterson	Welo
Gagnon	Peterson of Towne	Wing
Gilbert	Peterson of Wells	Weigel
Harvey	Phifer	Young
Hammer	Richmond	Mr. Speaker
Heath		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lish	Oksendahl
Buttz	Maddock	Rose
Chaffee	Mattson	Stevens
Fried	McGahan	Underwood
Gullerud	Mooney	Weed
Hanson	Movius	

Mr. Connolly voting in the negative.

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 100,

A bill for an act relating to the time of holding village annual elections in incorporated villages, and to amend and re-enact sections 2355 and 2358 of the Revised Codes of North Dakota for the year A. D. 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hammer	Robbilar
Aslakson	Hanson	Rogers
Bartz	Harvey	Scheer
Beck	Hill	Schouweiler
Blank	Johnson	Senour
Bostrom	Knudtson	Severson
Bourassa	Kraabel	Shiels
Braaten	Leech	Skjold
Brown	Mallough	Simpson
Burtness	McClure	Smart of Traill
Cassell	McCrea	Stavens
Chevalier	McDowell	Steinberg
Cole	McKenzie	Stevens
Connolly	McKnight	Thompson
Dahl	Meidinger	Tufte
Davis	Midgarden	Van Arnam
Dickinson	Miller	Wagner
Dieball	Mooney	Wall
Elton	Noben	Watson
Ellison	Noltmier	Watts
Ferguson	Palfrey	Weed
Flados	Patterson	Weigel
Fried	Peterson of Towner	Welo
Gagnon	Peterson of Wells	Wing
Gilbert	Phifer	Mr. Speaker
Gullerud	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lish	Palmer
Baker of Ramsey	Lyons	Rose
Buttz	Maddock	Ryan
Chaffee	Mattson	Smart of Nelson
Chisholm	McGahan	Truemner
Heath	McLain	Underwood
Lee	Movius	Young
Lillie	Oksendahl	

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

The speaker in the chair.

Senate Bill No. 102,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for conservatories, for installation of electric light plant, for equipment of science hall and for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Robillard
Allen	Hill	Rogers
Aslakson	Johnson	Ryan
Bart	Knudtson	Scheer
Beck	Kraabel	Schouweiler
Blank	Lee	Senour
Bostrom	Leech	Severson
Bourassa	Lyons	Shiels
Braaten	Mallough	Skjold
Brown	McClure	Smart of Nelson
Burtness	McCrea	Smart of Traill
Cassell	McKenzie	Stavens
Chevalier	McKnight	Steinberg
Cole	McLain	Stevens
Connolly	Meidinger	Thompson
Dahl	Midgarden	Truemner
Davis	Miller	Tufte
Dickinson	Mooney	Van Arnam
Dieball	Noben	Wagner
Elton	Noltmier	Wall
Ellison	Oksendahl	Watson
Ferguson	Palfrey	Watts
Flados	Palmer	Weed
Gagnon	Patterson	Weigel
Gilbert	Peterson of Towner	Welo
Gullerud	Peterson of Wells	Wing
Harvey	Phifer	Young
Hammer	Richmond	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lille	McGahan
Buttz	Lish	Movius
Chaffee	Maddock	Rose
Chisholm	Mattson	Simpson
Fried	McDowell	Underwood
Heath		

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 119,

A bill for an act providing for the dismissal of actions in the courts of record of this state which have been pending for a period five years, wherein the plaintiff or his successor in interest has neglected to prosecute said action.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 80, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Rogers
Allen	Heath	Ryan

Messrs.—
 Aslakson
 Bartz
 Beck
 Blank
 Bostrom
 Bourassa
 Braaten
 Burtness
 Cassell
 Chaffee
 Chisholm
 Cole
 Connolly
 Dahl
 Dickinson
 Dieball
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gagnon
 Gilbert
 Gullerud
 Hammer

Messrs.—
 Hill
 Knudtson
 Lee
 Leech
 Lyons
 Mallough
 McClure
 McCrea
 McDowell
 McGahan
 McKenzie
 McKnight
 McLain
 Meidinger
 Midgarden
 Mooney
 Noben
 Noltmier
 Oksendahl
 Palmer
 Patterson
 Peterson of Wells
 Phifer
 Richmond
 Robbilard

Messrs.—
 Scheer
 Schouweiler
 Senour
 Severson
 Shiels
 Skjold
 Smart of Nelson
 Smart of Traill
 Stavens
 Steinberg
 Stevens
 Thompson
 Truemner
 Tufte
 Van Arnam
 Wagner
 Wall
 Watson
 Weed
 Weigel
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—
 Baker of Ramsey
 Brown
 Buttz
 Chevalier
 Davis
 Harvey
 Johnson

Messrs.—
 Kraabel
 Lillie
 Lish
 Maddock
 Mattson
 Miller
 Movius

Messrs.—
 Palfrey
 Peterson of Towner
 Rose
 Simpson
 Underwood
 Watts

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 160,

A bill for an act fixing the time for holding terms of the district court in the various counties comprising the fourth judicial district of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—
 Aandahl
 Allen
 Baker of Ramsey
 Bartz

Messrs.—
 Hill
 Johnson
 Knudtson
 Lee

Messrs.—
 Richmond
 Robbilard
 Rogers
 Ryan

Messrs.—

Blank
 Bostrom
 Bourassa
 Braaten
 Brown
 Burtness
 Chevalier
 Cole
 Connolly
 Dahl
 Davis
 Dickinson
 Dieball
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gagnon
 Gullerud
 Harvey
 Hammer
 Hanson
 Heath

Messrs.—

Lillie
 Mallough
 Mattson
 McClure
 McCrea
 McDowell
 McGahan
 McKenzie
 McKnight
 McLain
 Meidinger
 Midgarden
 Miller
 Mooney
 Noben
 Noltmier
 Oksendahl
 Palfrey
 Palmer
 Patterson
 Peterson of Towner
 Peterson of Wells
 Phifer

Messrs.—

Scheer
 Schouweiler
 Senour
 Severson
 Shiels
 Skjold
 Smart of Nelson
 Stavens
 Steinberg
 Stevens
 Thompson
 Truemmer
 Tufte
 Van Arnam
 Wagner
 Wall
 Watson
 Watts
 Weigel
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
 Beck
 Buttz
 Cassell
 Chaffee
 Chisholm

Messrs.—

Gilbert
 Kraabel
 Leech
 Lish
 Lyons
 Maddock

Messrs.—

Movius
 Rose
 Simpson
 Smart of Traill
 Underwood
 Weed

Messrs. Buttz, Gilbert Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Was read the third time

Mr. Beck moved

That the bill be referred back to the steering committee.
 Which motion prevailed.

The bill was so referred.

Mr. Mattson moved

That House Bill 268 be made a special order for tomorrow at 3 o'clock p. m.

Which motion prevailed.

Mr. Davis moved

That the house do now take a recess until 10 o'clock a. m. tomorrow.

Which motion prevailed, and

The house took a recess until 10 o'clock a. m. tomorrow.

A. O. ANDERSON,
Chief Clerk.

FIFTY-SEVENTH DAY — AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK NORTH DAKOTA,
March 4, 1903.

The house assembled at 10 o'clock, a. m., pursuant to recess taken.

THIRD READING OF SENATE BILLS.

Senate Bill No. 204.

A bill for an act extending the jurisdiction of justices of the peace in organized counties over unorganized counties which are a part of the same judicial subdivision, and providing for the payment of expenses in criminal prosecutions arising in said unorganized counties.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 67, nays none, absent and not voting 33.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson

Messrs.—

Hill
Johnson
Knutson

Messrs.—

Robillard
Rogers
Scheer

Messrs.—

Beck
Blank
Bourassa
Braaten
Chaffee
Chevalier
Connolly
Dahl
Davis
Dickinson
Elton
Ellison
Ferguson
Flados
Fried
Gilbert
Gullerud
Hanson
Harvey
Heath

Messrs.—

Kraabel
Leech
Lish
Lyons
McClure
McCrea
McDowell
McGahan
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltmier
Palfrey
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Wagner
Wall
Watts
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Bartz
Bostrom
Brown
Burtness
Buttz
Cassell
Chisholm
Cole
Dieball
Gagnon

Messrs.—

Hammer
Lee
Lillie
Maddock
Mallough
Mattson
McKenzie
Movius
Oksendahl
Palmer
Patterson

Messrs.—

Richmond
Rose
Ryan
Underwood
Van Arnám
Watson
Weed
Weigel
Welo
Wing

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Lyons moved

That the vote by which Senate Bill No. 86 passed be reconsidered and that the bill be made a special order for tomorrow at 2:30 p. m.

Which motion prevailed, and

Senate Bill No. 86 was made a special order for tomorrow at 2:30 p. m.

Mr. Young moved

That the vote by which Senate Bill No. 107 passed be reconsidered and the bill be put on its final passage.

Which motion prevailed.

Mr. Chaffee moved

That the further consideration of Senate Bill No. 107 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 153,

A bill for an act to amend section 108 of the Revised Codes of North Dakota, for the year 1899, relating to the duties of state treasurer.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 72, nays none, absent not voting 28.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Peterson of Wells
Allen	Hill	Phifer
Aslakson	Johnson	Robillard
Bartz	Knudtson	Rogers
Beck	Kraabel	Schouweiler
Blank	Leech	Senour
Bourassa	Lish	Severson
Braaten	Mattson	Shiels
Cassell	McClure	Skjold
Chaffee	McCrea	Smart of Nelson
Chevalier	McDowell	Smart of Traill
Connolly	McGahan	Stavens
Dahl	McKenzie	Steinberg
Davis	McKnight	Thompson
Dickinson	McLain	Truemner
Elton	Meidinger	Tufte
Ellison	Midgarden	Van Arnam
Ferguson	Miller	Wagner
Flados	Mooney	Wall
Fried	Movius	Watson
Gagnon	Noben	Watts
Gilbert	Noltmier	Welo
Gullerud	Palfrey	Young
Hanson	Palmer	Mr. Speaker
Harvey	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lee	Ryan
Bostrom	Lillie	Scheer
Brown	Lyons	Simpson
Burtness	Maddock	Stevens
Buttz	Mallough	Underwood
Chisholm	Oksendahl	Weed
Cole	Patterson	Weigel
Dieball	Richmond	Wing
Hammer	Rose	

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 60,

A bill for an act to amend and re-enact chapter 84, of the session laws of 1901, relating to education.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 81, nays 2, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Robillard
Allen	Knudtson	Rogers
Aslakson	Kraabel	Ryon
Bartz	Leech	Scheer
Beck	Lish	Schouweiler
Blank	Lyons	Senour
Bourassa	Mallough	Severson
Braaten	Mattson	Sheils
Brown	McClure	Skjold
Cassell	McCrea	Simpson
Chaffee	McDowell	Smart of Nelson
Chevallier	McGahan	Smart of Traill
Connolly	McKenzie	Stavens
Dahl	McKnight	Steinberg
Davis	McLain	Thompson
Dickinson	Meldinger	Truemmer
Elton	Midgarden	Tuft
Ellison	Miller	Van Arnam
Ferguson	Mooney	Wagner
Flados	Movius	Wall
Fried	Noben	Watson
Gagnon	Noitmier	Watts
Gilbert	Oksendahl	Weigel
Gullerud	Palmer	Welo
Harvey	Peterson of Towner	Wing
Heath	Peterson of Wells	Young
Hill	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Hammer	Richmond
Burtness	Lee	Rose
Buttz	Lillie	Stevens
Chisholm	Maddock	Underwood
Cole	Palfrey	Weed
Dieball	Patterson	

Messrs. Baker of Ramsey and Hanson voting in the negative.

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

REPORT OF STEERING COMMITTEE

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Have had the same under consideration and recommend that the same do pass with the amendment heretofore adopted by the house.

GEORGE M. YOUNG,
Chairman.

Senate Bill No. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lee	Rogers
Allen	Leech	Ryan
Aslakson	Lish	Scheer
Bartz	Lyons	Schouweiler
Beck	Mallough	Senour
Blank	Mattson	Severson
Bourassa	McClure	Shiels
Braaten	McCrea	Skjold
Cassell	McDowell	Simpson
Chaffee	McGahan	Smart of Nelson
Chevalier	McKenzie	Smart of Traill
Connolly	McKnight	Stavens
Dahl	McLain	Steinberg
Davis	Meidinger	Stevens
Dickinson	Miller	Thompson

Messrs.—

Ellison
Flados
Gagnon
Gilbert
Hammer
Hanson
Harvey
Heath
Hill
Johnson
Knutdson
Kraabel

Messrs.—

Mooney
Movius
Noben
Noltmier
Casendahl
Palfrey
Palmer
Peterson of Towner
Peterson of Wells
Phifer
Robillard

Messrs.—

Truemner
Tuft
Van Arnam
Wagner
Wall
Watts
Weed
Weigel
Welo
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Bostrom
Brown
Burtness
Buttz
Chisholm
Cole

Messrs.—

Dieball
Elton
Ferguson
Fried
Gullerud
Lillie
Maddock

Messrs.—

Midgarden
Patterson
Richmond
Rose
Underwood
Watson
Wing

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Fried moved

That the vote by which Senate Bill No. 183 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 89,

A bill for an act to amend section 1530, Revised Codes of 1899 relating to the compensation and expenses of the board of insanity.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays none, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Bourassa
Braaten
Cassell
Chaffee
Chevalier
Connolly
Dahl

Messrs.—

Johnson
Knutdson
Kraabel
Lee
Lecch
Lish
Mallough
Mattson
McClure
McCrea
McDowe!!
McKenzie

Messrs.—

Rogers
Ryan
Scheer
Schouweiler
Senour
Severson
Shells
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens

Messrs.—

Davis
Dickinson
Dieball
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hanson
Harvey
Heath
Hill

Messrs.—

McKnight
McLain
Meidinger
Midgarden
Mooney
Noben
Oksendahl
Palfrey
Palmer
Peterson of Towner
Peterson of Wells
Phifer
Robillard

Messrs.—

Steinberg
Thompson
Truemer
Tufto
Van Arnam
Wagner
Wall
Watts
Weigel
Welo
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Blank
Bostrom
Brown
Burtness
Buttz
Chisholm
Cole
Elton

Messrs.—

Hammer
Lilie
Lyons
Maddock
McGahan
Miller
Movius
Noltimier

Messrs.—

Patterson
Richmond
Rose
Stevens
Underwood
Watson
Weed
Wing

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill no. 108,

A bill for an act providing that no tax shall be set aside for any irregularity or defect in form, or illegality in assessing, laying or levying such tax, if the person against whom, or the property upon which such tax is levied, assessed or laid is in fact liable to taxation, and giving the courts power to amend and correct all irregularities and defects in the form or manner of assessment.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Bourassa
Braaten
Brown
Cassell
Chaffee

Messrs.—

Johnson
Knutson
Kraabel
Lee
Leech
Mallough
Mattson
McClure
McCrea
McDowell

Messrs.—

Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill

Messrs.—

Chevalier
Cole
Connolly
Dahl
Davis
Dickinson
Ellison
Ferguson
Flados
Gagnon
Gilbert
Gullerud
Hanson
Harvey
Heath
Hill

Messrs.—

McGahan
McKenzie
McKnight
McLain
Meldinger
Midgarden
Mooney
Noben
Noitimier
Oksendahl
Palfrey
Palmer
Peterson of Wells
Phifer
Robillard
Rogers

Messrs.—

Stavens
Steinberg
Stevens
Thompson
Truemner
Tufto
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Welo
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Blank
Bostrom
Burtness
Buttz
Chisholm
Dieball
Elton

Messrs.—

Fried
Hammer
Lille
Lish
Lyons
Maddock
Miller
Movius

Messrs.—

Patterson
Peterson of Towner
Richmond
Rose
Underwood
Weed
Wing

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Wall moved

That the vote by which Senate Bill No. 108 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 93,

A bill for an act to amend and re-enact section 7553 of chapter 61 of the penal code of the Revised Codes of 1899, relating to injuries to or obstruction of any telegraph lines or appurtenances or apparatus therewith connected by adding thereto and bringing within the provisions therewith telephone lines.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays none, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Blank

Messrs.—

Kraabel
Lee
Lecch
Lillie
Lish

Messrs.—

Ryan
Scheer
Schouweiler
Senour
Severson

Messrs.—

Bourassa
Braaten
Brown
Cassell
Chaffee
Chevallier
Dahl
Davis
Dickinson
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hanson
Harvey
Heath
Hill
Johnson

Messrs.—

Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKnight
McLain
Meidinger
Midgarden
Mooney
Noten
Noltmier
Palfrey
Palmer
Peterson of Wells
Phifer
Robillard
Rogers

Messrs.—

Shells
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Stenberg
Stevens
Thompson
Truemner
Tufto
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Welo
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Beck
Bostrom
Burtness
Buttz
Chisholm
Cole
Connolly

Messrs.—

Dieball
Elton
Hammer
Knudtson
Maddock
McKenzie
Miller
Movius

Messrs.—

Oksendahl
Patterson
Peterson of Towner
Richmond
Rose
Underwood
Weed
Wing

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Mooney moved

That the vote by which Senate Bill No. 93 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 88,

A bill for an act to amend sections 1447 and 1448 of the Revised Codes as amended by section 1, chapter 79 of the laws of 1899 relating to the establishment, construction and maintenance of drains.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 82, nays 1, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Asiakson

Messrs.—

Knudtson
Kraabel
Lee

Messrs.—

Phifer
Robillard
Ryan

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Leech	Scheer
Bartz	Lillie	Schouweller
Beck	Lish	Senour
Bourassa	Lyons	Severson
Braaten	Mallough	Shiels
Brown	Mattson	Skjold
Burtness	McClure	Simpson
Cassell	McCrea	Smart of Nelson.
Chaffee	McDowell	Smart of Traill
Chevalier	McGahan	Stavens
Connolly	McKenzie	Steinberg
Dahl	McKnight	Stevens
Davis	McLain	Thompson
Dickinson	Meidinger	Truemner
Ellison	Midgarden	Tufte
Ferguson	Miller	Van Arnam
Flados	Mooney	Wagner
Fried	Noben	Wall
Gagnon	Noltmier	Watson
Gilbert	Oksendahl	Watts
Gullerud	Palfrey	Weigel
Harvey	Palmer	Welo
Heath	Peterson of Towner	Young
Hill	Peterson of Wells	Mr. Speaker
Johnson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Elton	Rogers
Bostrom	Hammer	Rose
Buttz	Maddock	Underwood
Chisholm	Movius	Weed
Cole	Patterson	Wing
Dieball	Richmond	

Mr. Hanson voted in the negative.

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 158,

A bill for an act to amend section 59 of the Revised Codes of North Dakota for the year 1899, relating to the printing of biennial, annual and special reports; how printed.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Robillard
Allen	Kraabel	Rogers
Aslakson	Lee	Ryan
Beck	Leech	Scheer

Messrs.—

Blank
Bourassa
Braaten
Brown
Cassell
Chaffee
Chevallier
Dahl
Davis
Dickinson
Elton
Ellison
Ferguson
Flados
Gagnon
Gilbert
Gullerud
Hanson
Harvey
Heath
Hill
Johnson

Messrs.—

Lillie
Lish
Lyons
Mallough
Mattson
McClure
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Miller
Mooney
Noben
Noltimier
Oskendahl
Palf.ey
Palmer
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufto
Van Arnam
Wagner
Watson
Watts
Weigel
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Bartz
Bostrom
Burtness
Buttz
Chisholm
Cole
Connolly

Messrs.—

Dieball
Fried
Hammer
Maddock
McCrea
Midgarden
Movius
Patterson

Messrs.—

Richmond
Rose
Underwood
Wall
Weed
Welo
Wing

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 133,

A bill for an act to amend sections 2680b and 2680d of the Revised Codes of the state of North Dakota, 1899, relating to dissolution of townships.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Blank
Bourassa

Messrs.—

Heath
Hill
Johnson
Knudtson
Kraabel
Leech
Lish

Messrs.—

Robillard
Rogers
Ryan
Scheer
Schouweiler
Senour
Severson

Messrs.—	Messrs.—	Messrs.—
Braaten	Mallough	Shiels
Brown	Mattson	Skjold
Cassell	McClure	Simpson
Chaffee	McCrea	Smart of Nelson
Chevalier	McKnight	Smart of Traill
Connolly	McLain	Stavens
Dahl	Meidinger	Steinberg
Davis	Midgarden	Stevens
Dickinson	Miller	Thompson
Elton	Mooney	Truemner
Ellison	Noben	Van Arnam
Flados	Noitimier	Wagner
Fried	Oksendahl	Wall
Gagnon	Palfrey	Weigel
Gilbert	Palmer	Welo
Gullerud	Peterson of Towner	Young
Hanson	Peterson of Wells	Mr. Speaker
Harvey	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Lee	Richmond
Bostrom	Lillie	Rose
Burtness	Lyons	Tufte
Buttz	Maddock	Underwood
Chisholm	McDowell	Watson
Cole	McGahan	Watts
Dieball	McKenzie	Weed
Ferguson	Movius	Wing
Hammer	Patterson	

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 145,

A bill for an act to amend and re-enact section 274a, 274b, 274c, 274d, 274e, 274f, 274g of chapter 4 of the political code of 1899, relating to the collection and reporting of vital statistics, prescribing the duties of officers who collect and report such statistics, defining the duties of county auditors in relation thereto and fixing compensation and method of paying the same, and providing penalties for the violation of this act.

Was read the third time.

Mr. Davis asked unanimous consent to make an amendment.

There being no objection the request was granted, and

Mr. Davis offered the following amendment, and moved its adoption: In line 30, printed bill, after the word "hours" insert "or 3 days if outside of incorporate limits of cities, towns and villages except in cases of contagious disease." Insert same amendment after word "hours" in line 35. Also in line 44 insert same amendment after "hours."

Which motion prevailed, and

The amendments were adopted.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 79, nays 1, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—

Aandahl
 Allen
 Aslakson
 Bartz
 Beck
 Blank
 Bourassa
 Braaten
 Cassell
 Chaffee
 Chevalier
 Connolly
 Dahl
 Davis
 Dickinson
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gagnon
 Gullerud
 Hanson
 Harvey
 Heath
 Hill
 Johnson

Messrs.—

Kraabel
 Leach
 Lillie
 Lish
 Lyons
 Mallough
 Mattson
 McClure
 McCrea
 McDowell
 McKenzie
 McKnight
 McLain
 Meidinger
 Midgarden
 Miller
 Mooney
 Noben
 Noltimier
 Oksendahl
 Palfrey
 Palmer
 Peterson of Towner
 Phifer
 Rcbillard
 Rogers

Messrs.—

Ry: n
 Scheer
 Schouweiler
 Senour
 Severson
 Sheils
 Skjold
 Simpson
 Smart of Nelson
 Smart of Trail
 Stavens
 Steinberg
 Stevens
 Thompson
 Truemner
 Tutte
 Van Arnam
 Wagner
 Wall
 Watson
 Watts
 Weigel
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
 Bostrom
 Brown
 Burtness
 Buttz
 Chisholm
 Cole

Messrs.—

Dieball
 Gilbert
 Hammer
 Knudtson
 Lee
 Maddock
 McGahan

Messrs.—

Movius
 Paterson
 Richmond
 Rose
 Underwood
 Weed

Mr. Peterson of Wells voted in the negative.

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 231,

A bill for an act to amend and re-enact chapter 92 of the session laws of 1901, relating to the fees of clerks of the district court.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 228,

A bill for an act creating the office of inspector general of weights and measures.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 227,

A bill for an act to provide for the extension and enlargement and improvement of water systems in incorporated cities.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 218,

A bill for an act amending and re-enacting section 4738 Revised Codes 1899, relating to the execution of mortgages on personal property.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 201,

A bill for an act defining the duty of railroads, railroad corporations, railroad companies, express companies, car companies and every common carrier other than by water, and the person or persons operating any such common carrier, as receiver, lessee or trustee, in the transportation of any kind of live stock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this act.

Was read the first and second times, and
Referred to the steering committee.

Also.

Senate Bill No. 162,

A bill for an act declaring it a misdemeanor to obtain credit from livery stable keepers by use of false pretenses.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 166,

A bill for an act to amend and re-enact section 1115b of article 5 of chapter 11, of the Revised Codes of 1899, relating to the purchase of road machinery.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 154,

A bill for an act repealing sections 1038, 1039, 1040, 1041, 1042, 1043 and 1044 of the Revised Codes of 1899.

Was read the first and second times, and

Referred to steering committee.

Also,

Senate Bill No. 149,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899.

Was read the first and second times, and

Referred to steering committee.

Also.

Senate Bill No. 41,

A bill for an act making it unlawful for any person to take or solicit orders for intoxicating liquors within the state of North Dakota.

Was read the first and second times, and

Referred to the steering committee.

The speaker called Mr. Young to the chair.

Senate Bill No. 138,

A bill for an act to amend section number 4795, of the Revised Codes, relating to sales of buildings upon foreclosure of mechanics' liens thereon.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 50, nays 11, absent and not voting 39.

Those who voted in the affirmative were;

Messrs.—

Aandahl

Blank

Messrs.—

Johnson

Kraabel

Messrs.—

Severson

Simpson

Messrs.—	Messrs.—	Messrs.—
Cassell	Lee	Smart of Nelson
Chaffee	Mallough	Smart of Trail
Cole	Mattson	Stavens
Connolly	McClure	Steinberg
Dahl	McKenzie	Stevens
Davis	McKnight	Thompson
Dickinson	Maidinger	Truemner
Ellison	Miller	Tufta
Ferguson	Noben	Van Arnam
Flados	Noltmier	Wagner
Fried	Palfrey	Wall
Gilbert	Palmer	Watson
Hanson	Phifer	Weigel
Heath	Schouweiler	Young
Hill	Senour	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Knudtson	Peterson of Wells
Bart	Midgarden	Scheer
Bourassa	Oksendahl	Skjold
Harvey	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Gullerud	Patterson
Baker of Ramsey	Hammer	Richmond
Beck	Leach	Robillard
Boetrom	Lillie	Rogers
Braaten	Lish	Rose
Brown	Lyons	Ryan
Burtness	Maddock	Sheils
Buttz	McCrea	Underwood
Chevalier	McDowell	Watts
Chisholm	McGahan	Weed
Dieball	McLain	Welo
Elton	Mooney	Wing
Gagnon	Movius	Mr. Speaker

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

The speaker in the chair.

Senate Bill No. 173,

A bill for an act to amend and re-enact sections 759 and 761 of the Revised Codes, relating to education.

Was read the third time.

The question being on the final passage of the bill

The roll was called and there were ayes 55, nays 2, absent and not voting 43.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Peterson of Wells
Allen	Hill	Phifer
Aslakson	Johnson	Ryan

Messrs.—	Messrs.—	Messrs.—
Bartz	Kraabel	Scheer
Beck	Lyons	Schouweiler
Blank	Mallough	Severson
Bourassa	Mattson	Simpson
Braaten	McClure	Smart of Nelson
Brown	McGahan	Smart of Trall
Cassell	McLain	Stavens
Chaffee	Meidinger	Tho. upson
Chevalier	Midgarden	Truemner
Davis	Miller	Van Arnam
Dickinson	Mooney	Wagner
Elton	Noltmier	Wall
Ellison	Oksendahl	Watson
Flados	Palfrey	Welo
Fried	Peterson of Towner	Young
Gagnon		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Knudtson	Robillard
Bostrom	Lee	Rogers
Burtness	Leech	Rose
Buttz	Lillie	Senour
Chisholm	Lish	Shiels
Cole	Maddock	Skjold
Connolly	McCrea	Steinberg
Dahl	McDowell	Stevens
Dieball	McKenzie	Underwood
Ferguson	McKnight	Watts
Gilbert	Movius	Weed
Gullerud	Palmer	Weigel
Hammer	Patterson	Wing
Hanson	Richmond	Mr. Speaker
Harvey		

Messrs. Noben and Tufte voting in the negative.

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Kraabel moved

That the house do now adjourn to meet at 2:30 this afternoon.

Which motion prevailed, and

The house adjourned until 2:30 this afternoon.

A. O. ANDERSON,

Chief Clerk.

FIFTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 4, 1903.

The house assembled at 2:30 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Buttz, Maddock and Rose, who were excused.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 17,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Also,

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Also,

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

Also,

House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies and for fixing the number and compensation of such deputies.

Also,

House Bill No. 75,

A bill for an act to provide for the assessment of property

omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Also,

House Bill No. 84,

A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes 1899, defining rape, abduction, carnal abuse of children and seduction.

Also,

House Bill No. 96

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota, appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Also,

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.

Also,

House Bill No. 127,

A bill for an act to amend and re-enact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.

Also,

House Bill No. 146,

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.
And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal beg leave to report that they have carefully examined the journal of the fifty-seventh day and recommend that the same be amended as follows:

On page 2, line 3, the words "Mr. President," be changed to read "Mr. Speaker."

On page 2, line 19, the word "highways," be corrected as to spelling.

On page 3, line 12, from the bottom of said page, the word "year," be corrected as to spelling.

On page 4, line 8, the word "the," be corrected as to spelling.

On page 6, line 21, the word "changed," be corrected as to spelling.

On page 7, regarding House Bill No. 70, the word "boundaries," be corrected as to spelling.

On page 11, that such changes as may be necessary be made to show Mr. Phifer voting in the affirmative on House Bill 281.

On page 12, regarding House Bill No. 277, the figures be so changed as to show ayes 54, nays 42.

Senate Bill 120 ,page 31, Mr. Beck should be reported as not voting. On page 48, line 1, the name "Beck," be changed to "Mattson."

And when so amended recommended that the same do pass.

Also,

Mr. Speaker:

Your committee respectfully reports that they have further examined the journal of the fifty-third day and recommend that such corrections be made on page 24 as to show Messrs. Cassell and Hill voting in the negative on House Bill No. 161.

And when so amended recommend the same stand approved.

THOS. HEATH,

Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Peterson of Wells moved

That Senate Bill No. 100 be recalled from the senate.

Which motion prevailed.

Senate Bill No. 47.

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 76, nays none, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bostrom
Braaten
Brown
Burtness

Messrs.—

Hill
Johnson
Knutdson
Kraabel
Lee
Lillie
Lish
Mallough
Mattson
McKenzie

Messrs.—

Rogers
Scheer
Schouweiler
Senour
Severson
Shtels
Skjold
Simpson
Smart of Nelson
Smart of Traill

Messrs.—	Messrs.—	Messrs.—
Cassell	McKnight	Stavens
Chevalier	McLain	Steinberg
Cole	Meldinger	Stevens
Connolly	Midgarden	Thompson
Dahl	Mooney	Truemner
Davis	Noben	Underwood
Dickinson	Noltimier	Van Arnam
Dieball	Oksendahl	Wagner
Elton	Palfrey	Wall
Ellison	Palmer	Watson
Flados	Patterson	Weed
Fried	Peterson of Towner	Weigel
Gagnon	Peterson of Wells	Welo
Gullerud	Phifer	Wing
Hanson	Robillard	Mr. Speaker
Heath		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Harvey	Miller
Bourassa	Leech	Movius
Buttz	Lyons	Richmond
Chaffee	Maddock	Rose
Chisholm	McClure	Ryan
Ferguson	McCrea	Tufts
Gilbert	McDowell	Watts
Hammer	McGahan	Young

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 127,

A bill for an act to amend section 377 of the Revised Codes of 1899, relating to general terms of the supreme court, and section 378 of the Revised Codes of 1899, relating to procedure therein.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Allen	Heath	Richmond
Bartz	Johnson	Robillard
Beck	Knudtson	Rogers
Blank	Kraabel	Ryan
Bostrom	Lee	Scheer
Bourassa	Lillie	Schouweiler
Braaten	Lish	Severson
Brown	Lyons	Sheils
Burtness	Mallough	Skjold
Cassell	Mattson	Simpson
Chevalier	McClure	Smart of Nelson
Cole	McGahan	Smart of Trail

Messrs.—	Messrs.—	Messrs.—
Connolly	McKenzie	Stavens
Dahl	McKnight	Steinberg
Davis	McLain	Stevens
Dickinson	Meidinger	Thompson
Dieball	Miller	Truemmer
Elton	Mooney	Tuftø
Ellison	Movius	Underwood
Ferguson	Noben	Van Arnam
Flados	Noltmier	Wagner
Fried	Oksendahl	Wall
Gagnon	Palrey	Watson
Gilbert	Palmer	Weed
Gullerud	Patterson	Weigel
Hammer	Peterson of Towner	Welo
Hanson	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Leech	Rose
Baker of Ramsey	Maddock	Senour
Buttz	McCrea	Watts
Chaffee	McDowell	Wing
Chisholm	Midgarden	Young
Hill		

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 112,

A bill for an act amending section 424 of the Revised Codes of 1899, relating to admission of attorneys on certificates from other states.

Also,

Senate Bill No. 27,

A bill for an act to amend and re-enact section 1209 of the Revised Codes of 1899 relating to the compensation of assessors.

Also,

Senate Bill No. 111,

A bill for an act providing for sending non-resident insane persons to their place of residence at expense of the state.

Also,

Senate Bill No. 106,

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

Also,

Senate Bill No. 39,

A bill for an act defining the mode of inflicting the death penalty; designating the warden of North Dakota penitentiary executioner; prescribing that the death penalty shall only be in-

flicted within the walls of the North Dakota penitentiary; how execution may be suspended and amending sections 8305 and 8308, of the Revised Codes of North Dakota of 1899.

Also,

House Bill No. 127,

A bill for an act to amend and re-enact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.

Also,

House Bill No. 146,

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.

Also,

House Bill No. 96

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota, 1899, relating to the manufacture and sale of dairy products, the appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Also,

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

Also,

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.

Also,

House Bill No. 75,

A bill for an act to provide for the assessment of property omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Also,

House Bill No. 17,

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Which the senate has passed without change.

Also,

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Also,

House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies and for fixing the number and compensation of such deputies.

Also,

House Bill No. 84,

A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes 1899, defining rape, abduction, carnal abuse of children and seduction.

And the speaker signed the same in the presence of the house.

Senate Bill No. 178,

A bill for an act defining the word "valuation" when used as a basis on which salaries are paid and fixing the time salaries shall begin when based on valuation.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Robillard
Allen	Johnson	Rogers
Aslakson	Knudtson	Ryan
Bartz	Kraabel	Scheer
Beck	Leech	Schouweiler
Blank	Lillie	Serour
Bostrom	Lish	Severson
Bourassa	Lyns	Shells
Braaten	Mallough	Skjold
Brown	Mattson	Simpson
Burtness	McClure	Smart of Nelson
Cassell	McCrea	Smart of Traill
Chaffee	McKenzie	Stavens
Chevalier	McKnight	Steinberg
Connolly	McLain	Stevens
Dahl	Meidinger	Thompson
Davis	Miller	Truemner
Dickinson	Mooney	Tutte
Dieball	Movius	Underwood
Elton	Noben	Van Arnam
Ellison	Noltmier	Wagner
Flados	Oksendahl	Wall
Fried	Pa'frey	Watson
Gagnon	Palmer	Weed
Gilbert	Patterson	Weigel
Hammer	Peterson of Towner	Welo
Hanson	Peterson of Wells	Young
Harvey	Phifer	Mr. Speaker
Heath	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Gullerud	Midgarden
Buttz	Lee	Rose
Chisholm	Maddock	Watts
Cole	McDowell	Wing
Ferguson	McGahan	

Messrs. Ruttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 94,

A bill for an act for the protection of game, defining what shall be considered prima facie evidence of the violation of this act, and providing a penalty therefor.

Was read the third time.

Mr. Beck moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Weed moved

That the house return to the ninth order of business.

Which motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Weed introduced

House Bill No. 287,

A bill for an act to amend and re-enact section 28 Revised Codes 1899, relating to legislative officers and employees.

Which was read the first and second times, and

Referred to steering committee.

Mr. Weed introduced

House Bill No. 288,

A concurrent resolution providing for the appointment of a committee to investigate the affairs of the state penitentiary of North Dakota.

Which was read the first and second times, and

Referred to steering committee.

Mr. Brown introduced

House Bill No. 289,

A bill for an act to amend and re-enact sections 497a of the Revised Codes of 1899, regulating caucuses and nominations for office.

Which was read the first and second times, and

Referred to steering committee.

The steering committee made the following report:

Mr. Speaker:

Your steering committee recommend that the order of business for today's session be as follows:

1. Reports from committees.
2. Third reading of house bills.
3. Third reading of following senate bills:

Senate Bill No. 3,

A bill for an act providing for a bounty on wolves and coyotes, creating a fund for the payment of the same and regulating the manner of procuring said bounty.

Senate Bill No. 170,

A Bill for an act to amend and re-enact section 1271 of the Revised Codes of 1899, relating to sale of property bid in for the county.

Senate Bill No. 140,

A bill for an act authorizing and directing the board of university and school lands to create and invest a sinking fund for the payment of bonds issued by state educational, charitable or other state institution, defining the manner of creating such sinking fund, and prescribing the duties of the board of university and school lands in relation thereto.

Senate Bill No. 208,

A bill for an act to amend section 1419, of the Revised Codes of North Dakota for 1899, relating to the payment of armory rent to the respective organizations of the North Dakota National Guard.

Senate Bill No. 207,

A bill for an act to authorize the various organizations composing the North Dakota National Guard to build armories, to create a board to supervise the construction thereof and to issue bonds therefor.

Senate Bill No. 228,

A bill for an act creating the office of inspector general of weights and measures.

Senate Bill No. 101,

A bill for an act to amend section 1896 of the Revised Codes relating to term of offices of county commissioners and also to repeal chapter 33 of the special laws of 1885.

Substitute for Senate Bill No. 2,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Senate Bill No. 225,

A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.

Senate Bill No. 176,

A bill for an act to amend section 137 of the Revised Codes relating to the duties of state examiner to examine accounts of public officers.

Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

4. Report from steering committee.

GEORGE M. YOUNG,
Chairman.

Mr. Lyons moved

That Senate Bill No. 3 be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 3,

A bill for an act providing for a bounty on wolves and coyotes, creating a fund for the payment of the same and regulating the manner of procuring said bounty.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 61, nays 33, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Harvey	Peterson of Wells
Aslakson	Knudtson	Phifer
Bartz	Lee	Richmond
Beck	Lillie	Robillard
Blank	Lish	Ryan
Bostrom	Lyons	Scheer
Bourassa	Mattson	Senour
Brown	McClure	Sheils
Burtness	McGahan	Simpson
Cole	McKenzie	Steinberg
Connolly	McLain	Stevens
Davis	Meldinger	Underwood
Dickinson	Miller	Van Arnam
Dieball	Mooney	Wagner
Elton	Movius	Wall
Ellison	Noben	Watson
Flados	Oksendahl	Weed
Fried	Palmer	Weigel
Gagnon	Patterson	Welo
Hammer	Peterson of Towner	Mr. Speaker
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Severson
Braaten	Kraabel	Skjold
Cassell	Leech	Smart of Nelson

Messrs.—	Messrs.—	Messrs.—
Chaffee	Mallough	Smart of Traill
Chevalier	McCrea	Stavens
Dahl	McKnight	Thompson
Ferguson	Midgarden	Truemner
Gilbert	No'timier	Tuite
Gullerud	Pa'frey	Watts
Heath	Rogers	Wing
Hill	Schouweiler	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Chisholm	McDowell
Buttz	Maddock	Rose

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Cassell explained his vote.

Mr. Leech explained his vote.

Mr. Lyons explained his vote.

Mr. McGahan explained his vote.

Mr. Palmer explained his vote.

Mr. Sheils explained his vote.

Mr. Weed explained his vote.

Mr. Young explained his vote.

Mr. McGahan moved

That the vote by which Senate Bill No. 3 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 232.

A bill for an act to amend 6153 of the Revised Codes of 1899, relating to liability of owner for trespass of animals.

Also,

Senate Bill No. 233,

A bill for an act to amend section 3258c of chapter 20½ of the Revised Codes of 1899, relating to certificates of deposits. State auditor's duties.

Also,

Senate Bill No. 217,

A bill for an act to compel destruction of noxious weeds on cultivated lands prior to the time such weeds shall go to seed; reciting duties of boards of township supervisors in connection therewith and providing penalty for violations.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Also,

House Bill No. 165,

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Which the senate has passed without change.

Also,

House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Which the senate has amended as follows :

In line 9, of section 1, of the printed bill, after the word "testimony," insert the following:

"Provided this act shall not apply to cases tried under the provisions of section 5030 of the Revised Codes, unless the party plaintiff or defendant invoking the statute is at the time exercising the right of rebuttal."

And passed as amended.

Also,

Mr. Speaker:

I have the honor to transmit herewith in accordance with your request

Senate Bill No. 100,

A bill for an act relating to the time of holding village annual elections in incorporated villages, and to amend and re-enact sections 2355 and 2358 of the Revised Codes of North Dakota for the year A. D. 1899.

Respectfully,

R. M. TUTTLE,

Secretary.

The speaker announced a recess until 3:45 p. m.

AFTER RECESS.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr. Speaker:

I have the honor to transmit herewith
Substitute for House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bond therefor and raising and appropriating funds for the erection of such academy buildings and for the maintenance and government of said academy.

Which the senate has amended as follows:

In line 2, of section 924, of the printed bill, insert after the word "be," the word "erected."

Insert after the word "power," in line 1, of section 926, the following:

"To buy or procure the necessary ground and to erect and equip the necessary building for said school."

Insert after the word "bidder," in line 34, of section 930, the following:
"For cash at not less than par."

And passed as amended.

R. M. TUTTLE,

Secretary.

Mr. Ryan moved

That the house do now concur in senate amendments to
House Bill No. 6.

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Which motion prevailed, and

The amendments were concurred in.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 78, nays none, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Beck
Blank

Messrs.—

Hill
Johnson
Knutson
Kraabel
Leech

Messrs.—

Robillard
Rogers
Ryan
Scheer
Schouweiler

Messrs.—

Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chevalier
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Harvey
Heath

Messrs.—

Lillie
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McKnight
McLain
Meldinger
Midgarden
Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey
Peterson of Towner
Peterson of Wells
Phifer
Richmond

Messrs.—

Senour
Severson
Sheils
Simpson
Smart of Nelson
Smart of Trail
Stavens
Steinberg
Thompson
Truemner
Tufta
Underwood
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Buttz
Chaffee
Chisholm
Cole
Connolly
Hammer

Messrs.—

Hanson
Lee
Lish
Maddock
McGahan
McKenzie
Miller

Messrs.—

Palmer
Patterson
Rose
Skjold
Stevens
Van Arnam
Wing

Messrs. Buttz, Maddock and Rose being excused.

So the bill as amended by the senate passed and the title was agreed to.

SPECIAL ORDER.

Mr. Weed moved

That the vote by which House Bill No. 273 was lost be reconsidered.

Which motion prevailed.

House Bill No. 273,

A bill for an act to amend section 373 of the Revised Codes of North Dakota of 1899, relating to eligibility of deputies, clerks and subordinates of public officers.

Was read the third time.

Mr. Davis asked unanimous consent to offer an amendment to the bill.

Objection was made.

The question being upon the final passage of the bill.

The roll was called and there were ayes 56, nays 33, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Beck
Bostrom
Bourassa
Braaten
Brown
Burtness
Chevalier
Connolly
Dieball
Elton
Fried
Gagnon
Gilbert
Gullerud
Harvey
Heath
Hill

Messrs.—

Johnson
Knutdson
Kraabel
Leech
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McGahan
McKenzie
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltimier

Messrs.—

Patterson
Peterson of Towner
Ryan
Scheer
Senour
Severson
Simpson
Smart of Trail
Stavens
Steinberg
Thompson
Tufta
Underwood
Weed
Weigel
Wing
Young
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Aslakson
Bartz
Blank
Cassell
Chaffee
Cole
Dahl
Davis
Dickinson
Ellison
Ferguson

Messrs.—

Flados
Lee
Lillie
McKnight
Movius
Oksendahl
Palfrey
Peterson of Wells
Phifer
Richmond
Robillard

Messrs.—

Rogers
Schouweiler
Shiels
Skjold
Smart of Nelson
Truemner
Wagner
Wall
Watson
Watts
Welo

Absent and not voting:

Messrs.—

Baker of Ramsey
Buttz
Chisholm
Hammer

Messrs.—

Hanson
Maddock
McDowell
Palmer

Messrs.—

Rose
Stevens
Van Arnam

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Weed moved

That the vote by which House Bill No. 273 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
House Bill No. 286,

A bill for an act to prescribe the fee to be charged by the ex-

aminer of corporations organized under the provisions of chapter 20½ of the Revised Codes of North Dakota, 1899.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Mr. Speaker:

Your steering committee to whom was referred
House Bill No. 287,

A bill for an act to amend and reenact section 28 Revised Codes 1899, relating to legislative officers and employes.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

House Bill No. 286,

A bill for an act to prescribe the fee to be charged by the examiner of corporations organized under the provisions of chapter 20½ of the Revised Codes of North Dakota, 1899.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 79. nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Alien
Aslakson
Bartz
Beck
Blank
Bostrom
Bourassa
Burtness
Cassell
Chaffee
Chevalier
Connolly
Dahl
Davis
Dickinson
Elton
Ellison
Ferguson
Flados
Fried

Messrs.—

Johnson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Mallough
McCrea
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Movius
Noben
Nottmier
Oksendahl
Palfrey

Messrs.—

Robillard
Rogers
Ryan
Schouweiler
Senour
Severson
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Stenberg
Thompson
Truemner
Tufta
Underwood
Van Arnam
Wagner
Wall
Watson
Watts

Messrs.—	Messrs.—	Messrs.—
Gagnon	Patterson	Weigel
Gilbert	Peterson of Towner	Welo
Gullerud	Peterson of Wells	Wing
Hammer	Phifer	Young
Heath	Richmond	Mr. Speaker
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Mooney
Braaten	Harvey	Palmer
Brown	Knudtson	Rose
Buttz	Maddock	Scheer
Chisholm	Mattson	Shells
Cole	McClure	Stevens
Dieball	McDowell	Weed

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Underwood gave notice that at 2:30 p. m. tomorrow he would move to reconsider the vote by which House Bill No. 286 passed.

MESSAGE FROM THE SENATE.

The following message was received from the house:

Mr. Speaker:

I have the honor to transmit herewith,

House Bill No. 258,

A bill for an act changing and defining the boundaries of Stark county.

Also,

House Bill No. 168,

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

Which the senate has passed unchanged.

Also,

House Bill No. 206,

A bill for an act to amend chapter 114 of the session laws of 1901, relating to jurors.

Which the senate has indefinitely postponed.

R. M. TUTTLE,

Secretary.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 17,

A bill for an act fixing the liability of railroad companies for

injuries sustained by employes of such companies in consequence of the negligence of fellow employes.

Also,

House Bill No. 32,

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.

Also,

House Bill No. 35,

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.

Also,

House Bill No. 54,

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies and for fixing the number and compensation of such deputies.

Also,

House Bill No. 75,

A bill for an act to provide for the assessment of property omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Also,

House Bill No. 84,

A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes 1899, defining rape, abduction, carnal abuse of children and seduction.

Also,

House Bill No. 96,

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota, 1899, relating to the manufacture and sale of dairy products, the appointment of dairy commissioner and prescribing his duties and making appropriation therefor.

Also,

House Bill No. 112,

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.

Also,

House Bill No. 127,

A bill for an act to amend and re-enact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.

Also,

House Bill No. 146.

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.

Were delivered to the governor for his approval at the hour of 4:10 p. m., March 4, 1903.

W. McCLURE,
Chairman.

SPECIAL ORDER

Mr. Mattson moved to reconsider the vote by which House Bill No. 268 was indefinitely postponed.

Which motion prevailed.

Mr. Beck moved

That further consideration of the bill be indefinitely postponed.

Mr. Mattson moved as a substitute that the bill be placed on its third reading and final passage.

Which substitute motion prevailed.

House Bill No. 268,

A bill for an act making it a misdemeanor for a tenant or tenants to remove goods, chattels or personal property from leased premises without giving due notice to the landlord, his agent or duly authorized attorney and providing a punishment for the violation of this act.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 63, nays 23, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Johnson	Palfrey
Asiakson	Knudtson	Patterson
Bartz	Kraabel	Peterson of Towner
Blank	Lee	Peterson of Wells
Bostrom	Leech	Ryan
Bourassa	Lish	Scheer
Brown	Lyons	Schouweiler
Burtness	Mattson	Senour
Chaffe	McClure	Shiels
Chevalier	McCrea	Simpson
Connolly	McGahan	Stavens
Dahl	McKenzie	Steinberg
Davis	McLain	Tuft
Dickinson	Meldinger	Underwood
Dieball	Midgarden	Wagner
Elton	Miller	Wall
Ellison	Mooney	Watson
Fried	Movfus	Weed
Gagnon	Noben	Weigel
Gullerud	Noltmier	Welo
Harvey	Oksendahl	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Mallough	Skjold
Baker of Ramsey	McDowell	Smart of Nelson
Beck	McKnight	Smart of Traill
Braaten	Phifer	Stevens
Cola	Richmond	Truomner
Hammer	Robillard	Van Arnam
Heath	Rogers	Watts
Hill	Severson	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Gilbert	Palmer
Cassell	Hanson	Rose
Chisholm	Lillie	Wing
Ferguson	Maddock	Thompson
Flados		

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. McGahan moved

That the vote by which House Bill No. 268 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

SPECIAL ORDER.

Mr. Ryan moved

That the vote by which Senate Bill No. 120 was lost be reconsidered.

Which motion prevailed.

Senate Bill No. 120,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the supreme court of the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 72, nays 11, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Johnson	Robillard
Aslakson	Leech	Rogers
Bartz	Lillie	Ryan
Beck	Lish	Scheer
Blank	Lyons	Schouweiler
Bostrom	Mallough	Senour
Brown	Mattson	Severson
Burtness	McClure	Shiels

Messrs.—	Messrs.—	Messrs.—
Chaffee	McCrea	Skjold
Chevalier	McDowell	Simpson
Cole	McGahan	Smart of Nelson
Connolly	McKenzie	Steinberg
Davis	McKnight	Stevens
Dickinson	McLain	Tufte
Dieball	Meidinger	Underwood
Elton	Midgarden	Van Arnam
Ellison	Miller	Wagner
Ferguson	Mooney	Wall
Flados	Movius	Watson
Fried	Noben	Watts
Hammer	Oksendahl	Weed
Harvey	Patterson	Weigel
Heath	Peterson of Wells	Young
Hill	Phifer	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Smart of Trall
Bourassa	Noltmier	Stavens
Braaten	Palfrey	Thompson
Gullerud	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Gilbert	Richmond
Buttz	Hanson	Rose
Cassell	Knudson	Truemner
Chisholm	Lee	Welo
Dahl	Maddock	Wing
Gagnon	Palmer	

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Ryan moved

That the vote by which Senate Bill No. 120 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker called Mr. Leech to the chair.

Mr. Connolly moved

That the house do now concur in senate amendments to substitute for House Bill No. 138.

Which motion prevailed.

Substitute for House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bond therefor and raising and appropriation fund for the erection of such academy buildings and for the maintenance and government of said academy.

Was read the third time.

The question being upon the final passage of the bill as amended by the senate.

The roll was called and there were ayes 89, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Richmond
Allen	Johnson	Robillard
Aslakson	Kraabel	Rogers
Bartz	Lee	Scheer
Beck	Leech	Schouweller
Blank	Lillie	Senour
Bostrom	Lish	Severson
Bourassa	Mallough	Shiels
Braaten	McClure	Skjold
Burtness	McCrea	Simpson
Cassell	McDowell	Smart of Nelson
Chaffee	McGahan	Smart of Traill
Chevalier	McKnight	Stavens
Cole	McLain	Steinberg
Connolly	Meidinger	Stevens
Dahl	Midgarden	Thompson
Davis	Miller	Truemner
Dickinson	Mooney	Tufte
Dieball	Movius	Underwood
Ellison	Noben	Van Arnam
Ferguson	Noltmier	Wagner
Flados	Oksendahl	Wall
Fried	Palfrey	Watson
Gagnon	Patterson	Weed
Hammer	Peterson of Towner	Weigel
Harvey	Peterson of Wells	Welo
Heath	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Rose
Brown	Knudtson	Ryan
Buttz	Lyons	Watts
Chisholm	Maddock	Wing
Elton	Mattson	Young
Gilbert	McKenzie	Mr. Speaker
Gullerud	Palmer	

Messrs. Buttz, Maddock and Rose being excused.

So the bill as amended passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1903

Mr. Speaker:

I have the honor to transmit herewith
House Bill No. 178,

A bill for an act authorizing and empowering all insurance

corporations organized and doing business on the paid in capital stock plan and engaged in the business of writing fire, marine, hail and tornado insurance and authorized to transact business in this state; to re-insure a part or all of any risk assumed, in insurance corporations not authorized to transact business in this state; providing penalties for the violation of this act and prescribing the duties of the commissioner of insurance in relation thereto.

Which the senate has passed unchanged.

Also,

Substitute for House Bill No. 215,

A bill for an act for the inspection of illuminating oils and gasoline for the appointment of a state inspector and deputies, of oils and gasoline prescribing their duties designating their fees for such inspections, and providing for the payment and disposition of such fees; providing for making chemical tests, providing penalties for the violation of this act; requiring the state inspectors and deputies to make reports; and designating ports of entry where illuminating oils and gasoline shipped into this state shall be inspected.

Which the senate has amended as follows:

In section 14, line 2, of printed bill, after the word "sell," strike out the word "or."

In same line after the word "sell," the second time, insert "or deliver."

And passed as amended.

R. M. TUTTLE,

Secretary.

Mr. Sheils moved

That the house do now concur in senate amendments to substitute for House Bill No. 215.

Which motion prevailed.

Substitute for House Bill No. 215,

A bill for an act for the inspection of illuminating oils and gasoline for the appointment of a state inspector and deputies, of oils and gasoline prescribing their duties designating their fees for such inspections, and providing for the payment and disposition of such fees; providing for making chemical tests, providing penalties for the violation of this act; requiring the state inspectors and deputies to make reports; and designating ports of entry where illuminating oils and gasoline shipped into this state shall be inspected.

Was read the third time

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

<p>Messrs.— Aandahl Allen Bartz Bostrom Bourassa Braaten Brown Burtness Cassell Chaffee Chevallier Cole Connolly Dahl Davis Dieball Ellison Ferguson Flados Fried Gagnon Gullerud Hammer Harvey Heath Hill Johnson</p>	<p>Messrs.— Kraabel Lee Leech Lillie Lish Mallough McClure McCrea McGahan McKenzie McKnight McLain Medinger Midgarden Miller Mooney Movius Noben Noltimier Oksendahl Palfrey Palmer Patterson Peterson of Towner Phifer Richmond</p>	<p>Messrs.— Robillard Rogers Scheer Schouweiler Senour Severson Shiels Simpson Smart of Nelson Smart of Traill Stavens Thompson Truemner Tufte Underwood Van Arnam Wagner Wall Watson Watts Weed Weigel Welo Wing Young Mr. Speaker</p>
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Absent and not voting:

<p>Messrs.— Aslakson Baker of Ramsey Beck Blank Buttz Chisholm Dickinson</p>	<p>Messrs.— Elton Gilbert Hanson Knudtson Lyons Maddock Mattson</p>	<p>Messrs.— McDowell Peterson of Wells Rose Ryan Skjold Steinberg Stevens</p>
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Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Richmond moved

That House Bill No. 279 be placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 279,

A bill for an act to amend section 4680 of the Revised Codes of 1899, relating to liens on future interest.

Was read the third time.

Mr. Davis moved

That further consideration of the bill be made a special order at 4 o'clock.

Mr. Lyons moved

As a substitute that the bill be indefinitely postponed.

Which substitute motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 170,

A Bill for an act to amend and re-enact section 1271 of the Revised Codes of 1899, relating to sale of property bid in for the county.

Was read the third time.

Mr. Lyons moved

That further consideration of the bill be made a special order tomorrow at 4 o'clock.

Mr. Weed moved as a substitute

That the bill be indefinitely postponed.

Which substitute motion was lost.

The question being upon the original motion the same prevailed, and

The bill was made a special order for 4 p. m. tomorrow.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 89,

A bill for an act to amend section 1530, Revised Codes of 1899, relating to the compensation and expenses of the board of insanity.

Also

Senate Bill No. 102,

A bill for an act to provide for the erection and equipment of necessary additional buildings, for conservatories, for installation of electric light plant, for equipment of science hall and for other necessary buildings and improvements for the North Dakota agricultural college at Fargo.

Also

Senate Bill No. 160,

A bill for an act fixing the time for holding terms of the district court in the various counties comprising the fourth judicial district of North Dakota.

Also,

Senate Bill No. 88,

A bill for an act to amend sections 1447 and 1448 of the Revised Codes as amended by section 1, chapter 79 of the laws of 1899 relating to the establishment, construction and maintenance of drains.

Also,

Senate Bill No. 15,

A bill for an act to amend section 5540 of the Revised Codes

of the revision of 1899, relating to the redemption of real property sold upon execution.

Also,

Senate Bill No. 119,

A bill for an act providing for the dismissal of actions in the courts of record of this state which have been pending for a period five years, wherein the plaintiff or his successor in interest has neglected to prosecute said action.

Also,

Senate Bill No. 60,

A bill for an act to amend and re-enact chapter 84, of the session laws of 1901, relating to education.

Also,

Senate Bill No. 93,

A bill for an act to amend and re-enact section 7553 of chapter 61 of the penal code of the Revised Codes of 1899, relating to injuries to or obstruction of any telegraph lines or appurtenances or apparatus therewith connected by adding thereto and bringing within the provisions therewith telephone lines.

Also,

Senate Bill No. 138,

A bill for an act to amend section number 4795, of the Revised Codes, relating to sales of buildings upon foreclosure of mechanics' liens thereon.

Also,

Senate Bill No. 108,

A bill for an act providing that no tax shall be set aside for any irregularity or defect in form, or illegality in assessing, laying or levying such tax, if the person against whom, or the property upon which such tax is levied, assessed or laid is in fact liable to taxation, and giving the courts power to amend and correct all irregularities and defects in the form or manner of assessment.

Also,

Senate Bill No. 29,

A bill for an act authorizing the appointment of commissioners of deeds and declaring an emergency to exist.

Also,

Senate Bill No. 57,

A bill for an act to amend section 2559 of the Revised Codes of the state of North Dakota, of 1899, relating to notice of election to township officers.

Also,

Senate Bill No. 153,

A bill for an act to amend section 108 of the Revised Codes of North Dakota, for the year 1899, relating to the duties of state treasurer.

Also,

Senate Bill No. 204,

A bill for an act extending the jurisdiction of justices of the peace in organized counties over unorganized counties which are a part of the same judicial subdivision, and providing for the payment of expenses in criminal prosecutions arising in said unorganized counties.

And the speaker signed the same in the presence of the house

The house returned to the ninth order of business.

Mr. Ryan offered the following:

CONCURRENT RESOLUTION.

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring Therein:

That in the opinion of the legislative assembly, the best interests of the state require that a constitutional convention be called at some future date for the purpose of revising the constitution, therefore, it is hereby recommended to the electors of the state of North Dakota that at the next general election to be held on the first Tuesday after the first Monday in November, 1904, that they vote for or against a convention to revise the constitution of the state.

Senate Bill No. 140,

A bill for an act authorizing and directing the board of university and school lands to create and invest a sinking fund for the payment of bonds issued by state educational, charitable or other state institution, defining the manner of creating such sinking fund, and prescribing the duties of the board of university and school lands in relation thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 80, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Robillard
Allen	Knudtson	Rogers
Bartz	Leech	Ryan
Beck	Lish	Scheer
Blank	Lyons	Schouwelder
Bostrom	Mallough	Senour
Bourassa	Mattson	Severson
Braaten	McClure	Shiels
Brown	McCrea	Skjold
Burtness	McDowell	Simpson
Cassell	McGahan	Smart of Nelson
Chaffee	McKenzie	Stavens
Chevalier	McKnight	Steinberg
Connolly	McLain	Stevens
Dahl	Meidinger	Truemmer
Davis	Midgarden	Tufte
Dickinson	Miller	Underwood
Dieball	Mooney	Van Arnam
Elton	Noben	Wagner
Ellison	Noltmier	Wall

Messrs.—

Flados
Gagnon
Gilbert
Hammer
Harvey
Heath
Hill

Messrs.—

Oksendahl
Palfrey
Patterson
Peterson of Towner
Peterson of Wells
Phifer
Richmond

Messrs.—

Watson
Watts
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Buttz
Chisholm
Cole
Ferguson
Fried

Messrs.—

Gullerud
Hanson
Kraabel
Lee
Lillie
Maddock
Movius

Messrs.—

Palmer
Rose
Smart of Trail
Thompson
Weed
Weigel

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Mr. Lyons moved

That the rules be suspended and Senate Bill No. 170 be recalled from special orders, and the bill be placed on its third reading and final passage.

Which motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Burtness
Cassell
Chevalier
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Flados
Fried
Gagnon
Gullerud
Hammer

Messrs.—

Harvey
Heath
Hill
Jonhson
Kraabel
Lee
Leech
Lish
Lyons
McClure
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Palfrey
Patterson
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Sheils
Simpson
Smart of Nelson
Smart of Trail
Stavens
Steinberg
Stevens
Thompson
Underwood
Van Arnam
Wagner
Wall
Watts
Weigel
Wing
Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lillie	Richmond
Brown	Maddock	Skjold
Buttz	Mallough	Truemner
Chaffee	Mattson	Tufte
Chisholm	McCrea	Watson
Ferguson	Movius	Weed
Gilbert	Noltmier	Welo
Hanson	Oksendahl	Mr. Speaker
Knudtson	Palmer	

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 208,

A bill for an act to amend section 1419, of the Revised Codes of North Dakota for 1899, relating to the payment of armory rent to the respective organizations of the North Dakota National Guard.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 88, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Phifer
Allen	Johnson	Richmond
Aslakson	Knudtson	Robillard
Baker of Ramsey	Kraabel	Rogers
Bartz	Lee	Rose
Beck	Leech	Ryan
Blank	Lillie	Scheer
Bostrom	Lish	Schouweiler
Bourassa	Lyons	Senour
Braaten	Mallough	Severson
Brown	Mattson	Shiels
Cassell	McClure	Skjold
Chaffee	McCrea	Simpson
Chevalier	McDowell	Smart of Nelson
Cole	McGahan	Smart of Traill
Connolly	McKenzie	Steinberg
Dahl	McKnight	Stevens
Davis	McLain	Thompson
Dickinson	Meidinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Noben	Wagner
Fried	Noltmier	Wall
Gagnon	Oksendahl	Watson
Gilbert	Palfrey	Watts
Gullerud	Patterson	Weed
Hammer	Peterson of Towner	Weigel
Harvey	Peterson of Wells	Young
Heath		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burtness	Hanson	Stavens
Buttz	Maddock	Welo
Chisholm	Movius	Wing
Flados	Palmer	Mr. Speaker

Messrs. Buttz, Maddock and Rose being excused.

So the bill passed, and the title was agreed to.

Mr. Underwood moved

That the vote by which Senate Bill No. 208 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 207,

A bill for an act to authorize the various organizations composing the North Dakota National Guard to build armories, to create a board to supervise the construction thereof and to issue bonds therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Rogers
Allen	Johnson	Rose
Aslakson	Knudtson	Ryan
Bartz	Kraabel	Scheer
Blank	Lee	Schouweiler
Bostrom	Leech	Senour
Bourassa	Lillie	Shiels
Braaten	Lish	Skjold
Brown	Lyons	Simpson
Burtness	Mallough	Smart of Nelson
Cassell	Mattson	Smart of Traill
Chevalier	McClure	Stavens
Cole	McGahan	Steinberg
Connolly	McKnight	Stevens
Dahl	McLain	Thompson
Davis	Meidinger	Truemner
Dickinson	Midgarden	Tufte
Dieball	Miller	Underwood
Elton	Movius	Van Arnam
Ellison	Noben	Wagner
Ferguson	Noltmier	Wall
Fried	Palfrey	Watson
Gagnon	Patterson	Watts
Gullerud	Peterson of Towner	Weed
Hammer	Peterson of Wells	Weigel
Harvey	Richmond	Wing
Heath	Robillard	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Oksendahl
Beck	Maddock	Palmer
Buttz	McCrea	Phifer
Chaffee	McDowell	Severson
Chisholm	McKenzie	Welo
Flados	Mooney	Mr. Speaker
Gilbert		

Messrs. Buttz, Maddock and Rose being excused.

So the bill as amended passed and the title was agreed to.

Mr. Young moved

That the vote by which Senate Bill No. 270 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker in the chair.

Senate Bill No. 228,

A bill for an act creating the office of inspector general of weights and measures.

Was read the third time.

Mr. Sheils moved

That further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 101,

A bill for an act to amend section 1896 of the Revised Codes relating to term of offices of county commissioners and also to repeal chapter 33 of the special laws of 1885.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 69, nays 1, absent and not voting, 30.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Rose
Allen	Hill	Scheer
Aslakson	Johnson	Schouweiler
Bart	Kraabel	Senour
Blank	Lee	Severson
Bostrom	Liljie	Shiels
Bourassa	Lish	Simpson
Braaten	Mallough	Smart of Nelson
Brown	Mattson	Smart of Traill
Burtness	McClure	Steinberg
Cassell	McGahan	Stevens
Chaffee	McKenzie	Thompson
Chevalier	McKnight	Truemner
Cole	McLain	Tufte
Connolly	Meidinger	Van Arnam

Messrs.—	Messrs.—	Messrs.—
Dahl	Midgarden	Underwood
Davis	Miller	Wagner
Dickinson	Mooney	Wall
Elton	Palfrey	Watson
Ellison	Palmer	Watts
Ferguson	Patterson	Wing
Flados	Phifer	Young
Harvey	Rogers	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Peterson of Towne
Beck	Knudtson	Peterson of Wells
Buttz	Leech	Richmond
Chisholm	Lyons	Rob ilard
Dieball	Maddock	Ryan
Fried	McCrea	Skjold
Gagnon	McDowell	Stavens
Gilbert	Movius	Weed
Gullerud	Noben	Weigel
Hammer	Noltmier	Welo

Mr. Oksendahl voting in the negative.

Messrs. Buttz, Maddock and Rose being excused.

Mr. Cassell moved

That the title be amended by inserting between the words "Codes" and "Relating" the following: "of 1899 as amended by section 3 of chapter 52 of the session laws of 1901."

Which motion prevailed, and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Davis moved

That Senate Bill No. 2 be indefinitely postponed.

Mr. McClure moved as a substitute that the bill be placed on its third reading and final passage.

Which substitute motion was lost.

The question being upon the original motion the same prevailed and the further consideration of the bill was indefinitely postponed.

Mr. Cassell moved

That further consideration of Senate Bill No. 225 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 176,

A bill for an act to amend section 137 of the Revised Codes relating to the duties of state examiner to examine accounts of public officers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 83, nays none, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Scheer
Allen	Johnson	Schouweiler
Aslakson	Knudtson	Senour
Bartz	Kraabel	Severson
Beck	Lee	Shiels
Blank	Leech	Skjold
Bostrom	Lillie	Simpson
Bourassa	Lish	Smart of Nelson
Braaten	Mallough	Smart of Traill
Brown	Mattson	Stavens
Burtness	McClure	Steinberg
Cassell	McCrea	Stevens
Chevalier	McKenzie	Thompson
Chisholm	McKnight	Truemner
Cole	Meldinger	Tuftø
Connolly	Midgarden	Underwood
Dickinson	Miller	Van Arnam
Elton	Mooney	Wagner
Ellison	Noben	Wall
Ferguson	Noitimier	Watson
Flados	Oksendahl	Watts
Gagnon	Palfrey	Weed
Gilbert	Peterson of Wells	Weigel
Gullerud	Richmond	Welo
Hammer	Robillard	Wing
Hanson	Rogers	Young
Harvey	Rose	Mr. Speaker
Heath		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Fried	Movius
Buttz	Lyons	Palmer
Chaffee	Maddock	Patterson
Dahl	McDowell	Peterson of Towner
Davis	McGahan	Ryan
Dieball	McLain	

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Patterson gave notice that tomorrow at 4 o'clock p. m. he would move to reconsider the vote by which Senate Bill No. 2 was indefinitely postponed.

Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

Was read the third time.

Mr. Aandahl moved

That further consideration of the bill be indefinitely postponed.

Which motion was lost.

The question being upon the final passage of the bill.

The roll was called and there were ayes 23, nays 54, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hill	Patterson
Beck	Leech	Richmond
Braaten	Mallough	Ryan
Chaffee	Mattson	Wagner
Chevalier	McClure	Wall
Cole	McKenzie	Watts
Dickinson	McLain	Mr. Speaker
Heath	Miller	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Schouweller
Bartz	Lillie	Senour
Blank	Lish	Severson
Bostrom	McCrea	Shiels
Bourassa	McDowell	Skjold
Brown	McKnight	Simpson
Burtness	Meldinger	Smart of Nelson
Cassell	Midgarden	Smart of Traill
Dahl	Mooney	Stavens
Davis	Noben	Steinberg
Elton	Noltmier	Thompson
Ellison	Oksendahl	Truemner
Ferguson	Palfrey	Tufte
Flados	Peterson of Towner	Underwood
Fried	Peterson of Wells	Watson
Gullerud	Robillard	Weigel
Johnson	Rogers	Welo
Knudtson	Scheer	Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Hammer	Palmer
Baker of Ramsey	Hanson	Phifer
Buttz	Harvey	Rose
Chisholm	Lee	Stevens
Connolly	Lyons	Van Arnam
Dieball	Maddock	Weed
Gagnon	McGahan	Young
Gilbert	Movius	

Messrs. Buttz and Maddock being excused.

So the bill was lost.

Mr. Davis gave notice that tomorrow at 2:30 o'clock p. m. he would move to reconsider the vote by which Senate Bill No. 205 was lost.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 232,

A bill for an act to amend section 6153 of the Revised Codes of 1899, relating to liability of owner for trespass of animals.

Senate Bill No. 233,

A bill for an act to amend section 3258c of chapter 20½ of the Revised Codes of 1899, relating to certificates of deposit. State auditor's duties.

Was read the first and second times, and
Referred to steering committee.

Senate Bill No. 217,

A bill for an act to compel destruction of noxious weeds on cultivated lands prior to the time such weeds shall go to seed; reciting duties of boards of township supervisors in connection therewith and providing penalty for violations.

Was read the first and second times, and
Referred to steering committee.

Mr. Young moved

That the house do now take a recess until tomorrow at 10 o'clock a. m.

Which motion prevailed, and

The house took a recess until 10 o'clock a. m. tomorrow.

A. O. ANDERSON,

Chief Clerk.

FIFTY-EIGHTH DAY — AFTER RECESS.

HOUSE OF REPRESENTATIVES

BISMARCK, NORTH DAKOTA,

March 5, 1903

The house assembled at 10 o'clock a. m., pursuant to recess taken.

The steering committee made the following report:

Mr. Speaker:

Your steering committee beg leave to recommend that the order of business for the remainder of the 58th legislative day be as follows:

- (1) Reports from committees.
- (2) Third Reading of House Bills.
- (3) Third Reading of Senate Bills in the following order:

Senate Bill No. 144,

A bill for an act to amend section 2977 of the Revised Codes of 1899, relating to stopping of trains before crossing other railroads or drawbridges.

Senate Bill No. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

Senate Bill No. 177,

A bill for an act to amend section 1249 of the Revised Codes relating to sheriffs fees for making distress and sale.

Senate Bill No. 168,

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law:

Senate Bill No. 212,

A bill for an act to amend and re-enact section 1081 of the political code of 1899 as amended by chapter 151 of the session laws of 1901, and to amend and re-enact sections 1082 and 1084 of the political code of 1899, relating to the expenditure of money by contract for road improvements in counties not organized into civil townships and prescribing the duties of county commissioners with reference thereto.

Senate Bill No. 216,

A bill for an act to amend section 742 of the Revised Codes of the state of North Dakota of 1899, relating to the qualifications of teachers.

Senate Bill No. 202,

A bill for an act to amend and re-enact section 1986, Revised Codes of North Dakota, revision of 1899.

Senate Bill No. 213,

A bill for an act to amend section 785 of the Revised Codes of 1899, relating to special school districts

Senate Bill No. 165,

A bill for an act relating to where county records shall be kept.

Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes.

Senate Bill No. 186,

A bill for an act to amend and re-enact section 408 of the Revised Codes of 1899, relating to the boundaries and terms of court in the sixth judicial district of the state of North Dakota.

Senate Bill No. 175.

A bill for an act authorizing and empowering the board of county commissioners of each county in this state, to make time deposits of the county funds, and designate depositories therefor.

Senate Bill No. 105,

A bill for an act requiring notice to the vendee or purchaser under any contract for the future conveyance of land hereinafter made to be given before the rights of any vendee or purchaser can terminate.

Senate Bill No. 216,

A bill for an act to amend section 742 of the Revised Codes of the state of North Dakota of 1899, relating to the qualification of teachers.

Senate Bill No. 209,

A bill for an act to amend section 405 of the Revised Codes of 1899, fixing the time of holding the terms of court in the several counties of the Third judicial district. GEO. M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Peterson of Wells, moved

That Senate Bill No. 100, recalled from the senate, be now reconsidered by the house, that the bill be amended by striking out the emergency clause and be passed as amended.

Which motion prevailed, and

The amendment was adopted.

Senate Bill No. 100,

A bill for an act relating to the time of holding village annual elections in incorporated villages, and to amend and re-enact sections 2355 and 2358 of the Revised Codes of North Dakota for the year A. D. 1899.

The question being on the final passage of the bill as amended

The roll was called and there were ayes 66, nays none, absent and not voting 34.

Those who voted in the affirmative were:

Messrs.—

Allen
Aandahl
Aslakson
Beck
Bostrom
Brown
Burtness
Cassell
Chaffee
Chevalier
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gullerud
Hill
Johnson

Messrs.—

Kraabel
Leech
Lish
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
Meidinger
Miller
Mooney
Noben
Noltmier
Palfrey
Peterson of Wells
Phifer
Robillard
Rogers
Rose
Ryan

Messrs.—

Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Wagner
Wall
Watson
Weed
Weigel
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Bartz
Blank
Bourassa
Braaten
Buttz
Chisholm
Cole
Gagnon
Gilbert
Hammer

Messrs.—

Hanson
Harvey
Heath
Knudtson
Lee
Lillie
Lyons
Maddock
Mallough
McLain
Midgarden

Messrs.—

Movius
Oksendahl
Palmer
Patterson
Peterson of Towner
Richmond
Underwood
Van Arnam
Watts
Welo
Wing

Messrs. Buttz and Maddock being excused.

So the bill passed as amended and the title was agreed to

REPORT OF STEERING COMMITTEE.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 110,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the state's attorney of the county of Stark for the years 1901 and 1902, for services in prosecuting criminals and in doing and performing all the other acts that the law provides a state's attorney shall do and perform in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG.

Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 117,

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie, Allred and Wallace.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the figures "\$750" where they appear in line 3, of section 1 of the engrossed bill, and insert in lieu thereof the figures "\$250."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 41,

A bill for an act making it unlawful for any person to take or solicit orders for intoxicating liquors within the state of North Dakota.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 218,

A bill for an act amending and re-enacting section 4738 Revised Codes 1899, relating to the execution of mortgages on personal property.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 227,

A bill for an act to provide for the extension and enlargement and improvement of water systems in incorporated cities.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 194,

A bill for an act to amend and re-enact section 163 of the political code of 1899 relating to county agricultural fairs.

Have had the same under consideration, and recommend that the further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 162,

A bill for an act declaring it a misdemeanor to obtain credit from livery stable keepers by use of false pretenses.

Have had the same under consideration and recommend that further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed:

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the word "eight" in line 3, of section 4, of the engrossed bill, and insert in lieu thereof, the word "six."

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 231,

A bill for an act to amend and re-enact chapter 92 of the session laws of 1901, relating to the fees of clerks of the district court.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 163,

A bill for an act requiring railroad corporations to grant stop-over privileges to passengers, removing time limit on passenger tickets and prescribing penalties for violation of the provisions of this act.

Have had the same under consideration and recommend that further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 149,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899, relating to payment of board and treatment of patients committed to the hospital for the insane and powers of commissioners of insanity therein.

Have had the same under consideration, and recommend that the same do pass.

Also,

Senate Bill No. 211,

A bill for an act to provide for the leasing of common school and other public lands for coal mining purposes, providing the manner and terms of such lease and prescribing penalties for unlawfully removing coal from such lands.

Have had the same under consideration, and recommend that the same do pass.

Also,

Senate Bill No. 201,

A bill for an act defining the duty of railroads, railroad corporations, railroad companies, express companies, car companies and every common carrier other than by water, and the person or persons operating any such common carrier, as receiver.

lessee or trustee, in the transportation of any kind of live stock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this act.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 166,

A bill for an act to amend and re-enact section 1115b of article 5 of chapter 11, of the Revised Codes of 1899, relating to the purchase of road machinery.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements therefo.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all after line 8 of section 1, of the engrossed bill and inserting in lieu thereof the following:

Bookkeeper and assistant gatekeeper.....	800
Matron and housekeeper	400
Chaplains	500
Guards and employes	14,000
Maintenance	14,400
Heating and lighting	3,000
Repairs and improvements	500
Incidentals	1,000
Physician and medicines	1,000
Transportation, temporary aid, clothing, etc, discharged inmates.	2,000
Clothing for inmates	2,000
Bedding	500
Books, stationery, etc.	500
Finishing building of yard wall and towers and gates for same...	2,000
Water supply	5,000

Total \$ 53,200

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 135,

A bill for an act to amend section 334 of the Revised Codes of 1899, relating to clerk hire for state officers.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 22,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 134,

A bill for an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 154,

A bill for an act to amend section 1039 of the Revised Codes of North Dakota of 1899, relating to statistics of township, city and village assessors.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.
The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 136,

A bill for an act to amend section 637 of the Revised Codes of 1899, relating to the salary and traveling expenses to be paid the superintendent of public instruction.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 30,

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the figures "\$5,000" where they appear in line 18, of section 1, of the engrossed bill, and insert in lieu thereof the figures "\$3,000;" and by striking out the figures "\$25,000" where they appear in line 20, of the engrossed bill, and insert in lieu thereof the figures "\$22,235;" and also by striking out the figures "\$59,765" where they appear in line 27, of the engrossed bill, and insert in lieu thereof the figures "\$55,000."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 171,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to

the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the word "nineteen" where it appears in line 5, of section 1, of the engrossed bill, and inserting in lieu thereof the word "eighteen."

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 196,

A bill for an act to provide for the contribution, purchase and custody of historical sites and relics in the state of North Dakota and to appropriate money therefor.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 197,

A bill for an act to amend section 9, of chapter 8, of the session laws of 1901, relating to the agricultural and geological survey and pertaining to the appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the words and figures "fifteen hundred dollars" "\$1,500)," in line 5, of section 1, of the engrossed bill, and insert in lieu thereof the words and figures "one thousand dollars" "\$1,000)."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 156,

A bill for an act prescribing the duties and authority of the commissioners of public printing in relation to certain printing and making an appropriation to pay for the public printing authorized by law.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 157,

A bill for an act to amend section 904a of article 1, chapter 10, of the political code of 1899, relating to education and charitable institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

Have had the same under consideration, and recommend that the same be amended as follows:

By striking out the words "five hundred," in line 7, of engrossed bill.

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 16,

A bill for an act to amend sections 867, 867a, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 184,

A bill for an act authorizing the board of trustees of public

property to purchase vehicles, harness and necessary equipment for the use of the governor's office and executive mansion and making appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out in line 2, of section 2, of engrossed bill, the words "two thousand five hundred," and insert in lieu thereof, the words "one thousand."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 172,

A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 69,

A bill for an act to make an appropriation for the current and contingent expenses of the state reform school at Mandan, and for permanent improvement thereto.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6, section 1, of engrossed bill, strike out "\$12,000" and insert in lieu thereof, "\$10,500," and in line 13, of engrossed bill strike out "\$16,500," and insert in lieu thereof, "\$15,000."

And that the following emergency clause be added:

"Sec. 2. Whereas an emergency exists in that there is no appropriation available for the support and maintenance of the state reform school at Mandan, therefore this act shall be in force and take effect from and after its passage and approval."

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

THIRD READING OF SENATE BILLS.

Senate Bill No. 144,

A bill for an act to amend section 2977 of the Revised Codes of 1899, relating to stopping of trains before crossing other railroads or drawbridges.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 74, nays none absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Robillard
Allen	Heath	Rogers
Aslakson	Hill	Rose
Bartz	Johnson	Ryan
Beck	Knudtson	Scheer
Bostrom	Kraabel	Senour
Bourassa	Lee	Severson
Braaten	Leech	Shiels
Brown	Lish	Skjold
Burtness	Mallough	Smart of Nelson
Cassell	Mattson	Smart of Traill
Chaffee	McClure	Stavens
Connolly	McCrea	Steinberg
Dahl	McKenzie	Stevens
Davis	McKnight	Thompson
Dickinson	Meidinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Wagner
Ellison	Mooney	Wall
Ferguson	Movius	Watson
Flados	Noben	Watts
Fried	Noltmier	Weed
Gilbert	Peterson of Wells	Young
Gullerud	Phifer	Mr. Speaker
Hammer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lyons	Peterson of Towner
Blank	Maddock	Richmond
Buttz	McDowell	Schouweiler
Chevalier	McGahan	Simpson
Chisholm	McLain	Underwood
Cole	Oksendahl	Van Arnam
Gagnon	Palfrey	Weigel
Harvey	Palmer	Welo
Lillie	Patterson	Wing

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 68, nays none, absent and not voting 32.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Hogers
Allen	Hill	Rose
Aslakson	Knudtson	Ryan
Bartz	Kraabel	Scheer
Beck	Lee	Schouweiler
Bostrom	Lillie	Senour
Bourassa	Lish	Shiels
Braaten	Mallough	Skjold
Brown	McClure	Simpson
Burtness	McCrea	Smart of Nelson
Cassell	McKenzie	Smart of Traill
Connolly	McKnight	Steinberg
Dahl	Meidinger	Stevens
Davis	Midgarden	Thompson
Dickinson	Miller	Tufte
Dieball	Mooney	Wagner
Elton	Movius	Wall
Ellison	Noben	Watson
Fried	Noltmier	Watts
Gagnon	Falfrey	Weed
Gilbert	Peterson of Wells	Weigel
Gullerud	Phifer	Mr. Speaker
Hanson	Robillard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Johnson	Peterson of Towner
Blank	Leech	Richmond
Buttz	Lyons	Severson
Chaffee	Maddock	Stavens
Chevalier	Mattson	Truemner
Chisholm	McDowell	Underwood
Cole	McGahan	Van Arnam
Ferguson	McLain	Welo
Flados	Oksendahl	Wing
Hammer	Palmer	Young
Harvey	Patterson	

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 177,

A bill for an act to amend section 1249 of the Revised Code relating to sheriffs fees for making distress and sale.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes, 68, nays none, absent and not voting 32.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Ryan
Bartz	Lee	Scheer
Beck	Lillie	Schouweiler
Bostrom	Lish	Severson
Bourassa	Mallough	Shiels
Braaten	Mattson	Skjold
Brown	McClure	Simpson
Burtness	McCrea	Smart of Nelson
Cassell	McKenzie	Smart of Traill
Connolly	McKnight	Stavens
Dahl	Meldinger	Steinberg
Davis	Midgarden	Stevens
Dickinson	Miller	Truemner
Dieball	Mooney	Tuft
Elton	Movius	Wagner
Ellison	Noben	Wall
Fried	Oksendahl	Watson
Gilbert	Palfrey	Watts
Gullerud	Peterson of Wells	Weed
Hanson	Phifer	Weigel
Heath	Robillard	Young
Hill	Rogers	Mr. Speaker
Johnson	Rose	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gagnon	Palmer
Aslakson	Hammer	Patterson
Baker of Ramsey	Harvey	Peterson of Towner
Blank	Knudtson	Richmond
Buttz	Leech	Senour
Chaffee	Lyons	Thompson
Chevalier	Maddock	Underwood
Chisholm	McDowell	Van Arnam
Cole	McGahan	Welo
Ferguson	McLain	Wing
Flados	Noitimier	

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Bostrom moved

That Senate Bill No. 168 be made a special order for 3 o'clock this afternoon.

Which motion prevailed, and

Senate Bill 168 was made a special order for 3 o'clock p. m. this afternoon.

Senate Bill No. 212,

A bill for an act to amend and re-enact section 1081 of the political code of 1899 as amended by chapter 151 of the session

laws of 1901, and to amend and re-enact sections 1082 and 1084 of the political code of 1899, relating to the expenditure of money by contract for road improvements in counties not organized into civil townships and prescribing the duties of county commissioners with reference thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 60, nays 12, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Fried	Palfrey
Allen	Gagnon	Peterson of Wells
Aslakson	Gilbert	Phifer
Baker of Ramsey	Gullerud	Rogers
Bartz	Heath	Rose
Beck	Hill	Scheer
Blank	Kraabel	Schouweiler
Bostrom	Lee	Senour
Bourassa	Lillie	Severson
Braaten	Lish	Shiels
Brown	Mallough	Smart of Nelson
Cassell	Mattson	Smart of Trall
Cole	McClure	Thompson
Connolly	McDowell	Truemner
Dahl	McKenzie	Wagner
Davis	McKnight	Wall
Dickinson	Meidinger	Watson
Dieball	Miller	Weigel
Elton	Movius	Young
Ellison	Noben	Mr. Speaker
Flados		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burtness	Midgarden	Skjold
Hanson	Mooney	Steinberg
Johnson	Noltmier	Tuft
Knudtson	Ryan	Watts

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Maddock	Robillard
Chevallier	McCrea	Simpson
Chaffee	McGahan	Stavens
Chisholm	McLain	Stevens
Ferguson	Oksendahl	Underwood
Hammer	Patterson	Van Arnam
Harvey	Palmer	Weed
Leech	Peterson of Towner	Welo
Lyons	Richmond	Wing

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

The speaker called Mr. Ryan to the chair.

Senate Bill No. 116,

A bill for an act to amend and re-enact subdivision 6 of section 3576 of article 3, civil code of the Revised Codes of 1899, relating to acknowledgments by deputies.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 42, nays 21, absent and not voting 37.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gilbert	Noltmier
Allen	Heath	Peterson of Wells
Asiakson	Hill	Phifer
Bartz	Johnson	Rogers
Beck	Lillie	Ryan
Bostrom	Mallough	Scheer
Brown	Mattson	Senour
Burtness	McDowell	Simpson
Davis	McKenzie	Smart of Nelson
Dieball	Meidinger	Steinberg
Ferguson	Miller	Stevens
Flados	Mooney	Tufte
Fried	Movius	Young
Gagnon	Noben	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell	Kraabel	Stavens
Connolly	McClure	Thompson
Dahl	McCrea	Truemner
Ellison	McKnight	Wagner
Gullerud	Shiels	Wall
Hanson	Skjold	Watson
Knudtson	Smart of Traill	Watts

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lee	Peterson of Towner
Blank	Leech	Richmond
Bourassa	Lish	Robillard
Braaten	Lyons	Rose
Buttz	Maddock	Schouweiler
Chaffee	McGahan	Severson
Chevalier	McLain	Underwood
Chisholm	Midgarden	Van Arnam
Cole	Oksendahl	Weed
Dickinson	Palfrey	Weigel
Elton	Palmer	Welo
Hammer	Patterson	Wing
Harvey		

Messrs. Buttz and Maddock being excused.

So the bill was lost.

Senate Bill No. 202,

A bill for an act to amend and re-enact section 1986, Revised Codes of North Dakota, revision of 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 66, nays 3, absent and not voting 31.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Johnson	Senour
Aslakson	Kraabel	Severson
Bostrom	Lee	Shiels
Bourassa	Lillie	Skjold
Braaten	Lish	Simpson
Brown	Mallough	Smart of Traill
Burtness	McClure	Stavens
Cassell	McCrea	Steinberg
Chaffee	McKenzie	Thompson
Connolly	McKnight	Truemner
Dahl	Meldinger	Tufto
Davis	Miller	Wagner
Dickinson	Mooney	Wall
Dieball	Peterson of Wells	Watson
Elton	Phifer	Watts
Ellison	Robillard	Weigel
Gullerud	Ryan	Young
Hanson	Scheer	Mr. Speaker
Hill	Schouweiler	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Noltmier	Aandahl	Smart of Nelson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Wing	Hammer	Oksendahl
Baker of Ramsey	Harvey	Palfrey
Bartz	Heath	Palmer
Beck	Knudtson	Patterson
Blank	Leech	Peterson of Towner
Buttz	Lyons	Richmond
Chevalier	Maddock	Rogers
Chisholm	Mattson	Rose
Cole	McDowell	Stevens
Ferguson	McGahan	Underwood
Flados	McLain	Van Arnam
Fried	Midgarden	Weed
Gagnon	Movius	Welo
Gilbert	Noben	Wing

Messrs. Buttz and Maddocks being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 213,

A bill for an act to amend section 785 of the Revised Codes of 1899, relating to special school districts

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 68, nays none, absent and not voting 32.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Gullerud	Phifer
Allen	Hanson	Robillard
Aslakson	Heath	Rogers
Bartz	Hill	Ryan
Beck	Johnson	Scheer
Bostrom	Knudtson	Schouweiler
Bourassa	Kraabel	Senour
Braaten	Lee	Severson
Brown	Leech	Shiels
Burtness	Lillie	Smart of Nelson
Cassell	Lish	Smart of Traill
Chaffee	McClure	Stavens
Connolly	McCrea	Steinberg
Dahl	McDowell	Stevens
Davis	McGahan	Thompson
Dickinson	McKenzie	Truemner
Dieball	McKnight	Tuft
Elton	Meldinger	Wagner
Ellison	Midgarden	Wall
Ferguson	Miller	Watts
Fried	Noben	Wing
Gagnon	Palfrey	Young
Gilbert	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Mallough	Rose
Blank	Mattson	Skjold
Buttz	McLain	Simpson
Chevalier	Mooney	Underwood
Chisholm	Movius	Van Arnam
Cole	Noltmier	Watson
Flados	Oksendahl	Weed
Hammer	Palmer	Weigel
Harvey	Patterson	Welo
Lyons	Peterson of Towner	Mr. Speaker
Maddock	Richmond	

Messrs. Buttz and Maddock being excused.
So the bill passed and the title was agreed to.

Mr. Shiels gave notice that this afternoon he would move to reconsider the vote by which Senate Bill No. 116 was lost.

Senate Bill No. 165,

A bill for an act relating to where county records shall be kept.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 72, nays none, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Harvey	Robillard
Aslakson	Heath	Rogers

Messrs.—	Messrs.—	Messrs.—
Barta	Hill	Ryan
Beck	Johnson	Scheer
Bostrom	Kraabel	Schouweiler
Bourassa	Leech	Senour
Brown	Lillie	Severson
Burtness	Lish	Shiels
Cassell	Mallough	Skjold
Chaffee	McClure	Simpson
Chevalier	McCrea	Smart of Nelson
Cole	McDowell	Smart of Trall
Connolly	McGahan	Steinberg
Davis	McKnight	Stevens
Dickinson	Meidinger	Thompson
Dieball	Midgarden	Truemner
Elton	Miller	Tufte
Ellison	Mooney	Wagner
Ferguson	Noben	Wall
Flados	Noltmier	Watson
Fried	Oksendahl	Watts
Gagnon	Palfrey	Welo
Gullerud	Peterson of Wells	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Lyons	Richmond
Blank	Maddock	Rose
Braaten	Mattson	Stavens
Buttz	McKenzie	Underwood
Chisholm	McLain	Van Arnam
Dahl	Movius	Weed
Gilbert	Palmer	Weigel
Hammer	Patterson	Wing
Knudtson	Peterson of Towner	Mr. Speaker
Lee		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Senour moved

That Senate Bill No. 203 be made a special order for 4:30 p. m.

Which motion prevailed, and

Senate Bill No. 203 was made a special order for 4:30 p. m.

The speaker in the chair.

Senate Bill No. 186,

A bill for an act to amend and re-enact section 408 of the Revised Codes of 1899, relating to the boundaries and terms of court in the sixth judicial district of the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 69 nays none, absent and not voting 31.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Peterson of Wells
Allen	Heath	Phifer
Aslakson	Hill	Robbilar
Baker of Ramsey	Johnson	Rogers
Bartz	Knudtson	Ryan
Beck	Kraabel	Scheer
Bostrom	Leech	Schouweiler
Bourassa	Lish	Shiels
Braaten	Mallough	Skjold
Brown	Mattson	Simpson
Burtness	McClure	Smart of Nelson
Chaffee	McCrea	Smart of Traill
Chevalier	McDowell	Stavens
Connolly	McKenzie	Steinberg
Dahl	McKnight	Thompson
Davis	Meidinger	Tufte
Dickinson	Midgarden	Wagner
Dieball	Mooney	Wall
Elton	Movius	Watson
Ellison	Noben	Weed
Ferguson	Noltmier	Weigel
Gilbert	Oksendahl	Young
Gullerud	Palfrey	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blank	Lillie	Rose
Buttz	Lyons	Senour
Cassell	Maddock	Severson
Chisholm	McGahan	Stevens
Cole	McLain	Truemner
Flados	Miller	Underwood
Fried	Palmer	Van Arnam
Gagnon	Patterson	Watts
Hammer	Peterson of Towner	Welo
Harvey	Richmond	Wing
Lee		

Messrs. Buttz and Maddocks being excused.

So the bill passed and the title was agreed to.

Mr. Bostrom gave notice that this afternoon he would move to reconsider the vote by which Senate Bill No. 186 passed.

Senate Bill No. 175.

A bill for an act authorizing and empowering the board of county commissioners of each county in this state, to make time deposits of the county funds, and designate depositories therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 72, nays none, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Fried	Palfrey
Allen	Gagnon	Peterson of Wells
Aslakson	Gilbert	Phifer
Baker of Ramsey	Gullerud	Robillard
Bartz	Hanson	Rogers
Beck	Heath	Scheer
Blank	Hill	Schouweiler
Bostrom	Johnson	Senour
Bourassa	Knudtson	Severson
Braaten	Kraabel	Shiels
Brown	Leech	Skjold
Burtness	Lish	Simpson
Cassell	Mallough	Smart of Nelson
Chaffee	McCrea	Smart of Traill
Chevallier	McDowell	Steinberg
Connolly	McKenzie	Stevens
Dahl	McKnight	Thompson
Davis	Meidinger	Truemner
Dickinson	Midgarden	Wagner
Dieball	Miller	Wall
Elton	Mooney	Watts
Ellison	Movius	Weed
Ferguson	Noben	Young
Flados	Oksendahl	Mr. Speaker

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Buttz	McClure	Ryan
Chisholm	McGahan	Stavens
Cole	McLain	Tufte
Hammer	Noltmier	Underwood
Harvey	Palmer	Van Arnam
Lee	Patterson	Watson
Lillie	Peterson of Towner	Weigel
Lyons	Richmond	Welo
Maddock	Rose	Wing
Mattson		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

The speaker announced a recess of five minutes.

AFTER RECESS.

House Bill No. 105,

A bill for an act to amend section 3146 of the Revised Codes of North Dakota, relating to the time for the election of directors of county mutual insurance companies, who may vote at such elections and who shall be considered members of said companies.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 60, nays 7, absent and not voting 33.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Rogers
Allen	Hill	Scheer
Bostrom	Johnson	Senour
Bourassa	Knudtson	Severson
Braaten	Kraabel	Shiels
Brown	Lee	Simpson
Burtness	Leech	Smart of Nelson
Cassell	Lillie	Smart of Traill
Chaffee	Lish	Stavens
Chevalier	Mallough	Steinberg
Dahl	Mattson	Stevens
Davis	McClure	Thompson
Dieball	McCrea	Truemner
Elton	Meidinger	Tuffe
Ellison	Midgarden	Wagner
Ferguson	Miller	Wall
Fried	Mooney	Watson
Gilbert	Palf,ey	Welo
Gullerud	Phifer	Young
Hanson	Robillard	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cole	Peterson of Wells	Skjold
Connolly	Schouweiler	Watts
Noben		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Harvey	Palmer
Baker of Ramsey	Lyons	Patterson
Bartz	Maddock	Peterson of Towner
Beck	McDowell	Richmond
Blank	McGahan	Rose
Buttz	McKenzie	Ryan
Chisholm	McKnight	Van Arnam
Dickinson	McLain	Underwood
Flados	Movius	Weed
Gagnon	Noltmier	Weigel
Hammer	Oskendahl	Wing

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 216,

A bill for an act to amend section 742 of the Revised Codes of the state of North Dakota of 1899, relating to the qualification of teachers.

Was read the third time.

Mr. Hanson moved

That further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 209,

A bill for an act to amend section 405 of the Revised Codes of 1899, fixing the time of holding the terms of court in the several counties of the Third judicial district.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 68, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Bartz
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Connolly
Dahl
Davis
Dieball
Ellison
Ferguson
Flados
Fried
Gullerud
Hanson
Heath
Hill
Johnson

Messrs.—

Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Mallough
Mattson
McClure
McCrea
McDowell
Meldinger
Midgarden
Miller
Mooney
Movius
Noben
Palfrey
Peterson of Wells
Phifer
Robillard
Rogers
Scheer

Messrs.—

Schouweller
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Mr. Speaker

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Beck
Blank
Buttz
Chevalier
Chisholm
Cole
Dickinson
Elton
Gagnon

Messrs.—

Gilbert
Hammer
Harvey
Lyons
Maddock
McGahan
McKenzie
McKnight
McLain
Noltmier
Oksendahl

Messrs.—

Palmer
Patterson
Peterson of Towner
Richmond
Rose
Ryan
Underwood
Van Arnam
Wing
Young

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

A. O. ANDERSON,
Chief Clerk.

FIFTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

The house assembled at 2:00 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Buttz and Maddock who were excused.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Also,

Substitute for House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bond therefor and raising and appropriating funds for the erection of such academy buildings and for the maintenance and government of said academy.

Also,

House Bill No. 165,

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Also,

House Bill No. 178,

A bill for an act authorizing and empowering all insurance

corporations organized and doing business on the paid in capital stock plan and engaged in the business of writing fire, marine, hail and tornado insurance and authorized to transact business in this state; to re-insure a part or all of any risk assumed, in insurance corporations not authorized to transact business in this state; providing penalties for the violation of this act and prescribing the duties of the commissioner of insurance in relation thereto.

Also,

House Bill No. 168,

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

Also,

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Also,

House Bill No. 258,

A bill for an act changing and defining the boundaries of Stark county.

Also,

Substitute for House Bill No. 215,

A bill for an act for the inspection of illuminating oils and gasoline for the appointment of a state inspector and deputies, of oils and gasoline prescribing their duties designating their fees for such inspections, and providing for the payment and disposition of such fees; providing for making chemical tests, providing penalties for the violation of this act; requiring the state inspectors and deputies to make reports; and designating ports of entry where illuminating oils and gasoline shipped into this state shall be inspected.

And find the same correctly enrolled.

W. A. McCLURE.

Chairman.

The chief clerk announced that the speaker was about to sign House Bill No. 165,

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Also,

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Also,

House Bill No. 6,

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Also,

House Bill No. 178,

A bill for an act authorizing and empowering all insurance corporations organized and doing business on the paid in capital stock plan and engaged in the business of writing fire, marine, hail and tornado insurance and authorized to transact business in this state; to re-insure a part or all of any risk assumed, in insurance corporations not authorized to transact business in this state; providing penalties for the violation of this act and prescribing the duties of the commissioner of insurance in relation thereto.

Also,

Substitute for House Bill No. 215,

A bill for an act for the inspection of illuminating oils and gasoline for the appointment of a state inspector and deputies, of oils and gasoline prescribing their duties designating their fees for such inspections, and providing for the payment and disposition of such fees; providing for making chemical tests, providing penalties for the violation of this act; requiring the state inspectors and deputies to make reports; and designating ports of entry where illuminating oils and gasoline shipped into this state shall be inspected.

Also,

Substitute for House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bond therefor and raising and appropriation fund for the erection of such academy buildings and for the maintenance and government of said academy.

Also,

House Bill No. 258,

A bill for an act changing and defining the boundaries of Stark county.

Also,

House Bill No. 168,

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

And the speaker signed the same in the presence of the house.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal beg leave to report that they have carefully examined the journal of the fifty-seventh day after recess and the journal of the fifty-eighth day thereto appended and recommended that the same be corrected as follows:

On page 5, regarding Senate Bill No. 183 the word "how," corrected as to spelling in the title of said bill.

On page 6, line 16, from the bottom of said page the figures "76," be changed to "75."

On page 12, in the third line from the bottom of said page, insert after the word "villages," the words "except in cases of contagious disease."

On page 13, line 4, the figures "22," be changed to "20."

On page 27, line 22, the figure "4," be changed to "6."

On page 28, line 20, from the bottom of said page, the word "moved," be corrected as to spelling.

On page 35, line 2, the word "negligence," be corrected as to spelling.

On page 36, line 16, insert after the word "its," the words "third reading and."

On page 45, line 26, the figures "70," be changed to "170."

On page 51, the roll call be corrected to correspond with the figures thereon.

And when so amended recommend that the same be approved.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The speaker announced a recess of ten minutes.

AFTER RECESS.

Mr. Davis moved

That a committee of three be appointed as a conference committee on all appropriation bills.

Which motion prevailed.

CONCURRENT RESOLUTION.

Mr. Speaker:

Your steering committee offered the following concurrent resolution:

Resolved by the house of representatives, the senate concurring, that no bills shall be placed on their third reading after 10 o'clock a. m. on Friday, March 6, 1903.

Which motion prevailed.

Mr. McGahan rose to a point of personal privilege and asked that the Journal of the 57th day be corrected in regard to Senate Bill No. 70, so it will show 49 voting for and 48 against

Which motion prevailed.

REPORT OF STEERING COMMITTEE.

Mr. Speaker:

The steering committee recommend that the order of business for this day's session be as follows:

- (1) Hearing committee reports.
- (2) First and second reading of senate bills.
- (3) Third reading of senate bills in the following order:

Senate Bill No. 103,

A bill for an act appropriating money for the purchase of pure bred stock for breeding purposes for the experiment station at Fargo; enlarging the scope of investigation by its station staff; maintaining the sub-experiment station at Edgeley and erecting suitable buildings thereon and locating a substation at or near Dickison in Stark county.

Senate Bill No. 69,

A bill for an act to make an appropriation for the current and contingent expenses of the state reform school at Mandan, and for permanent improvement thereto.

Senate Bill No. 197,

A bill for an act to amend section 9, of chapter 8, of the session laws of 1901, relating to the agricultural and geological survey and pertaining to the appropriation therefor.

Senate Bill No. 171,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to

the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Senate Bill No. 30,

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Senate Bill No. 184,

A bill for an act authorizing the board of trustees of public property to purchase vehicles, harness and necessary equipment for the use of the governor's office and executive mansion and making appropriation therefor.

Senate Bill No. 117,

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie, Allred and Wallace.

Senate Bill No. 157,

A bill for an act to amend section 904a of article 1, chapter 10, institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

Senate Bill No. 156,

A bill for an act prescribing the duties and authority of the commissioners of public printing in relation to certain printing and making an appropriation to pay for the public printing authorized by law.

Senate Bill No. 110,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the state's attorney of the county of Stark for the years 1901 and 1902, for services in prosecuting criminals and in doing and performing all the other

acts that the law provides a state's attorney shall do and perform in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.

Senate Bill No. 218,

A bill for an act amending and re-enacting section 4738 Revised Codes 1899, relating to the execution of mortgages on personal property.

Senate Bill No. 227,

A bill for an act to provide for the extension and enlargement and improvement of water systems in incorporated cities.

Senate Bill No. 149,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899.

Senate Bill No. 211,

A bill for an act to provide for the leasing of common school and other public lands for coal mining purposes, providing the manner and terms of such lease and prescribing penalties for unlawfully removing coal from such lands.

Senate Bill No. 201,

A bill for an act defining the duty of railroads, railroad corporations, railroad companies, express companies, car companies and every common carrier other than by water, and the person or persons operating any such common carrier, as receiver, lessee or trustee, in the transportation of any kind of live stock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this act.

Senate Bill No. 135,

A bill for an act to amend section 334 of the Revised Codes of 1899, relating to clerk hire for state officers.

Senate Bill No. 22,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Senate Bill No. 134,

A bill for an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building.

Senate Bill No. 16,

A bill for an act to amend sections 867, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

Senate Bill No. 172,

A bill for an act to appropriate money to pay the expense of

completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Senate Bill No. 196,

A bill for an act to provide for the contribution, purchase and custody of historical sites and relics in the state of North Dakota and to appropriate money therefor.

Senate Bill No. 231,

A bill for an act to amend and re-enact chapter 92 of the session laws of 1901, relating to the fees of clerks of the district court.

Senate Bill No. 23,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Senate Bill No. 232,

A bill for an act to amend section 6153 of the Revised Codes of 1899, relating to liability of owner for trespass of animals.

Senate Bill No. 233,

A bill for an act to amend section 3258c of chapter 20½ of the Revised Codes of 1899, relating to certificates of deposits. State auditor's duties.

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

Senate Bill No. 128,

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

Senate Bill No. 74,

A bill for an act to amend and re-enact sections 1823, 1824, and 1825 of the Revised Codes of the state of North Dakota for the year 1899, relating to the organization of counties.

Senate Bill No. 155,

A bill for an act to amend section 3071l of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.

Senate Bill No. 58,

A bill for an act to amend chapter 205 of the session laws of 1901, relating to the meetings of township board of supervisors.

Senate Bill No. 200,

A bill for an act to amend section 3742, Revised Codes of the state of North Dakota of 1899, relating to order of succession.

(4) Reports from steering committee.

GEORGE M. YOUNG,
Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 103,

A bill for an act appropriating money for the purchase of pure bred stock for breeding purposes for the experiment station at Fargo; enlarging the scope of investigation by its station staff; maintaining the sub-experiment station at Edgeley and erecting suitable buildings thereon and locating a substation at or near Dickinson in Stark county.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

The speaker called Mr. Ryan to the chair.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 23,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In engrossed bill, in line 3, strike out the word "eight," and insert "five," strike out figure "8," and insert figure "5."

In line 11, strike out "4,000," and insert "1,000."

In line 12, strike out "\$28,000," and insert "\$25,000."

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 78.

A bill for an act to amend section 273 of the Revised Codes of Revised Codes of 1899 relating to state board of health.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
 That the report be adopted.
 Which motion prevailed, and
 The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
 Senate Bill No. 233,

A bill for an act to amend section 3258c of chapter 20½ of the Revised Codes of 1899, relating to certificates of deposit. State auditor's duties.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
 Chairman.

The speaker in the chair.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
 Senate Bill No. 31,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the St. Louis World's Fair, to be held in 1904 at the city of St. Louis, Missouri, and at the Lewis and Clarke Centennial and Pacific Exposition and Oriental Fair to be held in 1905 at the city of Portland, Oregon, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

Have had the same under consideration and recommend that the same be amended as follows:

That in line 7, in title of engrossed bill strike out the words "board of commissioner," and insert in lieu thereof the words, "the appointment of a world's fair commissioner."

Section 1. For the purpose of exhibiting the resources, products and advantages of the state of North Dakota at the world's fair to be held in St. Louis in 1904, and at the Lewis and Clark centennial and Pacific exposition and oriental fair to be held in 1905 at the city of Portland, Oregon, in 1905, a world's fair commissioner is hereby created to be known as the world's fair commissioner, which commissioner shall be appointed by the governor.

Sec. 2. The commissioner shall meet at the call of the governor at such time and place as he may designate. The commissioner shall be authorized and required to assume and exercise, subject to the supervision of the governor, all such executive powers and functions as may be necessary to secure a complete and creditable exhibit of the industries of the state at such world's fair, and shall have personal charge of the solicitation, collection, transportation, arrangement and exhibition of the products and resources of the state. Such commissioner shall employ of assistants necessary to carry out the purpose of this act and

shall, before assuming the duties of his office, execute a bond in a sum equal to one-half of the amount appropriated by this act, to be approved by the governor and filed with the secretary of state. Said bond shall run to the state of North Dakota and shall be conditioned for the faithful performance of his duties as such executive commissioner.

Sec. 3. The commissioner so provided for shall not be entitled to any compensation for his services, except his actual and necessary expenses and five dollars (\$5) per day for each day he is necessarily absent from his home on the business of said commission.

Sec. 4. The expenses incurred under this act shall be audited and paid in the same manner as is provided for the payment of expenses of state affairs; provided, that no bill shall be audited or paid unless the same is endorsed by the said commissioner "approved."

Sec. 5. There is hereby appropriated out of the moneys in the state treasury, not otherwise appropriated, the sum of thirty thousand (\$30,000) dollars, or so much thereof as may be necessary for the purpose of carrying out the provisions of this act; provided, that of the amount appropriated herein, so much thereof as may be necessary shall be used for the purpose of preservation, packing and transportation of the exhibit of the state of North Dakota to be held at St. Louis and removed at the close of the St. Louis fair to the Portland fair named herein.

Sec. 6. The commissioner named in section 1 hereof, or his successor in office, shall hold office as such commissioner for and during the term ending with the close of the Loius and Clark exposition named herein.

Sec. 7. Said commissioner shall report to the next legislative assembly an itemized statement of his receipts and disbursements.

Sec. 8. Whereas, an emergency exists in that said commissioner will require all the time possible to properly perform his duties, therefore this act shall take effect and be in force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

THIRD READING OF SENATE BILLS.

Senate Bill No. 103,

A bill for an act appropriating money for the purchase of pure bred stock for breeding purposes for the experiment station at Fargo; enlarging the scope of investigation by its station staff; maintaining the sub-experiment station at Edgeley and erecting suitable buildings thereon and locating a substation at or near Dickison in Stark county.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 79, nays 5, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Rogers
Allen	Lee	Rose
Aslakson	Leech	Ryan
Bartz	Lillie	Scheer
Beck	Lish	Schouweiler
Blank	Lyons	Senour
Bourassa	Mallough	Severson
Braaten	Mattson	Sheils
Brown	McClure	Skjold
Burtness	McCrea	Stimpson
Chisholm	McDowell	Smart of Traill
Cole	McGahan	Steinberg
Davis	McKenzie	Thompson
Dickinson	McKnight	Truemner
Elton	McLain	Tuite
Ellison	Meidinger	Underwood
Ferguson	Midgarden	Van Arnam
Flados	Miller	Wagner
Gagnon	Mooney	Wall
Gilbert	Noben	Watts
Hanson	Noltmier	Wood
Harvey	Oksendahl	Weigel
Heath	Palmer	Welo
Hill	Phifer	Wing
Johnson	Richmond	Young
Knudtson		Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell	Smart of Nelson	Watson
Connolly	Stavens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Dieball	Paifrey
Bostrom	Fried	Patterson
Buttz	Gullerud	Peterson of Towner
Chaffee	Hammer	Peterson of Wells
Chevalier	Maddock	Robillard
Dahl	Movius	Stavens

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Senour moved

That the vote by which Senate Bill No. 103 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 210,

A bill for an act regulating calling of elections to determine
whether or not county courts shall have increased jurisdiction.

Also,

Senate Bill No. 236,

A bill for an act to provide for the adoption of a minor child
under specified conditions.

Which the senate has passed and your favorable consideration
thereof is respectfully requested.

R. M. TUTTLE,

Secretary.

Senate Bill No. 69,

A bill for an act to make an appropriation for the current and
contingent expenses of the state reform school at Mandan, and for
permanent improvements thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 94, nays none, absent
and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chevalier
Ch'sholm
Cole
Connolly
Dahl
Davis
Dickinson

Messrs.—

Heath
Hull
Johnson
Knudtson
Kraabel
Lee
Leech
Lish
Lillie
Lyons
Mallough
Lattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger

Messrs.—

Phifer
Richmond
Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shells
Skjold
Simpson
Smart of Nelson
Smart of Traill
Steinberg
Stevens
Thompson
Truemner
Tufts

Messrs.—

Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey

Messrs.—

Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey
Patterson
Peterson of Towner
Peterson of Wells

Messrs.—

Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Buttz
Chaffee

Messrs.—

Maddock
Palmer

Messrs.—

Stavens
W'ed

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

The chief clerk announced that the speaker was about to sign Senate Bill No. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Also,

Senate Bill No. 127,

A bill for an act to amend section 377 of the Revised Codes of 1899, relating to general terms of the supreme court, and section 378 of the Revised Codes of 1899, relating to procedure therein.

Also,

Senate Bill No. 145,

A bill for an act to amend and re-enact section 274a, 274b, 274c, 274d, 274e, 274f, 274g of chapter 4 of the political code of 1899, relating to the collection and reporting of vital statistics, prescribing the duties of officers who collect and report such statistics, defining the duties of county auditors in relation thereto and fixing compensation and method of paying the same, and providing penalties for the violation of this act.

Also,

Senate Bill No. 178,

A bill for an act defining the word "valuation" when used as a basis on which salaries are paid and fixing the time salaries shall begin when based on valuation.

Also,

Senate Bill No. 173,

A bill for an act to amend and re-enact sections 759 and 761 of the Revised Codes, relating to education.

Also,

Senate Bill No. 158,

A bill for an act to amend section 59 of the Revised Codes of North Dakota for the year 1899, relating to the printing of biennial, annual and special reports; how printed.

Also,

Senate Bill No. 133,

A bill for an act to amend sections 2680b and 2680d of the Revised Codes of the state of North Dakota, 1899, relating to dissolution of townships.

Also,

Senate Bill No. 47.

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Also,

Senate Bill No. 3,

A bill for an act providing for a bounty on wolves and coyotes, creating a fund for the payment of the same and regulating the manner of procuring said bounty.

Also,

Senate Bill No. 115,

A bill for an act to prohibit the delivery or depositing of drugs, medicines, antiseptics, disinfectants and cosmetics, either for internal or external use upon the premises of another.

And the speaker signed the same in the presence of the house

Senate Bill No. 197,

A bill for an act to amend section 9, of chapter 8, of the session laws of 1901, relating to the agricultural and geological survey and pertaining to the appropriation therefor.

Was read the third time.

The question being on the final passage of the bill

The roll was called and there were ayes 94, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bostrom
Bourassa

Messrs.—

Hill
Johnson
Knutson
Kraabel
Lee
Leech
Lillie
Lish

Messrs.—

Richmond
Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour

Messrs.—

Braaten
Brown
Burtness
Cassell
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey
Heath

Messrs.—

Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemmer
Tufte
Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Buttz
Chaffee

Messrs.—

Dieball
Lyons

Messrs.—

Maddock
Weed

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Wall moved

That the vote by which the amendments to Senate Bill No. 171 sidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Wagner moved

That the vate by which the amendments to Senate Bill No. 171 were adopted be reconsidered.

Which motion prevailed.

Mr. Wagner moved

That Senate Bill No. 171 be put on its third reading and final passage as it came from the senate.

Which motion prevailed.

Senate Bill No. 171,

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to

the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 80, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Peterson of Towner
Allen	Heath	Peterson of Wells
Bart	Hill	Phifer
Beck	Johnson	Richmond
Blank	Knudtson	Robillard
Bourassa	Kraabel	Rose
Braaten	Lee	Scheer
Brown	Leech	Schouweiler
Burtness	Lillie	Senour
Cassell	Mallough	Severson
Chevalier	Mattson	Shiels
Chisholm	McClure	Skjold
Cole	McCrea	Simpson
Connolly	McDowell	Smart of Nelson
Dahl	McGahan	Smart of Traill
Davis	McKenzie	Steinberg
Dickinson	McKnight	Stevens
Dieball	Midgarden	Thompson
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Gagnon	Noltmier	Watson
Gilbert	Oksendahl	Weigel
Gullerud	Palfrey	Welo
Hammer	Palmer	Mr. Speaker
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Lyons	Stavens
Baker of Ramsey	Maddock	Truemmer
Bostrom	McLain	Watts
Buttz	Meidinger	Weed
Chaffee	Patterson	Wing
Fried	Rogers	Young
Lish	Ryan	Tufte

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 30,

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and con-

tingent expenses of the institution for feeble minded at Grafton, North Dakota.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 83, nays none, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert

Messrs.—

Gullerud
Hammer
Hanson
Harvey
Hil
Johnson
Kraabel
Lee
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Oksendahl
Palfrey
Palmer
Patterson

Messrs.—

Peterson of Wells
Phifer
Richmond
Robillard
Schouweller
Senour
Severson
Skjold
Simpson
Smart of Nelson
Smart of Trail
Stavens
Steinberg
Stevens
Thompson
Truemner
Tutte
Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Welo
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Buttz
Chaffee
Heath
Kaudtson
Leach
Maddock

Messrs.—

McKenzie
Noben
Noltimer
Peterson of Towner
Rogers
Rose

Messrs.—

Ry:n
Scheer
Sheils
Weed
Wing

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 89,

A bill for an act making an appropriation to the Florence Crittenden Home and Hospital for friendless women and children of Bismarck, N. D., to aid in defraying the current and contingent expenses.

Which the senate has passed unchanged.

Also,

House Bill No. 93,

A bill for an act making appropriations for the current and contingent expenses of the soldiers home located at Lisbon, North Dakota, for making permanent improvements and additions thereto and for erecting a monument in Oakwood cemetery.

Which the senate has amended as follows:

That in line 9, of page 2, of the engrossed bill, the figures "\$1,500," be stricken out and the figures "\$1,000," be inserted in lieu thereof.

That the figures "\$20,000," in line 10, of said page, of the engrossed bill be made to read "\$20,200."

And passed as amended.

Also,

House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Which the senate has amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof, the following:

Section 1. Appropriation.) There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of two thousand dollars, for the support and maintenance of the North Dakota Children's Home Society. Said appropriation shall be paid the treasurer of said society as follows: On July 1, 1903, the sum of one thousand dollars, and on July 1, 1904, the remaining sum of one thousand dollars hereby appropriated.

And passed as amended.

Also,

House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and

benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Also,

House Bill No. 45,

A bill for an act to exempt volunteer firemen from the payment of poll tax.

Which the senate has passed unchanged.

R. M. TUTTLE,

Secretary.

Mr. Leech moved

That the house do concur in the senate amendments to House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Which motion prevailed, and

The amendments were concurred in.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 89, nays 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer

Messrs.—

Hanson
Harvey
Heath
Hill
Johnson
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Oksendahl
Palfrey
Patterson
Peterson of Towner
Peterson of Wells

Messrs.—

Phifer
Richmond
Robillard
Rogers
Rose
Ryan
Scheer
Schouweller
Senour
Severson
Skjold
Simpson
Smart of Nelson
Smart of Traill
Steinberg
Stevens
Thompson
Truemner
Tufte
Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—
 Bostrom
 Buttz
 Lyons
 Maddock

Messrs.—
 McLain
 Noltmier
 Palmer

Messrs.—
 Shiels
 Stavens
 Weigel

Mr. Weed voted in the negative.

Messrs. Buttz and Maddock, being excused.

So the bill as amended by the senate passed and the title was agreed to.

Mr. Mallough moved

That the vote by which Senate Bill No. 142 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Simpson moved

That the vote by which Senate Bill No. 69 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Wagner moved

That the vote by which Senate Bill No. 171 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Gagnon moved

That the vote by which Senate Bill No. 30 passed be reconsidered and the motion to reconsider be laid upon the table

Which motion prevailed.

Mr. Underwood moved

That the house do now concur in senate amendments to House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Which motion prevailed, and

The amendments were concurred in

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—
 Aandahl
 Allen
 Aslakson
 Baker of Ramsey
 Bartz

Messrs.—
 Hanson
 Harvey
 Heath
 Hill
 Johnson

Messrs.—
 Richmond
 Robillard
 Rogers
 Rose
 Ryan

Messrs.—	Messrs.—	Messrs.—
Beck	Knudtson	Scheer
Blank	Kraabel	Schouweiler
Bostrom	Lee	Senour
Bourassa	Leech	Skjold
Brown	Mallough	Simpson
Burtness	Mattson	Smart of Nelson
Cassell	McClure	Smart of Traill
Chisholm	McDowell	Steinberg
Cole	McGahan	Stevens
Connolly	McKnight	Thompson
Dahl	McLain	Truemner
Davis	Meldinger	Tufts
Dickinson	Midgarden	Underwood
Dieball	Miller	Van Arnam
Elton	Mooney	Wagner
Ellison	Movius	Wall
Ferguson	Noben	Watts
Flados	Noltmier	Weed
Fried	Oksendahl	Weigel
Gagnon	Palmer	Welo
Gilbert	Patterson	Wing
Gullerud	Peterson of Towner	Young
Hammer	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Braaten	Lyons	Phifer
Buttz	Maddock	Severson
Chaffee	McCrea	Shiels
Chevalier	McKenzie	Stavens
Lillie	Palfrey	Watson
Lish		

Messrs. Buttz and Maddock; being excused.

So the bill as amended passed and the title was agreed to.

Mr. Gagnon moved

That the vote by which House Bill No. 93 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Patterson moved

That the House reconsider the vote by which substitute for Senate Bill No. 2 was indefinitely postponed.

Ro! call demanded.

The roll was called and there were ayes 57, nays 34, absent and not voting 9 .

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hill	Rose
Bartz	Leech	Ryan
Beck	Lillie	Schouweiler
Blank	Lish	Senour
Bostrom	Lyons	Severson

Messrs.—

Brown
Chevalier
Chisholm
Cole
Connolly
Dieball
Elton
Ferguson
Flados
Gagnon
Gilbert
Hammer
Hanson
Heath

Messrs.—

Mattson
McClure
McCrea
McDowell
McKnight
McLain
Meidinger
Miller
Movius
Oksendahl
Palmer
Patterson
Richmond
Robillard

Messrs.—

Skjold
Simpson
Truemner
Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Wing
Young
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Aandahl
Allen
Aslakson
Bourassa
Braaten
Burtness
Cassell
Davis
Dickinson
Ellison
Fried
Gullerud

Messrs.—

Johnson
Kraabel
Mallough
McGahan
Midgarden
Mooney
Noben
Noltmier
Palfrey
Peterson of Towner
Peterson of Wells

Messrs.—

Phifer
Rogers
Scheer
Shiels
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Tuft

Absent and not voting:

Messrs.—

Buttz
Chaffee
Dahl

Messrs.—

Harvey
Knutson
Lee

Messrs.—

Maddock
McKenzie
Welo

So the motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

Mr. Speaker:

I have the honor to transmit herewith
House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

Which the senate has amended as follows:

That said bill be amended by adding the words "and druggist's sundries," after the word "drugs," in line 14, of page 2, of the engrossed bill.

And passed as amended.

R. M. TUTTLE,

Secretary.

Mr. Patterson moved

That substitute for Senate Bill No. 2 be placed on its third reading and final passage.

Which motion prevailed.

Substitute for Senate Bill No. 2,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Was read the third time

The question being upon the final passage of the bill.

The roll was called and there were ayes 50, nays 44, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Heath	Rose
Bartz	Hill	Ryan
Beck	Knudtson	Schouweiler
Blank	Leech	Senour
Bostrom	Lillie	Skjold
Brown	Lish	Simpson
Chevalier	Mattson	Truemner
Chisholm	McClure	Underwood
Cole	McCrea	Van Arnam
Connolly	McDowell	Wagner
Dieball	McKnight	Wall
Ferguson	Maidinger	Watts
Flados	Miller	Weigel
Gagnon	Movius	Wing
Gilbert	Oksendahl	Young
Hammer	Patterson	Mr. Speaker
Hanson	Robillard	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Allen	Johnson	Richmond
Aslakson	Kraabel	Rogers
Bourassa	Lyons	Scheer
Braaten	Mallough	Severson
Burtness	McGahan	Shells
Cassell	McLain	Smart of Nelson
Chaffee	Midgarden	Smart of Trail
Dahl	Mooney	Stavens
Davis	Noben	Steinberg
Dickinson	Noltmier	Stevens
Elton	Palfrey	Thompson
Ellison	Palmer	Tufto
Fried	Peterson of Towner	Weed
Gullerud	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Maddock	Watson
Lee	McKenzie	Welo

Messrs. Buttz and Maddock being excused.

So the bill passed and the emergency clause was lost and the title was agreed to.

Mr. Peterson of Towner explained his vote.

Mr. Patterson moved

That the vote by which substitute for Senate Bill No. 2 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed

Mr. Shiels moved

That the house do now concur in senate amendments to House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

Which motion prevailed, and

The amendments were concurred in.

The question being upon the final passage of the bill as amended by the senate.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Richmond
Allen	Kraabel	Robillard
Aslakson	Lee	Rogers
Baker of Ramsey	Leech	Rose
Bartz	Lillie	Ryan
Beck	Lish	Scheer
Blank	Lyons	Schouweiler
Braaten	Mallough	Senour
Brown	Mattson	Severson
Burtness	McClure	Shiels
Cassell	McCrea	Skjold
Chisholm	McDowell	Simpson
Cole	McGahan	Smart of Nelson
Connolly	McKenzie	Smart of Traill
Dahl	McKnight	Stavens
Davis	McLain	Steinberg
Dickinson	Meidinger	Stevens
Dieball	Midgarden	Thompson
Elton	Miller	Truemner

Messrs.—

Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Heath
Hill
Johnson

Messrs.—

Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Tufte
Underwood
Van Arnam
Wagner
Wall
Watts
Weed
Weigel
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Bostrom
Bourassa
Buttz

Messrs.—

Chaffee
Chevalier
Harvey

Messrs.—

Maddock
Watson
Welo

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Sheils moved

That the vote by which House Bill No. 204 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 210,

A bill for an act regulating calling of elections to determine whether or not county courts shall have increased jurisdiction.

Was read the first and second times, and

Referred to the steering committee.

Senate Bill No. 236,

A bill for an act to provide for the adoption of a minor child under certain specified conditions.

Was read the first and second times, and

Referred to the steering committee.

The speaker announced a recess until 4.25 p. m.

AFTER RECESS.

The steering committee made the following report:

Mr. Speaker:

Your steering committee recommend that the house consider at this time the following appropriation bills.

Senate Bill No. 31,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Da-

kota at the St. Louis World's Fair, to be held in 1904 at the city of St. Louis, Missouri, and at the Lewis and Clarke Centennial and Pacific Exposition and Oriental Fair to be held in 1905 at the city of Portland, Oregon, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Senate Bill No. 184,

A bill for an act authorizing the board of trustees of public property to purchase vehicles, harness and necessary equipment for the use of the governor's office and executive mansion and making appropriation therefor.

Senate Bill No. 117,

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie, Allred and Wallace.

Senate Bill No. 157,

A bill for an act to amend section 904a of article 1, chapter 10, of the political code of 1899, relating to education and charitable institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

Senate Bill No. 156,

A bill for an act prescribing the duties and authority of the commissioners of public printing in relation to certain printing and making an appropriation to pay for the public printing authorized by law.

Senate Bill No. 110,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the state's attorney of the county of Stark for the years 1901 and 1902, for services in prosecuting criminals and in doing and performing all the other acts that the law provides a state's attorney shall do, and perform in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.

Senate Bill No. 22,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Senate Bill No. 134,

A bill for an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building.

Senate Bill No. 16,

A bill for an act to amend sections 867, 867a, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

Senate Bill No. 172,

A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Senate Bill No. 196,

A bill for an act to provide for the contribution, purchase and custody of historical sites and relics in the state of North Dakota and to appropriate money therefor.

Senate Bill No. 136,

A bill for an act to amend section 637 of the Revised Codes of 1899, relating to the salary and traveling expenses to be paid the superintendent of public instruction.

Senate Bill No. 233,

A bill for an act to amend section 3258c of chapter 20½ of the Revised Codes of 1899, relating to certificates of deposits. State auditor's duties.

Senate Bill No. 23,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

We further recommend that no messages from the senate be considered until said appropriation bills are considered.

GEORGE M. YOUNG,

Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 210,

A bill for an act regulating calling of elections to determine whether or not county courts have increased jurisdiction.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 236,

A bill for an act to provide for the adoption of a minor child under certain specified conditions.

Have had the same under consideration and recommend that the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. McGahan moved

That the chief clerk be instructed to add up the vote by which substitute for Senate Bill No. 2 was declared passed and that the figures be announced by the speaker.

Which motion prevailed.

The result showed 50 voting aye, 44 nays, 6 absent and not voting.

So the bill was declared lost.

Mr. Patterson moved

That the vote by which Substitute for Senate Bill No. 2 was lost be reconsidered.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 38,

A bill for an act to regulate the prices charged by retailers of the product of the twine and cordage plant of the state penitentiary.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

R. M. TUTTLE,
Secretary.

Mr. Patterson moved

That the rules be suspended and substitute for Senate Bill No. 2 be placed on its third reading and final passage.

Which motion was lost.

Mr. Leech moved

That the house now proceed to take up the appropriation bills and no other business be taken up until they are disposed of.

Which motion prevailed.

Senate Bill No. 31,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the St. Louis World's Fair, to be held in 1904 at the city of St. Louis, Missouri, and at the Lewis and Clarke Centennial and Pacific Exposition and Oriental Fair to be held in 1905 at the city of Portland, Oregon, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 82, nays 2, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Allen	Heath	Richmond
Aslakson	Hill	Robillard
Bartz	Johnson	Rogers
Beck	Knudtson	Rose
Blank	Kraabel	Ryan
Bourassa	Leech	Scheer
Braaten	Lyons	Schouweiler
Brown	Mallough	Senour
Burtness	McClure	Severson
Cassell	McCrea	Shiels
Chaffee	McDowell	Skjold
Chevaller	McGahan	Simpson
Cole	McKnight	Smart of Nelson.
Dahl	McLain	Smart of Traill
Davis	Meidinger	Steinberg
Dieball	Midgarden	Stevens
Dickinson	Miller	Thompson
Ellison	Mooney	Tufte
Ferguson	Movius	Underwood
Flados	Noben	Van Arnam
Fried	Noltimier	Wagner
Gagnon	Oksendahl	Wall
Gilbert	Palfrey	Welo
Gullerud	Palmer	Wing
Hammer	Peterson of Towner	Young
Hanson	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Lish	Truemner
Buttz	Maddock	Watson
Chisholm	Mattson	Watts
Elton	McKenzie	Weed
Lee	Patterson	Weigel
Lille	Stavens	

Messrs. Baker of Ramsey and Connolly voted in the negative.

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Gilbert moved

That the vote by which Senate Bill No. 31 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers institutes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 87, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Phifer
Allen	Harvey	Richmond
Aslakson	Heath	Robillard
Baker of Ramsey	Hill	Rogers
Bartz	Johnson	Rose
Beck	Knudtson	Ryan
Blank	Kraabel	Scheer
Bourassa	Leech	Schouweiler
Braaten	Lish	Senour
Brown	Mallough	Severson
Burtness	Mattson	Shells
Cassell	McClure	Skjold
Chaffee	McCrea	Simpson
Chevalier	McDowell	Smart of Nelson
Chisholm	McGahan	Smart of Traill
Connolly	McKenzie	Stavens
Dahl	McKnight	Steinberg
Davis	McLain	Stevens
Dickinson	Meldinger	Thompson
Dieball	Midgarden	Tufte
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Fried	Oksendahl	Watts
Gagnon	Palfrey	Welo
Gilbert	Palmer	Wing
Gullerud	Peterson of Towner	Young
Hammer	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Lyons	Truemmer
Buttz	Maddock	Watson
Cole	Noltmier	Weed
Lee	Patterson	Weigel
Lillie		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 184,

A bill for an act authorizing the board of trustees of public property to purchase vehicles, harness and necessary equipment for the use of the governor's office and executive mansion and making appropriation therefor.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Peterson of Wells
Alien	Hill	Phifer
Aslakson	Johnson	Richmond
Baker of Ramsey	Kaudtson	Robillard
Bartz	Kraabel	Rogers
Blank	Lee	Rose
Bourassa	Leech	Ryan
Brown	Lillie	Scheer
Burtness	Lish	Schouweiler
Cassell	Lyons	Severson
Chaffee	Mallough	Shells
Chevalier	McCrea	Skjold
Chisholm	McDowell	Simpson
Connolly	McGahan	Smart of Nelson
Dahl	McKenzie	Smart of Traill
Davis	McKnight	Stavens
Dickinson	McLain	Steinberg
Dieball	Meidinger	Stevens
Elton	Midgarden	Thompson
Ellison	Miller	Tufta
Ferguson	Mooney	Underwood
Flados	Movius	Wagner
Gagnon	Noben	Wall
Gilbert	Noltmier	Watts
Gullerud	Oksendahl	Welo
Hammer	Palmer	Wing
Hanson	Peterson of Towner	Mr. Speaker
Harvey		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Maddock	Truemner
Bostrom	Mattson	Van Arnam
Braaten	McClure	Watson
Buttz	Palfrey	Weed
Cole	Patterson	Weigel
Fried	Senour	Young

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 117,

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie,

form in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 70, nays 16, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hanson	Peterson of Wells
Allen	Heath	Phifer
Aslakson	Hill	Richmond
Baker of Ramsey	Johnson	Rogers
Bart	Leech	Ryan
Beck	Lillie	Scheer
Blank	Lish	Schouweiler
Bostrom	Lyons	Senour
Bourassa	Mallough	Severson
Brown	Mattson	Shiels
Burtness	McClure	Simpson
Chaffee	McCrea	Smart of Nelson
Chevalier	McDowell	Stevens
Chisholm	McGahan	Truemmer
Cole	McKenzie	Underwood
Connolly	McKnight	Van Arnam
Dahl	Meidinger	Wagner
Dickinson	Midgarden	Wall
Dieball	Miller	Watts
Elton	Movius	Weed
Ellison	Noben	Welo
Flados	Palfrey	Young
Fried	Palmer	Mr. Speaker
Gagnon		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell	Noltmier	Stavens
Ferguson	Oksendahl	Steinberg
Harvey	Robillard	Thompson
Knudtson	Skjold	Tufte
Kraabel	Smart of Traill	Wing
Mooney		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Braaten	Hammer	Peterson of Towner
Buttz	Lee	Rose
Davis	Maddock	Watson
Gilbert	McLain	Weigel
Gullerud	Patterson	

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Senour moved

That the vote by which Senate Bill No. 117 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker called Mr. Brown to the chair.

Senate Bill No. 157,

A bill for an act to amend section 904a of article 1, chapter 10, of the political code of 1899, relating to education and charitable institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

Was read the third time.

Mr. Ryan moved

That the further consideration of the bill be referred to the steering committee

Which motion prevailed and the bill was so referred.

Senate Bill No. 156,

A bill for an act prescribing the duties and authority of the commissioners of public printing in relation to certain printing and making an appropriation to pay for the public printing authorized by law.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 84, nays 1, absent not voting 15.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bourassa
Brown
Burtness
Cassell
Chaffee
Chevalier
Cole
Connolly
Davis
Dickinson
Elton
Ellison
Ferguson
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey
Heath
Hill

Messrs.—

Johnson
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Patterson

Messrs.—

Peterson of Towner
Peterson of Wells
Phifer
Richmond
Robillard
Rogers
Rose
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Wagner
Wall
Watson
Weigel
Wing
Young

Absent and not voting:

Messrs.—

Bostrom
Braaten

Messrs.—

Dieball
Flados

Messrs.—

Van Arnam
Watts

Messrs.—	Messrs.—	Messrs.—
Buttz	Maddock	Weed
Chisholm	Ryan	Welo
Dahl	Underwood	Mr. Speaker

Mr. Baker of Ramsey voted in the negative.
 Messrs. Buttz and Maddock being excused.
 So the bill passed and the title was agreed to.

Senate Bill No. 110,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the state's attorney of the county of Stark for the years 1901 and 1902, for services in prosecuting criminals and in doing and performing all the other acts that the law provides a state's attorney shall do and perform in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 63, nays 14, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Patterson
Allen	Hill	Peterson of Wells
Aslakson	Johnson	Phifer
Bartz	Knudtson	Richmond
Beck	Lee	Robillard
Blank	Lillie	Rogers
Brown	Lish	Rose
Chaffee	Lyons	Scheer
Chisholm	Mallough	Senour
Cole	McClure	Severson
Connolly	McDowell	Shiels
Dahl	McGahan	Simpson
Davis	McKenzie	Smart of Nelson
Dickinson	McKnight	Stevens
Dieball	Meldinger	Underwood
Ellison	Midgarden	Wall
Fried	Miller	Watts
Gagnon	Movius	Weed
Gilbert	Oksendahl	Weigel
Gullerud	Palfrey	Welo
Hammer	Palmer	Young
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bourassa	Mooney	Thompson
Burtness	Peterson of Towner	Van Arnam
Elton	Skjold	Wagner
Harvey	Smart of Traill	Wing
Kraabel	Steinberg	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Leech	Ryan
Bostrom	Maddock	Schouweiler

Messrs.—

Braaten
Buttz
Cassell
Chevalier
Ferguson
Flados

Messrs.—

Mattson
McCrea
McLain
Noben
Noltimier

Messrs.—

Stavens
Truemner
Tufte
Watson
Mr. Speaker

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. McGahan moved

That the vote by which Senate Bill No. 110 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 89,

A bill for an act making an appropriation to the Florence Crittenden Home and Hospital for friendless women and children of Bismarck, N. D., to aid in defraying the current and contingent expenses.

Also,

House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Also,

House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

And find the same correctly enrolled.

W. A. McCLURE,

Chairman.

The speaker in the chair.

Senate Bill No. 22,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck

Messrs.—

Hill
Johnson
Knutson
Kraabel
Lee

Messrs.—

Phifer
Richmond
Robbilar
Rogers
Rose

Blank	Leech	Ryan
Bourassa	Lillie	Scheer
Braaten	Lyons	Schouweiler
Brown	Mallough	Severson
Burtness	Mattson	Shiels
Chaffee	McClure	Skjold
Chevalier	McCrea	Simpson
Cole	McDowell	Smart of Nelson
Connolly	McGahan	Smart of Traill
Dahl	McKenzie	Stavens
Davis	McKnight	Steinberg
Dickinson	McLain	Stevens
Dieball	Meidinger	Thompson
Elton	Midgarden	Truemner
Ellison	Miller	Underwood
Ferguson	Mooney	Van Arnam
Flados	Movius	Wagner
Fried	Noben	Wall
Gagnon	Noltmier	Watson
Gilbert	Oksendahl	Watts
Gullerud	Palfrey	Weigel
Hammer	Palmer	Welo
Hanson	Patterson	Wing
Harvey	Peterson of Towner	Young
Heath	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Chisholm	Senour
Bostrom	Lish	Tufte
Buttz	Maddock	Weed
Cassell		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Beck moved

That the vote by which Senate Bill No. 22 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 6.

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Also,

Substitute for House Bill No. 138,

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bond therefor and raising and appropriation fund for the erection of such academy buildings and for the maintenance and government of said academy.

Also,

House Bill No. 165,

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Also,

House Bill No. 168,

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

Also,

House Bill No. 178,

A bill for an act authorizing and empowering all insurance corporations organized and doing business on the paid in capital stock plan and engaged in the business of writing fire, marine, hail and tornado insurance and authorized to transact business in this state; to re-insure a part or all of any risk assumed, in insurance corporations not authorized to transact business in this state; providing penalties for the violation of this act and prescribing the duties of the commissioner of insurance in relation thereto.

Also,

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Also,

Substitute for House Bill No. 215,

A bill for an act for the inspection of illuminating oils and gasoline for the appointment of a state inspector and deputies, of oils and gasoline prescribing their duties designating their fees for such inspections, and providing for the payment and disposition of such fees; providing for making chemical tests, providing penalties for the violation of this act; requiring the state inspectors and deputies to make reports; and designating ports of entry where illuminating oils and gasoline shipped into this state shall be inspected.

Also,

House Bill No. 258,

A bill for an act changing and defining the boundaries of Stark county.

Were delivered to the governor for his approval at the hour of 5:10 o'clock p. m., March 5, 1903.

W. A. McCLURE.

Chairman.

Senate Bill No. 134,

A bill for an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks.

connected therewith and for necessary repairs upon the capitol building.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 72, nays none, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Brown
Burtness
Cassell
Chaffee
Chevalier
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Ellison
Flados
Fried
Gilbert
Gullerud
Hammer
Hanson

Messrs.—

Harvey
Heath
Hill
Johnson
Knutdtson
Kraabel
Leech
Lillie
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltimier
Oksendahl
Palfrey
Palmer

Messrs.—

Peterson of Towner
Peterson of Wells
Phifer
Richmond
Robillard
Rogers
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Steinberg
Stevens
Thompson
Truemner
Underwood
Van Arnam
Wagner
Wall
Watts
Weigel
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Bostrom
Bourassa
Braaten
Buttz
Chisholm
Elton
Ferguson
Gagnon
Lee

Messrs.—

Lish
Lyons
Maddock
Mallough
Mattson
Movius
Patterson
Rose
Ryan

Messrs.—

Scheer
Schouweiler
Senour
Stavens
Tuftø
Watson
Weed
Welo
Wing

So the bill passed and the title was agreed to.

The chief clerk announced that the speaker was about to sign House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Also,

House Bill No. 89,

A bill for an act making an appropriation to the Flor-

ence Crittenden Home and Hospital for friendless women and children of Bismarck, N. D., to aid in defraying the current and contingent expenses.

Also,

House Bill No. 143,

A bill for an act regulating the handling of gasoline.

Senate Bill No. 207,

A bill for an act to authorize the various organizations composing the North Dakota National Guard to build armories, to create a board to supervise the construction thereof and to issue bonds therefor.

Also,

Senate Bill No. 120,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the supreme court of the state of North Dakota.

Also,

Senate Bill No. 144,

A bill for an act to amend section 2977 of the Revised Codes of 1899, relating to stopping of trains before crossing other railroads or drawbridges.

And the speaker signed the same in the presence of the house Senate Bill No. 16,

A bill for an act to amend sections 867, 867a, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays 3, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Asiakson
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados

Messrs.—

Hill
Johnson
Knudtson
Kraabel
Lee
Leech
Lillie
Lish
Mallough
Mattson
McClure
McCrea
McGahan
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier

Messrs.—

Phifer
Richmond
Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stevens
Truomner
Tuft
Van Arnam
Wagner
Wall
Watts

Messrs.—	Messrs.—	Messrs.—
Fried	Oksendahl	Watson
Gagnon	Palfrey	Weigel
Gilbert	Palmer	Welo
Gullerud	Patterson	Wing
Hammer	Peterson of Towner	Young
Harvey	Peterson of Wells	Mr. Speaker
Heath		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hanson	Stavens	Thompson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Buttz	McKenzie
Bartz	Lyons	Steinberg
Beck	Maddock	Underwood
Blank	McDowell	Weed

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 16 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 172,

A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 37, nays 26, absent and not voting 37.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Lillie	Rogers
Beck	McCrea	Rose
Cassell	McDowell	Ryan
Chaffee	McGahan	Senour
Chevalier	McKenzie	Shiels
Davis	McLain	Skjold
Ferguson	Miller	Smart of Nelson
Gagnon	Palfrey	Watts
Gilbert	Palmer	Welo
Hammer	Phifer	Wing
Heath	Richmond	Young
Hill	Robillard	Mr. Speaker
Leech		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Fried	Smart of Traill
Allen	Hanson	Stavens
Bartz	Knudtson	Stevens
Blank	Kraabel	Thompson
Bourassa	Meidinger	Truemner
Brown	Oksendahl	Tufte
Burtness	Peterson of Wells	Underwood
Connolly	Scheer	Weed
Dieball	Schouweiler	

Absent and not voting:

Messrs.—

Baker of Ramsey
 Bostrom
 Braaten
 Buttz
 Chisholm
 Cole
 Dahl
 Dickinson
 Elton
 Ellison
 Flados
 Gullerud
 Harvey

Messrs.—

Johnson
 Lee
 Lish
 Lyons
 Maddock
 Mallough
 Mattson
 McClure
 McKnight
 Midgarden
 Mooney
 Movius

Messrs.—

Noben
 Noltmier
 Patterson
 Peterson of Towner
 Severson
 Simpson
 Steinberg
 Van Arnam
 Wagner
 Wall
 Watson
 Weigel

Messrs. Buttz and Maddock being excused.

So the bill was lost.

Mr. Chaffee moved

That the vote by which Senate Bill No. 172 was lost be reconsidered.

Which motion prevailed.

The speaker called Mr. Leech to the chair.

Mr. Ryan gave notice that he would call up for reconsideration Senate Bill No. 72 at ten a. m. tomorrow as a special order.

Senate Bill No. 196,

A bill for an act to provide for the contribution, purchase and custody of historical sites and relics in the state of North Dakota and to appropriate money therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 68, nays 12, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—

Aandahl
 Allen
 Astakson
 Bartz
 Burtness
 Cassell
 Chaffee
 Chevalier
 Connolly
 Dahl
 Davis
 Dieball
 Elton
 Ellison
 Ferguson
 Flados
 Gagnon
 Hammer
 Heath
 Hill
 Johnson
 Lecch
 Lillie

Messrs.—

Lish
 Lyons
 Mallough
 McClure
 McCrea
 McDowell
 McGahan
 McKenzie
 McKnight
 McLain
 Meidinger
 Midgarden
 Miller
 Mooney
 Noten
 Noltmier
 Palmer
 Peterson of Wells
 Phifer
 Richmond
 Robillard
 Rogers

Messrs.—

Rose
 Ryan
 Scheer
 Schouweiler
 Senour
 Severson
 Shells
 Skjold
 Simpson
 Smart of Nelson
 Stavens
 Stevens
 Truemaner
 Underwood
 Van Arnam
 Wagner
 Wall
 Watts
 Weed
 Welo
 Wing
 Young

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blank	Harvey	Smart of Traill
Bourassa	Knudtson	Thompson
Braaten	Kraabel	Tufte
Fried	Peterson of Towner	Weigel

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Dickinson	Movius
Beck	Gilbert	Oksendahl
Bostrom	Gullerud	Palfrey
Brown	Hanson	Patterson
Buttz	Lee	Stenberg
Chisholm	Maddock	Watson
Cole	Mattson	Mr. Speaker

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr Ryan gave notice that he would call up for reconsideration tomorrow Senate Bill No. 172, which was lost.

Mr. Ryan moved

That the vote by which Senate Bill No. 196 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed

The committee on enrolled bills made the following report:
Mr. Speaker:

Your committee on enrolled bills have examined
House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

Senate Bill No. 136,

A bill for an act to amend section 637 of the Revised Codes of 1899, relating to the salary and traveling expenses to be paid the superintendent of public instruction.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 60, nays 6, absent and not voting 34.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanson	Rogers
Bartz	Johnson	Rose
Blank	Kraabel	Ryan
Bourassa	Leech	Schouweiler
Braaten	Lillie	Severson

Messrs.—	Messrs.—	Messrs.—
Burtness	Lyons	Shiels
Cassell	McClure	Skjold
Chaffee	McCrea	Simpson
Chevalier	McGahan	Smart of Nelson
Connolly	McKenzie	Smart of Traill
Dahl	McKnight	Stevens
Davis	McLain	Thompson
Dickinson	Meidinger	Underwood
Dieball	Miller	Van Arnam
Ellison	Palmer	Wagner
Ferguson	Peterson of Towner	Wall
Fried	Peterson of Wells	Watts
Gagnon	Phifer	Welo
Gullerud	Richmond	Wing
Hammer	Robillard	Young

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Noitmier
Brown	Noben	Scheer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Hill	Palfrey
Baker of Ramsey	Lee	Patterson
Beck	Lish	Senour
Bostrom	Maddock	Stavens
Buttz	Mallough	Steinberg
Chisholm	Mattson	Truemner
Cole	McDowell	Tufte
Elton	Midgarden	Watson
Flados	Mooney	Weed
Gilbert	Movius	Weigel
Harvey	Oksendahl	Mr. Speaker
Heath		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 23,

A bill for an act to provide for the maintenance of the industrial school for manual training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Rogers
Allen	Kraabel	Rose
Bartz	Leech	Scheer
Beck	Lillie	Schouweiler
Braaten	Lish	Severson

Messrs.—

Burtness
Cassell
Chaffee
Chevallier
Connolly
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanscn
Harvey
Heath
Hill

Messrs.—

Lyons
Mallough
McClure
McCrea
McGahan
McKenzie
Meldinger
Midgarden
Miller
Mooney
Noben
Oksendahl
Pa'frey
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer
Richmond
Robillard

Messrs.—

Skjold
Simpson
Smart of Nelson
Smart of Traill
Steinberg
Thompson
Truemner
Tufta
Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Wing
Young

Absent and not voting:

Messrs.—

Aslakson
Baker of Ramsey
Blank
Bostrom
Bourassa
Brown
Buttz
Chisholm
Cole

Messrs.—

Dahl
Flados
Knudtson
Lee
Maddock
Mattson
McDcweil
McKnight
McLain

Messrs.—

Movius
Noltimier
Ryan
Serour
Shells
Stavens
Stevens
Mr. Speaker

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Chaffee moved

That the vote by which Senate Bill No. 23 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 60, nays 7, absent and not voting 33.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck

Messrs.—

Hammer
Hanson
Hath
Johnson
Leech

Messrs.—

Rogers
Rose
Ryan
Skjold
Smart of Nelson

Messrs.—	Messrs.—	Messrs.—
Blank	Lyons	Steinberg
Bostrom	Mallough	Stevens
Braaten	McCrea	Thompson
Brown	McGahan	Truemner
Burtness	McKenzie	Tuftø
Cassell	McKnight	Underwood
Chaffee	Meidinger	Van Arnam
Davis	Midgarden	Wagner
Dickinson	Miller	Wall
Elton	Noltmier	Watts
Ferguson	Palrey	Weed
Flados	Peterson of Wells	Weigel
Fried	Phifer	Wing
Gagnon	Richmond	Young
Gilbert	Robillard	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bourassa	Mattson	Peterson of Towner
Harvey	Oksendahl	Scheer
Knudtson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Kraabel	Palmer
Buttz	Lee	Patterson
Chevalier	Lillie	Schouweiler
Chisholm	Lish	Senour
Cole	Maddock	Severson
Connolly	McClure	Sheils
Dahl	McDowell	Simpson
Dieball	McLain	Smart of Trail
Ellison	Mooney	Stavens
Gullerud	Movius	Watson
Hill	Noben	Welo

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. McGahan moved

That the vote by which Senate Bill No. 18 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Davis moved

That the vote by which Senate Bill No. 176 passed be reconsidered and made a special order for 8 o'clock this evening.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 38,

A bill for an act to regulate the price of the product of the twine and cordage plant of the state penitentiary.

Which was read the first and second times, and

Referred to steering committee.

Mr. Young moved

That the house do now take a recess until 7:30 p. m.

Which motion prevailed, and

The house took a recess until 7:30 p. m.

AFTER RECESS.

The chief clerk announced that the speaker was about to sign Senate Bill No. 100,

A bill for an act relating to the time of holding village annual elections in incorporated villages, and to amend section 2355 of the Revised Codes of North Dakota of 1899.

Also,

Senate Bill No. 101,

A bill for an act to amend section 1896 of the Revised Codes relating to term of offices of county commissioners and also to repeal chapter 33 of the special laws of 1885.

Also,

Senate Bill No. 105,

A bill for an act requiring notice to the vendee or purchaser under any contract for the future conveyance of land hereinafter made to be given before the rights of any vendee or purchaser can terminate.

Also,

Senate Bill No. 140,

A bill for an act authorizing and directing the board of university and school lands to create and invest a sinking fund for the payment of bonds issued by state educational, charitable or other state institution, defining the manner of creating such sinking fund, and prescribing the duties of the board of university and school lands in relation thereto.

Also,

Senate Bill No. 165,

A bill for an act relating to where county records shall be kept.

Also,

Senate Bill No. 170,

A Bill for an act to amend and re-enact section 1271 of the Revised Codes of 1899, relating to sale of property bid in for the county.

Also,

Senate Bill No. 175,

A bill for an act authorizing and empowering the board of county commissioners of each county in this state, to make time deposits of the county funds, and designate depositories therefor.

Also,

Senate Bill No. 202,

A bill for an act to amend and re-enact section 1986, Revised Codes of North Dakota, revision of 1899.

Also

Senate Bill No. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

Also

Senate Bill No. 208,

A bill for an act to amend section 1419, of the Revised Codes of North Dakota for 1899, relating to the payment of armory rent to the respective organizations of the North Dakota National Guard.

Also,

Senate Bill No. 209,

A bill for an act to amend section 405 of the Revised Codes of 1899, fixing the time of holding the terms of court in the several counties of the Third judicial district.

Also,

Senate Bill No. 212,

A bill for an act to amend and re-enact section 1081 of the political code of 1899 as amended by chapter 151 of the session laws of 1901, and to amend and re-enact sections 1082 and 1084 of the political code of 1899, relating to the expenditure of money by contract for road improvements in counties not organized into civil townships and prescribing the duties of county commissioners with reference thereto.

Also,

Senate Bill No. 177,

A bill for an act to amend section 1249 of the Revised Codes relating to sheriff's fees for making distress and sale.

Also,

Senate Bill No. 197,

A bill for an act to amend section 9, of chapter 8, of the session laws of 1901, relating to the agricultural and geological survey and pertaining to the appropriation therefor.

Also,

House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 101,

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.

Also,

House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock, "where and at what valuation to be listed."

Also,

House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Also,

House Bill No. 196,

A bill for an act authorizing the payment of the sum of one hundred dollars to the clerk of the district court of Stark county for services in connection with cases arising in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman.

Which the senate has passed unchanged.

R. M. TUTTLE,

Secretary.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 157,

A bill for an act to amend section 904a of article 1, chapter 10, of the political code of 1899, relating to education and charitable institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

Have had the same under consideration and recommend that the same do pass as engrossed and without the amendments heretofore offered

GEORGE M. YOUNG,

Chairman.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 84,

A bill for an act to amend section 2071 of the Revised Codes of 1899, relating to reimbursing counties for salaries paid to judges of county courts.

Have had the same under consideration and recommend that the same be amended as follows:

After the words "thereto" in line 19 of the engrossed bill insert the following: "provided, no estate shall be required to pay an amount in excess of \$125.00."

And when so amended recommend the same do pass.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 55,

A bill for an act to provide against discrimination in insurance rates, fixing the penalty for violation of the same.

Have had the same under consideration, and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred

Senate Bill No. 124,

A bill for an act to amend section 1112 of the Revised Codes of North Dakota for the year 1899.

Have had the same under consideration, and recommend that the further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
House Bill No. 285,

A bill for an act to amend section 6153 of the Revised Codes of 1899 relating to liability of owner for trespass of animals.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 130,

A bill for an act to protect trade and commerce against unlawful restraints and monopolies, and to prohibit the giving or receiving of rebates on the transportation of property, and prescribing penalties for the violation thereof.

Have had the same under consideration, and recommend that the further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 228,

A bill for an act creating the office of inspector general of weights and measures.

Have had the same under consideration and recommend that the further consideration of the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
House Bill No. 287,

A bill for an act to amend and re-enact section 28 Revised Codes 1899, relating to legislative officers and employes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
House Joint-resolution No. 234,

A joint resolution pertaining to coal lands and making an appropriation to ascertain what coal lands belonging to the state bear lignite coal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE M. YOUNG,
Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The steering committee made the following report:

Mr. Speaker:

Your steering committee to whom was referred
Senate Bill No. 155,

A bill for an act to amend section 30711 of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.

Have had the same under consideration and recommend that the same be amended as follows:

Your steering committee to whom was referred Senate Bill No. 155 have had the same under consideration and recommend that the same be amended as follows:

On page 2, line 15, of printed bill, strike out the word "eighty" after the word "exceed" and add in lieu thereof the words "one hundred." Also after the word "miles" same line, strike out the word "eighty" and insert the words "seventy-five" in lieu thereof.

Strike out all of lines seventeen and eighteen of printed bill.

In line twenty strike out the word "twenty" and insert the word "fifty" in lieu thereof. Also after word "miles" same line, strike out the words "ninety-eight" and insert the word "eighty."

In line twenty-one strike out the word "twenty" after word "one hundred" and insert the word "fifty." Also in same line after the word "exceed" strike out word "one" and insert the word "two" in lieu thereof.

In line twenty-two, strike out the word "forty" and in same line after word "miles" strike out words "one dollar and six cents" and insert the words "ninety cents" in lieu thereof.

Strike out all of lines twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven and twenty-eight.

In line thirty strike out words "twenty-five" and insert word "fifty." In same line after word "dollar" strike out words "and thirty-three cents."

Strike out all of line 31 and line 32.

In line 33 after the word "exceed" strike out the word "two," insert the word "three" in lieu thereof.

In line 34, after the word "hundred" strike out the words "seventy-five." Also in the same line after the word "and" strike out the words "forty-six" and insert the word "ten."

Strike out all of lines 35 and 36.

In line 38 strike out the words "twenty-five" and insert the word "fifty" in lieu thereof. Also in the same line after the word "and" strike out the words "fifty-seven" and insert the word "twenty."

Strike out all lines 39 and 40.

In line 41, after the word "exceed" strike out the word "three" and insert the word "four."

In line 42 after the word "hundred" strike out the words "seventy-five." Also in the same line after the word "and" strike out the words "sixty-seven" and insert the words "twenty-five."

Strike out all of lines 43 and 44.

In line 46 strike out the words "twenty-five" and insert the word "fifty" in lieu thereof. Also in the same line, after the word "and" strike out the words "seventy-seven" and insert the word "thirty."

Strike out all of lines 47 and 48.

In line 49 after the word "exceed" strike out the word "four" and insert the word "five."

In line 50, after the word "hundred" strike out the words "seventy-five." Also in the same line after the word "and" strike out the words "eighty-seven" and insert the words "thirty-five" in lieu thereof.

Strike out all of lines 51 and 52.

And when so amended recommend that the same do pass.

GEORGE M. YOUNG,

Chairman.

Mr. Young moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The chief clerk announced that the speaker was about to sign Senate Bill No. 213,

A bill for an act to amend section 785 of the Revised Codes of 1899, relating to special school districts

Also,

Senate Bill No. 103,

A bill for an act appropriating money for the purchase of pure bred stock for breeding purposes for the experiment station at Fargo; enlarging the scope of investigation by its station staff; maintaining the sub-experiment station at Edgeley and erecting suitable buildings thereon and locating a substation at or near Dickison in Stark county.

Also,

Senate Bill No. 71,

A bill for an act to provide for licensing engineers of steam engines; for the appointment of examiners of applicants for license, and prohibiting the operation of steam engines without such license.

Also,

Senate Bill No. 103,

A bill for an act appropriating money for the purchase of pure bred stock, for breeding purposes for the experiment station at Fargo; enlarging the scope of investigation by its station staff; maintaining the sub-experiment station of Edgeley and erecting suitable buildings thereon and locating a sub-station at or near Dickinson in Stark county.

And the speaker signed the same in the presence of the house.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 89,

A bill for an act making an annual appropriation to the Florence Crittenton Home and Hospital for friendless women and children of Bismarck, N. D., to aid in defraying the current and contingent expenses.

Also,

House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Also,

House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Also,

House Bill No. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Also,

House Bill No. 152,

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Also,

House Bill No. 93,

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.

Were delivered to the governor for his approval at the hour of 8:15 o'clock p. m., March 5, 1903.

W. A. McCLURE,
Chairman.

Senate Bill No. 135,

A bill for an act to amend section 334 of the Revised Codes of 1899, relating to clerk hire for state officers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were: *

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Chevalier
Cole
Connolly
Dahl
Davis
Dickinson
Elton
Ellison

Messrs.—

Hill
Johnson
Kraabel
Lee
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius

Messrs.—

Robillard
Rogers
Rose
Ryan
Scheer
Schouwæler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Trail
Stavens
Steinberg
Stevens
Thompson
Truemner
Tuft
Underwood
Van Arnam
Wagner

Messrs.—	Messrs.—	Messrs.—
Ferguson	Noben	Wall
Flados	Noltimier	Watts
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Palmer	Wing
Gullerud	Peterson of Towner	Young
Harvey	Peterson of Wells	Mr. Speaker
Heath	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Hanson	Richmond
Chisholm	Knudtson	Watson
Dieball	Maddock	Weed
Hammer	Patterson	

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 210,

A bill for an act regulating calling of elections to determine whether or not county courts shall have increased jurisdiction. Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 83, nays 1, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Peterson of Wells
Allen	Johnson	Phifer
Aslakson	Krudtson	Richmond
Baker of Ramsey	Krabel	Robillard
Bartz	Leech	Rogers
Beck	Lilie	Ryan
Blank	Lish	Scheer
Bostrom	Lyons	Schouweiler
Bourassa	Mallough	Senour
Braaten	Mattson	Shells
Brown	McClure	Skjold
Burtness	McCrea	Simpson
Cassell	McGahan	Smart of Nelson
Chaffee	McKenzie	Smart of Traill
Chevalier	McKnight	Stavens
Dahl	McLain	Steinberg
Davis	Meldinger	Stevens
Dickinson	Midgarden	Thompson
Elton	Miller	Truemmer
Ellison	Mooney	Tufta
Flados	Movius	Van Arnam
Fried	Noben	Wagner
Gagnon	Noltimier	Watts
Gilbert	Oksendahl	Weigel
Gullerud	Palfrey	Welo
Hammer	Palmer	Wing
Harvey	Patterson	Mr. Speaker
Heath	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Hanson	Severson
Chisholm	Lee	Underwood
Cole	Maddock	Wall
Connolly	McDowe!!	Watson
Dieball	Rose	Weed
Ferguson		

Mr. Young voted in the negative.

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Watts moved

That the vote by which Senate Bill No. 172 was lost be reconsidered.

Which motion prevailed.

Senate Bill No. 172,

A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Allen	Heath	Richmond
Aslakson	Hill	Robillard
Baker of Ramsey	Johnson	Rogers
Bartz	Knudtson	Rose
Beck	Lee	Scheer
Blank	Leech	Schouweiler
Bostrom	Lilie	Senour
Bourassa	Lish	Severson
Braaten	Lyons	Shells
Brown	Mallough	Skjold
Burtness	McClure	Smart of Nelson
Cassell	McCrea	Smart of Traill
Chaffee	McGahan	Steinberg
Chevallier	McKenzie	Stevens
Cornolly	McKnight	Thompson
Dahl	McLain	Truemner
Davis	Meidinger	Turtø
Dickinson	Midgarden	Underwood
Elton	Miller	Van Arnam
Ellison	Mooney	Wagner
Flaños	Movius	Wall
Ferguson	Noben	Watts
Fried	Oksendahl	Woigel
Gagnon	Pa'frey	Welo
Gilbert	Palmer	Wing
Gullerud	Patterson	Young
Hammer	Peterson of Wells	Mr. Speaker

Absent and not voting:**Messrs.—**

Buttz
Chisholm
Cole
Dieball
Hanson
Kraebel

Messrs.—

Maddock
Mattson
McDowell
Noltmier
Peterson of Towner

Messrs.—

Ryan
Simpson
Stavens
Watson
Weed

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

Mr. Speaker:

I have the honor to inform you that the senate declines to concur in the amendments which the house has made to the several senate appropriation bills and the president has appointed as a conference committee Messrs. LaMoure, Robinson, Regan, Brown, Geer on the part of the senate to meet a committee of a similar number of members of the house of representatives.

R. M. TUTTLE,
Secretary.

Mr. Ryan moved

That a committee of five be appointed as conferees on the appropriation bills.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Leech, Davis, Watts, Simpson and Richmond.

The chief clerk announced that the speaker was about to sign Senate Bill No. 156,

A bill for an act prescribing the duties and authority of the commissioners of public printing in relation to certain printing and making an appropriation to pay for the public printing authorized by law.

Also,

Senate Bill No. 110,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the state's attorney of the county of Stark for the years 1901 and 1902, for services in prosecuting criminals and in doing and performing all the other acts that the law provides a state's attorney shall do and perform in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.

And the speaker signed the same in the presence of the house.

Senate Bill No. 157,

A bill for an act to amend section 904a of article 1, chapter 10, of the political code of 1899, relating to education and charitable institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 92, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Richmond
Allen	Knudtson	Robillard
Aslakson	Kraabel	Rogers
Bartz	Lee	Ryan
Beck	Leech	Scheer
Blank	Lillie	Schouweller
Bostrom	Lish	Senour
Bourassa	Lyons	Severson
Braaten	Mallough	Shiels
Brown	Mattson	Skjold
Burness	McClure	Simpson
Cassell	McCrea	Smart of Nelson
Chaffee	McDowell	Smart of Traill
Chevalier	McGahan	Stavens
Connolly	McKenzie	Steinberg
Dahl	McKnight	Stevens
Davis	McLain	Thompson
Dickinson	Meldinger	Truemner
Dieball	Miller	Tufte
Elton	Mooney	Underwood
Ellison	Movius	Van Arnam
Ferguson	Noben	Wagner
Flados	Noltmier	Wall
Fried	Oksendahl	Watson
Gagnon	Palfrey	Watts
Gilbert	Palmer	Weigel
Gullerud	Patterson	Welo
Hanson	Peterson of Towner	Wing
Harvey	Peterson of Wells	Young
Heath	Phifer	Mr. Speaker
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Hammer	Rose
Chisholm	Midgarden	Weed
Cole		

Mr. Baker of Ramsey voted in the negative.

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Ryan moved

That the vote by which Senate Bill No. 157 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Skjold moved

That the vote by which Senate Bill No. 172 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 201,

A bill for an act defining the duty of railroads, railroad corporations, railroad companies, express companies, car companies and every common carrier other than by water, and the person or persons operating any such common carrier, as receiver, lessee or trustee, in the transportation of any kind of live stock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this act.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays 1, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Peterson of Wells
Allen	Hanson	Phifer
Aslakson	Heath	Richmond
Bartz	Hill	Robillard
Beck	Johnson	Rogers
Blank	Knudtson	Ryan
Bostrom	Kraabel	Scheer
Bourassa	Lee	Schouweiler
Braaten	Lillie	Senour
Brown	Lish	Severson
Burtness	Lyons	Shiels
Cassell	Mallough	Skjold
Chaffee	Mattson	Smart of Nelson
Chevalier	McClure	Smart of Trall
Connolly	McCrea	Steinberg
Dahl	McDowell	Stevens
Davis	McGahan	Thompson
Dickinson	McKenzie	Tufte
Dieball	McKnight	Underwood
Elton	McLain	Wagner
Ellison	Meidinger	Wall
Ferguson	Miller	Watson
Flados	Mooney	Watts
Fried	Noben	Welo
Gagnon	Noltmier	Wing
Gilbert	Palfrey	Young
Gullerud	Patterson	Mr. Speaker
Hammer	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Midgarden	Stavens
Buttz	Movius	Truemner
Chisholm	Oksendahl	Van Arnam
Cole	Rose	Weed
Leech	Simpson	Weigel
Maddock		

Mr. Palmer voted in the negative.

Messrs. Buttz and Maddock being excused.

So the bill passed, and the title was agreed to.

Mr. McGahan moved

That the vote by which Senate Bill No. 201 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 231,

A bill for an act to amend and re-enact chapter 92 of the session laws of 1901, relating to the fees of clerks of the district court.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 92, nays 2, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Baker of Ramsey
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Chevalier
Cole
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey

Messrs.—

Heath
Hill
Johnson
Knudtson
Kraabel
Lee
Lillie
Lish
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltmier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer

Messrs.—

Richmond
Robillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte
Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weigel
Welo
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Buttz
Chisholm
Lyons

Messrs.—

Leech
Maddock

Messrs.—

Wing
Weed

Messrs. Connolly and Movius, voting in the negative.

Messrs. Buttz and Maddock being excused.

So the bill as amended passed and the title was agreed to.

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 92, nays none, absent and not voting, 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Richmond
Allen	Johnson	Rob ilard
Aslakson	Knudtson	Rogers
Baker of Ramsey	Kraabel	Rose
Bartz	Lee	Ryan
Beck	Lillie	Scheer
Blank	Lish	Schouweiler
Bourassa	Lyons	Senour
Braaten	Mallough	Severson
Brown	Mattson	Shiels
Burtness	McClure	Skjold
Cassell	McCrea	Smart of Nelson
Chaffee	McDowell	Smart of Traill
Chevalier	McGahan	Stavens
Chisholm	McKenzie	Steinberg
Cole	McKnight	Stevens
Connolly	McLain	Thompson
Dahl	Meldinger	Truemner
Davis	Midgarden	Tufte
Dickinson	Miller	Underwood
Dieball	Mooney	Van Arnam
Elton	Movius	Wagner
Ellison	Noben	Wall
Ferguson	Noltmier	Watson
Flados	Oksendahl	Watts
Fried	Palfrey	Weigel
Gagnon	Palmer	Welo
Gilbert	Patterson	Wing
Gullerud	Peterson of Towner	Young
Harvey	Peterson of Wells	Mr. Speaker
Heath	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Hanson	Simpson
Buttz	Leech	Weed
Hammer	Maddock	

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 96, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Phifer
Allen	Hill	Richmond
Aslakson	Johnson	Robbilar
Baker of Ramsey	Knudtson	Rogers
Bartz	Kraabel	Rose
Beck	Lee	Ryan
Blank	Leech	Scheer
Bostrom	Lillie	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Mallough	Shiels
Burtness	Mattson	Skjold
Cassell	McClure	Simpson
Chaffeo	McCrea	Smart of Nelson
Chevallier	McDowell	Smart of Traill
Chisholm	McGahan	Stavens
Connolly	McKenzie	Steinberg
Dahl	McKnight	Stevens
Davis	McLain	Thompson
Dickinson	Meldinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Fried	Noltmier	Watson
Gagnon	Oksendahl	Watts
Gilbert	Palfrey	Weigel
Gullerud	Palmer	Welo
Hammer	Patterson	Wing
Hanson	Peterson of Towner	Young
Harvey	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Maddock	Weed
Colo		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 128,

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 77, nays 3, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Phifer
Aslakson	Hill	Robillard
Baker of Ramsey	Johnson	Rogers
Bartz	Kraabel	Ryan
Beck	Lee	Scheer
Bostrom	Lillie	Schouweller
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	McCrea	Shiels
Burtness	McDowell	Skjold
Cassell	McGahan	Smart of Nelson
Chevalier	McKenzie	Smart of Traill
Connolly	McKnight	Steinberg
Dahl	McLain	Stevens
Davis	Meidinger	Truemner
Dickinson	Midgarden	Tufte
Dieball	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flados	Noltimier	Wall
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Palmer	Wing
Gullerud	Patterson	Young
Hammer	Peterson of Towner	Mr. Speaker
Harvey		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Blank	Elton
Absent and not voting:		
Buttz	Maddock	Rose
Chaffee	Mallough	Simpson
Chisholm	Mattson	Stavens
Cole	McClure	Thompson
Hanson	Noben	Watson
Knudtson	Peterson of Wells	Watts
Leech		Weed

Messrs. Buttz and Maddock being excused.

Mr. Cassell moved

That the title be amended as follows by adding thereto the words "Relating to levy and collections of taxes by villages."

Which motion prevailed.

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Shiels moved

That the vote by which Senate Bill No. 128 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 74.

A bill for an act to amend and re-enact sections 1823, 1824, and 1825 of the Revised Codes of the state of North Dakota for the year 1899, relating to the organization of counties.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 93, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hill	Richmond
Allen	Johnson	Robbilard
Aslakson	Knudtson	Rogers
Baker of Ramsey	Kraabel	Rose
Bart1	Lee	Ryan
Beck	Leech	Scheer
Blank	Lillie	Schouweiler
Bostrom	Lish	Senour
Bourassa	Lyons	Severson
Braaten	Mallough	Shiels
Brown	Mattson	Skjold
Burtness	McClure	Simpson
Cassell	McCrea	Smart of Nelson
Chaffee	McDowell	Smart of Traill
Chevalier	McGahan	Stavens
Chisholm	McKenzie	Steinberg
Cole	McKnight	Stevens
Connolly	McLain	Thompson
Dickinson	Meidinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Flados	Movius	Wagner
Fried	Noben	Wall
Gagnon	Noltmier	Watson
Gilbert	Oksendahl	Watts
Gullerud	Palfrey	Weigel
Hammer	Patterson	Welo
Hanson	Peterson of Towner	Wing
Harvey	Peterson of Wells	Young
Heath	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dahl	Ferguson	Palmer
Davis	Maddock	Weed
Buttz		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

The committee on enrolled bills made the following report:
Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 45,

A bill for an act to exempt volunteer firemen from the payment of poll tax.

Also,

House Bill No. 196,

A bill for an act authorizing the payment of the sum of one hundred dollars to the clerk of the district court of Stark county

for services in connection with cases arising in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

The speaker announced a recess until 9:30 p. m.

AFTER RECESS.

The chief clerk announced that the speaker was about to sign House Bill No. 196,

A bill for an act authorizing the payment of the sum of one hundred dollars to the clerk of the district court of Stark county for services in connection with cases arising in the unorganized counties of Alfred, Wallace, McKenzie, Dunn, Hettinger and Bowman.

Also,

House Bill No. 45,

A bill for an act to exempt volunteer firemen from the payment of poll tax.

And the speaker signed the same in the Presence of the House.

The chief clerk announced that the speaker was about to sign Senate Bill No. 196,

A bill for an act to provide for the contribution, purchase and custody of historical sites and relics in the state of North Dakota and to appropriate money therefore.

Also,

Senate Bill No. 22,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Also,

Senate Bill No. 16,

A bill for an act to amend sections 867, 867a, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

Also,

Senate Bill No. 134,

A bill for an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building.

Also,

Senate Bill No. 136,

A bill for an act to amend section 637 of the Revised Codes of

1899, relating to the salary and traveling expenses to be paid the superintendent of public instruction.

And the Speaker signed the same in the presence of the House.

Mr. Gilbert moved

That the house do now take a recess until 9:30 a. m. tomorrow.

Which motion was lost.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 45,

A bill for an act to exempt volunteer firemen from the payment of poll tax.

Also,

House Bill No. 196,

A bill for an act authorizing the payment of the sum of one hundred dollars to the clerk of the district court of Stark county for services in connection with cases arising in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman.

Were delivered to the governor for his approval at the hour of 9:55 p. m., March 5th, 1903.

W. A. McCLURE

Chairman.

Senate Bill No. 155,

A bill for an act to amend section 30711 of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.

Was read the third time.

The question being on the final passage of the bill

The roll was called and there were ayes 95, nays 1, absent and not voting 4.

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bostrom
Braaten
Brown
Burtness
Cassell
Chaffee
Cole
Connolly
Dickinson
Dieball
Elton
Ellison
Ferguson

Messrs.—

Johnson
Knudtson
Kraabel
Lee
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller

Messrs.—

Robbillard
Rogers
Rose
Ryan
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufte

Messrs.—	Messrs.—	Messrs.—
Flados	Mooney	Underwood
Fried	Movius	Van Arnam
Gagnon	Noben	Wagner
Gilbert	Noltmier	Wall
Gullerud	Oksendahl	Watson
Hammer	Palfrey	Weigel
Hanson	Peterson of Towner	Welo
Harvey	Peterson of Wells	Wing
Heath	Phifer	Young
Hill	Richmond	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Dahl	Watts
Bourassa	Davis	Weed
Buttz	Leech	
Chevalier	Maddock	
Chisholm	Patterson	

Mr. Palmer voted in the negative.

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Gilbert moved

That the vote by which Senate Bill No. 155 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ryan moved

That the house do now take a recess until 9:30 tomorrow morning.

Which motion was lost.

Senate Bill No. 58,

A bill for an act to amend chapter 205 of the session laws of 1901, relating to the meetings of township board of supervisors.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 79, nays 1, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Peterson of Wells
Allen	Hill	Phifer
Aslakson	Johnson	Robillard
Bartz	Knudtson	Rogers
Blank	Kraabel	Rose
Bostrom	Lee	Ryan
Bourassa	Lillie	Scheer
Braaten	Lish	Schouweiler
Brown	Mallough	Senour
Burtness	McClure	Shiels
Cassell	McCrea	Skjold
Chaffee	McDowell	Smart of Nelson
Chevalier	McGahan	Smart of Trall

Messrs.—
 Cole
 Connolly
 Dahl
 Dickinson
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gilbert
 Gullerud
 Hammer
 Hanson

Messrs.—
 McKenzie
 McKnight
 McLain
 Meldinger
 Midgarden
 Miller
 Mooney
 Movius
 Noben
 Noltmier
 Oksendahl
 Palmer
 Peterson of Towner

Messrs.—
 Stavens
 Steinberg
 Thompson
 Truemner
 Tufto
 Underwood
 Van Arnam
 Wagner
 Wall
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—
 Baker of Ramsey
 Beck
 Buttz
 Chisholm
 Davis
 Dieball
 Gagnon

Messrs.—
 Heath
 Leech
 Maddock
 Mattson
 Palfrey
 Patterson
 Richmond

Messrs.—
 Severson
 Simpson
 Stevens
 Watson
 Watts
 Weed
 Weigel

Mr Lyons voted in the negative.

Messrs. Buttz a. d Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 200,

A bill for an act to amend section 3742, Revised Codes of the state of North Dakota of 1899, relating to order of succession.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 95, nays 1, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—
 Allen
 Aslakson
 Bartz
 Beck
 Blank
 Bostrom
 Bourassa
 Braaten
 Brown
 Cassell
 Chaffee
 Chevallier
 Chisholm
 Cole
 Connolly
 Dahl
 Davis
 Dickinson
 Dieball

Messrs.—
 Johnson
 Knudtson
 Kraabel
 Lee
 Leech
 Lillie
 Lish
 Lyons
 Mallough
 Mattson
 McClure
 McCrea
 McDowell
 McGahan
 McKenzie
 McKnight
 McLain
 Meldinger
 Midgarden

Messrs.—
 Robillard
 Rogers
 Rose
 Ryan
 Scheer
 Schouweiler
 Senour
 Severson
 Shiels
 Skjold
 Simpson
 Smart of Nelson
 Smart of Traill
 Stavens
 Steinberg
 Stevens
 Thompson
 Truemner
 Tufto

Messrs.—

Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Harvey
Heath
Hill

Messrs.—

Miller
Mooney
Movius
Noben
Noltimier
Oksendahl
Palfrey
Palmer
Patterson
Peterson of Towner
Peterson of Wells
Phifer
Richmond

Messrs.—

Underwood
Van Arnam
Wagner
Wall
Watson
Watts
Weed
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Aandahl
Baker of Ramsey

Messrs.—

Buttz

Messrs.—

Maddock

Mr. Burtness voted in the negative.

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 218,

A bill for an act amending and re-enacting section 4738 Revised Codes 1899, relating to the execution of mortgages on personal property.

Was read the third time,

The question being upon the final passage of the bill.

The roll was called and there were ayes, 69, nays none, absent and not voting 31.

Those who voted in the affirmative were:

Messrs.—

Allen
Bartz
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Cole
Connolly
Dahl
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gullerud
Hammer
Hanson

Messrs.—

Harvey
Hill
Johnson
Kraabel
Lee
Lillie
Lish
Mattson
McClure
McCrea
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Palfrey
Palmer
Peterson of Towner

Messrs.—

Peterson of Wells
Phifer
Robillard
Rogers
Ryan
Scheer
Schouweller
Senour
Shiels
Skjold
Smart of Nelson
Smart of Traill
Steinberg
Stevens
Thompson
Truemner
Tuft
Van Arnam
Wagner
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Severson
Aslakson	Leech	Simpson
Baker of Ramsey	Lyons	Stavens
Beck	Mallough	Underwood
Buttz	Maddock	Wall
Chevalier	McDowell	Watson
Chisholm	Noltmier	Watts
Davis	Oksendahl	Weed
Gagnon	Patterson	Welo
Gilbert	Richmond	Weigel
Heath	Rose	

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 101,

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.

Also,

House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock, "where and at what valuation to be listed."

And find the same correctly enrolled.

W. A. McCLURE.

Chairman.

The chief clerk announced that the speaker was about to sign House Bill No. 101,

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.

Also,

House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock, "where and at what valuation to be listed."

And the speaker signed the same in the presence of the House.

Senate Bill No. 227,

A bill for an act to provide for the extension and enlargement and improvement of water systems in incorporated cities.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 94, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Richmond
Allen	Hill	Robillard
Aslakson	Johnson	Rogers
Baker of Ramsey	Knudtson	Rose
Bartz	Kraabel	Ryan
Blank	Lillie	Scheer
Bostrom	Lish	Schouweiler
Bourassa	Lyons	Senour
Braaten	Mallough	Severson
Brown	Mattson	Shiels
Burtness	McClure	Skjold
Cassell	McCrea	Simpson
Chaffee	McDowell	Smart of Nelson
Chevalier	McGahan	Smart of Traill
Chisholm	McKenzie	Stavens
Cole	McKnight	Steinberg
Connolly	McLain	Stevens
Dahl	Meidinger	Thompson
Davis	Midgarden	Truemner
Dickinson	Miller	Tuft
Dieball	Mooney	Underwood
Elton	Movius	Van Arnam
Ellison	Noben	Wagner
Ferguson	Noltmier	Wall
Flados	Oksendahl	Watson
Fried	Palfrey	Watts
Gagnon	Palmer	Weigel
Gilbert	Patterson	Welo
Gullerud	Peterson of Towner	Wing
Hammer	Peterson of Wells	Young
Hanson	Phifer	Mr. Speaker
Harvey		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Maddock	Leech
Buttz	Lee	Weed

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 211,

A bill for an act to provide for the leasing of common school and other public lands for coal mining purposes, providing the manner and terms of such lease and prescribing penalties for unlawfully removing coal from such lands.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays 5, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Phifer
Allen	Heath	Richmond
Aslakson	Hill	Robillard

Messrs.—

Bartz
Blank
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Chevalier
Chisholm
Cole
Connolly
Dahl
Davis
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hammer
Hanson

Messrs.—

Johnson
Knudtson
Kraabel
Lee
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Oksendahl
Palfrey

Messrs.—

Rogers
Ryan
Scheer
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson
Smart of Traill
Stavens
Steinberg
Stevens
Thompson
Truemner
Tufto
Underwood
Van Arnam
Wagner
Wall
Weigel
Welo
Wing
Young
Mr. Speaker

Absent and not voting:

Messrs.—

Baker of Ramsey
Beck
Bostrom
Buttz
Leech

Messrs.—

Maddock
Patterson
Peterson of Wells
Rose

Messrs.—

Schouweller
Weed
Watson
Watts

Messrs. Palmer and Peterson of Towner voted in the negative.

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 149,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899, relating to payment of board and treatment of patients committed to the hospital for the insane and powers of commissioners of insanity therein.

Was read the third time.

Mr. Cassell moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 236,

A bill for an act to provide for the adoption of a minor child under certain specified conditions.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 83, nays none, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lillie	Ryan
Allen	Lish	Scheer
Aslakson	Lyons	Schouweiler
Baker of Ramsey	Mallough	Senour
Bartz	Mattson	Severson
Beck	McClure	Shiels
Blank	McCrea	Skjold
Bostrom	McDowell	Simpson
Bourassa	McGahan	Smart of Nelson
Braaten	McKenzie	Smart of Traill
Brown	McKnight	Stavens
Burtness	McLain	Steinberg
Cassell	Meidinger	Stevens
Chaffee	Midgarden	Thompson
Chevalier	Miller	Tufte
Chisholm	Mooney	Underwood
Cole	Movius	Van Arnam
Connolly	Noben	Wagner
Dickinson	Noltmier	Wall
Dieball	Oksendahl	Watson
Elton	Palfrey	Watts
Ellison	Palmer	Weed
Ferguson	Peterson of Wells	Weigel
Flados	Phifer	Welo
Fried	Richmond	Wing
Gullerud	Robillard	Young
Harvey	Rogers	Mr. Speaker
Heath	Rose	
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Hanson	Leech
Dahl	Johnson	Maddock
Davis	Knudtson	Patterson
Gagnon	Kraabel	Peterson of Townner
Gilbert	Lee	Truemner
Hammer		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Senour moved

That the house do now take a recess until 9:30 tomorrow morning.

Which motion prevailed.

The house took a recess until 9:30 a. m. tomorrow.

A. O. ANDERSON,

Chief Clerk.

FIFTY-NINTH DAY--AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

The house assembled at 9:30 a. m., pursuant to recess taken.

REPORT OF STANDING COMMITTEE

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 101,

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.

Also,

House Bill No. 242,

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock, "where and at what valuation to be listed."

Were delivered to the governor for his approval at the hour of 9.55 a. m., March 6th, 1903.

W. A. McCLURE,
Chairman.

The chief clerk announced that the speaker was about to sign Senate Bill No. 74,

A bill for an act to amend and re-enact sections 1823, 1824, and 1825 of the Revised Codes of the state of North Dakota for the year 1899, relating to the organization of counties.

Also,

Senate Bill No. 210,

A bill for an act regulating calling of elections to determine whether or not county courts have increased jurisdiction.

Also,

Senate Bill No. 135,

A bill for an act to amend section 334 of the Revised Codes of 1899, relating to clerk hire for state officers.

And the speaker signed the same in the presence of the house.

THIRD READING OF SENATE BILLS.

Senate Bill No. 233,

A bill for an act to amend section 3258c of chapter 20½ of the Revised Codes of 1899, relating to certificates of deposit. State auditor's duties.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Knudtson	Robillard
Aslakson	Kraabel	Rogers
Bartz	Lee	Rose
Beck	Lillie	Ryan
Blank	Lish	Scheer
Bourassa	Mallough	Schouweller
Braaten	Mattson	Senour
Brown	McClure	Severson
Burtness	McCrea	Shiels
Cassell	McDowell	Skjold
Chaffee	McGahan	Simpson
Connolly	McKenzie	Smart of Nelson
Dahl	McKnight	Smart of Traill
Davis	McLain	Steinberg
Dieball	Meldinger	Stevens
Elton	Midgarden	Thompson
Ellison	Mooney	Truemner
Ferguson	Movius	Tufte
Flados	Noben	Underwood
Fried	Noltmier	Van Arnam
Gagnon	Oksendahl	Wagner
Gilbert	Palfrey	Wall
Gullerud	Palmer	Watson
Hanson	Patterson	Watts
Harvey	Peterson of Towner	Weigel
Heath	Peterson of Wells	Welo
Hill	Phifer	Young
Johnson	Richmond	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Cole	Maddock
Baker of Ramsey	Dickinson	Miller
Bostrom	Hammer	Stavens
Buttz	Leech	Weed
Chevalier	Lyons	Wing
Chisholm		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 168,

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the

penal code of North Dakota, commonly called the prohibition law.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays 1, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Peterson of Wells
Allen	Hill	Richmond
Aslakson	Johnson	Robillard
Bartz	Knudtson	Rogers
Beck	Kraabel	Rose
Blank	Lee	Ryan
Bourassa	Leech	Scheer
Braaten	Lillie	Schouweiler
Brown	Lish	Senour
Burtness	Lyons	Severson
Cassell	Mallough	Shiels
Chaffee	Mattson	Skjold
Chevalier	McClure	Simpson
Chisholm	McCrea	Smart of Nelson
Cole	McDowell	Smart of Traill
Connolly	McGahan	Stavens
Dahl	McKenzie	Steinberg
Davis	McKnight	Thompson
Dieball	McLain	Truemner
Elton	Meidinger	Tufte
Ellison	Midgarden	Wagner
Ferguson	Miller	Wall
Flados	Mooney	Watson
Fried	Movius	Weed
Gagnon	Noben	Weigel
Gullerud	Noltmier	Welo
Hammer	Oksendahl	Wing
Hanson	Patterson	Young
Harvey	Peterson of Towner	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Gilbert	Phifer
Bostrom	Maddock	Stevens
Buttz	Palfrey	Van Arnam
Dickinson	Palmer	Watts

Mr. Underwood voted in the negative.

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Cassell moved

That the vote by which Senate Bill No. 116 was lost be reconsidered and the bill be put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 116,

A bill for an act to amend and re-enact subdivision 6 of section

3576 of article 3, civil code of the Revised Codes of 1899, relating to acknowledgments by deputies.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 90, nays 1, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Richmond
Allen	Knudtson	Robillard
As'akson	Kraabel	Rogers
Bartz	Lee	Rose
Beck	Leech	Ryan
Blank	Lillie	Scheer
Bourassa	Lish	Schouweiler
Braaten	Lyons	Senour
Brown	Mallough	Severson
Burtness	Mattson	Snells
Cassell	McClure	Skjold
Chaffee	McCrea	Stimpson
Chevalier	McDowel	Smart of Nelson
Connolly	McGahan	Smart of Trail
Dahl	McKenzie	Stavens
Davis	McKnight	Steinberg
Dickinson	McLain	Stevens
Elton	Meidinger	Thompson
Ellison	Midgarden	Truemmer
Ferguson	Miller	Tuite
Flados	Mooney	Underwood
Fried	Movius	Van Arnam
Gagnon	Noben	Wagner
Gilbert	Noltmier	Wall
Gullerud	Oksendahl	Watson
Hammer	Palfrey	Weigel
Hanson	Patterson	Welo
Harvey	Peterson of Tower	Wing
Heath	Peterson of Wells	Young
Hill	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Chisholm	Maddock
Bostrom	Coie	Palmer
Buttz	Dieball	Watts

Mr. Weed voted in the negative.

So the bill passed and the title was agreed to.

Mr. Lyons moved

That the further consideration of Senate Bill No. 86 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 232,

A bill for an act to amend section 6153 of the Revised Codes of 1899, relating to liability of owner for trespass of animals.

Was read the third time.

Mr. Peterson of Wells moved

That the further consideration of the bill be indefinitely postponed.

Which motion was lost.

The question being upon the final passage of the bill:

The roll was called and there were ayes 43, nays 27, absent and not voting 30.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Leech	Richmond
Allen	Lish	Ryan
Braaten	McClure	Severson
Burtness	McCrea	Simpson
Cassell	McGahan	Smart of Nelson
Chaffee	McKenzie	Smart of Traill
Connolly	McLain	Stavens
Dahl	Midgarden	Steinberg
Davis	Miller	Thompson
Elton	Mooney	Tufte
Hammer	Noben	Underwood
Harvey	Oksendahl	Wall
Hill	Palfrey	Welo
Johnson	Peterson of Towner	Young
Kraabel		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartz	Lyons	Schouweiler
Blank	McDowell	Shiels
Bourassa	McKnight	Skjold
Brown	Meidinger	Truemmer
Dieball	Noltmier	Watts
Ellison	Peterson of Wells	Weed
Flados	Robillard	Weigel
Gullerud	Rogers	Wing
Hanson	Scheer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Fried	Movius
Baker of Ramsey	Gagnon	Palmer
Beck	Gilbert	Patterson
Bostrom	Heath	Phifer
Buttz	Knudtson	Rose
Chevaller	Lee	Senour
Chisholm	Lillie	Stevens
Cole	Maddock	Van Arnam
Dickinson	Mallough	Wagner
Ferguson	Mattson	Watson

Messrs. Buttz and Maddock being excused.

So the bill was lost.

Senate Bill No. 169,

A bill for an act to amend and re-enact section 1549 of the Revised Codes of 1899, and chapter 123, session laws of 1901, relating to time when lawful for stock to run at large.

Was read the third time.

Mr. Bartz moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

Was read the third time

The question being upon the final passage of the bill.

The roll was called and there were ayes 69, nays 20, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Peterson of Wells
Aslakson	Heath	Phifer
Baker of Ramsey	Hill	Richmond
Bartz	Joinson	Robillard
Beck	Knudtson	Rogers
Blank	Kraabel	Rose
Bourassa	Lee	Ryan
Braaten	Leach	Schouweiler
Brown	Lillie	Severson
Cassell	Lish	Sheils
Chaffee	Lyons	Stavens
Chisholm	Mallough	Stevens
Cole	Mattson	Tufto
Connolly	McClure	Underwood
Dahl	McDowell	Van Arnam
Davis	McLain	Wagner
Dickinson	Meidinger	Wall
Elton	Mooney	Weed
Ellison	Movius	Weigel
Ferguson	Oksendahl	Welo
Gagnon	Palfrey	Wing
Gilbert	Patterson	Young
Hanson	Peterson of Towner	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Midgarden	Smart of Nelson
Burtness	Miller	Smart of Trail
Dieball	Noben	Steinberg
McCrea	Noltmier	Thompson
McGahan	Palmer	Truemner
McKenzie	Scheer	Watts
McKnight	Skjold	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Fried	Senour
Buttz	Gullerud	Simpson
Chevalier	Hammer	Watson
Flados	Maddock	

Messrs. Buttz and Maddock being excused.

Mr. Cassell moved

That the title be amended as follows by adding thereto "Relating to the Recording of Conveyance and the Effect Thereof and Defining the Conveyance."

Which motion prevailed, and
The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Young moved

That Senate Bill No. 78 be referred to the steering committee.
Which motion prevailed.

Senate Bill No. 84,

A bill for an act to amend section 2071 of the Revised Codes of 1899, relating to reimbursing counties for salaries paid to judges of county courts.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Kraabel	Rogers
Allen	Leach	Rose
Aslakson	Lillie	Ry:n
Baker of Ramsey	Lish	Scheer
Bartz	Lyons	Schouweiler
Blank	Mallough	Senour
Bourassa	Mattson	Severson
Braaten	McClure	Sheils
Brown	McCrea	Skjold
Burtness	McDowell	Simpson
Cassell	McGahan	Smart of Nelson
Chevalier	McKenzie	Smart of Trail
Connolly	McKnight	Stavens
Dahl	McLain	Steinberg
Davis	Meidinger	Stevens
Dickinson	Midgarden	Thompson
Dieball	Miller	Truemner
Elton	Mooney	Tutte
Ellison	Movius	Underwood
Flados	Noben	Van Arnam
Fried	Noltmier	Wagner
Gilbert	Oksendahl	Wall
Gullerud	Palfrey	Watson
Hammer	Patterson	Watts

Messrs.—	Messrs.—	Messrs.—
Hanson	Peterson of Towner	Weigel
Harvey	Peterson of Wells	Welo
Heath	Phifer	Wing
Hil	Richmond	Yoring
Johnson	Robillard	Mr. Speaker
Knudtson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Beck	Chisholm	Lee
Bostrom	Cole	Maddock
Buttz	Ferguson	Palmer
Chaffee	Gagnon	Weed

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 176,

A bill for an act to amend section 137 of the Revised Codes relating to the duties of state examiner to examine accounts of public officers.

Was read the third time.

Mr. Davis asked unanimous consent to amend the bill

There being no objection the request was granted, and

Mr. Davis offered the following amendment and moved its adoption:

In line 6 of printed after the word "insurance" insert "commissioner of agriculture and labor."

Which motion prevailed, and

The amendment was adopted.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 95, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Richmond
Allen	Knudtson	Robillard
Aslakson	Kraabel	Rogers
Bartz	Lee	Rose
Beck	Leech	Ryan
Blank	Lillie	Scheer
Bourassa	Lish	Schouweiler
Braaten	Lyons	Senour
Brown	Mallough	Severson
Burtness	Mattson	Shiels
Cassell	McClure	Skjold
Chaffee	McCrea	Simpson
Chisholm	McDowell	Smart of Nelson
Cole	McGahan	Smart of Traill
Connolly	McKenzie	Stavens
Dahl	McKnight	Steinberg
Davis	McLain	Stevens
Dickinson	Meidinger	Thompson

Messrs.—	Messrs.—	Messrs.—
Dieball	Midgarden	Truemner
Elton	Miller	Tufte
Ellison	Mooney	Underwood
Ferguson	Movius	Van Arnam
Flados	Noben	Wagner
Fried	Noltmier	Wall
Gagnon	Oksendahl	Watson
Gilbert	Palfrey	Watts
Gullerud	Palmer	Weed
Hammer	Patterson	Welo
Hanson	Peterson of Towner	Weigel
Harvey	Peterson of Wells	Wing
Heath	Phiffer	Young
Hill		Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Buttz	Maddock
Bostrom	Chevalier	

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

The chief clerk announced that the speaker was about to sign Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Also,

Senate Bill No. 172,

A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Also,

Senate Bill No. 157,

A bill for an act to amend section 904a of article 1, chapter 10, of the political code of 1899, relating to education and charitable institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

And the speaker signed the same in the presence of the house.

CONFERENCE COMMITTEE REPORT.

The conference committee on certain appropriation bills presented the following report:

Mr. Speaker:

The conference committee appointed to confer on amendments made by the house of representatives to the following senate appropriation bills, viz:

Senate Bill No. 31,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the St. Louis World's Fair, to be held in 1904 at the city

of St. Louis, Missouri, and at the Lewis and Clarke Centennial and Pacific Exposition and Oriental Fair to be held in 1905 at the city of Portland, Oregon, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

Senate Bill No. 117,

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie, Allred and Wallace.

Senate Bill No. 23,

A bill for an act to provide for the maintenance of the industrial school for manual training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Senate Bill No. 184,

A bill for an act authorizing the board of trustees of public property to purchase vehicles, harness and necessary equipment for the use of the governor's office and executive mansion and making appropriation therefor.

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Senate Bill No. 69,

A bill for an act to make an appropriation for the current and contingent expenses of the state reform school at Mandan, and for permanent improvement thereto.

Senate Bill No. 30,

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Have had the same under consideration and recommend that the house recede from its amendments to Senate Bill No. 31,

Also that house of representatives recede from its amendments to Senate Bill No. 40,

Also that the senate concur in the house amendments to Senate Bill No. 184.

Also that the house recede from its amendments to Senate Bill No. 30.

Also that the house recede from its amendments to Senate Bill No. 23.

Also as to Senate Bill No. 18, that the house recede from its amendments in reducing the item of bookkeeper and assistant gatekeeper from \$1,200 to \$800; that the senate concur in the reduction of matron's salary from \$800 to \$400; that the house recede from its reduction of the amount for guards from \$18,000 to \$14,000; that the senate concur in the reduction of the items of maintenance, and heating and lighting, and repairs and improvements; that the house recede from its reduction in physician and medicines; that the senate concur in the house amendments in its reduction for transportation, temporary aid and clothing for discharged inmates; that the house recede from its amendments on the item of clothing for inmates; that the senate concur in the house amendments in striking out the item of \$8,000 for new hospital; that the house recede from its reduction in the building of the wall, towers and gates.

Also that the house recede from its amendments to Senate Bill No. 69.

W. F. LEECH,
GEO. W. H. DAVIS,
W. J. WATTS,
W. SIMPSON,
E. L. RICHMOND,
For the House.

JUDSON LaMOURE,
GEO. D. BROWN,
W. H. ROBINSON,
D. E. GEER,
For the Senate.

Mr. Leech moved

That the report of the conference committee be adopted.

Mr. Gilbert moved

As a substitute that the report be rejected.

Which substitute motion prevailed, and

The report was rejected.

Mr. Young moved

That the house take a recess until 11:10 a. m.

Which motion prevailed.

AFTER RECESS.

Mr. Lyon moved

That each item of the report of the conference committee be taken up separately.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to inform you that the senate has adopted the report of the conference committee appointed yesterday to confer on the house amendments to the senate appropriation bills.

R. M. TUTTLE,
Secretary.

Mr. Weed moved

That the same conference committee be reappointed on the appropriation bills, and they be instructed to use their own judgment.

Which motion prevailed, and

The speaker reappointed the same conference committee.

The speaker announced a recess until 1 o'clock p. m.

AFTER RECESS.

REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

Your committee of conference appointed to confer on Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto

Recommend that the house recede from its amendments in reducing the item of bookkeeper and assistant gatekeeper from \$1,200 to \$800; that the senate concur in the reduction of matron's salary from \$800 to \$400; that the house recede from its reduction of the amount for guards from \$18,000 to \$14,000; that the senate concur in the reduction of the items of maintenance, and heating and lighting, and repairs and improvements; that the house recede from its reduction in physician and medicines; that the senate concur in the house amendments in its reduction for transportation, temporary aid and clothing for discharged inmates; that the house recede from its amendments on the item of clothing for inmates; that the senate concur in the house

amendments in striking out the item of \$8,000 for new hospital; that the house recede from its reduction in the building of the wall, towers and gates.

W. F. LEECH,
GEO. W. H. DAVIS,
W. J. WATTS,
W. SIMPSON,
E. L. RICHMOND,
For the House.

JUDSON LaMOURE,
W. H. ROBINSON,
GEO. D. BROWN,
D. E. GEER,
J. AUSTIN REGAN,
For the Senate.

Mr. Seynour moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

A. O. ANDERSON,
Chief Clerk.

SIXTIETH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Mr. McGahan moved

That the roll call be dispensed with

Which motion prevailed.

UNFINISHED BUSINESS.

The question being upon the adoption of the report of the steering committee and the final passage of
Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

As recommended by the steering committee.

The roll was called and there were ayes 25, nays 65, a bsen and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Davis	McKnight	Stimpson
Gagnon	Movius	Truemner
Gilbert	Palmer	Underwood
Heath	Richmond	Wall
Leech	Rogers	Watts
Mallough	Senour	Wing
McClure	Severson	Young
McCrea	Skjold	Mr. Speaker
McDowell		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hammer	Patterson
Allen	Hanson	Peterson of Towner
Aslakson	Harvey	Peterson of Wells
Bartz	Hill	Robillard
Beck	Johnson	Rose
Blank	Knudtson	Ryan
Bourassa	Kraabel	Scheer
Braaten	Lee	Schouweiler
Brown	Lillie	Shells
Burtness	Lish	Smart of Nelson
Cassell	Lyons	Smart of Trail
Chaffee	Mattson	Stavens
Cola	McGahan	Steinberg
Connolly	McKenzie	Stevens
Dahl	McLain	Thompson
Dickinson	Meidinger	Tufta
Dieball	Midgarden	Van Arnam
Elton	Mooney	Wagner
Ellison	Noben	Weed
Ferguson	Noltmier	Weigel
Flados	Oksendahl	Welo
Fried	Paifrey	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Chisholm	Miller
Bostrom	Gullerud	Phifer
Buttz	Maddock	Watson
Chevalier		

Messrs. Buttz and Maddock being excused.

So the report was rejected.

Mr. Ryan moved

That a conference committee of five be appointed on Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Young, Wall, Miller, Allen and Dieball.

CONFERENCE COMMITTEE REPORT.

The conference committee made the following report:

Mr. Speaker:

Your committee of conference appointed to consider Senate Bill No. 31,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the St. Louis World's Fair, to be held in 1904 at the city of St. Louis, Missouri, and at the Lewis and Clarke Centennial and Pacific Exposition and Oriental Fair to be held in 1905 at the city of Portland, Oregon, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

Recommend that the house recede from its amendments.

W. F. LEECH,
W. J. WATTS,
GEO. W. H. DAVIS,
W. SIMPSON,
E. L. RICHMOND,

For the House.

JUDSON LAMOURE,
GEO. D. BROWN,
W. H. ROBINSON,
D. E. GEER,
J. AUSTIN REGAN,

For the Senate.

The question being upon the adoption of the report of the conference committee and the final passage of

Senate Bill No. 31,

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the St. Louis World's Fair, to be held in 1904 at the city of St. Louis, Missouri, and at the Lewis and Clarke Centennial and Pacific Exposition and Oriental Fair to be held in 1905 at the city of Portland, Oregon, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

As recommended by the conference committee.

The roll was called and there were ayes 59, nays 31, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Allen
Aslakson
Beck
Blank
Bostrom
Bourassa
Brown
Burtness

Messrs.—

Harvey
Heath
Hill
Kraabel
Leech
Lillie
Lish
McClure

Messrs.—

Robillard
Rose
Senour
Severson
Shiels
Skjold
Simpson
Smart of Nelson

Messrs.—	Messrs.—	Messrs.—
Cassell	McCrea	Steinberg
Chisholm	McDowell	Stevens
Cole	McKnight	Truemner
Dahl	McLain	Underwood
Dickinson	Meidinger	Wagner
Dieball	Miller	Wall
Elton	Mooney	Watts
Ferguson	Noben	Weed
Flados	Noltmier	Weigel
Gagnon	Palmer	Wing
Gullerud	Patterson	Mr. Speaker
Hanson	Richmond	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lee	Rogers
Bartz	Lyons	Scheer
Braaten	Mattson	Schouweiler
Claffee	McGahan	Smart of Traill
Connolly	McKenzie	Stavens
Davis	Movius	Thompson
Fried	Oksendahl	Tufte
Gilbert	Palfrey	Van Arnam
Hammer	Peterson of Towner	Welo
Johnson	Peterson of Wells	Young
Knudtson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Maddock	Phifer
Buttz	Mallough	Ryan
Chevalier	Midgarden	Watson
Ellison		

Messrs. Buttz and Maddock being excused.

So the report of the conference committee was adopted and the bill passed as recommended by the conference committee.

Mr. Cassell moved

That the vote by which Senate Bill No. 31 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

Mr. Speaker:

Your committee on conference on

Senate Bill No. 30,

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and con-

tingent expenses of the institution for feeble minded at Grafton, North Dakota.

Recommend that the house recede from its amendments.

W. F. LEECH,
W. J. WATTS,
GEO. W. H DAVIS,
W. SIMPSON,
E. L. RICHMOND,

For the House.

JUDSON LaMOURE,
W. H. ROBINSON,
GEO. D. BROWN,
D. E. GEER,
J. AUSTIN REGAN,

For the Senate.

The question being upon the adoption of the report of the conference committee and final passage of Senate Bill No. 30,

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

As recommended by the conference committee.

The roll was called and there were ayes 78, nays 8, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen
Aslakson
Bartz
Beck
Blank
Bostrom
Braaten
Brown
Burtness
Chisholm
Cole
Connolly
Dickinson
Dieball
Elton
Ferguson
Flados
Gagnon
Gilbert
Gullerud
Hammer
Hanson
Heath
Hill
Johnson

Messrs.—

Kraabel
Leach
Lillie
Lish
Lyons
Mallough
McClure
McCrea
McDowell
McGahan
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Movius
Noben
Noltmier
Palfrey
Palmer
Patterson
Peterson of Wells
Richmond
Rebillard
Rogers

Messrs.—

Rose
Scheer
Schouweiler
Senour
Severson
Shells
Skjold
Simpson
Smart of Nelson
Smart of Trall.
Stavens
Steinberg
Stevens
Thompson
Truemner
Tutte
Underwood
Van Arnam
Wagner
Wall
Watts
Weed
Weigel
Wolo
Wing
Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell	Knudtson	Peterson of Towner
Chaffee	McKenzie	Young
Fried	Oksendahl	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramcey	Davis	Mattson
Bourassa	Ellison	Phifer
Buttz	Harvey	Ryan
Chevalier	Lee	Watson
Dahl	Maddock	

Messrs. Buttz and Maddock being excused.

So the report of the conference committee was adopted and the bill passed as recommended by the steering committee.

Mr. McCrea moved

That the vote by which Senate Bill No. 30 passed be reconsidered and the motion to reconsider be laid upon the table

Which motion prevailed.

REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

Mr. Speaker:

Your conference committee appointed on
Senate Bill No. 23,

A bill for an act to provide for the maintenance of the Industrial School and School for Manual Training, located at Ellendale, North Dakota, and for making necessary improvements, and making an appropriation therefor.

Recommend that the house recede from its amendments to Senate Bill No. 23.

W. F. LEECH,
W. J. WATTS,
GEO. W. H. DAVIS,
W. SIMPSON,
E. L. RICHMOND,

For the House.

JUDSON LaMOURE,
W. H. ROBINSON,
GEO. D. BROWN,
D. E. GEER,
J. AUSTIN REGAN,

For the Senate.

The question being upon the adoption of the report of the conference committee and final passage of

Senate Bill No. 23,

A bill for an act to provide for the maintenance of the industrial school for manual training, located at Ellendale, North

Dakota, and for making necessary improvements, and making an appropriation therefor.

As recommended by the conference committee.

The roll was called and there were ayes, 77 nays 4, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—

Allen
Aslakson
Bart
Beck
Blank
Bostrom
Bourassa
Brown
Burtness
Chisholm
Cole
Connolly
Dahl
Dickinson
Dieball
Elton
Ellison
Ferguson
Flados
Fried
Gagnon
Gilbert
Gullerud
Hanson
Harvey
Heath

Messrs.—

Hill
Johnson
Lee
Leech
Lillie
Lish
Lyons
Mallough
Mattson
McClure
McCrea
McDowell
McGahan
McKenzie
McKnight
McLain
Meidinger
Midgarden
Miller
Mooney
Noben
Noltmier
Palfrey
Palmer
Patterson
Peterson of Wells

Messrs.—

Richmond
Robillard
Rogers
Rose
Scheer
Schouweiler
Senour
Severson
Shiels
Skjold
Steinberg
Stevens
Thompson
Truemner
Tuft
Underwood
Van Arnam
Wagner
Wall
Watts
Weigel
Welo
Wing
Young
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Cassell
Chaffee

Messrs.—

Kraabel
Smart of Nelson

Messrs.—

Smart of Traill

Absent and not voting:

Messrs.—

Aandahl
Baker of Ramsey
Braaten
Buttz
Chevalier
Davis

Messrs.—

Hammer
Knutson
Maddock
Movius
Oksendahl
Peterson of Towner

Messrs.—

Phifer
Ryan
Simpson
Stavens
Watson
Weed

Messrs. Buttz and Maddock being excused.

So the report of the conference committee was adopted and the bill passed as recommended by the conference committee.

Mr. Sheils moved

That the vote by which Senate Bill No. 23 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to report that the president has appointed as a conference committee on Senate Bill No. 18 the following named senators to meet a conference committee of the house of representatives: Messrs. Cox, Talcott, Fox, Cashel and Hall.

R. M. TUTTLE.
Secretary.

REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

Mr. Speaker:

Your conference committee appointed to confer on Senate Bill No. 69,

A bill for an act to make an appropriation for the current and contingent expenses of the state reform school at Mandan, and for permanent improvement thereto.

Recommend that the house recede from its proposed amendments.

W. F. LEECH,
W. J. WATTS,
GEO. W. H. DAVIS,
W. SIMPSON,
E. L. RICHMOND,
For the House.

JUDSON LaMOURE,
W. H. ROBINSON,
GEO. D. BROWN,
D. E. GEER,
J. AUSTIN REGAN,
For the Senate.

The question being upon the adoption of the report of the conference committee and the final passage of

Senate Bill No. 69,

A bill for an act to make an appropriation for the current and contingent expenses of the state reform school at Mandan, and for permanent improvement thereto.

As recommended by the conference committee.

The roll was called and there were ayes 77, nays 8, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Rogers
Allen	Hill	Rose
Aslakson	Johnson	Ryan
Bartz	Leech	Scheer
Beck	Lish	Schouweiler
Blank	Lyons	Senour
Bostrom	Mallough	Severson
Bourassa	Mattson	Shiels
Braaten	McClure	Skjold
Brown	McDowell	Simpson
Burtness	McGahan	Steinberg
Chisholm	McKnight	Stevens
Connolly	McLain	Truemner
Dahl	Meidinger	Tufte
Davis	Midgarden	Underwood
Dickinson	Miller	Van Arnam
Dieball	Mooney	Wagner
Elton	Movius	Wall
Ellison	Noben	Watson
Ferguson	Oksendahl	Watts
Fried	Palmer	Weigel
Gagnon	Patterson	Welo
Gullerud	Petersón of Towner	Wing
Hammer	Peterson of Wells	Young
Hanson	Richmond	Mr. Speaker
Harvey	Robillard	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cassell	McCrea	Stavens
Chaffeo	Smart of Nelson	Thompson
Kraabel	Smart of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Gilbert	McKenzie
Buttz	Knudtson	Noltmier
Chevalier	Lee	Palfrey
Cole	Lillie	Phifer
Flados	Maddock	Weed

Messrs. Buttz and Maddock being excused.

So the report was adopted and the bill passed as recommended by the conference committee.

Mr. Simpson moved

That the vote by which Senate Bill No. 69 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

Mr. Speaker:

Your committee on conference on

Senate Bill No. 184,

A bill for an act authorizing the board of trustees of public property to purchase vehicles, harness and necessary equipment

for the use of the governor's office and executive mansion and making appropriation therefor.

Recommend that the senate concur in the house amendments.

Also,

Your committee on conference on

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Recommend that the house recede from its amendments to said bill.

W. F. LEECH,
GEO. W. H DAVIS,
W. J. WATTS,
W. SIMPSON,
E. L. RICHMOND,

For the House.

JUDSON LaMOURE,
GEO. D. BROWN,
W. H. ROBINSON,
D. E. GEER,
J. AUSTIN REGAN,

For the Senate.

The question being upon the adoption of the report of the conference committee and final passage of

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

As recommended by the conference committee.

The roll was called and there were ayes 82. nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Bartz
Beck
Blank
Bostrom
Bourassa
Braaten
Brown
Burtness
Cassell
Chaffee
Chisholm

Messrs.—

Hill
Johnson
Kraabel
Lee
Leech
Lille
Lish
Mattson
McClure
McCrea
McDowell
McGahan

Messrs.—

Robillard
Rogers
Ryan
Scheer
Schouweiler
Senour
Severson
Shells
Skjold
Simpson
Smart of Nelson
Smart of Traill

Messrs.—

Cole
 Connolly
 Dahl
 Davis
 Dickinson
 Dieball
 Elton
 Ellison
 Flados
 Fried
 Gagnon
 Gullerud
 Hammer
 Hanson
 Harvey
 Heath

Messrs.—

McKenzie
 McKnight
 McLain
 Meidinger
 Midgarden
 Mooney
 Movius
 Noben
 Noltmier
 Oksendahl
 Palfrey
 Palmer
 Peterson of Towner
 Peterson of Wells
 Richmond

Messrs.—

Steinberg
 Stevens
 Thompson
 Truemner
 Tufts
 Underwood
 Wagner
 Wall
 Watts
 Wæed
 Weigel
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Alien
 Aslakson
 Baker of Ramsey
 Buttz
 Chevalier
 Ferguson

Messrs.—

Gilbert
 Knudtson
 Lyons
 Maddock
 Mallough
 Miller

Messrs.—

Patterson
 Phifer
 Rose
 Stavens
 Van Arnam
 Watson

Messrs. Buttz and Maddock being excused.

So the report was adopted and the bill passed as recommended by the conference committee.

Mr. Leech moved

That the vote by which Seate Bill No. 40 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
 BISMARCK, NORTH DAKOTA,
 March 6, 1903.

Mr. Speaker:

I have the honor to return herewith
 House Bill No. 189,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899, relating to patients of the hospital for the insane and powers and duties of commissioners of insanity and board of trustees of said hospital.

Also,

House Bill No. 243,

A bill for an act to amend section 1232 of the Revised Codes of the state of North Dakota, 1899, relating to tax lists, when delivered to treasurer.

Which the senate has passed unchanged.

Also,
House Bill No. 244,

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to, when real estate taxes become due and delinquent. Penalty and interest.

Which the senate has amended as follows:

In line 7 of section 1, of printed bill, strike out the word "February," and insert in lieu thereof, the word "March."

In line 9, same section, strike out the word "March," and insert in lieu thereof, the word "April."

And passed as amended.

Also,
House Bill No. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Also,
House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Which the senate has passed unchanged.

R. M. TUTTLE,

Secretary.

REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

Mr. Speaker:

Your committee on conference on
Senate Bill No. 117,

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie, Allred and Wallace.

Recommend that the house recede from its amendments to said bill.

W. F. LEECH,
GEO. W. H. DAVIS,
W. J. WATTS,
W. SIMPSON,
E. L. RICHMOND,

For the House.

JUDSON LaMOURE,
GEO. D. BROWN,
W. H. ROBINSON,
D. E. GEER,
J. AUSTIN REGAN,

For the Senate.

The question being upon the adoption of the report of the conference committee and the final passage of

Senate Bill No. 117,

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie, Allred and Wallace.

As recommended by the conference committee.

The roll was called and there were ayès 73, nays 3, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Hanson	Patterson
Bartz	Harvey	Peterson of Wells
Blank	Heath	Richmond
Bostrom	Hill	Rogers
Bourassa	Johnson	Ryan
Brown	Knudtson	Scheer
Burtness	Kraabel	Schouweiler
Cassell	Leech	Scour
Chaffee	Lillie	Shells
Chevallier	Lish	Skjold
Cole	Lyons	Smart of Nelson
Connolly	Mallough	Steinberg
Dahl	Mattson	Stevens
Davis	McClure	Thompson
Dickinson	McCrea	Truemner
Dieball	McDowell	Underwood
Elton	McGahan	Van Arnam
Ellison	McKenzie	Wagner
Ferguson	McLain	Watts
Flados	Movius	Weed
Fried	Noben	Weigel
Gagnon	Oksendahl	Wing
Gilbert	Pa'frey	Young
Gullerud	Palmer	Mr. Speaker
Hammer		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Peterson of Towner	Stavens	Tutte

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Maddock	Robillard
Allen	McKnight	Rose
Baker of Ramsey	Meldinger	Severson
Beck	Midgarden	Simpson
Braaten	Miller	Smart of Traill
Buttz	Mooney	Wall
Chisholm	Noltmier	Watson
Lee	Phifer	Welo

Messrs. Buttz and Maddock being excused.

So the report was adopted and the bill passed as amended by the conference committee.

Mr. Davis moved

That the house do concur in senate amendment to House Bill No. 244,

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to, when real estate taxes become due and delinquent. Penalty and interest.

Which motion prevailed.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 68, nays none, absent and not voting 32.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Lee	Peterson of Wells
Bartz	Leech	Richmond
Beck	Lille	Robillard
Blank	Lish	Rogers
Bostrom	Lyons	Ryan
Bourassa	Mallough	Scheer
Braaten	Mattson	Senour
Brown	McClure	Severson
Burtness	McCrea	Shells
Cassell	McDowell	Skjold
Davis	McGahan	Smart of Nelson
Dickinson	McKenzie	Stevens
Dieball	McKnight	Thompson
Elton	McLain	Truemner
Ellison	Midgarden	Tuft
Gagnon	Miller	Van Arnam
Hammer	Mooney	Wagner
Hanson	Noben	Weigel
Harvey	Noltimier	Welo
Heath	Paifrey	Wing
Hill	Palmer	Young
Johnson	Patterson	Mr. Speaker
Kraabel	Peterson of Towner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Flados	Schouweiler
Aslakson	Fried	Simpson
Baker of Ramsey	Gilbert	Smart of Trall
Buttz	Gullerud	Stavens
Chaffee	Knudtson	Steinberg
Chevalier	Maddock	Underwood
Chisholm	Meldinger	Wall
Cole	Movius	Watson
Connolly	Oksendahl	Watts
Dahl	Phifer	Weed
Ferguson	Rose	

Messrs. Buttz and Maddock being excused.

So the bill as amended passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Also,

House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

Also,

House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Also,

House Bill No. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Also,

House Bill No. 243,

A bill for an act to amend section 1232 of the Revised Codes of the state of North Dakota, 1899, relating to tax lists, when delivered to treasurer.

And find the same correctly enrolled.

W. A. McCLURE,

Chairman.

The chief clerk announced that the speaker was about to sign Senate Bill No. 223,

A bill for an act to repeal sections 5844, 5845, 5846, 5847, 5848, 5849, 5850, 5851, 5852, 5853, 5854, 5855, 5856, 5857, 5858, 5859, 5860, 5861, 5862, 5863, and 5864 of the Revised Codes of North Dakota, 1899, relating to foreclosure of mortgages and liens by advertisement.

Also,

Senate Bill No. 201,

A bill for an act defining the duty of railroads, railroad corporations, railroad companies, express companies, car companies

and every common carrier other than by water, and the person or persons operating any such common carrier, as receiver, lessee or trustee, in the transportation of any kind of live stock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this act.

Also,

Senate Bill No. 84,

A bill for an act to amend section 2071 of the Revised Codes of 1899, relating to reimbursing counties for salaries paid to judges of county courts.

Also,

Senate Bill No. 58,

A bill for an act to amend chapter 205 of the session laws of 1901, relating to the meetings of township board of supervisors.

Also,

Senate Bill No. 218,

A bill for an act amending and re-enacting section 4738 Revised Codes 1899, relating to the execution of mortgages on personal property.

Also,

Senate Bill No. 116,

A bill for an act to amend and re-enact subdivision 6 of section 3576 of article 3, civil code of the Revised Codes of 1899, relating to acknowledgments by deputies.

Also,

Senate Bill No. 136,

A bill for an act to amend section 637 of the Revised Codes of 1899, relating to the salary and traveling expenses to be paid the superintendent of public instruction.

And the speaker signed the same in the presence of the house.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:
Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 244,

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to, when real estate taxes become due and delinquent. Penalty and interest.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-eighth day, after recess, have carefully examined the same and recommend that the same be corrected as follows:

On page 3, after the 6th line, insert "counties of the third judicial district."

On page 25, line 9, change figures from "23" to "32."

On page 30, in line 26, correct the word "substation" as to spelling; also "and" on the same line and page.

On page 36, in line 6, from the bottom correct the word "and" as to spelling also the word "substation," on the same line and page.

On page 39, in line 27, correct the word "the" as to spelling.

On page 41, line 15, from the bottom, correct the word "vote" as to spelling.

On page 51, in line 2, correct the word "provide" as to spelling.

On page 59, in line 19, correct the word "bill" as to spelling.

And when so amended recommend that the same be approved.

THOS. HEATH,
Chairman.

Mr. Heath moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The speaker announced a recess until 3 o'clock p. m.

AFTER RECESS.

The chief clerk announced that the speaker was about to sign House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Also,

House Bill No. 243,

A bill for an act to amend section 1232 of the Revised Codes of the state of North Dakota, 1899, relating to tax lists, when delivered to treasurer.

Also,

House Bill No. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Also,

House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Also,

House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

Also,

House Bill No. 244,

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to, when real estate taxes become due and delinquent. Penalty and interest.

And the speaker signed the same in the presence of the house. The house returned to the seventh order of business.

MOTIONS AND RESOLUTIONS.

Mr. Ryan offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives the Senate Concurring:

That the secretary of state is hereby authorized and directed to transfer to the law library of the university, fifty Codes of 1899 for the purpose of exchange with other universities.

Which motion prevailed, and

The concurrent resolution was adopted.

Mr. Lyons offered the following resolution and moved its adoption:

Resolved, That the house request the senate to act on House Bill No. 167, a bill for an act taxing corporations, and that the chief clerk message this request immediately to the senate.

Which motion prevailed, and

The resolution was adopted.

Mr. Weed offered the following resolution and moved its adoption:

Resolved, That the speaker of the house and the chief clerk be authorized and directed to issue vouchers for the necessary expenses incurred by Messrs. Mattson, Leech and Young as house members of the committee to visit Madison, Wis., in the interests of the grain inspection, such committee having been directed by the house to perform this duty.

Which motion prevailed, and

The resolution was adopted and referred to the committee on mileage and per diem.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to inform you that the senate has adopted the conference committee report on

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

R. M. TUTTLE,

Secretary.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Also,

House Bill No. 244,

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to when real estate taxes become due and delinquent. Penalty and interest.

Also,

House Bill No. 204,

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.

Also,

House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Also,

House Bill No. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Also,
House Bill No. 243,

A bill for an act to amend section 1232 of the Revised Codes of the state of North Dakota, 1899, relating to tax lists, when delivered to treasurer.

Were delivered to the governor for his approval at the hour of 4:30 o'clock p. m., March 6, 1903.

W. A. McCLURE,
Chairman.

REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

Mr. Speaker:

Your conference committee on
Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Have had the same under consideration and recommend that the house adopt the report of the former conference committee on the said bill.

GEORGE M. YOUNG,
JOHN MILLER,
A. E. ALLEN,
A. L. WALL,
WM. DIEBALL,
For the House.

A. B. COX,
F. S. TALCOTT,
R. A. FOX,
J. L. CASHEL,
HENRY HALE,
For the Senate.

Mr. Young moved
That the report be adopted.

Mr. McGahan moved
As a substitute that the report be rejected
Roll call demanded.

The question being on the substitute motion

The roll was called and there were ayes 44, nays 46, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Lish	Ryan
Bartz	Lyons	Scheer
Bourassa	Mattson	Schouweiler
Braaten	McGahan	Sheils

Messrs.—
 Brown
 Burtness
 Cole
 Connolly
 Dahl
 Flados
 Fried
 Hammer
 Knudtson
 Kraabel
 Lee

Messrs.—
 McKenzie
 McLain
 Meidinger
 Midgarden
 Mooney
 Movius
 Noben
 Noltimier
 Oksendahl
 Peterson of Towner
 Peterson of Welis

Messrs.—
 Smart of Nelson
 Smart of Traill
 Stavens
 Steinberg
 Thompson
 Tuftø
 Van Arnam
 Wagner
 Weed
 Welo

Those who voted in the negative were:

Messrs.—
 Aandahl
 Allen
 Beck
 Blank
 Bostrom
 Cassell
 Chaffee
 Chisholm
 Davis
 Dieball
 Elton
 Ferguson
 Gagnon
 Gilbert
 Hanson
 Harvey

Messrs.—
 Heath
 Hill
 Johnson
 Leech
 Lillie
 Mallough
 McClure
 McCrea
 McDowell
 McKnight
 Miller
 Palfrey
 Palmer
 Richmond
 Robillard

Messrs.—
 Rogers
 Rose
 Senour
 Severson
 Skjold
 Simpson
 Stevens
 Truemner
 Underwood
 Wall
 Watts
 Weigel
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—
 Baker of Ramsey
 Buttz
 Chevalier
 Dickinson

Messrs.—
 Ellison
 Gullerud
 Maddock

Messrs.—
 Patterson
 Phifer
 Watson

Messrs. Buttz and Maddock being excused.

So the substitute motion was lost.

Mr. Bostrom explained his vote.

Call of the house demanded.

Mr. McGahan requested that all persons not members be excluded from the hall and

The sargeant-at-arms was instructed to clear the hall.

Mr. Movius moved

That the ladies be allowed to remain in the house.

Which motion prevailed

Mr. Young moved

That all further proceedings under the call be dispensed with.

Which motion was lost.

Mr. Young moved

That further proceedings under the call be dispensed with.

Which motion was lost.

The roll was called and all members were found present or excused except Mr. Dickinson.

Mr. Leech moved

That further proceedings under the call be dispensed with.

Which motion prevailed, and

Further proceedings under the call was dispensed with.

Mr. Davis moved that

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Be recalled from the senate.

Which motion prevailed.

Mr. Ryan moved

That a conference committee of five be appointed on Senate Bill No. 18.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Ryan, Senour, Sheils, Gilbert and McCrea.

The chief clerk announced that the speaker was about to sign Senate Bill No. 30,

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

Also,

Senate Bill No. 40,

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers institutes.

And the speaker signed the same in the presence of the house.

The speaker announced a recess until 5:45 p. m.

AFTER RECESS.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 232,

A bill for an act to amend section 2082, of the Revised Codes of 1899, relating to fees to be charged by sheriffs.

Which the senate has amended as follows:

On page 2, line 16, subdivision 9, of the printed bill, strike out the word "four," and insert in lieu thereof, the word "three."

On page 3, line 45, subdivision 26, strike out all of the words after the word "county."

Strike out line 46, of subdivision 26, on page 3, of the printed bill.

That the word "four," in line 18, of the printed bill, sub. 9, be stricken out and the word "three," be inserted in lieu thereof.

That the following words "and the same allowance for attendance in justices' courts, in criminal actions, but this per diem shall not be construed to apply to deputies."

In lines 45 and 46 of subd. 26, of the printed bill be stricken out and the following inserted in lieu thereof, "and the sum of two dollars per day shall be allowed for attendance in justices' courts, in criminal actions, but this per diem shall not be construed to apply to deputies."

And passed as amended.

Also,

House Bill No. 268,

A bill for an act making it a misdemeanor for a tenant or tenants to remove goods, chattels or personal property from leased premises without giving due notice to the landlord, his agent or duly authorized attorney and providing a punishment for the violation of this act.

Which the senate has passed unchanged.

Also,

House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Which the senate has amended as follows:

Wherever the words (\$50,000) fifty thousand occurs, strike out and insert the words (\$25,000) twenty-five thousand.

And passed as amended.

Also,

House Bill No. 255,

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.

Also,

House Bill No. 253,

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.

Also,

House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund, and the transfer of certain unexpended balances.

Also,

House Bill No. 223,

A bill for an act to amend sections 1738, 1739, 1741 and 1743a of the political code of North Dakota.

Also,

House Bill No. 237,

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

Also,

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Also,

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

Which the senate has passed unchanged.

Also,

House Bill No. 239,

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

Which the senate has amended as follows:

In line 12, of the original bill, in section 1, strike out the word "five," and insert in lieu thereof the word "two."

In line 13, section 1, of the original bill, strike out the word "one," and insert in lieu thereof, the word "twenty-five."

And passed as amended.

R. M. TUTTLE,

Secretary.

Mr. Underwood moved

That the house do now concur in senate amendments to

House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 92, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Robillard
Allen	Knudtson	Rogers
Aslakson	Kraabel	Ryan
Bartz	Lee	Scheer
Beck	Leech	Schouweiler
Blank	Lillie	Senour
Bourassa	Lish	Severson
Braaten	Lyons	Shells
Brown	Mallough	Skjold
Burtness	Mattson	Simpson
Cassell	McClure	Smart of Nelson
Chaffee	McCrea	Smart of Trall
Chevalier	McDowell	Steinberg
Chisholm	McGahan	Stevens
Cole	McKenzie	Thompson
Connolly	McKnight	Truemner
Dahl	McLain	Tufte
Davis	Meidinger	Underwood
Dieball	Midgarden	Van Arnam
Elton	Miller	Wagner
Ellison	Mooney	Wall
Flados	Movius	Watson
Fried	Noben	Watts
Gagnon	Noltmier	Weed
Gilbert	Oksendahl	Welo
Gullerud	Palfrey	Wigiel
Hammer	Peterson of Towner	Wing
Harvey	Peterson of Wells	Young
Heath	Phifer	Mr. Speaker
Hill	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Ferguson	Patterson
Bostrom	Maddock	Rose
Buttz	Palmer	Stavens
Dickinson		

Mr. Hanson voted in the negative.

Messrs. Buttz and Maddock being excused.

So the bill as amended passed and the title was agreed to.

Mr. McClure moved

That the vote by which House Bill No. 97 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903

Mr. Speaker:

I have the honor to inform you that the senate has not concurred in the house amendments to

Senate Bill No. 186,

A bill for an act to amend and re-enact section 408 of the Revised Codes of 1899, relating to the boundaries and terms of court in the sixth judicial district of the state of North Dakota.

And the president has appointed a conference committee on the same consisting of Messrs. Johnson, Crane and Simpson on the part of the senate.

R. M. TUTTLE,
Secretary.

Mr. McClure moved

That the house do now concur in senate amendments to House Bill No. 232,

A bill for an act to amend section 2082, of the Revised Codes of 1899, relating to fees to be charged by sheriffs.

Which motion prevailed.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 96, nays none, absent and not voting, 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Richmond
Allen	Hill	Robillard
Aslakson	Johnson	Rogers
Baker of Ramsey	Knudtson	Rose
Bart	Kraabel	Ryan
Beck	Lee	Scheer
Blank	Leech	Schouweiler
Bostrom	Lillie	Senour
Bourassa	Lish	Severson
Braaten	Lyons	Shells
Brown	Mallough	Skjold
Burtness	Mattson	Simpson
Cassell	McClure	Smart of Nelson
Chaffee	McCrea	Smart of Traill
Chevalier	McDowell	Stavens
Chisholm	McGahan	Steinberg
Cole	McKenzie	Stevens
Connolly	McKnight	Thompson
Dahl	McLain	Truemner
Davis	Meidinger	Tufte
Dieball	Midgarden	Underwood
Elton	Miller	Van Arnam
Ellison	Mooney	Wagner
Ferguson	Movius	Wall
Flados	Noben	Watson
Fried	Noltmier	Watts
Gagnon	Oksendahl	Weed
Gilbert	Palfrey	Weigel
Gullerud	Palmer	Welo
Hammer	Peterson of Towner	Wing
Hanson	Peterson of Wells	Young
Harvey	Phifer	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Maddock	Patterson
Dickinson		

Messrs. Buttz and Maddock being excused.

So the bill as amended passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER
BISMARCK, NORTH DAKOTA,
March 6, 1903,

Mr. Speaker:

I have the honor to return herewith

House Bill No. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Which the senate has passed unchanged.

Also,

House Bill No. 38,

A bill for an act to amend section 1278 of the Revised Codes of 1899 as amended by chapter 144 of the session laws of 1901 and to provide that all taxes and assessments shall be paid before transfer of property.

Which the senate has amended as follows:

Strike out the words "or unpaid," wherever they occur in the bill.

And passed as amended.

R. M. TUTTLE,

Secretary.

Mr. McGahan moved

That a conference committee of three be appointed by the speaker

Senate Bill No. 186,

A bill for an act to amend and re-enact section 408 of the Revised Codes of 1899, relating to the boundaries and terms of court in the sixth judicial district of the state of North Dakota.

Which motion prevailed, and

The speaker appointed as such committee Messrs. McClure, Palmer and Bartz.

Mr. Wall moved

That the house do now concur in senate amendments to

House Bill No. 38,

A bill for an act to amend section 1278 of the Revised Codes of 1899 as amended by chapter 144 of the session laws of 1901 and to provide that all taxes and assessments shall be paid before transfer of property.

Which motion prevailed.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aardahl	Heath	Richmond
Allen	Hill	Robillard
Aslakson	Knudtson	Rogers
Baker of Ramsey	Krabel	Rose
Bartz	Lee	Ryan
Beck	Leech	Scheer
Blank	Lillie	Schouweiler
Bourassa	Lish	Senour
Braaten	Lyons	Severson
Brown	Mallough	Shells
Burtness	Mattson	Skjold
Cassell	McClure	Simpson
Chaffee	McCrea	Smart of Nelson
Chevalier	McDowell	Smart of Traill
Chisholm	McGahan	Stavens
Cole	McKenzie	Steinberg
Connolly	McKnight	Stevens
Dahl	McLain	Thompson
Davis	Meldinger	Truemner
Dieball	Midgarden	Turt
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flaños	Noben	Wall
Fried	Noltimier	Watts
Gagnon	Oksendahl	Woigel
Gilbert	Pa'frey	Welo
Gullerud	Palmer	Wing
Hammer	Peterson of Wells	Young
Hanson	Phifer	Mr. Speaker
Harvey		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Johnson	Peterson of Towner
Buttz	Maddock	Watson
Dickinson	Patterson	Weed

Messrs. Buttz and Maddock being excused.

So the bill as amended passed and the title was agreed to.

Mr. Young moved

That the house do now concur in senate amendments to House Bill No. 239,

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 95, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Robillard
Allen	Knudtson	Rogers
Aslakson	Kraabel	Rose
Baker of Ramsey	Lee	Ryan
Bart	Leech	Scheer
Beck	Lillie	Schouweiler
Blank	Lish	Senour
Bostrom	Lyons	Severson
Bourassa	Mallough	Shells
Braaten	Mattson	Skjold
Brown	McClure	Simpson
Burtness	McCrea	Smart of Nelson
Cassell	McDowell	Smart of Traill
Chaffee	McGahan	Stavens
Chevalier	McKenzie	Steinberg
Chisholm	McKnight	Stevens
Dahl	McLain	Thompson
Davis	Meidinger	Truemner
Dieball	Midgarden	Tufte
Elton	Miller	Underwood
Ellison	Mooney	Van Arnam
Ferguson	Movius	Wagner
Flados	Noben	Wall
Fried	Noltmier	Watson
Gagnon	Oksendahl	Watts
Gilbert	Palfrey	Weed
Gullerud	Palmer	Weigel
Hammer	Patterson	Welo
Hanson	Peterson of Towner	Wing
Harvey	Peterson of Wells	Young
Heath	Phifer	Mr. Speaker
Hill	Richmond	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Connolly	Maddock
Cole	Dickinson	

Messrs. Buttz and Maddock being excused.

So the bill as amended passed and the title was agreed to.

By unanimous consent Senate Bill No. 78 was reconsidered on the report of the steering committee that it do pass and was placed on its final passage.

THIRD READING OF SENATE BILLS.

Senate Bill No. 78,

A bill for an act to amend section 244 of article 5, chapter 4, Revised Codes of 1899 relating to state board of health.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 94, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Johnson	Robillard
Allen	Knudtson	Rogers
Aslakson	Kraabel	Rose
Baker of Ramsey	Lee	Ryan
Bartz	Leech	Scheer
Beck	Lillie	Schouweiler
Blank	Lish	Senour
Bourassa	Mallough	Severson
Braaten	Mattson	Sheils
Brown	McClure	Skjold
Burtness	McCrea	Simpson
Cassell	McDowell	Smart of Nelson
Chaffee	McGahan	Smart of Traill
Colo	McKenzie	Stavens
Connolly	McKnight	Steinberg
Dahl	McLain	Stevens
Davis	Meidinger	Thompson
Dickinson	Midgarden	Truemner
Dieball	Miller	Tufte
Elton	Mooney	Underwood
Ellison	Movius	Van Arnam
Ferguson	Noben	Wagner
Flados	Noltmier	Wall
Fried	Oksendahl	Watson
Gagnon	Palfrey	Watts
Gilbert	Palmer	Weed
Gullerud	Patterson	Weigel
Hammer	Peterson of Towner	Welo
Hanson	Peterson of Wells	Wing
Harvey	Phifer	Young
Heath	Richmond	Mr. Speaker
Hill		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Chevalier	Lyons
Buttz	Chisholm	Maddock

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Elton moved

That the vote by which Senate Bill No. 78 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign Senate Bill No. 227,

A bill for an act to provide for the extension and enlargement and improvement of water systems in incorporated cities.

Also,

Senate Bill No. 168,

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law.

Also,

Senate Bill No. 231,

A bill for an act to amend and re-enact chapter 92 of the session laws of 1901, relating to the fees of clerks of the district court.

Also,

Senate Bill No. 211,

A bill for an act to provide for the leasing of common school and other public lands for coal mining purposes, providing the manner and terms of such lease and prescribing penalties for unlawfully removing coal from such lands.

Also,

Senate Bill No. 200,

A bill for an act to amend section 3742, Revised Codes of the state of North Dakota of 1899, relating to order of succession.

Also,

Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

Also

Senate Bill No. 176,

A bill for an act to amend section 137 of the Revised Codes relating to the duties of state examiner to examine accounts of public officers.

Also,

Senate Bill No. 128,

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

And the speaker signed the same in the presence of the house.

Mr. Brown moved

That the house do now take a recess until 7:30 p. m.

Which motion prevailed.

AFTER RECESS.

The house returned to the fifth order of business.

REPORTS OF STANDING COMMITTEES.

The committee on mileage and per diem made the following report:

Mr. Speaker:

Your committee on mileage and per diem recommend that the speaker and chief clerk be authorized to sign vouchers for twenty-five dollars each to Messrs. Leech, Young and Mattson for personal expenses incurred by them on trip to Madison, Wis.

GEO. W. H. DAVIS,

Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on mileage and per diem made the following report:

Mr. Speaker:

Your committee on mileage and per diem recommend that owing to the increased duties imposed upon G. F. Richmond, Walter Straub, T. J. Dwire and Thos Soustrud, employes of this house during the last half of session that they be paid one dollar per day extra during such period.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on mileage and per diem offered the following resolution:

Resolved, That the speaker be directed to appoint the chief clerk and one assistant clerk to correct the Journal of the 60th day and compare the Journal of the session with the written Journal and that they be allowed five dollars per day for the time necessary to do the work. The speaker and chief clerk are hereby authorized and directed to sign the necessary vouchers for such services.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

The committee on mileage and per diem made the following report:

Mr. Speaker:

Your committee on mileage and per diem have been requested to report on the rights of the messenger and postmaster to have and receive thirty dollars each as provided in chapter 27 of the session laws of 1897, for hack hire, and have had the same under consideration and recommend that the amount be allowed as provided in said act.

GEO. W. H. DAVIS,
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations recommend that the speaker sign and chief clerk sign a voucher payable to Miss Cora Shotwell for \$6.40, being amount paid by her to American Typewriter Company for use of and express paid on typewriter used during session.

MORRIS BECK,
Chairman.

Mr. Beck moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Tufte offered the following resolution and moved its adoption:

Resolved, That the secretary of state is hereby instructed to mail to each member and officer of this house, copies of the last three days' Journals and a list of all bills that become laws.

Which motion prevailed.

Mr. Tufte offered the following resolution and moved its adoption:

Whereas, the legislative manual contains much useful information, therefore, be it

Resolved, That the secretary of state is authorized to send ten copies of same to each member and five copies to the chief clerk, and one copy to each officer at chief clerk's desk, including the chief enrolling and engrossing clerk and bill clerk, of this house, for distribution.

Which motion prevailed.

Mr. Patterson offered the following resolution and moved its adoption:

Resolved, That the thanks of this house are due to the member from Logan for his faithful and energetic work as chairman of the irrigation committee.

Which motion prevailed.

Mr. Watts offered the following resolution:

Resolved, that the chief clerk and Assistant Chief Clerks W. D. Austin, H. A. Hogue, W. R. Merrick and Advisory Clerk J. G. Hamilton and Alex McFadden, sergeant-at-arms, be allowed one dollar per day extra pay each for last half of session.

The resolution was adopted.

The speaker appointed as an assistant to correct and revise the house journal with the chief clerk, W. A. Kelly.

The speaker announced a recess until 8:30 p. m.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903

Mr. Speaker:

I have the honor to return herewith

House Bill No. 118,

A bill for an act defining legal fences, providing for the construction and maintenance of partition fences, how controversies over construction of legal fences may be settled and providing penalties for violating the provisions of this act.

Which the senate has amended as follows:

Strike out the word "double" wherever it occurs in the bill.

And passed as amended.

Also

House Bill No. 186,

A bill for an act amending section 250 of the Revised Codes of North Dakota, relating to county boards of health.

Also,

House Bill No. 181,

A bill for an act to amend section 7668 of the Revised Codes relating to the crime of removing, concealing, selling or disposing of chattel property subject to lien.

Which the senate has passed unchanged.

R. M. TUTTLE,

Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 281,

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota, to the county of Williams in the Eighth judicial district of the state of North Dakota, for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said unorganized county of Allred by the register of deeds of Williams county.

Which the senate has amended as follows:

Strike out the word "Wallace" wherever it occurs in the title and in the body of the act.

And passed as amended

R. M. TUTTLE,

Secretary.

Mr. Richmond moved

That the house concur in senate amendments to House Bill No. 118,

A bill for an act defining legal fences, providing for the construction and maintenance of partition fences, how controversies over construction of legal fences may be settled and providing penalties for violating the provisions of this act.

Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 93, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Aandahl
 Allen
 Asiaksen
 Baker of Ramsey
 Bartz
 Beck
 Blank
 Bourassa
 Braaten
 Brown
 Burtness
 Cassell
 Chisholm
 Co'e
 Connolly
 Dahl
 Davis
 Dickinson
 Dieball
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gagnon
 Gilbert
 Gullerud
 Hammer
 Hanson
 Harvey
 Heath

Messrs.—

Hill
 Johnson
 Kraabel
 Lee
 Leech
 Lillie
 Lish
 Lyons
 Mallough
 Mattson
 McClure
 McCrea
 McDowell
 McGahan
 McKenzie
 McKnight
 McLain
 Meidinger
 Midgarden
 Miller
 Mooney
 Movius
 Noben
 Oksendahl
 Palfrey
 Palmer
 Patterson
 Peterson of Towner
 Peterson of Wells
 Phifer
 Richmond

Messrs.—

Robillard
 Rogers
 Rose
 Ryan
 Scheer
 Schouweiler
 Senour
 Severson
 Shells
 Skjold
 Simpson
 Smart of Nelson
 Smart of Traill
 Stavens
 Steinberg
 Stevens
 Thompson
 Truomner
 Tuft
 Underwood
 Van Arnam
 Wagner
 Wall
 Watts
 Weed
 Weigel
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Bostrom
 Buttz
 Chaffee

Messrs.—

Chevaller
 Knudtson
 Maddock

Messrs.—

Noltmier
 Watson

Messrs. Buttz and Maddock being excused.

So the bill as amended passed and the title was agreed to.

Mr. Palmer moved

That the house do now concur in senate amendments to House Bill No. 281,

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota, to the county of Williams in the Eighth judicial district of the state of North Dakota, for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said unorganized county of Allred by the register of deeds of Williams county.

Which motion prevailed.

The question being on final the passage of the bill as amended.

The roll was called and there were ayes 95, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Richmond
Allen	Heath	Robillard
Aslakson	Hill	Rogers
Baker of Ramsey	Johnson	Rose
Bart	Knudtson	Ryan
Beck	Kraabel	Scheer
Blank	Lee	Schouweiler
Bostrom	Leech	Sonour
Bourassa	Lillie	Severson
Braaten	Lish	Sheils
Brown	Lyons	Skjold
Burtness	Mallough	Simpson
Cassell	Mattson	Smart of Nelson
Chaffee	McClure	Smart of Traill
Chevalier	McCrea	Stavens
Chisholm	McGahan	Steinberg
Cole	McKenzie	Stevens
Connolly	McKnight	Thompson
Dahl	McLain	Truemner
Davis	Meidinger	Tufte
Dickinson	Midgarden	Underwood
Dieball	Miller	Van Arnam
Elton	Mooney	Wagner
Ellison	Movius	Wall
Ferguson	Noben	Watts
Flados	Noltmier	Weed
Fried	Oksendahl	Weigel
Gagnon	Palfrey	Welo
Gilbert	Palmer	Wing
Gullerud	Patterson	Young
Hammer	Peterson of Towner	Mr. Speaker
Hanson	Peterson of Wells	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	McDowell	Watson
Maddock	Phifer	

Messrs. Buttz and Maddock being excused.
So the bill as amended passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 198,

A bill for an act to amend and re-enact chapter 121 of the laws of North Dakota for the year 1901, concerning the inspection of live stock.

Also,

House Bill No. 238,

A bill for an act to license solicitors for benevolent organizations.

Which the senate has passed unchanged.

R. M. TUTTLE,

Secretary.

Mr. Davis moved

That Senate Bill No. 124 be recalled from the senate.

Which motion prevailed.

Mr. Senour moved

That Senate Bill No. 203 be recalled from general orders and the bill be placed on its third reading and final passage.

Which motion prevailed.

By unanimous consent the rules were suspended and the vote by which Senate Bill No. 124 was indefinitely postponed was reconsidered.

THIRD READING OF SENATE BILLS.

Senate Bill No. 124,

A bill for an act to amend section 1112 of the Revised Codes of North Dakota for the year 1899.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 96, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Aandahl
Allen

Messrs.—

Heath
Hill

Messrs.—

Phifer
Richmond

Messrs.—	Messrs.—	Messrs.—
Aslakson	Johnson	Robillard
Baker of Ramsey	Knudtson	Rogers
Bartz	Kraabel	Rose
Beck	Lee	Ryan
Blank	Leech	Scheer
Bourassa	Lish	Schouweiler
Braaten	Lillie	Senour
Brown	Lyons	Severson
Burtness	Mallough	Skjold
Cassell	Mattson	Simpson
Chaffee	McClure	Smart of Nelson
Chevalier	McCrea	Smart of Trall
Chisholm	McDowell	Stavens
Cole	McGahan	Steinberg
Connolly	McKenzie	Stevens
Dahl	McKnight	Thompson
Davis	McLain	Truemner
Dickinson	Meidinger	Tufte
Dieball	Midgarden	Underwood
Elton	Miller	Van Arnam
Ellison	Mooney	Wagner
Ferguson	Movius	Wall
Flados	Noben	Watts
Fried	Noltmier	Watson
Gagnon	Oksendahl	Weed
Gilbert	Palfrey	Weigel
Gullerud	Palmer	Welo
Hammer	Patterson	Wing
Hanson	Peterson of Towner	Young
Harvey	Peterson of Wells	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bostrom	Maddock	Shells
Buttz		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 254,

A bill for an act to amend section 5630, relating to trials in
district court without a jury, and appeals therefrom.

Also,

House Bill No. 115,

A bill for an act to amend section 5249, chapter 7 of the Re-

vised Codes of 1899 relating to the commencement of civil actions and the filing and service of complaints in the district courts.

Also,

House Bill No. 257,

A bill for an act changing and defining the boundaries of Billings county.

Which the senate has passed unchanged.

R. M. TUTTLE.

Secretary.

The chief clerk announced that the speaker was about to sign Senate Bill No. 78,

A bill for an act to amend section 244 of article 5, chapter 4, Revised Codes of 1899 relating to state board of health.

And the speaker signed the same in the presence of the house.

REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

Mr. Speaker:

Your conference committee on

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Have had the same under consideration and recommend that the reports of the former conference committees be adopted with the exception that the item for maintenance be reduced from \$14,400 to \$12,400.

H. P. RYAN,
GEO. A. McCREA,
E. F. GILBERT,
GEO. A. SENOUR,
C. H. SHEILS,

For the House.

A. GARNETT,
D. E. GEER,
F. S. TALCOTT,
MAYNARD CRANE,
R. S. LEWIS,

For the Senate.

Mr. Ryan moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The question being upon the final passage of Senate Bill No. 18,

A bill for an act making appropriations for the current and

contingent expenses of the state penitentiary and for making permanent improvements thereto.

As recommended by the conference committee.

The roll was called and there were ayes 72, nays 15, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Hil	Rogers
Allen	Johnson	Ryan
Bartz	Kraabel	Scheer
Beck	Lee	Schouweiler
Blank	Leach	Senour
Bostrom	Lillie	Severson
Braaten	Mallough	Sheils
Brown	Mattson	Skjold
Bourassa	McClure	Simpson
Burtness	McCrea	Smart of Nelson
Cassell	McKenzie	Smart of Trail
Chaffee	McKnight	Steinberg
Davis	McLain	Stevens
Dieball	Midgarden	Thompson
Elton	Miler	Truemmer
Ellison	Mooney	Underwood
Ferguson	Noben	Van Arnam
Flados	Noltmier	Wagner
Fried	Palfrey	Wall
Gagnon	Patterson	Watts
Gilbert	Peterson of Towner	Weigel
Gullerud	Peterson of Wells	Wing
Hammer	Richmond	Young
Harvey	Robillard	Mr. Speaker
Heath		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baker of Ramsey	Hanson	Oksendahl
Cole	Knudtson	Palmer
Connolly	Lyons	Stavens
Dahl	McGahan	Tutte
Dickinson	Meidinger	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aslakson	Maddock	Rose
Buttz	McDowell	Watson
Chevalier	Movius	Weed
Chisholm	Phifer	Welo
Lish		

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Ryan moved

That the vote by which Senate Bill No. 18 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 261,

A bill for an act changing and defining the boundaries of Mercer county.

Also,
House Bill No. 275,

A bill for an act prescribing who may execute assignments, discharges, satisfactions, etc., of liens on real estate on behalf of corporations, and by legalizing prior like instruments.

Which the senate has passed unchanged.

R. M. TUTTLE,

Secretary.

Mr. Patterson moved

That substitute for Senate Bill No. 2 be recalled from the steering committee.

Which motion was lost.

Mr. Ryan moved

That the house return to the seventh order of business.

Which motion prevailed.

Mr. McGahan offered the following resolution and moved its adoption:

Resolved, That it is the sense of this house that the governor appoint a committee of three disinterested persons to examine into the affairs of the state penitentiary and report the result of such investigation to him for the information of the public.

Which motion prevailed.

Mr. Palmer moved

That the vote by which House Bill No. 281 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Patterson moved

That substitute for Senate Bill No. 2 be recalled from the Senate
Which motion was lost.

Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 95, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Harvey	Richmond
Allen	Heath	Robillard
Aslakson	Hill	Rogers
Baker of Ramsey	Johnson	Rose
Bartz	Knudtson	Ryan
Beck	Kraabel	Scheer
Blank	Lee	Schouweller
Bostrom	Leech	Senour
Bourassa	Lillie	Severson
Braaten	Lish	Sheils
Brown	Lyons	Skjold
Burtness	Mallough	Simpson
Cassell	Mattson	Smart of Nelson
Chaffee	McClure	Smart of Trail
Chevalier	McCrea	Stavens
Chisholm	McDowell	Steinberg
Colo	McGahan	Stevens
Connolly	McKenzie	Thompson
Dahl	McKnight	Truemner
Davis	McLain	Tuft
Dickinson	Meldinger	Underwood
Dieball	Midgarden	Van Arnam
Elton	Miller	Wagner
Ellison	Mooney	Wall
Ferguson	Movius	Watson
Flodos	Noben	Watts
Fried	Palfrey	Weigel
Gagnon	Palmer	Welo
Glibert	Patterson	Wing
Gullerud	Peterson of Towner	Young
Hammer	Peterson of Wells	Mr. Speaker
Hanson	Phifer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Noltmier	Weed
Maddock	Oksendahl	

Messrs. Buttz and Maddock being excused.

So the bill passed and the title was agreed to.

Mr. Senour moved

That the vote by which Senate Bill No. 203 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 113,

A bill for an act to amend section 9 of chapter 30 session laws of 1901 relating to the practice of barbering and additional provisions relating thereto.

Also,

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

Also,

House Bill No. 251,

A bill for an act to repeal a special act of the legislative assembly of the territory of Dakota of 1885, approved by the governor March 13, 1885, entitled "an act to create a joint school township in the counties of Griggs and Steele."

Which the senate has passed unchanged.

R. M. TUTTLE,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 208,

A bill for an act to amend section 744 of the Revised Codes of the state of North Dakota, 1899, relating to certificates, when revocable.

Also,

House Bill No. 225,

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota, relating to the organization of schools on petition.

Also,

House Bill No. 262,

A bill for an act to amend section 1653 of the Revised Codes of 1899, relating to fishways.

Which the senate has passed without change.

R. M. TUTTLE,

Secretary.

The speaker announced a recess until 9:10 p. m.

AFTER RECESS.

The sergeant-at-arms announced a committee from the senate consisting of Senators LaMoure, Sharpe and Cashel who announced that the senate would be ready to adjourn in one hour.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to inform you that the senate declines to concur in the house amendments to

Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes.

And a conference committee has been appointed on the part of the senate, consisting of Messrs. Simpson, Main and Little.

R. M. TUTTLE,

Secretary.

The speaker appointed as conference committee from the house on Senate Bill No. 203 Messrs. Senour, Beck and Peterson of Wells.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 189,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899, relating to patients of the hospital for the insane and powers and duties of commissioners of insanity and board of trustees of said hospital.

Also,

House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes,

authorizing the creating of a county building fund, and the transfer of certain unexpended balances.

Also,

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

Also,

House Bill No. 268,

A bill for an act making it a misdemeanor for a tenant or tenants to remove goods, chattels or personal property from leased premises without giving due notice to the landlord, his agent or duly authorized attorney and providing a punishment for the violation of this act.

Also,

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Also,

House Bill No. 255,

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.

Also,

House Bill No. 237,

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

Also,

House Bill No. 223,

A bill for an act to amend sections 1738, 1739, 1741 and 1743a of the political code of North Dakota.

And find the same correctly enrolled.

W. A. McCLURE,

Chairman.

The chief clerk announced that the speaker was about to sign

House Bill No. 223,

A bill for an act to amend sections 1738, 1739, 1741 and 1743a of the political code of North Dakota.

Also,

House Bill No. 237,

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

Also,

House Bill No. 225,

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota, relating to the organization of schools on petition.

Also,

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Also,

House Bill No. 255,

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 248,

A bill for an act to amend section 3146 of the Revised Codes of 1899, relating to the time for the holding of the annual meeting for the election of directors, and who may vote.

Which the senate has passed without change.

Also,

House Bill No. 83,

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

Which the senate has amended as follows:

By adding at end of subdivision 7, the following:

Provided, that subdivision 7 shall not apply to any mechanic's lien filed prior to the passage of this act.

And passed as amended.

R. M. TUTTLE,
Secretary.

Mr. Underwood moved

That the house do now concur in senate amendments to House Bill No. 83,

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

Which motion prevailed.

The question being upon the final passage of the bill as amended by the senate.

The roll was called and there were ayes 96. nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Aandahl
 Alien
 Aslakson
 Baker of Ramsey
 Bartz
 Beck
 Blank
 Bostrom
 Bourassa
 Braaten
 Brown
 Burtness
 Cassell
 Chaffee
 Chevalier
 Chisholm
 Cole
 Connolly
 Dahl
 Davis
 Dickinson
 Dieball
 Elton
 Ellison
 Ferguson
 Flados
 Fried
 Gagnon
 Gilbert
 Gullerud
 Hammer
 Hanson

Messrs.—

Harvey
 Heath
 Hill
 Johnson
 Kuudtson
 Kraabel
 Lee
 Leech
 Lillie
 Lish
 Lyons
 Mallough
 Mattson
 McClure
 McCrea
 McDowell
 McGahan
 McKenzie
 McKnight
 McLain
 Meidinger
 Midgarden
 Miller
 Mooney
 Movius
 Noben
 Noltmier
 Oksendahl
 Palfrey
 Palmer
 Patterson
 Peterson of Towner

Messrs.—

Peterson of Wells
 Phifer
 Richmond
 Robillard
 Rogers
 Rose
 Scheer
 Schouweiler
 Senour
 Severson
 Shells
 Skjold
 Simpson
 Smart of Nelson
 Smart of Traill
 Stavens
 Steinberg
 Stevens
 Thompson
 Truemner
 Tuft
 Underwood
 Van Arnam
 Wagner
 Wall
 Watson
 Watts
 Welgel
 Welo
 Wing
 Young
 Mr. Speaker

Absent and not voting:

Messrs.—

Buttz
 Maddock

Messrs.—

Ryan

Messrs.—

Weed

Messrs. Buttz and Maddock being excused.

So the bill as amended by the senate passed and the title was agreed to.

The chief clerk announced that the speaker was about to sign
House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund, and the transfer of certain unexpended balances.

Also,

House Bill No. 189,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899, relating to patients of the hospital for the insane and powers and duties of commissioners of insanity and board of trustees of said hospital.

Also

House Bill No. 268,

A bill for an act making it a misdemeanor for a tenant or tenants to remove goods, chattels or personal property from leased premises without giving due notice to the landlord, his agent or duly authorized attorney and providing a punishment for the violation of this act.

Also,

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

Also,

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Also,

House Bill No. 255,

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.

Also,

House Bill No. 237,

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

And the speaker signed the same in the presence of the house.

REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

Your conference committee who had under conference Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes

Respectfully report that we recommend that the house recede from its amendment and pass the bill as originally introduced and passed by the senate.

MORRIS BECK,
AUGUST PETERSON,
GEO. A. SENOUR,

For the House.

L. A. SIMPSON,
R. W. MAIN,
C. B. LITTLE,

For the Senate.

The question being on the final passage of Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes.

As recommended by the conference committee.

The roll was called and there were ayes 98, nays none, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aandahl	Heath	Richmond
Allen	Hill	Robillard
Aslakson	Johnson	Rogers
Baker of Ramsey	Knudtson	Rose
Bartz	Kraabel	Ryan
Beck	Lee	Scheer
Blank	Leech	Schouweiler
Bostrom	Lillie	Senour
Bourassa	Lish	Severson
Braaten	Lyons	Sheils
Brown	Mallough	Skjold
Burtness	Mattson	Simpson
Cassell	McClure	Smart of Nelson
Chaffee	McCrea	Smart of Traill
Chevalier	McDowel	Stavens
Chisholm	McGahan	Steinberg
Cole	McKenzie	Stavens
Connolly	McKnight	Thompson
Dahl	McLain	Truemner
Davis	Meidinger	Tufts
Dickinson	Midgarden	Underwood
Dieball	Miller	Van Arnam
Elton	Mooney	Wagner
Ellison	Movius	Wall
Ferguson	Noben	Watson

Messrs.—	Messrs.—	Messrs.—
Flados	Noltmier	Watts
Fried	Oksendahl	Weed
Gagnon	Pa'frey	Weigel
Gilbert	Palmer	Welo
Gullerud	Patterson	W'ing
Hammer	Peterson of Towrer	Young
Hanson	Peterson of Wells	Mr. Speaker
Harvey	Phifer	

Absent and not voting: Messrs. Buttz and Maddock.

Messrs. Buttz and Maddock being excused.

So the bill as recommended by the conference committee passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 130,

A bill for an act to regulate the sale and analysis of commercial fertilizers and prescribing a penalty for the violation thereof.

Also,

House Bill No. 145,

A bill for an act to amend section 3023 of the Revised Codes relating to long and short hauls, upon railroads and common carriers.

Also,

House Bill No. 116,

A bill for an act to amend section 2674 of the Revised Codes of North Dakota, 1899, prohibiting township officers from being interested in contracts.

Which the senate has passed without change.

R. M. TUTTLE,
Secretary.

Mr. Ryan moved

That a committee of three be appointed by the speaker to wait upon the governor and ascertain if he had any message to deliver to the house.

Which motion prevailed, and

The speaker appointed as such committee Messrs. McLain, Gullerud and Smart of Nelson.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1903.

Mr. Speaker:

I have the honor to transmit herewith
House Bill No. 227,

A bill for an act to create a state board of control, and provide for the management and control of charitable, reformatory, penal and educational institutions of the state, and to make an appropriation therefor, and abolishing existing boards governing such institutions.

Also,

House Bill No. 216,

A bill for an act to amend chapter five of the laws of 1901, being an act to provide for making unknown parties defendant in certain civil actions and to amend sections 5904, 5905, 5906, 5907, 5907a, 5908, 5909, 5910, 5911, 5912, 5913, of the Revised Codes of North Dakota for 1899, relating to the determination of conflicting claims to real estate and other actions and enacting other provisions relating thereto.

Also,

House Bill No. 273,

A bill for an act to amend section 373 of the Revised Codes of North Dakota of 1899, relating to eligibility of deputies, clerks and subordinates of public officers.

Also,

House Bill No. 201,

A bill for an act to amend section 1267 of the Revised Codes relating to redemptions from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.

All of which bills the senate has indefinitely postponed.

R. M. TUTTLE,
Secretary.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 189,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899, relating to patients of the hos-

pital for the insane and powers and duties of commissioners of insanity and board of trustees of said hospital.

Also,

House Bill No. 99,

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund, and the transfer of certain unexpended balances.

Also,

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

Also,

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Also,

House Bill No. 255,

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.

Also,

House Bill No. 237,

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

Also,

House Bill No. 223,

A bill for an act to amend sections 1738, 1739, 1741 and 1743a of the political code of North Dakota.

Also,

House Bill No. 268,

A bill for an act making it a misdemeanor for a tenant or tenants to remove goods, chattels or personal property from leased premises without giving due notice to the landlord, his agent or duly authorized attorney and providing a punishment for the violation of this act.

Also,

House Bill No. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Also,

House Bill No. 186,

A bill for an act amending section 250 of the Revised Codes of North Dakota, relating to county boards of health.

Also,

House Bill No. 253,

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.

Also,

House Bill No. 281,

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota, to the county of Williams in the Eighth judicial district of the state of North Dakota for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said unorganized county of Allred by the register of deeds of Williams county.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

The chief clerk announced that the speaker was about to sign House Bill No. 281,

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota, to the county of Williams in the Eighth judicial district of the state of North Dakota, for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said unorganized county of Allred by the register of deeds of Williams county.

Also,

House Bill No. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Also,

House Bill No. 253,

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.

Also,

House Bill No. 186,

A bill for an act amending section 250 of the Revised Codes of North Dakota, relating to county boards of health.

Also,

House Bill No. 124,

A bill for an act to amend section 5630 of the Revised Codes of

1899, relating to appeals in cases tried in district court without a jury.

And the speaker signed the same in the presence of the house.

REPORT OF SPECIAL COMMITTEE.

Your committee appointed to wait upon the governor to ascertain if he has any further communications to present to this house, beg to report that he has none, and that he wishes to extend though this committee his appreciation for the courtesies extended him by this body.

J. H. McLAIN,
A. H. SMART,
N. E. GULLERUD.

The chief clerk announced that the speaker was about to sign Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes.

Also,

Senate Bill No. 18,

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Also,

House Bill No. 83,

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

Also,

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

Also,

House Bill No. 251,

A bill for an act to repeal a special act of the legislative assembly of the territory of Dakota of 1885, approved by the governor March 13, 1885, entitled "an act to create a joint school township in the counties of Griggs and Steele."

And the speaker signed the same in the presence of the house.

Mr. Weed moved

That a vote of thanks be extended to the speaker for the fair and courteous manner in which he has presided over this body, and that he be presented with the chair in which he has sat during the session.

Which motion prevailed by a rising vote.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Also,

House Bill No. 181,

A bill for an act to amend section 7668 of the Revised Codes relating to the crime of removing, concealing, selling or disposing of chattel property subject to lien.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills respectfully report that

House Bill No. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Also,

House Bill No. 186,

A bill for an act amending section 250 of the Revised Codes of North Dakota, relating to county boards of health.

Also,

House Bill No. 253,

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.

Also,

House Bill No. 281,

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota, to the county of Williams in the Eighth judicial district of the state of North Dakota, for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said unorganized county of Allred by the register of deeds of Williams county.

Were delivered to the governor for his approval at the hour of 10:05 o'clock p. m., March 6, 1903.

W. A. McCLURE,
Chairman.

The chief clerk announced that the speaker was about to sign House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Also,

House Bill No. 181,

A bill for an act to amend section 7668 of the Revised Codes relating to the crime of removing, concealing, selling or disposing of chattel property subject to lien.

And the speaker signed the same in the presence of the house.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills respectfully report that House Bill No. 97,

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.

Also,

House Bill No. 181,

A bill for an act to amend section 7668 of the Revised Codes relating to the crime of removing, concealing, selling or disposing of chattel property subject to lien.

Were delivered to the governor for his approval at the hour of 10:20 p. m. March 6, 1903.

W. A. McCLURE,
Chairman.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined House Bill No. 262,

A bill for an act to amend section 1653 of the Revised Codes of 1899, relating to fishways.

Also,

House Bill No. 275,

A bill for an act prescribing who may execute assignments, discharges, satisfactions, etc., of liens on real estate on behalf of corporations, and by legalizing prior-like instruments.

Also,

House Bill No. 238,

A bill for an act to license solicitors for benevolent organizations.

Also,

House Bill No. 38,

A bill for an act to amend section 1278 of the Revised Codes

of 1899 as amended by chapter 144 of the session laws of 1901 and to provide that all taxes and assessments shall be paid before transfer of property.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

The chief clerk announced that the speaker was about to sign House Bill No. 262,

A bill for an act to amend section 1653 of the Revised Codes of 1899, relating to fishways.

Also,

House Bill No. 275,

A bill for an act prescribing who may execute assignments, discharges, satisfactions, etc., of liens on real estate on behalf of corporations, and by legalizing prior-like instruments.

Also,

House Bill No. 238,

A bill for an act to license solicitors for benevolent organizations.

Also,

House Bill No. 38,

A bill for an act to amend section 1278 of the Revised Codes of 1899 as amended by chapter 144 of the session laws of 1901 and to provide that all taxes and assessments shall be paid before transfer of property.

And the speaker signed the same in the presence of the house.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 232,

A bill for an act to amend section 2082, of the Revised Codes of 1899, relating to fees to be charged by sheriffs.

Also,

House Bill No. 115,

A bill for an act to amend section 5249, chapter 7 of the Revised Codes of 1899 relating to the commencement of civil actions and the filing and service of complaints in the district courts.

Also,

House Bill No. 257,

A bill for an act changing and defining the boundaries of Billings county.

Also,

House Bill No. 248,

A bill for an act to amend section 3146 of the Revised Codes

of 1899, relating to the time for the holding of the annual meeting for the election of directors, and who may vote.

Also,

House Bill No. 145,

A bill for an act to amend section 3023 of the Revised Codes relating to long and short hauls, upon railroads and common carriers.

Also,

House Bill No. 261,

A bill for an act changing and defining the boundaries of Mercer county.

Also,

House Bill No. 254,

A bill for an act to amend section 5630, relating to trials in district court without a jury, and appeals therefrom.

And find the same correctly enrolled.

W. A. McCLURE,
Chairman.

The chief clerk announced that the speaker was about to sign House Bill No. 115,

A bill for an act to amend section 5249, chapter 7 of the Revised Codes of 1899 relating to the commencement of civil actions and the filing and service of complaints in the district courts.

Also,

House Bill No. 232,

A bill for an act to amend section 2082 of the Revised Codes of 1889, relating to fees to be charged by sheriffs.

Also,

House Bill No. 254,

A bill for an act to amend section 5630, relating to trials in district court without a jury, and appeals therefrom.

Also,

House Bill No. 257,

A bill for an act changing and defining the boundaries of Bilings county.

Also,

House Bill No. 248,

A bill for an act to amend section 3146 of the Revised Codes of 1899, relating to the time for the holding of the annual meeting for the election of directors, and who may vote.

Also,

House Bill No. 145,

A bill for an act to amend section 3023 of the Revised Codes relating to long and short hauls, upon railroads and common carriers.

Also,

House Bill No. 261,

A bill for an act changing and defining the boundaries of Mercer county.

And the speaker signed the same in the presence of the house.

Mr. Young moved

That Mr. Meidinger, the veteran member from McIntosh, be accorded the honor of making the motion to adjourn sine die.

Which motion prevailed.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. Speaker:

Your committee on enrolled bills have examined

House Bill No. 251,

A bill for an act to repeal a special act of the legislative assembly of the territory of Dakota of 1885, approved by the governor March 13, 1885, entitled "an act to create a joint school township in the counties of Griggs and Steele."

Also,

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

Also,

House Bill No. 198,

A bill for an act to amend and re-enact chapter 121 of the laws of North Dakota for the year 1901, concerning the inspection of live stock.

Also,

House Bill No. 83,

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

And find the same correctly enrolled.

W. A. McCLURE,

Chairman.

The chief clerk announced that the speaker was about to sign

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

Also,

House Bill No. 198,

A bill for an act to amend and re-enact chapter 121 of the laws of North Dakota for the year 1901, concerning the inspection of live stock.

Also,

House Bill No. 253,

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.

Also,

House Bill No. 208,

A bill for an act to amend section 744 of the Revised Codes of the state of North Dakota, 1899, relating to certificates, when revocable.

Also,

House Bill No. 116,

A bill for an act to amend section 2674 of the Revised Codes of North Dakota, 1899, prohibiting township officers from being interested in contracts.

And the speaker signed the same in the presence of the house.

Mr. Meidinger moved

That the house do now adjourn sine die.

Which motion prevailed, and

The house adjourned sine die.

A. O. ANDERSON,
Chief Clerk.

APPENDIX.

* LINCOLN'S BIRTHDAY EXERCISES, FEB. 12, 1903.

The governor introduced to the members of the joint assembly Hon. J. M. Cochrane, who spoke as follows:

Your Excellency, Mr. President, Gentlemen of the Joint Assembly, Ladies and Gentlemen:

It has been the experience of civilized man since the earliest recorded history that admirable and laudatory actions and commendable deeds of fellow men in the serious conflict of life, are commemorated to the end that succeeding generations following the record of their career, may profit by the experiences they have had. Study as we will the history of the peoples of the earth, they have, prompted by natural instincts, held up as patterns for succeeding generations the heroes and the manly men of their time, and to this is attributable much of the civilization of today. In lasting monuments you read the histories of the past.

Among the nations of the world, the United States occupies the position of a youth in the large family. She also occupies the place of a nation possessed of greatness and character that, in the markings of the centuries, excels them all. No monument, no mausoleum, no stone, is 'or in the nature of things can be, as enduring as the influence, upon his and all succeeding generations, of Abraham Lincoln.

"The good that men do is oft interred with their bones. The evil, it has has been said, "lives after them." And yet the charity of mankind is such that, overlooking the weaknesses of the average man, they attempt to paint his salient characteristics, to the end that those following his footsteps may profit by the features of his character worthy of emulation. If he is not within the spirit of the ideas that have been crystalized in the past, or if his influence has been baneful upon his time and generation, no lasting monuments are erected to his memory.

It was the privilege of the members of this legislative body, within the last couple of weeks, to entertain one of the heroes of the great civil war, Gneral O. O. Howard. It is our privilege today to have with us and to honor, persons who were his compatriots, who assisted him in carrying out the great work of emancipation, (Applause.) and of perpetuating the grandest government upon the face of the civilized earth. General Howard was a leader among the men who participated in this work. Today there is pending before the legislature of the state of Pennsylvania a bill looking towards the appropriation of state funds, in co-operation with the legislature of the state of Virginia, for the purpose of erecting an equestrian statue to the memory of Robert E. Lee, the commander of the confederate forces at Gettysburg, opposed to Meade, opposed to Sickles, opposed to Howard, opposed to the martyred president, whose memory we have met to refresh today. It would be mal apropos to say

*By resolution the speeches delivered by Hon. J. M. Cochrane, and Father Conaty in joint session of the legislative assembly on February 12, 1903, were ordered printed in the journal. That of Mr. Cochrane appears herewith as an "Appendix." That of Father Conaty does not appear for the reason that "revised proof sheets" of the address have not been returned to the printer in time to be inserted herewith.

anything that could be taken as an offense to even the most sensitive sympathizer or friend of the men who fought upon the other side. Grand army posts throughout the union who participated in that strife at Gettysburg, under the one-armed hero, who stood where I am standing two weeks ago today, who lost his right arm at Fair Oaks leading the forces in opposition to the men who fought to destroy his government, the man who commanded upon Cemetery Hill, the man who stood face to face with assaulting foe in the three days' battle from July 1 to July 3, with unfaltering confidence and courage, who after having stood in front of the forces commanded by Robert E. Lee, and seen his men, his assistants, the American soldiers, mowed down as grass before the sickle, and who, after the carnage was over, discovered the record of over 2,800 slain, 13,700 mutilated soldiers of the north lying prostrate upon the field, mutilated because the opposing forces had used explosive bullets in a season which we call a season of civilized warfare—poisoned bullets to the end that if the circulation could be reached by a non-mortal wound, death would ensue, who discovered, after the retreat of the forces of the defeated army, that during the three days of the strife the wounded as they fell from time to time had been uncared for and untended by the enemy during the heat of the weather of July and permitted to suffer the agonies of the damned—members of the Grand Army posts, do you believe, even though Abraham Lincoln today (and he has been styled the "second Savior,") with all his magnanimity, or do you believe that General O. O. Howard, the Christian soldier, who, when ordered by General Meade to pursue the retreating adversary, before obeying the orders of his superior, went to his friend who had fought at his side, Captain Griffith, who was dying in his tent—the commander's heart bleeding for his friend—and taking from his pocket a pliable leather-covered book, read to his associate and his aide: "Let not your heart be troubled: ye believe in God, believe also in me. In my Fathers' house are many mansions: if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also," and mounting his horse rode after the fleeing enemy; do you believe, Grand Army men, that it is within the spirit of American patriotism or within the heart of that Christian patriot to pay for, or encourage the appropriation of funds to pay for, a monument or memorial to the rebel commander who, if not the originator, was the executor of the disasters of that great battle? No matter how great he was in battle; no matter how faithful to his superior; no matter how true his judgment; no matter how masterful a scholar or disciplinarian; how fleeting his memory compared to that even of the private who fought in the ranks and assisted Lincoln upon the other side.

The profit in considering the character of a man such as the emancipator of his country is in the lessons that are to be drawn from his example. We study his every act, seeking thereby interpret the motive that incited him to potent action to the end that in emulating his example we may gain profit. It is the pride and boast of many Americans that genius is born in a man and that by proper industry he can work out his destiny. Others claim that no matter what genius the individual may have, in this day and age of civilization, education under the closest and most careful mental disciplinarians is necessary to develop and bring forth the greatest and grandest of which a man is capable. Abraham Lincoln stands forth as a noted example of the first character. It is said that he had not to exceed one year of schooling. He was born just about a month before the inauguration of President Madison, on the eve of the breaking out or the second war with England. It must have been therefore in his earliest youth that his attention was called to military and historical subjects of investigation; we learn that one of the first books of a substantial character that he pursued or studied was Weam's Life

of Washington. Before Lincoln had arrived at semi-maturity he realized, and we see in the study of his career an exemplification of the fact, that he was possessed of a superior genius. Lincoln never forgot, even in the periods of his greatness depression, that he was a free moral agent and an imperial man. Lincoln never forgot that the imperialism of the mind and the dignity of education was in the study of mankind. Because of his humble origin, because of the lack of facilities for storing his mind with information, he exercised himself in the accomplishment of the purpose of putting within that storehouse all accessible material within his environment. He early learned the importance of lucid statement. He early appreciated the importance of intellectual consideration of important social problems, to fit himself for the career that was his. Without displaying any personal pride he sought opportunities to discuss live questions with his associates; he read aloud with the idea of cultivating his memory; he wrote and made memoranda of every material an important fact or suggestion that came to his notice. No matter what his native talent, that he effected his object is evident when we come to consider his political career. He attended debating societies as a boy; he sought every opportunity to talk with the veterans of the war of 1812. He, himself, at the breaking out of the Black Hawk war organized a company and went with them desirous of doing potent work at the front. At the expiration of the time when they could be received into the service he descended from his rank of captain to fill that of common soldier and as a common soldier in the ranks he saw and realized and understood the terrors of waiting for the expected foe. In this experience one of the salient features of his character, and one which will be studied and admired by the children of this and succeeding generations, was cultivated and developed. He was a man of manly action, never shirking a plain duty; always straightforward in his statements. He has been called the "rail-splitter," and in "rail-splitter" we have an expression that is a revelation.

A boy without financial assistance, without the advantage of a school education, without surroundings that were conducive to excite and wake the energy of the ordinary individual, he reached, step by step, successive rungs of the ladder in steady promotion brought about by his own unaided endeavor, and when today we point to the lives of self-made men, Abraham Lincoln is the first suggestion to the intelligent American as an example of the self-made man. He worked as a butcher when a boy at 30 cents a day. It is told of him that he entered into a contract to split 400 rails at one time for each yard of common cloth that would be furnished him by his employer to make a pair of breeches. He made two successive trips down the Mississippi in a flat-boat to St. Louis. He was postmaster without salary and took the place that he might read the newspapers and magazines that came through the postoffice for delivery to his neighbors, thus fortifying himself with required information. No opportunity was too mean if it brought to him the means of storing his mind or if it gave him an excuse to avoid idleness and carry out the intense purpose of his manhood. In 1832, when he was 23 years of age, he conceived a desire to participate in the law making of his state. He ran for the legislature and was defeated. In 1834 he was elected. In 1836 re-elected. In 1838 he was again elected and became a candidate for speaker of the house and was defeated. In 1840 he was again candidate for speaker, but was defeated. He then felt that he was destined for a larger career.

Frequently in our day the finger of scorn is pointed at the young man in the west who aspires to political preference. He is spoken of as an aspiring but lazy youth. Abraham Lincoln has dignified the aspiration of young men in this respect. A person who constantly aspires for political preferment must have the conviction that it is the form of employment or

mental occupation for which he is intended. Especially is that true among the western states and communities, because there is here no room for drones, as there was no room for drones among the frontiersmen in Illinois sixty-three years ago and longer. Men seek to fill the niche they were intended to fill in the economy of creation. Lincoln saw and understood his capability. He refused to run the fifth time for a member of the state legislature, but became a candidate for congress. The convention system of nomination had just come into vogue a few years before. It had been championed by the political party entertaining views opposed to those of the future president. Lincoln's first impression condemned this method of nominating candidates for public office; after experience with it he changed his mind. While a man of strong convictions, and courage, he was at all times open to considerations weighing against his first impression and ready to grasp the new idea and profit by and make the most of it. He entered heartily into the scheme of securing delegates to the convention which was to nominate a candidate for congress for his district during this campaign. In his own precinct Captain Baker was chosen candidate at the primary. Lincoln was elected chairman of the delegation from his district to the state convention to support the ambitions of his rival candidate, Captain Baker. Without apparent chagrin, he entered heartily and manfully into the discharge of the undertaking thus imposed upon him. At the state convention, notwithstanding his utmost endeavors to secure the nomination of his friend Baker in fulfilment of the commands of his constituency, Captain Harden was nominated for the place. Two years from that time, in 1844, through the agency of Mr. Lincoln, Captain Baker was nominated for congress, and in 1846 Mr. Lincoln was nominated by his district, elected and served a term in the national congress. Here he devoted his time and attention not to ornate expression upon the floor or in trying to awe his associates by his force of expression and influence, but studied carefully the rules of the house. The art of ruling deliberative and legislative bodies he made a subject of study. He studied with a view of ascertaining the secret of the success of other men and investigated the character of the methods of the controlling members of the lower house of congress, and, at the expiration of his term, did not become a candidate for re-election. He now kept constantly in touch with the political trend of the times and it was an active time.

There are in this presence today venerable, greyheaded and baldheaded old heroes who were young and impressionable then and who have a vivid and direct recollection of what I now relate. It is a most fortunate circumstance in the experience of men of my generation that we have been permitted to know, shake the hand, brush up against these veterans and feel thereby the pulsations of the great life-work of Abraham Lincoln, which will be a monument to the memories of these old men that will be green and ripe and effulgent as long as the history of American civilization shall be impressed upon the intelligent minds of mankind. It may therefore be presumptuous, in addressing a body of this kind, for me thus to descend into detail as to the career of their compeer and their compatriot.

Lincoln was impressed with the importance of the idea that we had established upon this continent a representative form of government; that we had here recognized as it had never been recognized before the sovereignty of man; that we had here exemplified, as it had never been exemplified before, the dignity of individualism; that we had here demonstrated, as it had never been demonstrated before, that by giving the freest vent to individual judgment and individual independence there had been cemented more closely the tie which binds the intelligent man to his fellow men and, theoretically at least, established among the nations of the world the most ideal of governments. Lincoln's ideal was to

preserve and perpetuate. He had not, at the period to which we refer, come to, and was not prepared to commit himself to the doctrine of emancipation. There is a time when the great questions that agitate the public mind are in an embryonic stage. The very diversity of men's mode of thought is such that they entertain and put forward necessarily adverse views for the solving of problems; and while Lincoln was not in accord with what was then considered the more advanced doctrine of his time, he realized that his country could not continue "half slave and half free." He looked not for bloody and internal strife to accomplish or vindicate the idea. He hoped, in a boundless spirit of philanthropy and sympathy, that a scheme might be devised by which, through purchase, the bondsmen might be freed.

During the time between his retirement from congress and the time of his entering into the senatorial canvass against Douglas he informed himself upon the ideas that should control the then public condition. He entered activity into the practice of the law and in the experience of these few intervening years we can find stepping stones to the culmination of his career. We can find elements of his education; we can find brains which went to make up the completed whole of his immense intellectuality. He was a man of boundless sympathy. It is told of Lincoln that when a youth on the frontier of Indiana he worked one time for a Mr. Armstrong, who had an only son, at the salary of ten dollars a month. His character as that of a sturdy man impressed itself upon Armstrong even at that time when Lincoln was a mere boy, and Armstrong frequently asked him to associate as much as possible with the son to encourage the boy to more serious thought and to the abandonment of his more frivolous practices. A promise was exacted by the old man at that time from Lincoln to look after the boy's future. After Lincoln had become a practicing lawyer at the bar, his attention was one time called, while at Springfield, to the fact that Armstrong's boy—Armstrong had then taken his departure from this world to the dim realms of shade, and the son had been residing with and was the sole support and main-stay of his widowed mother—had been accused of homicide, but his financial condition was such that he had not been able to secure counsel. Lincoln, mindful of his early promise, resorted to the old stamping ground and went to the jail and introduced himself to young Armstrong. It appeared from the narrative and statement of the boy that he had not been guilty of the offense, notwithstanding upon the preliminary examination a person who was near at the time had testified to seeing young Armstrong stab the deceased. It was one of those cases that excite local sympathy. People in the community were stirred to the core against the boy. Lincoln, believing that a boy of such ancestry and such training could not be guilty of the offense, entered heartily into his defense. It was demonstrated upon the trial that the party who had testified against the prisoner at the preliminary hearing was himself the perpetrator of the crime and the boy was freed. No incident in his career, political or legal, points more directly to the intensity of purpose exemplified by an intense man than the story of his canvass for the United States senate—the great Lincoln-Douglas debates. The artful endeavors of his adversary to lure him into admissions contrary to his views, and the masterful way in which Lincoln overturned those endeavors is a matter of history, a history that all members of this legislative body are familiar with. It paved the way to his nomination in the first republican convention held in this country to the office of president of the United States. Opposed to his candidacy, as rival candidates were William H. Seward, of New York, then considered the greatest diplomatist upon this continent, and Salmon P. Chase. After his nomination, notwithstanding the antagonisms that might have been engendered by the canvass, he tendered to these gentlemen in recognition of their superior

intellectual abilities, the highest offices in his cabinet. When he assumed the discharge of the duties of his high office the political excitement was at fever heat. His presidential predecessor had not exhibited the oneness of purpose that characterized Lincoln in the administration of the executive office. Members of his cabinet, in preparation for the storm that was approaching and about to break, had exercised the functions of their high places to the end that the people of the south should be well equipped for the fray; northern sympathizers among the officers in charge of the fortifications of the south were removed; arms and munitions of war in the forts and arsenals of the north were removed to the south; ministers representing our government at the court of Saint James, France, Portugal, Spain and the countries of the European alliance had received secret instructions to impress upon the minds of foreign powers the idea that the people of the American continent considered that the bond between American states was one of mere compact, from which any member of the Union could recede at any time it so desired. The representatives of foreign courts at Washington had confirmed this impression. Feelings of sectional strife had been excited to that extent that when Lincoln approached Washington every endeavor was required and resorted to to protect against his assassination while going through Baltimore. When he had taken his oath of office and assumed the discharge of the duties of that high place the same precautions were necessary. But at the time of delivering his inaugural address, Lincoln even then had such confidence in the patriotism of the American people that he could not believe that war could ensue. The address contained no uncertain language as to the policy of the government and the meaning of the constitution. As a diplomatist he astonished the world. Immediately after his inauguration, knowing the conditions, with information that England and France had agreed to act together and that intervention was likely to take place, which meant upon the part of these countries the recognition of the seceding states as an independent power; notwithstanding that members of his cabinet advised conciliatory proceedings upon his part; notwithstanding all this he selected that son and grandson of English ministers, that son and grandson of former presidents, to represent us at the English court, Charles Francis Adams. And in giving his instructions to our representatives upon the foreign shores, he called the attention of the English court to the nature of our constitution and its binding force; and to the fact that any attempt at intervention on the part of foreign powers would be deemed and acted upon as a declaration of war; to the fact that the confederacy was not entitled to recognition by foreign nations as an independent country; to the fact that a blockade of southern ports on the part of the federal government was a means for the suppression of rebellion which would be resorted to, and advised them to keep hands off.

Did any member of your post, gentlemen of the Grand Army, happen to be in New York harbor about this time? Could you have glanced over the place where the sky kisses the sea on one summer's morning during these eventful times you would have seen there a fleet of war vessels, flying the Russian flag. Seward, secretary of state, endeavored to learn of the Russian minister the reason for their presence there and asked him "what does it mean?" He received no satisfactory reply. The wires carried the information to the department at Washington and to an anxiously waiting populace that off the bay at San Francisco had appeared another Russian fleet. What did it mean? The inquiry was made by Admiral Porter to Russian officers of his acquaintance and no satisfactory answer was returned. Farragut inquired of naval officers of his acquaintance, what does it mean? And the only answer he got was a reassuring smile. Thurlow Weed, the maker of presidents, at that time in New York, inquired of influential Russians there "what does it mean?" but no answer was returned and Americans listened with bated breath.

On the first day of the succeeding January, after many reverses, much depression and loss of life, when Abraham Lincoln issued his proclamation of emancipation, there followed shortly a like proclamation by Alexander II. of Russia, liberating within his empire forty million serfs. Then came the answer to these inquiries; Lincoln's stalwart manhood, Lincoln's burning words of freedom and righteousness and republicanism had attracted the attention of the czar. In emulation and following the example of our noble president, the pronouncement went forth throughout the domains of Russia liberating, in connection with our declaration of emancipation, more human souls than ever had been or ever can be liberated through the instrumentality of man. Twenty years after the close of these troublous times, a great clergyman, Talmage, who was a guest in Russia, addressed in one of the magnificent cathedrals of St. Petersburg a gathering of thousands of the Russian people. Few, if any, of the thousands could understand a word of English; nevertheless, in rapt attention they listened as men will listen everywhere to men of that stamp; but at the mention of the words "Abraham Lincoln" the vast audience rose as if by one impulse and in an ecstasy of delight echoed and re-echoed the name of Abraham Lincoln, the liberator. (Applause.)

On Calton Hill, between the Hollerud House and Edinburgh Castle, near where George II. erected a monument to the English heroes slain and where a mausoleum is erected to the memory of Admiral Nelson, in view of the esplanade, as if to inspire the hardy highlanders to deeds of patriotism and valor when drilling in the fortifications behind which James I. was born and Mary Queen of Scots was executed, as if to hallow the ground wherein heroes lie, in the country of hero-breeders and hero-worshippers, the land of Wallace Bruce and Wauchope, there has been erected by the denizens and citizens of that land a monument to Abraham Lincoln. At the base of it, grasping the stars and stripes in his left hand, his face and right hand raised and looking toward the form above, is the naked figure of a negro slave; written upon the pedestal is the word "Emancipator." (Applause.) On Westminster bridge road out of London, there has been erected a Lincoln tower. Italy, Austria and other countries of Europe followed suit. But in this country we require no such monument to the memory of the great president. His epitaph has been graven in blood on the heart and brain and conscience of every American, and so long as there exists intelligence Abraham Lincoln's enduring monument will last. (Applause.) Could we dwell upon the inspiring theme, lessons could be drawn from his life that are beyond any words that can be said here today. If more sordid and narrow considerations sway the judgment, we may remember that Lincoln's last official act was to approve the measure which gave the territorial form of government to the territory of Dakota. His right hand in war, the beloved noble soldier who stands among the world's great generals, U. S. Grant, was present and participated in the laying of the corner stone of the building in which we are now assembled. Harrison, one of his assistants in carrying out the great work of civilization, was president of the United States and assisted us to lay it.

The men who aided in accomplishing the great work of saving this Union and perpetuating our government are few, but representatives of them still remain to us who now reap the benefits of their privations, of their sufferings, of their manhood and their philanthropy. Let us acknowledge, as every true American must that we are most in imitation of and in accord with the mind and sympathies of the great liberator when we honor and respect these, his compatriots; because there is no dignity to which the American citizen can aspire which will equal the dignity of being able to appreciate the benefits he has gained and is still to gain by their sacrifices, and of being able to say "I am an American citizen and I belong to the country that Abraham Lincoln designated as the chief of the world." (Applause.)

REPORT OF SPECIAL COMMITTEE.

CORRECTIONS IN PRINTED JOURNAL.

The special committee to revise and correct the printed journal and compare same with the written journal of the session submit the following report of corrections to be made in the printed journal:

- On page 1, after the name "Smart," add the words "of Traill."
- On page 2, 6th line from the bottom of the page, after the name "Smart," add the words "of Nelson."
- On page 3, line 16, strike out the name "Smart of Nelson."
- On page 3, strike out lines 22 and 23.
- On page 4, line 4, add the name "Knudtson."
- Strike out the name "Baker of Cass" wherever it appears on pages 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 20.
- On page 10, change the name "Lampson" wherever it appears to "Headstrom."
- On page 11, in lines 4 and 6, change the name "Headstrom" to "Anderson."
- On page 15, line 15, change the figures "62" to "97."
- On page 19, line 24, strike out the name "E. R. Lampson."
- On page 20, line 45, change the word "concur" to "adopted."
- On page 21, line 16, change the word "motion" to "resolution."
- On page 27, line 3, strike out the word "entitled."
- On page 27, line 4, strike out the words "relating to taxation," and insert in lieu thereof the following:
"Prescribing the manner in which township taxes may be levied, fixing rate of township road and bridge tax and directing the expenditure of road and poll taxes in certain cases."
- On page 48, in the last line of the page, change the name "McDonnell" to "McDowell."
- On page 67, at the bottom of the page, strike out the following: "Maynard Crane, acting chairman."
- On page 70, strike out line 15.
- On page 69 strike out the name "Thomas Sanstrud."
- On page 95, line 2, change the word "coat" to cloak."
- On page 114, strike out, on bottom of the page, the titles of Senate Bills "Nos. 8 and 14," as same are repetitions.
- On page 146, in roll call on House Bill No. 25, change ayes from "87 to 94." Absent and not voting from "13 to 6."
- On page 147, in roll call on House Bill No. 2, change ayes from "94 to 87." Absent and not voting from "6 to 13."
- On page 182, in line 16, after the word "do" strike out the word "not."
- On page 264, in roll call on House Bill No. 123, change ayes from "90 to 91," nays from "6 to 5" and change the name "Gullirud" to voting in the affirmative.
- On page 229, in roll call on Senate Bill No. 8, change the ayes from "47 to 45," nays from "38 to 39."

On page 383, following the concurrent resolution offered by Mr. Mattson, omit the words "which the house has passed and your favorable consideration is requested."

On page 383, line 11 from the bottom of the page, change the word "adopter" to "adopted."

On page 404, in roll call on Senate Bill No. 52, change the ayes from "73 to 71." Absent and not voting from "26 to 27."

On page 415, following the petition presented by Mr. Buttz, add the following:

"Mr. Buttz moved that the petition be referred to the committee on appropriations, which motion prevailed and the petition was so referred."

After the report of the committee on judiciary on House Bill No. 165, add "C. W. Buttz, chairman."

On page 325, after the words "M. Mattson, chairman," add the words "pro tem."

On page 325, on last line change the word "taxation" to "taxes."

On page 328, after the words "M. Mattson, chairman," add the words "pro tem."

On page 417, in 14th line from bottom of page, change the word "engrossed" to "enrolled."

On page 436, after the words "M. Mattson, chairman," add "pro tem."

On page 437, after the words "M. Mattson, chairman," add the words "pro tem."

On page 521, in roll call on substitute for House Bill No. 98, bottom of page, change ayes from "61 to 62."

On page 550, line 5, change the word "special" to "standing."

On bottom of page 565, change roll call on House Bill No. 228 from "38 to 39" nays. Absent and not voting "20 to 19."

On page 609, have line 12 from bottom of page follow line 10 from bottom of page.

On page 612, in roll call on House Bill No. 79, change absent and not voting from "9 to 14."

On page 614, change the name "Hill" from absent and not voting on House Bill No. 161 to voting in the negative.

Also "Cassell" from affirmative to negative.

On page 614, change roll call on House Bill No. 161 to read "52" ayes, nays "35," absent and not voting "13."

On page 614, strike out the name "Voss" from absent and not voting.

On page 623, change roll call on House Bill No. 211 from ayes "79" to "77."

On page 625, in roll call on House Bill No. 99, change the name "Bourassa" from absent and not voting to voting in the negative.

Also on page 625, change call roll on House Bill No. 99 to ayes, "50;" nays, "30;" absent and not voting, "20."

On page 628, in roll call on Senate Bill No. 12, change the name "Bourassa" from absent and not voting to voting in the affirmative.

Also change roll call on House Bill No. 12, to ayes, "71;" nays, "6;" absent and not voting, "23."

On page 646, change ayes in roll call on House Bill No. 249 from ayes "18" to "17."

On page 657, after the title of House Bill No. 235, add the words "and find the same correctly engrossed."

On page 677, change, in line 5, the figures ayes "24" to "84" and nays "4" to "5."

On page 679, after the title of House Bill No. 73, add the words "which the senate has passed unchanged."

On page 685, change roll call on Senate Bill No. 82 from ayes, "76" to "75;" nays, from "1" to "none;" absent and not voting, from "23" to "25."

Also add the name of "Mr. Wall" as absent and not voting.

On page 689, in the line following the title of House Bill No. 221, change the word "house" to "senate."

On page 716, change the name "A. T. Kraabel."

Add the name "Rose" to absent and not voting.

On page 736, in the report of committee on enrolled bills, strike out the words "have examined" and insert in lieu thereof "respectfully report."

On page 740, in roll call on House Bill No. 99, add the name "Maddock" to those absent and not voting.

On page 742, change roll call on Senate Bill 120, nays, "48" to "47;" absent and not voting, from "15" to "16."

On page 746, in roll call on Senate Bill No. 89, change the ayes from "76" to "75."

On page 785, change the roll call on Senate Bill No. 3, absent and not voting from "4" to "6."

On page 792, in the third line from the bottom of the page, strike out the words "have examined" and insert in lieu thereof "respectfully report."

On page 794, in roll call on House Bill No. 268, change nays from "23" to "24;" absent and not voting from "14" to "13."

On page 797, in roll call on substitute for House Bill No. 138, change ayes from "89" to "80."

On page 789, in amendment to substitute for House Bill No. 215, change the figures "14" to "10."

On page 794, change name "W. McClure" to "W. A. McClure."

On page 804, line 11, strike out the name "Rose."

On page 805, line 7, strike out the name "Rose."

On page 806, line 9, strike out the name "Rose."

On page 806, line 12, change figures "270" to "207."

On page 807, line 23, strike out the name "Rose."

On page 812, in roll call on Senate Bill No. 100, change ayes from "66" to "67."

On page 812, in roll call on Senate Bill No. 100, change absent and not voting from "34" to "33."

On page 823, in roll call on Senate Bill No. 144, change ayes from "74" to "73."

On page 823, in roll call on Senate Bill No. 144, change absent and not voting from "26" to "27."

On page 826, in roll call on Senate Bill No. 212, change ayes from "60" to "61."

On page 826, in roll call on Senate Bill No. 212, change absent and not voting from "28" to "27."

On page 828, in roll call on Senate Bill No. 202, change ayes from "66" to "56."

On page 828, in roll call on Senate Bill No. 202, change absent and not voting from "31" to "41."

On page 828, in roll call on Senate Bill No. 202, omit the name "Wing" where it first appears among absent and not voting.

On page 830, omit 11th line from bottom of page as same is repetition of 12th line on same page.

On page 834, in roll call on Senate Bill No. 209, change absent and not voting from "23" to "32."

On page 838, in last line of report from committee on revision and correction of the journal, change the word "amended" to "corrected."

On page 839, in line 9, change the word "asked" to "moved."

On page 840, in title of Senate Bill No. 157, after the figures "10" in line 1 of title, insert the following:

"Of the political code of 1899 relating to educational and charitable."

On page 845, in roll call on Senate Bill No. 103, change ayes from "70" to "77;" absent and not voting, "16" to "18."

On page 849, in roll call on Senate Bill No. 197, change ayes from "94" to "93;" absent and not voting from "6" to "7."

On page 850, line 33, change same to read: "That the vote by which Senate Bill No. 197 passed by reconsidered."

On page 850, in line 37, change the letter "a" in the word vote to "o."

On page 851, in roll call on Senate Bill No. 171, change ayes from "80" to "79;" absent and not voting from "20" to "21."

On page 855, line 11, change the word "senate" to "house."

On page 859, in line 6, after the word "bill" strike out all of lines "6" and "7" and insert the words "was lost" in lieu thereof.

On page 859, in roll call on House Bill No. 204, change ayes from "92" to "91;" absent and not voting from "8" to "9."

On page 860, in line 20, after the word "passed" insert the words "as amended."

On page 864, in roll call on Senate Bill No. 31, change ayes from "82" to "81;" absent and not voting from "16" to "17."

On page 869, in roll call on Senate Bill No. 110, change ayes from "63" to "64;" absent and not voting from "23" to "22."

On page 871, line 39, change the words "have examined" to "respectfully report."

On page 874, after the title of House Bill No. 143, insert the following:
"Also,"

On page 876, in roll call on Senate Bill No. 196, change ayes from "68" to "67;" absent and not voting from "20" to "21."

On page 886, strike out lines 6, 7 and 8, from bottom of page, same being repetition.

On page 888, strike out last title of Senate Bill No. 103, same being repetition.

On page 888, line 33, strike out the words "have examined" and insert in lieu thereof the words "respectfully report."

On page 889, strike out title of House Bill No. 142.

Also title of House Bill No. 93, same being repetitions.

On page 894, in roll call on Senate Bill No. 201, change the ayes from "85" to "83;" absent and not voting from "14" to "16."

On page 895, in roll call on Senate Bill No. 231, change ayes from "92" to "91;" absent and not voting from "6" to "7."

On page 898, in line 11 from bottom of page, after the word "prevailed" add the word "and."

On page 901, in line 9, strike out the words "have examined" and insert in lieu thereof the words "respectfully report."

On page 901, in roll call on Senate Bill No. 155, change the ayes from "95" to "86;" absent and not voting from "4" to "12."

On page 902, in roll call on Senate Bill No. 58, change the ayes from "79" to "78;" absent from "20" to "21."

On page 904, in roll call on Senate Bill No. 218, change the ayes from "69" to "68;" absent and not voting from "31" to "32."

On page 906, in roll call on Senate Bill No. 211, change ayes from "82" to "85;" nays from "5" to "2."

On page 908, in roll call on Senate Bill No. 236, change ayes from "83" to "84;" absent from "17" to "16."

On page 909, in line 8, strike out the word "have examined" and insert in lieu thereof the words "respectfully report."

On page 910, in roll call on Senate Bill No. 233, change ayes from "85" to "84;" absent and not voting from "15" to "16."

On page 911, in roll call on Senate Bill No. 168, change ayes from "86" to "87;" absent and not voting from "13" to "12."

On page 912, in roll call on Senate Bill No. 116, change absent from "16" to "9."

On page 915, in roll call on Senate Bill No. 78, change ayes from "92" to "88;" absent and not voting from "8" to "12."

A. O. ANDERSON,
Chief Clerk,
W. A. KELLY,
Committee.

CORRECTIONS IN WRITTEN JOURNAL.

The special committee to revise and correct the printed journal and compare the same with the written journal of the session submit the following report of corrections to be made in the written journal:

On page 1, line 22, strike out the initial "B" and insert the initial "L" in lieu thereof.

On page 2, line 42, after the name "Smart" insert the words, "of Nelson." Strike out the words "Baker of Cass" wherever they appear on pages 3 to 24 inclusive, and wherever the same may occur in roll call throughout the organization of the house.

On page 3, line 10, strike out the words "Smart of Nelson."

On page 9, line 10, strike out the name "Chevalier" and insert in lieu thereof the word "Watts."

On page 12, line 19, change the name "E. K. Lampson" to read "Alvin Headstrom," and whenever the same occurs elsewhere.

On pages 12 and 13, change the name "Mr. Headstrom" so as to read "Henry Anderson" wherever the same occurs.

On page 17, line 29, strike out figures "62" and insert "97."

On page 18, line 43, strike out the name "Nels" and insert the name "Walter."

On page 23, line 19, strike out the name "E. K. Lampson."

On page 25, line 16, strike out the word "motion" and insert in lieu thereof the word "resolution."

On page 29, line 22, after the figures "\$75.00" insert "for committee on temperance, room on 5th street in Judge Tibbil's residence at \$40.00.

For committee on sheep industry, public highways, bridges and ferries, room in Douglas block at \$75.00."

On page 32, line 16, strike out the word "not" and insert in lieu thereof "now."

On page 58, line 17, strike out the name "Otto Rumner" and insert in lieu thereof the name "Robideau."

On page 62, line 41, strike out the name "James" and insert in lieu thereof the name "Jerome."

On page 74, line 21, after the word "time" add the following: "Speaker in the chair."

"Mr. Buttz introduced

"House Bill No. 24,

"A bill providing for a joint committee to investigate and report upon the coal deposits of the state and to provide for the development of the same.

"Which was read the first time."

On page 103, line 10, after the word "true" insert the following:

"Mr. Harvey introduced

"House Bill No. 57.

"A bill for an act to amend article 3, section 4064 of the revised codes of 1899, relative to loan of money, usury defined.

"Which was read the first time."

On page 163, line 4, strike out figures "87" and insert "94."

On same page, line 5, strike out figures "13" and insert "6."

On page 164, line 22, strike out the figures "94" and insert "87."

Also in same line strike out "6" and insert "13."

On page 172, line 12, insert after the word "January" "and insert 'December,'" "and immediately following the said word 'December' insert 'in line 1, section 13, of the printed bill, strike out the word 'to.'"

On page 203, line 20, after the word "referred," insert "House Bill No. 78."

On page 213, line 31, strike out figures "23" and insert "73."

On page 328, line 43, add after the word "pass" the words "C. W. Buttz, chairman.

On page 334, line 6, after the word "children" add the following:

"Also,

"House Bill No. 146.

"A bill for an act to amend sections 5352, 5353 and 5356 of the revised codes of North Dakota, relating to attachments."

On page 334, line 8, change figures "146" to read "148."

On page 424, line 26, after the word "others" add the following:

"Mr. Buttz moved that the petition be referred to the committee on appropriations.

"Which motion prevailed, and

"The petition was referred to the

"Committee on appropriations."

On page 430, line 41, after the word "vagrancy," add the following:

"Also,

"House Bill No. 80.

"A bill for an act amending section 3068 of the revised codes of North Dakota for 1899, relating to shipment of grain."

On page 430, line 42, change the figures "80" to "81."

On page 492, line 40, after the word "vacancy" add the following:

"Also,

At the hour of 2:40 p. m., February 11

"House Bill No. 2.

"A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the blind asylum at Bathgate, North Dakota."

On page 552, line 39, after the word "postponed" add the following:

"The committee on live stock industry made the following report:

"Mr. Speaker:

"Your committee on live stock industry, to whom was referred

"House Bill No. 156,

"A bill for an act to amend chapter 197 of the session laws of 1901, being section 6153 of the revised codes of 1899, relating to liability of owners for trespass of animals, have had the same under consideration and recommend that the same be indefinitely postponed.

"G. B. PHIFER,

"Acting Chairman."

On page 568, line 17, after the word "pharmacy" add the following:

"Also,

"House Bill No. 137.

"A bill for an act to amend section 288 of the revised codes of 1899 of North Dakota relating to qualifications of registered assistants in pharmacy.

"Also,

"House Bill No. 58.

"A bill for an act to amend section 7458 of the revised codes of North Dakota for 1899, relating to buying or receiving stolen property.

"Also,

"House Bill No. 27.

"A bill for an act to amend sections 1576, 1578 and 1580 of the revised codes of 1899, relating to estrays,

"Were delivered to his excellency, the governor, for his approval.

"W. A. M'CLURE,

Chairman.

On page 615, line 37, after the word "pass" add the following:

"Also,

"Senate Bill No. 138.

"A bill for an act to amend section 4795 of the revised codes, relating to the sales of bulidings upon foreclosures of mechanics' liens thereon

"Have had the same under consideration and recommend that the same do pass."

Correction to be made in Volume No. 2 of written journal:

On page 111, line 1, after the word "passage" add the following:

"Mr. Davis asked unanimous consent to make an amendment to

"Senate Bill No. 70.

"Objected to."

On page 185, line 34, after the word "adopted" add the following:

"The steering committee made the following report:

"Mr. Speaker:

"Your steering committee, to whom was referred Senate Bill No. 172.

"A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections,

"Have had the same under consideration and recommend the same do pass.

"GEORGE M. YOUNG,

"Chairman."

On page 238, line 36, after the word "chairman" add the following:

"Mr. Young moved

"That the report be adopted,

"Which motion prevailed, and the further consideration was indefinitely postponed."

The steering committee made the following report:

"Mr. Speaker:

"Your steering committee to whom was referred

"Senate Bill No. 130.

"A bill for an act to protect trade and commerce, against unlawful rebates and monopolies and to prohibit the giving or receiving of rebate on transportation of property and prescribing penalties for the violation thereof.,

"Have had the same under consideration and recommend that the same be indefinitely postponed.

"GEORGE M. YOUNG,

"Chairman."

A. O. ANDERSON,
Chief Clerk.
W. A. KELLY,
Committee.

CORRECTIONS IN JOURNAL OF SIXTIETH DAY.

The special committee to correct the journal of the sixtieth day submit the following report containing corrections to be made in the printed journal of the sixtieth day:

The special committee to correct the journal of the sixtieth day submit the following report containing corrections to be made in the printed journal of the sixtieth day:

On page 1, line 12, strike out the word "steering" and insert in lieu thereof "conference."

On page 1, line 18, strike out the word "steering" and insert "conference."

On page 4, line 4 from bottom of page, change same to read "your conference committee on."

On page 6, in line 15, change the word "steering" to "conference."

On page 7, in roll call on Senate Bill No. 23, change nays from "4" to "5."

On page 8, in line 10, change the name "Hall" to "Hale."

On page 11, line 30, correct the word "senate" as to spelling.

On page 12, change line "27" to read "your conference committee on."

On page 17, in line 20, change the word "amended" to "corrected."

On page 19, line 18, strike out the words "have examined" and insert "respectfully report."

On page 21, omit the last three lines, as same are repetitions.

On page 22, in line 4, after the word "call" insert the words "of the house."

On page 22, line 6, change the word "was" to "were."

On page 24, in the roll call on House Bill No. 97, change the ayes from "92" to "89;" absent and not voting from "7" to "10."

On page 27, line 30, strike out the letter "n" and insert the word "on."

On page 32, in line 10, change the name "Straub" to "Staub."

On page 33, in line 5 from the bottom of the page, after the word "for" insert the word "the."

On page 35, in roll call on House Bill No. 118, change the ayes from "93" to "92;" absent and not voting from "7" to "8."

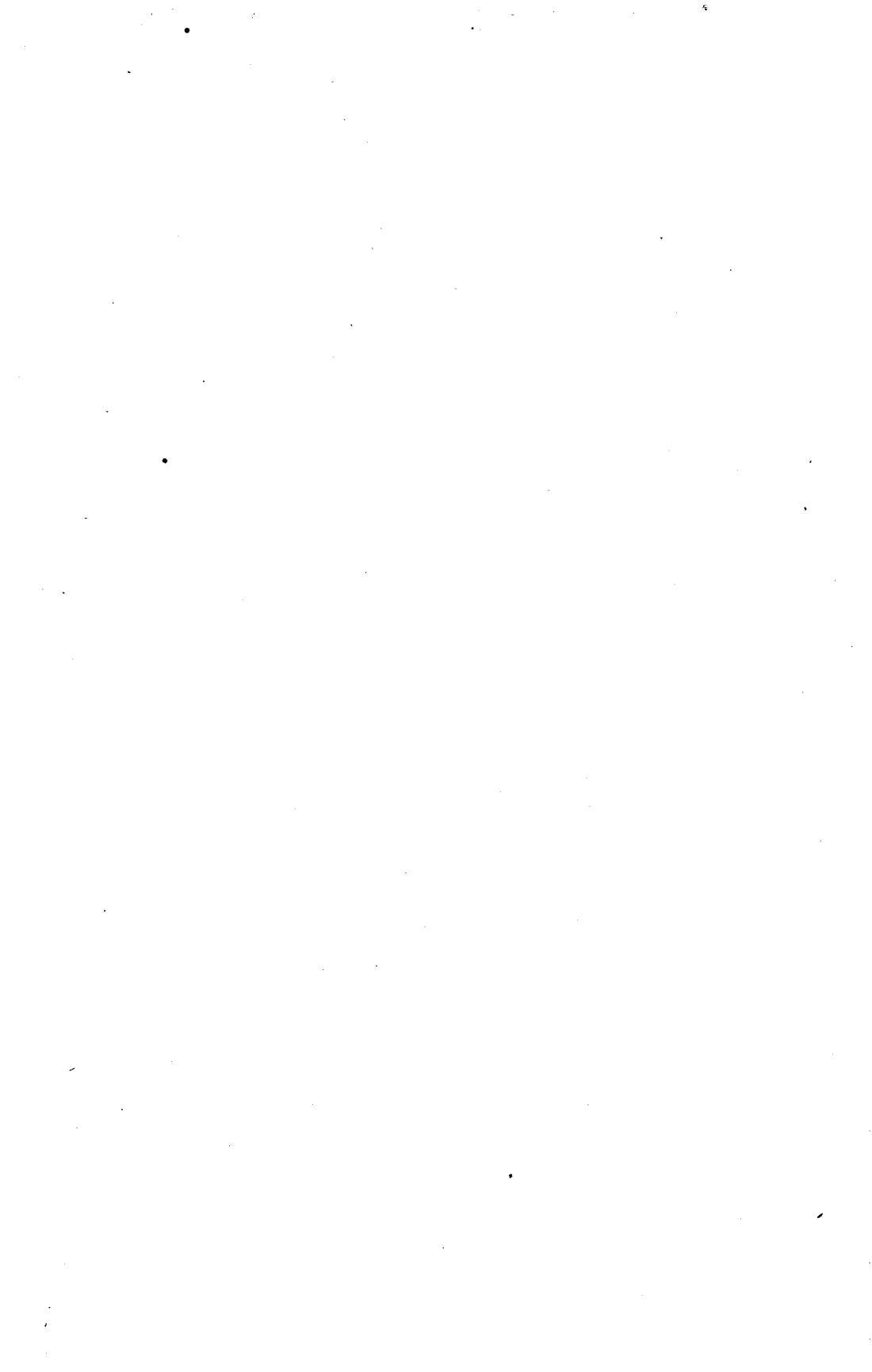
On page 40, in roll call on Senate Bill No. 18, change ayes from "72" to "73;" nays from "15" to "14."

On page 49, in line 3, change the word "conference" to "consideration."

On page 54, after line 4, insert the words "Mr. Speaker."

In line 8, same page, correct the word "through" as to spelling.

A. O. ANDERSON,
Chief Clerk,
W. A. KELLY,
Committee.



INDEX.

RECORD OF BILLS IN THE HOUSE.

HOUSE BILLS.

House Bill No. 1—(Heath)

A bill for an act to amend section 2 of chapter 151 of the session laws of 1901, prescribing the manner in which township taxes may be levied, fixing the rate of township road and bridge tax and directing the expenditure of road and poll tax in certain cases.

Introduced, 27.

Read twice and referred, 27.

Reported back, 157.

Passed the house, 200.

Received from senate with amendments, 358.

House Bill No. 2—(Chevalier)

A bill for an act to provide for the issuance of bonds for the erection of necessary buildings for the blind asylum at Bathgate, North Dakota.

Introduced, 51.

Read twice and referred, 52.

Reported back, 116.

Passed the house, 148.

House Bill No. 3—(Midgarden)

A bill for an act providing for the procedure of the county canvassing board when defective returns are made by the respective election precinct officers.

Introduced, 52.

Read twice and referred, 52.

Reported back, 240.

Passed the house, 272.

Received from senate, 694.

House Bill No. 4—(Midgarden)

A bill for an act limiting the number of consecutive terms of office to be held by county officials.

Introduced, 52.

Read twice and referred, 52.

Reported back, 116, 131.

Indefinitely postponed, 131.

House Bill No. 5—(Midgarden)

A bill for an act to provide for the cancellation of judgments against persons discharged under the United States bankruptcy law, and the mode of procedure to obtain such relief.

Introduced, 52.

Read twice and referred, 52.

Reported back, 216.

Indefinitely postponed, 217.

House Bill No. 6—(Ryan)

A bill for an act to provide for the examination of a party, or of officers of a corporation, at the instance of an adverse party, as if under cross-examination at the instance of the adverse party or parties without the party calling such witness being concluded by the testimony given.

Introduced, 62.

Read twice and referred, 66, 441.

Reported back, 100, 110, 489.

Reported back with amendments, 100.

Passed the house, 131, 490.

Received from senate with amendments, 441, 787.

Amendments concurred in, 788.

Other action, 420.

House Bill No. 7—(Beck)

A bill for an act making an appropriation for a deficiency in the appropriation for the North Dakota hospital for the insane.

Introduced, 62.

Read twice and referred, 66.

Reported back, 239.

Passed the house, 268.

Received from senate, 605.

House Bill No. 8—(Beck)

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.
 Introduced, 63.
 Read twice and referred, 66.
 Reported back with amendments, 443.
 Amendments adopted, 444.
 Passed the house, 555.

House Bill No. 9—(Wagner)

A bill for an act to amend section 342 of the Revised Codes of 1899, relating to approval of bonds.
 Introduced, 63.
 Read twice and referred, 67.
 Reported back, 100.
 Passed the house, 113.
 Received from the senate, 266.

House Bill No. 10—(Wagner)

A bill for an act to amend chapter 109 of the session laws of 1901, to amend section 3137 of the Revised Codes of 1899, relative to the limitation of hail insurance.
 Introduced, 63.
 Read twice and referred, 67.
 Reported back, 533.
 Indefinitely postponed, 533.

House Bill No. 11—(Buttz)

A bill for an act for the relief of James McKechnie, a member of Battery A, State National guard.
 Introduced, 63.
 Read twice and referred, 67.
 Reported back, 157.
 Passed the house, 201.
 Received from senate, 407.

House Bill No. 12—(Davis)

A bill for an act to amend section 7683 of chapter 72 of the penal code of 1899, relating to game and fish.
 Introduced, 63.
 Read twice and referred, 67.
 Reported back, 116.
 Passed the house, 150.
 Received from senate, 616.

House Bill No. 13—(Young)

A bill for an act to amend chapter 61 of the laws of 1901 relating to the commencement of actions in justice court.
 Introduced, 63.
 Read twice and referred, 67.
 Indefinitely postponed, 150.

House Bill No. 14—(Tufte)

A bill for an act preventing and restraining operation of pools, trusts and conspiracies.
 Introduced, 63.
 Read twice and referred, 67, 217.
 Reported back, 217, 258.
 Passed the house, 269.

House Bill No. 15—(Tufte)

A bill for an act to regulate the marriage of persons having been divorced and the issuing of marriage licenses to such persons.
 Introduced, 64.
 Read twice and referred, 67.
 Reported back, 137.
 Indefinitely postponed, 138.

House Bill No. 16—(Rose)

A bill for an act to amend section 3310 of article 4 of chapter 24 of the civil code, relating to leases of real estate.
 Introduced, 64.
 Read twice and referred, 68.
 Reported back, 137.
 Passed the house, 176.
 Received from senate, 348.

House Bill No. 17—(McKenzie)

A bill for an act fixing the liability of railroad companies for injuries sustained by employes of such companies in consequence of the negligence of fellow employes.
 Introduced, 64.
 Read twice and referred, 68.
 Reported back, 331, 412.
 Passed the house, 414.
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House Bill No. 18—(Beck)

A bill for an act to regulate the practice of optometry in the state of North Dakota.
 Introduced, 64.
 Read twice and referred, 68.
 Reported back with amendments, 156, 231.
 Amendments adopted, 232.
 Passed the house, 267.
 Received from senate with amendments, 694.
 Amendments concurred in, 695.

House Bill No. 19—(McGahan)

A bill for an act providing how the unoccupied lots of townsites heretofore entered under section 2387 of the Revised Statutes of the United States and now held in trust by any city as provided in section 2387, may be sold or leased.

Introduced, 64.

Read twice and referred, 68.

Reported back, 138.

Passed the house, 177.

Received from senate, 283.

House Bill No. 20—(Buttz)

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.

Introduced, 64.

Read twice and referred, 68.

Reported back, 157.

Passed the house, 203.

Received from senate, 483.

House Bill No. 21—(Leech)

A bill for an act making an annual appropriation to the North Dakota Poultry Association, of Fargo, N. D., to aid it in defraying the expenses and paying premiums of annual exhibitions of poultry and to aid the development of the poultry industry in this state.

Introduced, 64.

Read twice and referred, 68.

Referred back, 448.

Lost, 582, 622.

House Bill No. 22—(McClure)

A bill for an act requiring mutual fire insurance companies hereafter organized in this state to deposit funds with the state treasurer as security for the performance of their contracts.

Introduced, 65.

Read twice and referred, 68.

Reported back, 531.

Indefinitely postponed, 531.

House Bill No. 23—(Tufte)

A bill for an act to amend section 7524 of the Revised Codes of North Dakota prescribing penalty for receiving deposits by any bank, banking house, exchange broker, deposit office, firm, company or corporation when becoming insolvent.

Introduced, 65.

Read twice and referred, 69.

Reported back, 537.

Indefinitely postponed, 537.

House Bill No. 24—(Buttz)

A bill providing for a joint committee to investigate and report upon the coal deposits of the state and to provide for the development of same.

Introduced, 65.

Read twice and referred, 69.

Reported back, 481.

Indefinitely postponed, 481.

House Bill No. 25—(Kraabel)

A bill for an act to amend section 1225 of the Revised Codes of North Dakota prescribing how the state board of equalization shall be constituted, its meetings and rules for equalizing.

Introduced, 74.

Read twice and referred, 76.

Reported back, 115.

Passed the house, 147.

Received from senate, 348.

House Bill No. 26—(Palmer)

A bill for an act to provide for the bonding of certain officers.

Introduced, 75.

Read twice and referred, 76.

Reported back, 100.

Indefinitely postponed, 100.

House Bill No. 27—(Lyons)

A bill for an act to amend section 1576, 1578 and 1580 of the Revised Codes of 1899, relating to estrays.

Introduced, 75.

Read twice and referred, 76.

Reported back, 136.

Passed the house, 175.

Received from senate with amendments, 483.

Amendments concurred in, 487.

House Bill No. 28—(Hanson)

A concurrent resolution amending section 82 of the constitution of the state of North Dakota.
Introduced, 75.
Read twice and referred, 76.
Reported back, 138, 182.
Lost, 183.

House Bill NO. 29—(Leech)

A bill for an act to provide for the participation of the state of North Dakota in the Louisiana Purchase Exposition, to be held in the city of St. Louis during the year 1904 in commemoration of the purchase of the Louisiana Territory by the United States, from the government of France, in the year 1803, and for an appropriation to pay the cost and expenses of the same.
Introduced, 75.
Read twice and referred, 77.

House Bill No. 30—(Seversón)

A bill for an act to regulate the sale of binding twine manufactured at the state prison at Bismarck, North Dakota.
Introduced, 75.
Read twice and referred, 77.
Reported back, 293.
Indefinitely postponed, 293.

House Bill No. 31—(Bourassa)

A bill for an act to amend chapter 125 of the session laws of 1901, to amend section 4719 of the Revised Codes of North Dakota, 1899, relative to the discharge of real estate mortgages.
Introduced, 75.
Read twice and referred, 77.
Reported back, 100.
Indefinitely postponed, 100.

House Bill No. 32—(Underwood)

A bill for an act to provide uniform regulations governing corporations organized in whole or in part for the purpose of transacting the business of fidelity insurance and corporate suretyship.
Introduced, 75.
Read twice and referred, 77.
Reported back, 192.
Reported back with amendments, 245.

House Bill No. 32—Cont'd.

Amendments adopted, 245.
Passed the house, 246.
Received from the senate with amendments, 744.
Amendments concurred in, 745.

House Bill No. 33—(Buttz)

A bill for an act to amend sections 3258f, 3258m and 3258p of the Revised Codes relating to the control, management and powers of surety and trust companies.
Introduced, 75.
Read twice and referred, 77.
Reported back, 191.
Passed the house, 228.
Received from senate with amendments, 680.
Amendments concurred in, 680.

House Bill No. 34—(Elton)

A bill for an act to repeal chapter 118 of the session laws of 1901 entitled "an act to amend section 4680 of article 2, chapter 72, of the Revised Codes of the state of North Dakota, entitled liens in general."
Introduced, 76.
Read twice and referred, 77.
Reported back, 216.
Indefinitely postponed, 216.

House Bill No. 35—(Davis)

A bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes, relating to education.
Introduced, 76.
Read twice and referred, 77.
Reported back with amendments, 154, 203.
Amendments adopted, 154, 204.
Passed the house, 205.
Received from the senate with amendments, 679.
Amendments concurred in, 697.
Other action, 716.

House Bill No. 36—(McLain)

A bill for an act to provide for the registration of apprentices in pharmacy.
Introduced, 80.
Read twice and referred, 82.
Reported back, 156.
Passed the house, 206.
Received from the senate, 483.

House Bill No. 37—(McLain)

A bill for an act to amend section 288 of the Revised Codes of 1899 of North Dakota, relating to qualifications of registered assistants in pharmacy.
 Introduced, 80.
 Read twice and referred, 82.
 Reported back, 156.
 Passed the house, 207.
 Received from the senate, 283.

House Bill No. 38—(Wall)

A bill for an act to amend chapter 145, laws of 1901, and to provide that all taxes and assessments shall be paid before transfer of property.
 Introduced, 80.
 Read twice and referred, 82.
 Reported back with amendments, 134.
 Amendments adopted, 135.
 Passed the house, 172.
 Received from senate with amendments, 947.
 Amendments concurred in, 947.

House Bill No. 39—(Wall)

A bill for an act fixing the time of making the annual tax levy and repealing all laws not in conformity therewith.
 Introduced, 81.
 Read twice and referred, 82.
 Reported back with amendments, 417.
 Amendments adopted, 417.
 Passed the house, 515.

House Bill No. 40—(Wall)

A bill for an act to amend section 2 of article 14 of chapter 73 of the laws of 1887, entitled an act to provide for the incorporation of cities.
 Introduced, 81.
 Read twice and referred, 82.
 Reported back with amendments, 136.
 Amendments adopted, 136.
 Passed the house, 174.

House Bill No. 41—(Wall)

A bill for an act to amend section 2 of chapter 142 of the laws of 1887, entitled an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota.
 Introduced, 81.
 Read twice and referred, 82.

House Bill No. 41—Cont'd.

Reported back with amendments, 135.
 Amendments adopted, 135.
 Passed the house, 173.
 Received from senate with amendments, 406.
 Amendments concurred in, 408.

House Bill No. 42—(Wall)

A bill for an act authorizing cities that have paved and otherwise improved streets, alleys and highways, and that have provided for the cost thereof and created improvement districts to reassess property in such improvement districts as are now created or may hereafter be created in all cases where for any reason the assessment has been made invalid or irregular because of failure to conform with existing laws or changes in the procedure relating thereto.
 Introduced, 81.

Read twice and referred, 83.
 Reported back, 134.
 Passed the house, 171.

House Bill No. 43—(Miller)

A bill for an act to amend section 4737 of the Revised Codes of 1899, relating to the renewal of chattel mortgages, and to provide for the contents of the affidavit for renewal.
 Introduced, 81.

Read twice and referred, 83.
 Reported back, 139.
 Indefinitely postponed, 139.

House Bill No. 44—(Palmer)

A bill for an act to amend chapter 50 of the general laws of 1891, the same being "an act to increase the revenues of the state by changing and increasing the boundaries of the counties of Pierce, McHenry, Bottineau, Ward, McLean, Williams, Billings, Stark, Morton and Mercer," and by repealing the act entitled "an act pertaining to the subdivision of the counties of Wallace and Howard, Dakota Territory, approved March 9th, 1883."

Introduced, 81.
 Read twice and referred, 83.
 Reported back, 137.
 Passed the house, 176.

House Bill No. 45—(Simpson)

A bill for an act to exempt volunteer firemen from the payment of poll tax.
 Introduced, 82.
 Read twice and referred, 83.
 Reported back, 153.
 Passed the house, 208.
 Received from senate, 854.

House Bill No. 46—(Shiels)

A bill for an act to amend section 1, of chapter 213 of the session laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.
 Introduced, 89.
 Read twice and referred, 91.
 Reported back with amendments, 260, 313.
 Amendments adopted, 313.
 Passed the house, 387.
 Received from senate with amendments, 689.
 Amendments concurred in, 696.

House Bill No. 47—(Underwood)

A bill for an act to repeal chapter 60 of the session laws of 1897, being section number 6615a of the Revised Codes of 1899, forbidding and preventing the practice of law by judges of the county courts having increased jurisdiction.
 Introduced, 89.
 Read twice and referred, 91.
 Reported back, 537.
 Indefinitely postponed, 537.

House Bill No. 48—(Wagner)

A bill for an act to amend chapter 126 of the session laws of 1901, relative to notaries public commissions.
 Introduced, 89.
 Read twice and referred, 92.
 Reported back, 140.
 Passed the house, 182.
 Received from senate, 616.

House Bill No. 49—(Wagner)

A bill for an act to amend section 4828 of the Revised Codes of 1899, relative to duty of register.
 Introduced, 89.
 Read twice and referred, 92.
 Reported back, 190.
 Indefinitely postponed, 190.

House Bill No. 50—(Mattson)

A bill for an act to amend section 2626 Revised Codes of North Dakota relating to the allowance of claims against townships and counties.
 Introduced, 90.
 Read twice and referred, 92.
 Reported back, 261.
 Indefinitely postponed, 261.

House Bill No. 51—(Cassell)

A bill for an act to amend sections 1243 and 1244 of the Revised Codes of North Dakota, relating to delinquent personal property taxes.
 Introduced, 90.
 Read twice and referred, 92.
 Reported back, 116.
 Passed the house, 149.
 Received from senate with amendments, 407.
 Amendments concurred in, 409.

House Bill No. 52—(Cassell)

A bill for an act requiring agents and attorneys to have a power of attorney authorizing the foreclosure of real estate mortgages, and requiring it to be filed for record in the office of the register of deeds.
 Introduced, 90.
 Read twice and referred, 92.
 Reported back, 138.
 Passed the house, 178.
 Received from senate with amendments, 679.
 Amendments concurred in, 682.

House Bill No. 53—(Connolly)

A bill for an act to amend section 1940 of the Revised Codes of North Dakota 1899, relating to advertisement for sealed proposals for the deposit of county funds.
 Introduced, 90.
 Read twice and referred, 92.

House Bill No. 54—(Van Arnam)

A bill for an act to amend section 2078 of the Revised Codes of 1899 providing for the payment of salaries to registers of deeds and their deputies, and for fixing the number and compensation of such deputies.
 Introduced, 90.
 Read twice and referred, 93.
 Passed the house, 208.

House Bill No. 54—Cont'd.

Received from senate with amendments, 744.
Amendments concurred in, 746.

House Bill No. 55—(Stevens)

A bill for an act to amend section 1 of house bill No. 4.
Introduced, 90.
Red twice and referred, 93.
Reported back, 416.
Indefinitely postponed, 416.

House Bill No. 56—(Weed)

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota for the year 1899, relating to druggist's permit to sell intoxicating liquors.
Introduced, 90.
Read twice and referred, 93.
Reported back, 463.

House Bill No. 57—(Harvey)

A bill for an act to amend article 3, section 4064 of the Revised Codes of 1899, relative to loan of money, usury defined.
Introduced, 91.
Read twice and referred, 93.
Reported back, 351.
Indefinitely postponed, 351.

House Bill No. 58—(Burtness)

A bill for an act to amend section 7458 of the Revised Codes of North Dakota for 1899, relating to the buying or receiving stolen property.
Introduced, 91.
Read twice and referred, 93.
Reported back, 139.
Reported back with amendments, 179.
Amendments adopted, 180.
Passed the house, 181.
Received from senate with amendments, 483.
Amendments concurred in, 488.

House Bill No. 59—(McCrea)

A bill for an act to prescribe a penalty for the sale and bringing into the state for sale, cigarettes or cigarette paper.
Introduced, 102.
Read twice and referred, 105.

House Bill No. 60—(Cassell)

A bill for an act to amend section 7594 of the Revised Codes of 1899, relating to druggists permits to sell intoxicating liquors, prescribing the qualifications necessary to obtain such permits and the manner in which the same may be obtained and cancelled and fixing penalties in certain cases.
Introduced, 102.
Read twice and referred, 105.
Reported back, 452.
Indefinitely postponed, 453.

House Bill No. 61—(Elton)

A bill for an act to declare certain weeds common nuisances and to provide for their destruction.
Introduced, 102.
Read twice and referred, 105.
Reported back, 261.
Indefinitely postponed, 261.

House Bill No. 62—(Tufte)

A bill for an act to determine the heirship to the government homestead of a deceased homestead settler, in cases where the heirs make final proof, and to assign the homestead land and make a record thereof.
Introduced, 102.
Read twice and referred, 105.

House Bill No. 63—(Chaffee)

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.
Introduced, 103.
Read twice and referred, 105.
Reported back, 154.
Passed the house, 209.
Received from senate, 616.

House Bill No. 64—(Chaffee)

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.
Introduced, 103.
Read twice and referred, 105.
Reported back, 155.
Indefinitely postponed, 155.

House Bill No. 65—(Beck)

A bill for an act to amend section 3071a, Revised Codes, 1899, providing for the time within which a consignee may remove property from the cars of a railroad company, without charge for demurrage or storage.

Introduced, 103.

Read twice and referred, 105.

Reported back, 352.

Indefinitely postponed, 353.

House Bill No. 66—(Leech)

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the Federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expense to the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Introduced, 103.

Read twice and referred, 106.

Reported back with amendments, 447.

Amendments adopted, 447.

Passed the house, 580.

House Bill No. 67—(Dahl)

A bill for an act repealing subdivision 4 of section 1 of chapter 61 of the session laws of 1901, relating to commencement of actions in a justice's court, said chapter 61 of the session laws of 1901 amending and re-enacting section 6633 of the Revised Codes of North Dakota, 1899.

Introduced, 103.

Read twice and referred, 106.

Reported back, 139.

Indefinitely postponed, 139.

House Bill No. 68—(Dahl)

A bill for an act to amend section 4720 of the Revised Codes of North Dakota, 1899, relating to discharge of mortgages by foreign executor or administrator.

Introduced, 103.

Read twice and referred, 106.

Reported back, 138.

Amendments adopted, 179.

Passed the house, 179.

House Bill No. 69—(Welo)

A bill for an act to amend section 1 of chapter 130 of the session laws of the state of North Dakota, of A. D. 1901, entitled an act requiring railroad companies to stop all regular passenger trains at county seats.

Introduced, 104.

Read twice and referred, 106.

Reported back, 187.

Indefinitely postponed, 187.

House Bill No. 70—(Welo)

A bill for an act to create the eighth judicial district of the state of North Dakota, and defining the boundaries of the second and eighth judicial districts, and providing for terms of court in the second and eighth judicial districts and for the holding of chambers in the eighth judicial district, and regulate practice on motions.

Introduced, 104.

Read twice and referred, 106.

Reported back with amendments, 292, 343, 549.

Amendments adopted, 344, 549.

Passed the house, 549.

Lost, 371.

Received from senate, 679.

Other action, 371.

House Bill No. 71—(Committee on State Affairs.)

A concurrent resolution fixing appraised value of school lands.

Introduced, 104.

Read twice and referred, 107.

Reported back, 153.

Lost, 210.

Indefinitely postponed, 153.

House Bill No. 72—(Wing)

A bill for an act taxing the occupation of auctioneers.

Introduced, 104.

Read twice and referred, 107.

Reported back, 320.

Indefinitely postponed, 320.

House Bill No. 73—(Davis)

A concurrent resolution relating to name of school for deaf and dumb.

Introduced, 104.

Read twice and referred, 107.

Reported back, 140, 154.

Passed the house, 211.

Received from senate, 679.

House Bill No. 74—(Movius)

A bill for an act to amend section 5518 of the Revised Codes of North Dakota, 1899, relating to exemptions.

Introduced, 104.

Read twice and referred, 107, 258.

Reported back, 158, 232, 442.

Indefinitely postponed, 442.

House Bill No. 75—(Shiels)

A bill for an act to provide for the assessment of property omitted from assessment, to provide for the adding of taxes not collected to the next year's tax and to amend section 1283 of the Revised Codes North Dakota, 1899.

Introduced, 104.

Read twice and referred, 107.

Reported back, 157.

Passed the house, 226.

Received from senate 744.

House Bill No. 76—(Mallough)

A bill for an act to amend section 7156 of the Revised Codes of 1899, relating to rape defined.

Introduced, 109.

Read twice and referred, 109.

Reported back, 318.

Indefinitely postponed, 318.

House Bill No. 77—(Tufte)

A bill for an act to amend section 3251 of the Revised Codes of North Dakota, prescribing penalties for receiving deposit in any bank, or banking association, when such banking association is insolvent.

Introduced, 109.

Read twice and referred, 109.

Reported back, 537.

Indefinitely postponed, 537.

House Bill No. 78—(Leech)

A bill for an act requiring all persons entering into public contracts to furnish bonds.

Introduced, 109.

Read twice and referred, 109.

Reported back, 191.

Indefinitely postponed, 191.

House Bill No. 79—(Ryan)

A bill for an act concerning land titles.

Introduced, 122.

Read twice and referred, 125.

Reported back, 439.

Passed the house, 612.

House Bill No. 80—(Rogers)

A bill for an act amending section 3068 of the Revised Codes of North Dakota for 1899, relating to the shipment of grain.

Introduced, 122.

Read twice and referred, 125, 266.

Reported with amendments, 155, 315, 400.

Amendments adopted, 232, 400.

Indefinitely postponed, 505.

House Bill No. 81—(Rogers)

A bill for an act amending section 3071a of the Revised Codes for 1899, relating to the time when property must be removed from cars.

Introduced, 122.

Read twice and referred, 125, 155.

Reported back with amendments, 155, 315, 401.

Passed the house, 506.

House Bill No. 82—(McClure)

A bill for an act requiring mutual fire insurance companies to deposit with the state treasurer funds for the security of their members.

Introduced, 122.

Read twice and referred, 125.

Reported back, 534.

Indefinitely postponed, 534.

House Bill No. 83—(Buttz)

A bill for an act to amend section 5203 of the Revised Codes of 1899, relating to time of commencing actions.

Introduced, 122.

Read twice and referred, 126, 226.

Reported back with amendments, 159, 279.

Amendments adopted, 280.

Passed the house, 311.

Received from senate with amendments, 966.

Amendments concurred in, 967.

House Bill No. 84—(Bostrom)

A bill for an act to amend sections 7156, 7159, 7160, 7166, of chapter 27, Revised Codes, 1899, defining rape, abduction, carnal abuse of children and seduction.

House Bill No. 84—Cont'd.

Introduced, 122.
 Read twice and referred, 126.
 Reported back, 262.
 Received from senate, 744.
 Passed the house, 310.

House Bill No. 85—(Movius)

A concurrent resolution to amend section 217 of the constitution of North Dakota relating to the sale of intoxicating liquors.
 Introduced, 123.
 Read twice and referred, 126.
 Reported back, 284.
 Indefinitely postponed, 300.

House Bill No. 86—(McGahan)

A bill for an act to provide for the publishing of an annual statement of the receipts and disbursements of the state treasurer's office, and defining the duties of the county auditors in relation thereto.
 Introduced, 123.
 Read twice and referred, 126.
 Reported back, 377.
 Indefinitely postponed, 377.

House Bill No. 87—(McGahan)

A bill for an act to amend section 5200 of the Revised Codes of the state of North Dakota, 1890, being section 5200 of the Revised Codes of 1895, in regard to the limitation of actions.
 Introduced, 123.
 Read twice and referred, 126.
 Reported back, 218.
 Indefinitely postponed, 218.

House Bill No. 88—(McGahan)

A bill for an act to amend section 1809 of the Revised Codes of 1899, relating to auditor and treasurer jointly to make semi-annual statement.
 Introduced, 123.
 Read twice and referred, 126.
 Reported back, 376, 636.
 Lost, 663.
 Indefinitely postponed, 377, 636.
 Other action, 639, 397.

House Bill No. 89—(McGahan)

A bill for an act making an annual appropriation to the Florence Crittenton Home and Hospital for friendless women and children of Bismarck, N. D., to aid

House Bill No. 89—Cont'd.

in defraying the current and contingent expenses.
 Introduced, 123.
 Read twice and referred, 127.
 Reported back with amendments, 446.
 Amendments adopted, 446.
 Passed the house, 569.
 Received from senate, 853.

House Bill No. 90—(Knutson)

A bill for an act making an appropriation for the promotion of immigration.
 Introduced, 123.
 Read twice and referred, 127.
 Reported back, 445.
 Indefinitely postponed, 445.

House Bill No. 91—(Robillard)

A bill for an act to amend section 1572 of the Revised Codes of 1899, relating to estrays.
 Introduced, 123.
 Read twice and referred, 127.
 Reported back, 191.
 Indefinitely postponed, 191.

House Bill No. 92—(Mooney)

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.
 Introduced, 123.
 Read twice and referred, 127.
 Reported back, 533.
 Indefinitely postponed, 269, 533.

House Bill No. 93—(Underwood)

A bill for an act making appropriation for the current and contingent expenses of the soldier's home located at Lisbon, North Dakota, and for making permanent improvements and additions thereto.
 Introduced, 124.
 Read twice and referred, 127.
 Reported back with amendments, 447.
 Amendments adopted, 448.
 Passed the house, 578.
 Received from senate with amendments, 853.
 Amendments concurred in, 855.

House Bill No. 94—(Noltmier)

A bill for an act to provide for the adoption of children.
 Introduced, 124.
 Read twice and referred, 127.
 Reported back with amendments, 295
 Amendments adopted, 296.
 Passed the house, 334.
 Received from senate, 483.

House Bill No. 95—(Davis)

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.
 Introduced, 124.
 Read twice and referred, 127, 373.
 Reported back, 321, 373, 431.
 Passed the house, 470.

House Bill No. 96—(Flados)

A bill for an act to amend sections 1687, 1688, 1689, 1691, 1693, 1694, 1695, 1697 and 1703 of the Revised Codes of North Dakota, 1899, relating to the manufacture and sale of dairy products, the appointment of dairy commissioner and prescribing his duties and making appropriation therefor.
 Introduced, 124.
 Read twice and referred, 128, 275.
 Reported back, 275.
 Passed the house, 381.
 Received from senate, 744.

House Bill No. 97—(Watts)

A bill for an act requiring mutual hail insurance companies to deposit with the state treasurer funds for the security of their members.
 Introduced, 124.
 Read twice and referred, 128.
 Reported back, 322.
 Passed the house, 358.
 Received from senate with amendments, 943
 Amendments concurred in, 944.

House Bill No. 98—(Davis)

A bill for an act to amend section 652, Revised Codes, 1899, relating to salary of county superintendents of schools. Deputy. Traveling expenses.
 Introduced, 124.
 Read twice and referred, 128, 226.
 Referred back, 157.
 Amendments adopted, 521.
 Passed the house, 522.
 Received from the senate 688.

House Bill No. 99—(Dieball)

A bill for an act amending section 1917 of the Revised Codes, authorizing the creating of a county building fund, and the transfer of certain unexpended balances.
 Introduced, 124.
 Read twice and referred, 128.
 Reported back, 435.
 Passed the house, 740.
 Lost, 625.
 Received from senate, 944.
 Other action, 625.

House Bill No. 100—(Mattson)

A bill for an act prescribing penalties for failing, neglecting or refusing to vote at any general election, and providing for the collection thereof.
 Introduced, 125.
 Read twice and referred, 128.
 Reported back, 240.

House Bill No. 101—(Aandahl)

A bill for an act to amend section 1572 of the Revised Codes of North Dakota for 1899, relative to notice of taking estrays.
 Introduced, 125.
 Read twice and referred, 128.
 Reported back with amendments, 190.
 Amendments adopted, 193.
 Passed the house, 229.
 Received from senate, 883.

House Bill No. 102—(Ryan)

A bill for an act relating to domestic mutual insurance companies that transact a hail insurance business, prescribing the duties of the treasurer, providing for the compensation of officers, agents, and employes, fixing the time for the payment of their salaries and expenses, declaring contracts void and fixing a penalty for the violation of such act.

Introduced, 125.

Read twice and referred, 129.

Reported back, 532.

Indefinitely postponed, 532.

House Bill No. 103—(Davis)

A bill for an act to amend section 707 of article six (6) of the Revised Codes of 1899 relating to education; providing for an enumeration each year of the deaf and dumb and feeble minded persons in each district in the state.

Introduced, 142.

Read twice and referred, 144.

Reported back, 218.

Passed the house, 247.

Received from senate with amendments, 705.

Amendments concurred in, 707.

House Bill No. 104—(Fried)

A bill for an act to amend chapter 207 of the laws of 1901, same being an amendment of section 1596 of the Revised Codes of 1899, same being section 1596 of the Revised Codes of 1895 relating to veterinarian districts.

Introduced, 142.

Read twice and referred, 144, 272.

Reported back with amendments, 261, 528.

Indefinitely postponed, 528.

House Bill No. 105—(Ellison)

A bill for an act to amend section 3146 of the Revised Codes of North Dakota, relating to the time for the election of directors of county mutual insurance companies, who may vote at such elections, and who shall be considered members of said companies.

Introduced, 142.

Read twice and referred, 145, 358.

Reported back, 322, 532.

Passed the house, 833.

Indefinitely postponed, 532.

House Bill No. 106—(Tufte)

A bill for an act to appropriate money to pay Edward M. Aldrich for horses killed by order of the district veterinarian of the first district.

Introduced, 142.

Read twice and referred, 145.

Reported back, 445.

Indefinitely postponed, 445.

House Bill No. 107—(Leech)

A bill for an act to prevent and punish the desecration of the flag of the United States.

Introduced, 142.

Read twice and referred, 145, 312.

Reported back, 350.

Indefinitely postponed, 350.

House Bill No. 108—(Leech)

A bill for an act making appropriation for furnishing vaults in state buildings with fire proof furniture.

Introduced, 142.

Read twice and referred, 145.

Reported back, 443.

Indefinitely postponed, 443.

House Bill No. 109—(Harvey)

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.

Introduced, 143.

Read twice and referred, 145.

Reported back, 530.

Indefinitely postponed, 530.

House Bill No. 110—(Harvey)

A bill for an act relating to domestic mutual insurance companies that transact a hail insurance business, prescribing the duties of the treasurer, providing for the compensation of officers, agents, and employes, fixing the time for the payment of their salaries and expenses, declaring contracts void and fixing a penalty for the violation of such act.

Introduced, 143.

Read twice and referred, 145.

Reported back, 532.

Indefinitely postponed, 532.

House Bill No. 111—(Schouweiler)

A bill for an act to amend section 1566 of the Revised Codes as amended by chapter 215 of the laws of 1901 relating to bounty for killing wolves and coyotes.
 Introduced, 143.
 Read twice and referred, 145.
 Reported back, 540.
 Indefinitely postponed, 540.

House Bill No. 112—(Patterson)

A bill for an act to amend section 2072 of the Revised Codes of North Dakota for 1899, fixing date when term of county auditor shall begin.
 Introduced, 143.
 Read twice and referred, 146.
 Reported back, 260.
 Amendments adopted, 308.
 Passed the house, 308.

House Bill No. 113—(Rose)

A bill for an act to amend section 9 of chapter 30 session laws of 1901, relating to the practice of barbering and additional provisions relating thereto.
 Introduced, 143.
 Read twice and referred, 146.
 Reported back, 261.
 Passed the house, 308.
 Received from senate, 932, 963.

House Bill No. 114—(Gullerud)

A bill for an act to repeal section 1030 of the Revised Codes of North Dakota, relating to lignite coal to be used.
 Introduced, 143.
 Read twice and referred, 146.
 Reported back, 484.
 Indefinitely postponed, 484.

House Bill No. 115—(Richmond)

A bill for an act to amend section 5249, chapter 7 of the Revised Codes of 1899 relating to the commencement of civil actions and the filing and service of complaints in the district courts
 Introduced, 143
 Read twice and referred, 146.
 Reported back, 215.
 Passed the house, 249.
 Received from senate, 958.

House Bill No. 116—(Smart of Nelson)

A bill for an act to amend section 2674 of the Revised Codes of North Dakota, 1899, prohibiting township officers from being interested in contracts.
 Introduced, 165.
 Read twice and referred, 166.
 Reported back, 215.
 Passed the house, 248.
 Received from the senate, 970.

House Bill No. 117—(Smart of Nelson)

A bill for an act to repeal section 1891 Revised Codes North Dakota, 1899, providing that the county sheriff and treasurer shall be eligible for two terms only.
 Introduced, 165.
 Read twice and referred, 166.
 Reported back, 293.
 Indefinitely postponed, 293.

House Bill No. 118—(Richmond)

A bill for an act defining legal fences, providing for the construction and maintenance of partition fences, how controversies over construction of legal fences may be settled and providing penalties for violating the provisions of this act.
 Introduced, 165.
 Read twice and referred, 166.
 Reported back, 294.
 Received from senate with amendments, 954.
 Amendments concurred in, 955.

House Bill No. 119—(Peterson)

A bill for an act regulating foreign mutual hail and cyclone insurance companies
 Introduced, 165.
 Read twice and referred, 166.
 Reported back, 322.
 Indefinitely postponed, 322.

House Bill No. 120—(Ellison)

A bill for an act to reimburse loaders or shippers of carload freight for all grain doors furnished by them and for material furnished and used for same.
 Introduced, 165.
 Read twice and referred, 166.
 Reported back, 353.
 Passed the house, 396.

House Bill No. 121—(Underwood)

A bill for an act to amend section 6615 of the Revised Codes of 1899, regulating the salaries of county judges in counties having increased jurisdiction.
 Introduced, 165.
 Read twice and referred, 166.
 Reported back with amendments, 216.
 Passed the house, 250.
 Received from senate, 688.

House Bill No. 122—(Miller)

A bill for an act to amend section 163, of chapter 4, of the Revised Codes of 1899, relating to county agricultural fairs. Special tax.
 Introduced, 165.
 Read twice and referred, 166.
 Reported back, 260.
 Passed the house, 307.
 Received from senate, 554.

House Bill No. 123—(Mooney)

A bill for an act prohibiting foreign mutual insurance companies from transacting a hail insurance business in this state, making contracts void and providing a penalty for the violation thereof.
 Introduced, 193.
 Reported back, 239.
 Passed the house, 265.
 Received from senate, 679.

House Bill No. 124—(Sheils)

A bill for an act to amend section 5630 of the Revised Codes of 1899, relating to appeals in cases tried in district court without a jury.
 Introduced, 194.
 Read twice and referred, 195.

House Bill No. 125—(Peterson)

A bill for an act to indemnify parties from a total loss of horses destroyed by the state veterinary.
 Introduced, 194.
 Read twice and referred, 195.
 Reported back, 217.
 Indefinitely postponed, 217.

House Bill No. 126—(Rose)

A bill for an act relating to the appointment of city treasurer, police magistrate or city justice of the peace, in case of vacancy.
 Introduced, 194.
 Read twice and referred, 195.
 Reported back, 215.
 Passed the house, 220.
 Received from senate, 266.

House Bill No. 127—(Chaffee)

A bill for an act to amend and reenact section 667 of the Revised Codes of 1899, relating to the change or re-arrangement of boundaries of school districts in the counties of the state.
 Introduced, 194.
 Read twice and referred, 195.
 Reported back, 262.
 Passed the house, 311.
 Received from senate, 744.

House Bill No. 128—(McKenzie)

A bill for an act to provide for a machinist's lien.
 Introduced, 194.
 Read twice and referred, 195.
 Reported back with amendments, 323, 374, 541.
 Amendments adopted, 374.
 Indefinitely postponed, 541.

House Bill No. 129—(Richmond)

A bill for an act to provide for the bonding of certain officers.
 Introduced, 194.
 Read twice and referred, 195.
 Reported back, 216.
 Passed the house, 251.
 Received from senate, 616.

House Bill No. 130—(Heath)

A bill for an act to regulate the sale and analysis of commercial fertilizers and prescribing a penalty for the violation thereof.
 Introduced, 194.
 Read twice and referred, 195.
 Reported back, 378.
 Passed the house 468.
 Received from senate, 970.

House Bill No. 131—(Young)

A bill for an act to amend section 5630 of the Revised Codes relating to trials in district court, and appeals in cases tried without a jury.
 Introduced, 198.
 Read twice and referred, 199, 297
 Reported back, 262.

House Bill No. 132—(Sheils)

A bill for an act fixing the maximum quantity of intoxicating liquors which may be sold in the state of North Dakota by any one druggist having a permit to sell such liquors therein, during any month such permit may be in force, and prescribing penalties for a violation of such provision.

Introduced, 198.
Read twice and referred, 199.
Reported back, 452.
Indefinitely postponed, 452.

House Bill No. 133—(Wagner)

A bill for an act to legalize mortgages executed by executors, administrators and guardians, upon the estates of deceased persons, minors and incompetent persons, executed by order of the county court, after the repeal of chapter 54 of the laws of 1890, and before the enactment of chapter 110 of the laws of 1899.

Introduced, 198.
Read twice and referred, 199.
Reported back, 290.
Passed the house, 335.

House Bill No. 134—(Braaten)

A bill for an act to amend section 4063 of the Revised Codes of 1899, relating to legal rate of interest.

Introduced, 198.
Read twice and referred, 199.
Reported back, 377.
Indefinitely postponed, 377.

House Bill No. 135—(Fried)

A bill for an act to provide for submitting the question of conferring additional jurisdiction upon the county courts.

Introduced, 198.
Read twice and referred, 199.

House Bill No. 136—(Fried)

A bill for an act prescribing the qualifications of judges of the county courts.

Introduced, 198.
Read twice and referred, 199.
Reported back, 291.
Indefinitely postponed, 337.

House Bill No. 137—

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Introduced, 220.
Read twice and referred, 223.

Substitute for House Bill No. 138—(Connolly)

A bill for an act to amend article 3 of chapter 10 of the Revised Codes of North Dakota, 1899, relating to the North Dakota Academy of Science and to provide for issuing bonds therefor and raising an appropriation fund for the erection of such academy buildings and for the maintenance and government of said academy.

Introduced, 220, 302.
Read twice and referred, 223, 302.
Reported back, 322.
Reported back with amendments, 433.
Passed the house, 518.
Received from senate with amendments, 788.

House Bill No. 139—(Wagner)

A bill for an act to amend sections 1774 and 1775 of the Revised Codes of North Dakota, 1899, relating to abstractors.

Introduced, 221.
Read twice and referred, 223.
Reported back, 293.
Indefinitely postponed, 293.

House Bill No. 140—(Wagner)

A bill for an act to provide for threshing laborer's lien.

Introduced, 221.
Read twice and referred, 223.
Reported back, 292.
Indefinitely postponed, 292.

House Bill No. 141—(Kraabel)

A bill for an act prescribing the manner of nominating candidates for political offices, and fixing the penalty for the violation thereof.

Introduced, 221.
Read twice and referred, 223.
Reported back, 597.
Indefinitely postponed, 597.

House Bill No. 142—(Sheils)

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Introduced, 221.

Read twice and referred, 223.

Reported back with amendments, 448.

Amendments adopted, 449.

Passed the house, 573.

Received from senate with amendments, 853.

Amendments concurred in, 854.

House Bill No. 143—(Mallough)

A bill for an act to regulate the importation of dependent children.

Introduced, 221.

Read twice and referred, 224.

Reported back, 292.

Passed the house, 332.

Received from senate, 963.

House Bill No. 144—(Leech)

A bill for an act providing for the appointment of a public officer to be known as state fire marshal and prescribing his duties.

Introduced, 221.

Read twice and referred, 224.

Reported back, 531.

Indefinitely postponed, 531.

House Bill No. 145—(Leech)

A bill for an act to amend section 3023 of the Revised Codes relating to long and short hauls, upon railroads and common carriers.

Introduced, 221.

Read twice and referred, 224.

Reported back, 353.

Passed the house, 394.

Received from the senate, 970.

House Bill No. 146—(Leech)

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.

Introduced, 221.

Read twice and referred, 224.

Reported back, 290.

Passed the house, 336.

House Bill No. 147—(Leech)

A bill for an act to provide a time at which claims against the estates of decedents shall be barred.

Introduced, 222.

Read twice and referred, 224.

Reported back, 291.

Indefinitely postponed, 291.

House Bill No. 148—(Young)

A bill for an act to amend section 2071 under the Revised Codes of North Dakota, relating to the payment of probate fees to the county treasurer.

Introduced, 222.

Read twice and referred, 224, 356.

Reported back, 292, 538.

Passed the house, 333.

Indefinitely postponed, 538.

Other action, 356.

House Bill No. 149—(Fried)

A bill for an act to amend section 5847 of the Revised Codes of 1899 of the state of North Dakota, relative to the foreclosure of mortgages for installments.

Introduced, 222.

Read twice and referred, 224.

Reported back, 291.

Passed the house, 337.

House Bill No. 150—(Fried)

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota.

Introduced, 222.

Read twice and referred, 224.

Reported back, 449.

Indefinitely postponed, 449.

House Bill No. 151—(Hammer)

A bill for an act to amend section 5244 of the Revised Codes of North Dakota relative to place of trial of civil actions.

Introduced, 222.

Read twice and referred, 225.

Reported back, 291.

Passed the house, 373.

Indefinitely postponed, 291.

House Bill No. 152—(Dahl)

A bill for an act to amend section 1031 of the Revised Codes of North Dakota, 1899, making an appropriation for the use and benefits of the firemen's association, and to promote the efficiency and growth thereof and for the holding of an annual tournament.

Introduced, 222.

Read twice and referred, 225.

Reported back with amendments, 444.

Amendments adopted, 444.

Passed the house, 616.

Received from senate, 853.

House Bill No. 153—(Dahl)

A bill for an act to amend section 1 of chapter 158 of the session laws of 1899, being section 3491a of the Revised Codes of North Dakota, 1899, relating to titles to real property.

Introduced, 222.

Read twice and referred, 225.

Reported back, 319.

Passed the house, 388.

House Bill No. 154—(Dickinson)

A bill for an act regulating the handling of gasoline.

Introduced, 222.

Read twice and referred, 225.

Reported back, 321.

Lost, 369.

Indefinitely postponed, 504.

Other action, 381.

House Bill No. 155—(Buttz)

A bill for an act to amend section 7671 of the Revised Codes of North Dakota, 1899, relating to unlawful obligations in writing.

Introduced, 223.

Read twice and referred, 225.

Indefinitely postponed, 319.

House Bill No. 156—(McKenzie)

A bill for an act to amend chapter 197 of the session laws of 1901, being section 6153 of the Revised Codes of 1899, relating to liability of owners for trespass of animals.

Introduced, 251.

Read twice and referred, 254.

Reported back, 530.

Indefinitely postponed, 530.

House Bill No. 157—(Buttz)

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district court of the state of North Dakota.

Introduced, 252.

Read twice and referred, 254.

House Bill No. 158—(Lyons)

A bill for an act prohibiting discrimination in the matter of compensation of common carriers of messages by telegraph, and prescribing penalties for violations of this act.

Introduced, 252.

Read twice and referred, 254.

Passed the house, 391.

House Bill No. 159—(Connolly)

A bill for an act to amend section 6635 of the Revised Codes of the state of North Dakota relative to procedure in civil actions.

Introduced, 252.

Read twice and referred, 254.

Reported back, 319.

House Bill No. 160—(Leech)

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

Introduced, 252.

Read twice and referred, 254.

Reported back, 319.

Passed the house, 337.

Received from senate, 947.

House Bill No. 161—(Leech)

A bill for an act to amend sections 5518, 5522, 5528 and 6391 of the Revised Codes of the state of North Dakota, relating to exemptions.

Introduced, 252.

Read twice and referred, 254.

Reported back, 378.

Passed the house, 614.

House Bill No. 162—(Richmond)

A bill for an act for the equitable adjustment and settlement of the delinquent taxes due to the state from the several counties.

Introduced, 252.

Read twice and referred, 254.

Reported back, 320.

Passed the house, 372.

House Bill No. 163—(Mattson)

Introduced, 252.

Read twice and referred, 254.

House Bill No. 164—(Bartz)

A bill for an act to amend section 1 of chapter 123, session laws 1901, being an act to amend section 1549, Revised Codes, 1899, relating to time when lawful for stock to run at large.

Introduced, 252.

Read twice and referred, 254.

Reported back, 529.

Indefinitely postponed, 529.

House Bill No. 165—(Young)

A bill for an act to amend section 4845 of the Revised Codes of North Dakota, relating to the foreclosure of liens on personal property.

Introduced, 253.
Read twice and referred, 255.
Reported back, 320.
Passed the house, 368.
Received from senate, 787.

House Bill No. 166—(Underwood)

A bill for an act to provide for the election of and defining the jurisdiction of police magistrates in cities, incorporated towns and villages.

Introduced, 253.
Read twice and referred, 255.
Reported back, 417.
Passed the house, 517.

House Bill No. 167—(Brown)

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for ascertaining the value as nearly as possible for the assistance of assessors in the assessment of their property and the taxation of the same.

Introduced, 253.
Read twice and referred, 255.
Reported back, 379.
Passed the house, 498.

House Bill No. 168—(Leech)

A bill for an act to enable boards of county commissioners to institute proceedings to enforce payment of taxes on real property sold to the state or county for taxes, and remaining unredeemed for more than three years.

Introduced, 253.
Read twice and referred, 255.
Reported back, 455.
Passed the house, 551.
Received from senate, 792.

House Bill No. 169—(Wall)

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Introduced, 253.
Read twice and referred, 255.
Reported back, 455.
Passed the house, 571.
Received from senate, 932.

House Bill No. 170—(Lish)

A bill for an act to provide for the enlargement of the boundaries or original counties by embracing within said boundaries any contiguous unorganized territory.

Introduced, 253.
Read twice and referred, 255.
Reported back, 398.
Passed the house, 503.

House Bill No. 171—(Sternberg)

A bill for an act to repeal sections numbered 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1773a, 1773b, 1773c, 1773d of article 23 of chapter 22, of the Revised Codes for 1899, and chapter numbered 128 of the session laws of 1901, relating to oil inspection.

Introduced, 275.
Read twice and referred, 275.
Reported back, 660.
Indefinitely postponed, 660.

House Bill No. 172—(Buttz)

A bill for an act to amend section 5603, Revised Codes, relating to appeals in civil actions.

Introduced, 275.
Read twice and referred, 275.
Reported back, 319.
Passed the house, 366.

House Bill No. 173—(Buttz)

A bill for an act relating to motions for review on appeals to the supreme court.

Introduced, 275.
Read twice and referred, 275.
Reported back, 352.
Passed the house, 390.
Received from senate, 656.

House Bill No. 174—(Miller)

A bill for an act defining the Fourth senatorial and representative district of North Dakota and prescribing the number of senators and representatives therein.

Introduced, 275.
Read twice and referred, 275.
Reported back, 438.
Passed the house, 562.

House Bill No. 175—(Ferguson)

A bill for an act defining the Third senatorial and representative district of North Dakota and prescribing the number of senators and representatives therein.

Introduced, 276.

Read twice and referred, 276.

Reported back, 438.

Amendments adopted. 564.

House Bill No. 176—(Young)

A bill for an act to amend section 5498, Revised Codes of 1899, relating to the filing of abstracts of justices judgments in the office of the clerk of the district court and prescribing the effect thereof.

Introduced, 276.

Read twice and referred, 276.

Reported back, 319.

Passed the house, 364.

Received from senate, 688.

House Bill No. 177—(Movius)

A bill for an act to amend section 2079 of the Revised Codes of North Dakota, 1899, fixing the fees to be charged and collected by the register of deeds.

Introduced, 276.

Read twice and referred, 276.

Reported back, 348.

House Bill No. 178—(Leech)

Indefinitely postponed, 348.

A bill for an act authorizing and empowering all insurance corporations organized and doing business on the paid in capital stock plan and engaged in the business of writing fire, marine, hail and tornado insurance and authorized to transact business in this state, to re-insure a part or all of any risk assumed, in insurance corporations not authorized to transact business in this state; providing penalties for the violation of this act and prescribing the duties of the commissioner of insurance in relation thereto.

Introduced, 276.

Read twice and referred, 276.

Reported back, 323.

Passed the house, 359.

Received from senate, 797.

House Bill No. 179—(Lee)

A bill for an act to amend section 5526 of the Revised Codes of North Dakota, relating to exemptions of personal property in certain cases.

Introduced, 276.

Read twice and referred, 276.

Reported back, 378.

Lost, 469.

House Bill No. 180—(Dickinson)

A bill for an act to amend section 8362 of the Revised Codes of the state of North Dakota, 1899, relating to clerk issuing subpoenas in behalf of a defendant in criminal actions.

Introduced, 276.

Read twice and referred, 276.

Reported back, 320.

Passed the house, 365.

Received from the senate, 680.

House Bill No. 181—(Palfrey)

A bill for an act to amend section 7668 of the Revised Codes relating to the crime of removing, concealing, selling or disposing of chattel property subject to lien.

Introduced, 277.

Read twice and referred, 277.

Reported back, 352.

Passed the house, 394.

Received from the senate, 954.

House Bill No. 182—(Davis)

A bill for an act to amend and reenact section 714 of the Revised Codes of the state of North Dakota, 1899, relating to, not entitled to tuition fund, when. Enumeration.

Introduced 277.

Read twice and referred, 277.

Reported back with amendments, 353, 403, 506.

Amendments adopted, 403, 507.

Passed the house, 507.

Received from senate, 689.

House Bill No. 183—(Palmer)

A bill for an act to amend section 404 of the Revised Codes relating to the boundaries and terms of court of the Second Judicial district of the state of North Dakota and attaching certain unorganized counties to the county of Williams for judicial purposes.

Introduced, 300.
Read twice and referred, 300.
Reported back, 440.

House Bill No. 184—(Peterson of Towner)

A bill for an act to amend section 1944 of the Revised Codes of the state of North Dakota, 1899, relative to the duty of the board in designating depositories.

Introduced, 300.
Read twice and referred, 300.
Reported back, 351.
Passed the house, 392.

House Bill No. 185—(Ryan)

A bill for an act to amend section 82 of chapter 126 of the laws of 1897, relating to revenue and taxation.

Introduced, 300.
Read twice and referred, 300.
Reported back, 454.
Indefinitely postponed, 454.

House Bill No. 186—(McLain)

A bill for an act amending section 250 of the Revised Codes of North Dakota, relating to county boards of health.

Introduced, 300.
Read twice and referred, 300.
Reported back, 346.
Passed the house, 389.
Received from senate, 954.

House Bill No. 187—(Palmer)

A bill for an act to amend section 1278 of the Revised Codes of North Dakota, 1899, providing that no deed shall be recorded without auditor's certificate of taxes paid.

Introduced, 300.
Read twice and referred, 300.
Reported back, 352.
Indefinitely postponed, 352.

House Bill No. 188—(Johnson)

A bill for an act to amend section 1605 of the Revised Codes of 1899 of the state of North Dakota, relating to the compensation, bonds and qualifications of district veterinarians.

Introduced, 300.
Read twice and referred, 300.
Reported back, 376.
Passed the house, 465.

House Bill No. 189—(Rogers)

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899.

Introduced, 301.
Read twice and referred, 301.
Reported back with amendments, 458.
Amendments adopted, 458.
Passed the house, 577.
Received from senate, 931.

House Bill No. 190—(Rogers)

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Introduced, 301.
Read twice and referred, 301.
Reported back with amendments, 456.
Amendments adopted, 457.
Passed the house, 576.
Received from the senate, 883.

House Bill No. 191—(Kraabel)

A bill for an act to amend section 3087 of the Revised Codes pertaining to the organization of domestic insurance companies.

Introduced, 301.
Read twice and referred, 301.
Reported back, 534.
Indefinitely postponed, 534.

House Bill No. 192—(Leech)

A bill for an act to amend section 1530 of the Revised Codes of North Dakota, relating to the salaries and fees to be paid to the commissioners of insanity and others in attendance at the meetings of the county board of commissioners for the insane.

Introduced, 301.
Read twice and referred, 301.
Reported back, 379.
Lost, 500.

House Bill No. 193—(Tufte)

A bill for an act to amend section 30711 of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.
 Introduced, 301.
 Read twice and referred, 301.
 Reported back, 484.
 Indefinitely postponed, 484.

House Bill No. 194—(Davis)

A bill for an act repealing section 2949, Revised Codes of 1899, relating to payment for state and school lands for railroad right of way.
 Introduced, 301.
 Read twice and referred, 301.
 Reported back, 450.
 Indefinitely postponed, 450.

House Bill No. 195—(Chaffee)

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.
 Introduced, 301.
 Read twice and referred, 301.
 Reported back, 379.
 Passed the house, 471.
 Received from senate, 787.

House Bill No. 196—(Senour)

A bill for an act authorizing the payment of the sum of one hundred dollars to the clerk of the district court of Stark county for services in connection with cases arising in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman.
 Introduced, 302.
 Read twice and referred, 302.
 Reported back, 444.
 Passed the house, 567.
 Received from senate, 883.

House Bill No. 197—(Hammer)

A bill for an act to amend section 2726 Revised Codes of North Dakota, 1899, relating to license and certificate of marriage.
 Introduced, 302.
 Read twice and referred, 302.
 Reported back, 450.
 Indefinitely postponed, 451.

House Bill No. 198—(McClure)

A bill for an act to amend and reenact chapter 121 of the laws of North Dakota for the year 1901, concerning the inspection of live stock.
 Introduced, 302.
 Read twice and referred, 302.
 Reported back, 530.
 Passed the house, 641.
 Received from senate, 957.

House Bill No. 199—(Lee)

A bill for an act to establish and locate at Minot in Ward county a state sanitarium for poor consumptives.
 Introduced, 303.
 Read twice and referred, 303.
 Reported back, 449.
 Indefinitely postponed, 449.

House Bill No. 200—(Lee)

A bill for an act for the appropriation of monies for the payment or lease of one cottage of Oak Park Cottage Sanitarium for tuberculosis at Minot, Ward county, N. D., for the maintenance of poor consumptives at said sanitarium and authorizing the payment thereof.
 Introduced, 303.
 Read twice and referred, 303.
 Reported back, 449.
 Indefinitely postponed, 449.

House Bill No. 201—(Stavens)

A bill for an act to amend section 1267 of the Revised Codes relating to redemptions from sale of real estate for taxes time of payment of subsequent taxes, and rate of interest thereon.
 Introduced, 303.
 Read twice and referred, 303.
 Reported back, 454.
 Passed the house, 570.
 Received from senate, 971.

House Bill No. 202—(Hammer)

A bill for an act to repeal section 5454a of the compiled laws of 1899.
 Introduced, 303.
 Read twice and referred, 303.
 Reported back, 440.
 Indefinitely postponed, 440.

House Bill No. 203—(Buttz)

A bill for an act to amend section 6613 of the Revised Codes relating to fees and salaries of clerks of county courts.
 Introduced, 303.
 Read twice and referred, 303.
 Reported back, 416.
 Passed the house, 514.

House Bill No. 204—(Sheils)

A bill for an act to amend sections 7594 and 7596 and to repeal section 7599 of the Revised Codes of North Dakota, 1899, relating to the method of obtaining druggist's permits to sell liquor, regulating sales of liquor under such permit and regulating life of same.
 Introduced, 324.
 Read twice and referred, 324.
 Reported back with amendments, 476, 551.
 Amendments adopted, 477, 551.
 Passed the house, 552.
 Received from senate with amendments, 857.
 Amendments concurred in, 859.

House Bill No. 205—(Sheils)

A bill for an act to amend section 5526 of the Revised Codes of 1899, relating to exemptions.
 Introduced, 325.
 Read twice and referred, 325.
 Reported back, 442.
 Indefinitely postponed, 442.

House Bill No. 206—(Steinberg)

A bill for an act to amend chapter 114 of the session laws of 1901, relating to jurors.
 Introduced, 325.
 Read twice and referred, 325.
 Reported back with amendments, 432, 638.
 Passed the house, 665.
 Received from the senate, 792.

House Bill No. 207—(Stevens)

A bill for an act to amend section 1207 of the Revised Codes of the state of North Dakota for 1899, relating to valuation of property to be assessed.
 Introduced, 325.
 Read twice and referred, 325.
 Reported back, 455.
 Indefinitely postponed, 455.

House Bill No. 208—(Gagnon)

A bill for an act to amend section 744 of the Revised Codes of the state of North Dakota, 1899, relating to certificates, when revocable.
 Introduced, 326.
 Read twice and referred, 326.
 Reported back, 430.
 Passed the house, 548.
 Received from senate, 963.

House Bill No. 209—(Underwood)

A bill for an act regulating the service of processes by constables and the charging and collection of fees therefor.
 Introduced, 328.
 Read twice and referred, 328.
 Reported back, 440.
 Indefinitely postponed, 554.

House Bill No. 210—(Underwood)

A bill for an act to provide for notice to be given before cancellation, termination or forfeiture of or under any instrument for the future conveyance of lands, or of any equity therein, and to prohibit agreements for such cancellation, termination or forfeiture without such notice.
 Introduced, 328.
 Read twice and referred, 328.
 Reported back, 432.
 Indefinitely postponed, 548.

House Bill No. 211—(Leech)

A bill for an act to amend sections 6399, 6401, 6402, 6405, 6406, 6408, 6409, 6410, of the Revised Codes, relating to claims against estates of decedents.
 Introduced, 328.
 Read twice and referred, 328.
 Reported back, 482.
 Passed the house, 623.

House Bill No. 212—(Peterson of Wells.)

A bill for an act to amend section 1257 of the Revised Codes of 1899, and to repeal section 1245 of the Revised Codes of 1899, relating to the lien of personal property taxes.
 Introduced, 328.
 Read twice and referred, 328.
 Reported back, 455.
 Indefinitely postponed, 455.

House Bill No. 213—(Cassell)

A bill for an act to amend section 3563 of the Revised Codes of 1899, relating to recording of transfers of real estate, and giving validity to the recording of instruments heretofore recorded.
 Introduced, 329.
 Read twice and referred, 329.
 Reported back, 450.
 Amendments adopted, 585.
 Passed the house, 586.

House Bill No. 214—(Ellison)

Proposed amendment to the constitution of the state of North Dakota.
 Introduced, 360.
 Read twice and referred, 360.
 Reported back, 457.
 Indefinitely postponed, 457.

House Bill No. 215—(Sheils)

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.
 Introduced, 360, 589.
 Read twice and referred, 360.
 Reported back with amendments, 540.
 Passed the house, 645.
 Received from senate with amendments, 798.
 Amendments concurred in, 798.

House Bill No. 216—(Van Arnam)

A bill for an act to amend chapter five of the laws of 1901, being an act to provide for making unknown parties defendant in certain civil actions and to amend sections 5904, 5905, 5906, 5907, 5907a, 5908, 5909, 5910, 5911, 5912, 5913, of the Revised Codes of North Dakota for 1899, relating to the determination of conflicting claims to real estate and other actions and enacting other provisions relating thereto.
 Introduced, 360.
 Read twice and referred, 360.
 Reported back, 454.
 Passed the house, 570.
 Received from the senate, 971.

House Bill No. 217—(Van Arnam)

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law.
 Introduced, 360.
 Read twice and referred, 360.
 Reported back, 452.

House Bill No. 218—(Mooney)

A bill for an act relating to military instruction as an optional branch of instruction in the public schools of the state.
 Introduced, 361.
 Read twice and referred, 361.
 Reported back, 430.
 Indefinitely postponed, 430.

House Bill No. 219—(Cassell)

A bill for an act to amend section 2092 of the Revised Codes relating to fees of justices of the peace.
 Introduced, 361.
 Read twice and referred, 361.
 Reported back with amendments, 439.
 Amendments adopted, 440.
 Passed the house, 565.

House Bill No. 220—(Cassell)

A bill for an act fixing the time when it shall be lawful for stock to run at large, fixing the liability of owners of unregistered males in certain cases and prescribing the manner of abolishing the provisions of the act in a county.
 Introduced, 361.
 Read twice and referred, 361.
 Reported back with amendments, 460.
 Amendments adopted, 461.
 Passed the house, 611.

House Bill No. 221—(Brown)

A bill for an act to authorize the board of trustees of public property to construct, keep in repair and operate a single track electric trolley railway from the capitol building to the Northern Pacific depot in the city of Bismarck, and to install an electric plant at the capitol building sufficient to furnish power to run said electric railway and for

House Bill No. 221—Cont'd.

use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Introduced, 361.

Read twice and referred, 361.

Reported back, 432.

Passed the house, 501.

Received from senate, 689.

House Bill No. 222—(Aandahl)

A bill for an act relating to insurance companies transacting a hail insurance business in this state, making such companies liable for all losses to crops by hail from 12 o'clock noon on the day immediately following the day upon which the application is taken.

Introduced, 361.

Read twice and referred, 361.

Reported back, 534.

Indefinitely postponed, 534.

House Bill No. 223—(Movius)

A bill for an act to amend sections 1738, 1739, 1741 and 1743a of the political code of North Dakota.

Introduced, 362.

Read twice and referred, 362.

Reported back with amendments, 486.

Amendments adopted, 486.

Received from senate, 944.

House Bill No. 224—(Bartz)

A bill for an act to promote forest tree culture.

Introduced, 362.

Read twice and referred, 362.

Reported back, 481.

Passed the house, 618.

House Bill No. 225—(Skjold)

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota.

Introduced, 373.

Read twice and referred, 373.

Passed the house, 546.

Received from the senate, 963.

House Bill No. 226—(Watts)

A bill for an act relating to the election of public officers in the state of North Dakota.

Introduced, 384.

Read twice and referred, 384.

Reported back, 442.

Indefinitely postponed, 442.

House Bill No. 227—(Chaffee)

A bill for an act to create a state board of control, and provide for the management and control of charitable, reformatory, penal and educational institutions of the state, and to make an appropriation therefor, and abolishing existing boards governing such institutions.

Introduced, 384.

Read twice and referred, 384, 463.

Reported back with amendments, 429, 463.

Amendments adopted, 429, 464.

Passed the house, 475.

Received from senate, 971.

House Bill No. 228—(Hill)

A bill for an act providing for a license to sell cigarettes and cigarette paper.

Introduced, 384.

Read twice and referred, 384.

Reported back, 440.

Lost, 566.

House Bill No. 229—(Hill)

A bill for an act to amend and reenact section 441 of the Revised Codes of North Dakota, being chapter 114 of the session laws of 1901, relating to jurors.

Introduced, 384.

Read twice and referred, 384.

Reported back, 431.

Indefinitely postponed, 431.

House Bill No. 230—(Noltimier)

A bill for an act relating to insurance companies that transact a hail insurance business, making it a misdemeanor to charge more than the actual cash premium whether premium is paid in cash or by note, said note not to draw more than legal banking interest, providing a penalty for violation thereof.

Introduced, 387.

Read twice and referred, 387.

Reported back, 533.

Indefinitely postponed, 533.

House Bill No. 231—(Mallough)

A bill for an act to amend sections 1880 and 1883 of the Revised Codes, relating to county seat elections.

Introduced, 387.

Read twice and referred, 387.

Reported back, 451.

Indefinitely postponed, 451.

House Bill No. 232—(McClure)

A bill for an act to amend section 2082, of the Revised Codes of 1899, relating to fees to be charged by sheriffs.

Introduced, 388.

Read twice and referred, 388.

Reported back, 451.

Passed the house, 587.

Received from senate with amendments, 942.

Amendments concurred in, 946.

House Bill No. 233—(Ryan)

A bill for an act to establish a state fair, locating it at or near Grand Forks, providing for its management, the appointment of a state board of agriculture and state fairs and making an appropriation for state fairs.

Introduced, 391.

Read twice and referred, 391.

House Bill No. 234—(Buttz)

A joint resolution pertaining to coal lands and making an appropriation to ascertain what coal lands belonging to the state bear lignite coal.

Introduced, 398.

Read twice and referred, 398, 424.

Reported back, 886.

Indefinitely postponed, 886.

House Bill No. 235—(Dickinson)

A bill for an act to amend section 237, of the Revised Codes, 1899, and to amend section 238 of chapter 169, of session laws, 1901, relating to state depositories.

Introduced, 398.

Read twice and referred, 398, 424, 583.

Reported back with amendments, 459, 636, 661.

Amendments adopted, 459, 637, 661.

Passed the house, 662.

House Bill No. 236—(McLain)

A bill for an act to provide funds for the purchase of books for the university law library.

Introduced, 398.

Read twice and referred, 398.

Reported back, 443.

Indefinitely postponed, 443.

House Bill No. 237—(McClure)

A bill for an act to provide for the issuance of certificates of election for members of the legislative assembly by the secretary of state.

Introduced, 403.

Read twice and referred, 403.

Reported back, 459.

Passed the house, 584.

Received from senate, 944.

House Bill No. 238—(Mallough)

A bill for an act to license solicitors for benevolent organizations.

Introduced, 419.

Read twice and referred, 419.

Reported back with amendments, 456.

Amendments adopted, 456.

Passed the house, 574.

Received from senate, 957.

House Bill No. 239—(Young)

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

Introduced, 419.

Read twice and referred, 419, 424.

Reported back, 538.

Passed the house, 650.

Received from senate with amendments, 944.

Amendments concurred in, 948.

House Bill No. 240—(Peterson)

A bill for an act to amend sections 7593, 7602, 7604, 7608 of the Revised Codes of the state of North Dakota, relative to prohibition, and unlawful dealing in intoxicating liquors and prescribing penalties therefor.

Introduced, 412.

Read twice and referred, 419.

Reported back, 482.

Indefinitely postponed, 623.

House Bill No. 241—(Simpson)

A bill for an act to limit the terms of school treasurers.

Introduced, 420.

Read twice and referred, 420.

Reported back, 596.

Indefinitely postponed, 596.

House Bill No. 242—(Peterson)

A bill for an act to amend section 1203 of the Revised Codes, 1899, relating to bank stock, "where and at what valuation to be listed."

Introduced, 420.

Read twice and referred, 420.

Reported back, 454.

Amendments adopted, 663.

Passed the house, 664.

Received from senate, 883.

House Bill No. 243—(Davis)

A bill for an act to amend section 1232 of the Revised Codes of the state of North Dakota, 1899, relating to tax lists, when delivered to treasurer.

Introduced, 420.

Read twice and referred, 420.

Reported back, 459.

Passed the house, 585.

Received from senate, 931.

House Bill No. 244—(Davis)

A bill for an act to amend section 1256 of the Revised Codes of the state of North Dakota, relating to, when real estate taxes become due and delinquent. Penalty and interest.

Introduced, 420.

Read twice and referred, 420.

Reported back with amendments, 460.

Amendments adopted, 460.

Passed the house, 590.

Received from senate with amendments, 932.

Amendments concurred in, 934.

House Bill No. 245—(Ellison)

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Introduced, 433.

Read twice and referred, 433.

Reported back, 535.

Passed the house, 644.

Received from senate, 944.

House Bill No. 246—(Wagner)

A bill for an act regulating the handling and selling of gasoline.

Introduced, 433.

Read twice and referred, 433.

Reported back, 481.

Passed the house, 613.

Received from senate, 944.

House Bill No. 247—(Allen)

A bill for an act making it unlawful to sell any liquid put up in bottles, to be drank as a beverage or tonic, unless the same shall have a label upon the outside on which is printed the true and correct analysis of all the ingredients contained therein.

Introduced, 434.

Read twice and referred, 434.

Reported back, 539.

Indefinitely postponed, 539.

House Bill No. 248—(Allen)

A bill for an act to amend section 3146 of the Revised Codes of 1899, relating to the time for the holding of the annual meeting for the election of directors, and who may vote.

Introduced, 434.

Read twice and referred, 434.

Reported back, 537.

Passed the house, 651.

Received from senate, 966.

House Bill No. 249—(Leech)

A bill for an act to provide for the improvement of public highways in townships adjoining incorporated cities.

Introduced, 434.

Read twice and referred, 434.

Reported back, 535.

Lost 647.

House Bill No. 250—(Cassell)

A bill for an act to amend chapter 170 of the session laws of 1901, relating to the state examiner, his appointment, term of office, qualifications, examination of banks, salary, deputies and their salaries, and penalty for malfeasance.

Introduced, 434.

Read twice and referred, 434.

House Bill No. 251—(Cassell)

A bill for an act to repeal a special act of the legislative assembly of the territory of Dakota of 1885, approved by the governor March 13, 1885, entitled "an act to create a joint school township in the counties of Griggs and Steele."

Introduced, 434.

Read twice and referred, 434.

Reported back, 485.

Passed the house, 625.

Received from senate, 963.

House Bill No. 252—(Cassell)

A bill for an act to amend section 7464 of the Revised Codes as amended by chapter 82 of the session laws of 1901, relating to embezzlement.
 Introduced, 434.
 Read twice and referred, 434.
 Reported back, 535.
 Passed the house, 643.

House Bill No. 253—(Young)

A bill for an act providing for the recommendation by the governor of North Dakota of a member of the grain and warehouse commission for the city of Superior, Wisconsin.
 Introduced, 435.
 Read twice and referred, 435.
 Reported back, 528.
 Passed the house, 640.
 Received from senate, 943.

House Bill No. 254—(Young)

A bill for an act to amend section 5630, relating to trials in district court without a jury, and appeals therefrom.
 Introduced, 435.
 Read twice and referred, 435.
 Reported back, 535.
 Passed the house, 642.
 Received from senate, 958.

House Bill No. 255—(Harvey)

A bill for an act to create the office of public administrator, provide for the election of an officer thereto, his compensation and qualifications, to define his powers, duties and liabilities in the administration of estates of decedents and as guardian of the persons or persons and estates of minors and insane persons and to define his relations to other civil officers and their relation to him.
 Introduced, 465.
 Read twice and referred, 465.
 Reported back, 536.
 Passed the house, 649.
 Received from senate, 943.

House Bill No. 256—(Wagner)

A bill for an act to amend section 1936 of the Revised Codes of 1899, relative to the proceedings of board to be published.
 Introduced, 465.
 Read twice and referred, 465.

House Bill No. 257—(Senour)

A bill for an act changing and defining the boundaries of Billings county.
 Introduced, 465.
 Read twice and referred, 465, 499.
 Passed the house, 626.
 Received from senate, 959.

House Bill No. 258—(McClure)

A bill for an act changing and defining the boundaries of Stark county.
 Introduced, 465.
 Read twice and referred, 465.
 Reported back, 482.
 Passed the house, 620.
 Received from senate, 792.

House Bill No. 259—(Leech)

A bill for an act to amend sections 2134, 2141, 2155, 2251, and 2254 of the Revised Codes of 1899, relating to cities.
 Introduced, 466.
 Read twice and referred, 466, 479.
 Reported back, 529.
 Indefinitely postponed, 529.

House Bill No. 260—(wall)

A bill for an act to amend sections 4063 and 4064 of the Revised Codes of 1899, relating to and regulating the legal and contract rates of interest and defining usury.
 Introduced, 466.
 Read twice and referred, 466.
 Reported back, 538.
 Indefinitely postponed, 538.

House Bill No. 261—(Dieball)

A bill for an act changing and defining the boundaries of Mercer county.
 Introduced, 466.
 Read twice and referred, 466.
 Reported back, 535.
 Passed the house, 648.
 Received from senate, 961.

House Bill No. 262—(Buttz)

A bill for an act to amend section 1653 of the Revised Codes of 1899, relating to fishways.
 Introduced, 466.
 Read twice and referred, 466.
 Reported back, 482.
 Passed the house, 621.
 Received from senate, 964.

House Bill No. 263—(Van Arnam)

A bill for an act to amend section 1804 of the Revised Codes of North Dakota, 1899, defining legal newspapers qualified to do legal printing.

Introduced, 466.

Read twice and referred, 466.

Reported back, 539.

Indefinitely postponed, 539.

House Bill No. 264—(Van Arnam)

A bill for an act to declare bills, notes and other negotiable instruments obtained by fraudulent representations or artifices void in the hands of any persons.

Introduced, 466.

Read twice and referred, 466.

House Bill No. 265—(McLain)

A bill for an act to amend section 1025 of the Revised Codes of 1899 of North Dakota, being section 1 of chapter 33 of the laws of 1895, and to prohibit members of boards of trustees and of boards of managers and officers and employees of state institutions from being interested in contracts, purchases or sales for or on account of said state institutions, except as therein provided.

Introduced, 472.

Read twice and referred, 472.

Reported back, 593.

Passed the house, 652.

House Bill No. 266—(Burtness)

A bill for an act to legalize irregularities in the formation of school districts and to make valid the acts of the officials thereof.

Introduced, 472.

Read twice and referred, 472.

Reported back, 595.

Indefinitely postponed, 595.

House Bill No. 267—(Lyons)

A bill for an act to amend and reenact section 7618, Revised Codes of North Dakota, 1899, relating to the liability of common carriers.

Introduced, 472.

Read twice and referred, 472.

Reported back, 659.

Indefinitely postponed, 659.

House Bill No. 268—(Bostrom)

A bill for an act making it a misdemeanor for a tenant or tenants to remove goods, chattels or personal property from leased premises without giving due notice to the landlord, his agent or duly authorized attorney and providing a punishment for the violation of this act.

Introduced, 496.

Read twice and referred, 496.

Reported back, 634.

Passed the house, 795.

Indefinitely postponed, 634.

Received from senate, 943.

Other action, 794.

House Bill No. 269—(Van Arnam)

A bill for an act to amend section 641, Revised Codes of 1899, defining duties of county superintendent of schools.

Introduced, 497.

Read twice and referred, 497.

Reported back, 595.

Indefinitely postponed, 595.

House Bill No. 270—(Richmond)

A bill for an act to amend section 279 of the Revised Codes relating to the admission of persons to practice medicine.

Introduced, 497.

Read twice and referred, 497.

Reported back, 593.

Indefinitely postponed, 593.

House Bill No. 271—(Harvey)

A bill for an act to amend and reenact section 5936 of the Revised Codes of 1899 of North Dakota, relating to practice in contempt.

Introduced, 545.

Read twice and referred, 545.

Reported back, 635.

Indefinitely postponed, 635.

House Bill No. 272—(Peterson of Towner)

A bill for an act to amend section 28 of the Revised Codes of North Dakota, 1899, relating to legislative officers and employes and their compensation.

Introduced, 545.

Read twice and referred, 545.

Reported back, 637.

House Bill No. 273—(Weed)

A bill for an act to amend section 373 of the Revised Codes of North Dakota of 1899, relating to eligibility of deputies, clerks and subordinates of public officers.

Introduced, 545.

Read twice and referred, 545, 589.

Passed the house, 790.

Lost, 742.

Received from senate, 971.

Other action, 789.

House Bill No. 274—(Brown)

A bill for an act to amend and revise section 497a of the Revised Codes of 1889 regulating caucuses and nomination for office.

Introduced, 545.

Read twice and referred, 545.

Reported back, 638.

Indefinitely postponed, 638.

House Bill No. 275—(Rvan)

A bill for an act prescribing who may execute assignments, discharges, satisfactions, etc., of liens on real estate on behalf of corporations, and by legalizing prior-like instruments.

Introduced, 597.

Read twice and referred, 597.

Reported back, 660.

Passed the house, 675.

Received from senate, 961.

House Bill No. 276—(Sheils)

A bill for an act to amend section 1, chapter 69, of the session laws of 1901, relating to dipping tanks.

Introduced, 597.

Read twice and referred, 597.

Reported back, 660, 734.

Indefinitely postponed, 660, 734.

House Bill No. 277—(Hanson)

Concurrent resolution. Proposed constitutional amendment.

Introduced, 597.

Read twice and referred, 597.

Reported back, 673.

Passed the house, 724.

House Bill No. 278—(Elton)

A bill for an act to amend section 4792 of the Revised Codes of North Dakota, 1899, relating to clerk of court's record of mechanic's lien.

Introduced, 598.

Read twice and referred, 598.

Reported back, 658.

Passed the house, 677.

House Bill No. 279—(Richmond)

A bill for an act to amend section 4680 of the Revised Codes of 1899, as amended by chapter 118 of the session laws of 1901, relating to liens on future interest.

Introduced, 598.

Read twice and referred, 598.

Reported back with amendments, 658, 728.

Amendments adopted, 658, 728.

Indefinitely postponed, 800.

House Bill No. 280—(Lee)

A bill for an act to provide for the manner of changing names of persons, and for registry of names.

Introduced, 598.

Read twice and referred, 598.

Reported back, 661.

Indefinitely postponed, 661.

House Bill No. 281—(Palmer)

A bill for an act attaching and annexing the unorganized county of Allred in the state of North Dakota to the county of Williams in the Eighth judicial district of the state of North Dakota, for judicial purposes, and providing for the transcribing of the records of the county of Stark affecting property in said unorganized county of Allred by the register of deeds of Williams county.

Introduced, 617.

Read twice and referred, 617.

Reported back with amendments, 673.

Passed the house, 722.

Received from the senate with amendments, 954.

Amendments concurred in 956.

House Bill No. 282—(Patterson)

A bill for an act to repeal chapter 83 of the session laws of 1901.

Introduced, 629.

Read twice and referred, 629.

House Bill No. 283—(Mattson)

A bill for an act to amend section 1207 of the Revised Codes of North Dakota, 1899, relating to the assessment of property.

Introduced, 639.

Read twice and referred, 639.

Reported back, 730.

Indefinitely postponed, 730.

House Bill No. 284—(McGahan)

A bill for an act defining the duty of railroads, railroad corporations, railroad companies, express companies, car companies and every common carrier other than by water, and the person or persons operating any such common carrier, as receiver, lessee or trustee, in the transportation of any kind of live stock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this act.

Introduced, 709.

Read twice and referred, 709.

House Bill No. 285—(Weed)

A bill for an act to amend section 6153 of the Revised Codes of 1899 relating to liability of owner for trespass of animals

Introduced, 709.

Read twice and referred, 709.

House Bill No. 286—(McCrea)

A bill for an act to prescribe the fee to be charged by the examiner of corporations organized under the provisions of chap-

ter 20½ of the Revised Codes of North Dakota, 1899

Introduced, 709.

Read twice and referred, 709.

Reported back, 790.

Passed the house, 792.

House Bill No. 287—(Weed)

A bill for an act to amend and reenact section 28 Revised Codes 1899, relating to legislative officers and employees.

Introduced, 783.

Read twice and referred, 783.

Reported back, 791, 886.

Indefinitely postponed, 886.

House Bill No. 288—(Weed)

A concurrent resolution providing for the appointment of a committee to investigate the affairs of the state penitentiary of North Dakota.

Introduced, 783.

Read twice and referred, 783.

House Bill No. 289—(Brown)

A bill for an act to amend and reenact sections 497a of the Revised Codes of 1899, regulating caucuses and nominations for office.

Introduced, 783.

Read twice and referred, 783.

SENATE BILLS.**Senate Bill No. 1—(LaMoure)**

A bill for an act entitled "an act to amend section 876 of the Revised Codes of the state of North Dakota for 1899, relating to the board of trustees of the University of North Dakota.

Received from senate, 110.

Read twice and referred, 114.

Reported back, 140.

Reported back with amendments, 272.

Amendments adopted, 272.

Passed the house, 273.

Senate Bill No. 2—(Simpson)

A bill for an act entitled "an act fixing the salaries of judges of the district court."

Received from senate, 441.

Read twice and referred, 466.

Reported back, 633.

Passed the house, 859.

Lost, 863.

Indefinitely postponed, 807.

Senate Bill No. 3—(Simpson)

A bill for an act entitled "an act providing for a bounty on wolves and coyotes, creating a fund for the payment of the same and regulating the manner of procuring said bounty."

Received from senate, 601.

Read twice and referred, 606.

Reported back, 730.

Passed the house, 786.

Senate Bill No. 4—(Cashel)

A bill for an act entitled "an act to establish an institution for the feeble minded and to provide for its support and management."

Received from senate, 213.

Read twice and referred, 257.

Reported back, 294.

Reported back with amendments, 373.

Passed the house, 512.

Senate Bill No. 6—(Sharpe)

A bill for an act to amend chapter 61 of the session laws of 1901, being section 6633 of the Revised Codes of North Dakota of 1899, relating to procedure in civil actions.

Received from senate, 121.
Read twice and referred, 130.
Reported back, 140.
Passed the house, 169.

Senate Bill No. 8—(Plain)

A bill for an act to amend section 2096 of the Revised Codes of North Dakota for 1899, relating to the per diem of jurors.

Received from senate, 110.
Read twice and referred, 114.
Reported back, 153.
Passed the house, 243.
Lost, 230.
Other action, 242.

Senate Bill No. 12—(Garnett)

A bill for an act taxing the occupation of hawkers and peddlers, regulating the licensing of persons engaged in such occupation and increasing the ordinary county revenue of such taxation.

Received from senate, 240.
Read twice and referred, 277.
Reported back with amendments, 317.
Passed the house, 629.

Senate Bill No. 13—(Robinson)

A bill for an act to amend section 2914 of the Revised Codes of North Dakota of the revision of 1899, relating to the settlement of affairs of corporation upon dissolution.

Received from senate, 141.
Read twice and referred, 151.
Reported back, 158.
Passed the house, 231.

Senate Bill No. 14—(Robinson)

A bill for an act to amend section 6289 of the Revised Codes of North Dakota, relating to the time for probating wills.

Received from senate, 110.
Read twice and referred, 114.
Reported back with amendments, 258.
Amendments adopted, 258.
Passed the house, 274.

Senate Bill No. 15—(Robinson)

A bill for an act to amend section 5540 of the Revised Codes of the revision of 1899, relating to the redemption of real property sold upon execution.

Received from senate, 190.
Read twice and referred, 257.
Reported back, 320.
Passed the house, 751.

Senate Bill No. 16—(Lavayea)

A bill for an act to amend sections 867, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

Received from senate, 603.
Read twice and referred, 608.
Passed the house, 874.

Senate Bill No. 17—(Little)

A bill for an act to provide for the licensing of agents to solicit for insurance companies and fixing the penalty for violation of the same.

Received from senate, 141.
Read twice and referred, 151.
Reported back, 239.
Passed the house, 312.

Senate Bill No. 18—(Little)

A bill for an act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements thereto.

Received from senate, 601.
Read twice and referred, 605.
Reported back with amendments, 817.
Amendments adopted, 818.
Passed the house, 880, 960.
Other action, 920, 921, 922, 928, 939, 940, 959.

Senate Bill No. 22—(Crane)

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

Received from senate, 604.
Read twice and referred, 606.
Reported back, 818.
Passed the house, 871.

Senate Bill No. 23—(Sharpe)

A bill for an act to provide for the maintenance of the industrial school, and school for manual training, located at Ellendale, North Dakota, and for making necessary improvements, and for making an appropriation therefor.

Received from senate, 601.
Read twice and referred, 605.
Reported back with amendments, 843.

Amendments adopted, 847.
Passed the house, 879.
Other action, 926.

Senate Bill No. 25—(Lewis)

A bill for an act in relation to the defense, of suicides in suits brought upon life insurance policies.

Received from senate, 241.
Read twice and referred, 278.
Reported back, 322.
Passed the house, 690.

Senate Bill No. 26—(Lewis)

A bill for an act to prevent the adulteration, misbranding and selling of adulterated and unwholesome foods and beverages, prescribing a penalty for the violation, providing for the inspection and analysis of foods, charging the North Dakota Government Agricultural Experiment Station with the duty thereof, charging the state's attorney with the enforcement hereof and making an appropriation therefor.

Received from senate, 418.
Read twice and referred, 435.
Reported back, 481.
Passed the house, 630.

Senate Bill No. 27—(Regan)

A bill for an act to amend section 1209 of the Revised Codes of 1899 relating to the compensation of assessors.

Received from senate, 213.
Read twice and referred, 257.
Reported back, 320.
Reported back with amendments, 401, 686.
Amendments adopted, 686.
Passed the house, 687.

Senate Bill No. 28—(Regan)

A bill for an act to amend section 6365 of the Revised Codes of 1899, relating to the removal of executors, administrators and guardians.

Received from senate, 121.
Read twice and referred, 130.
Reported back, 140.
Passed the house, 169.

Senate Bill No. 29—(Cashel)

A bill for an act authorizing the appointment of commissioners of deeds and declaring an emergency to exist.

Received from senate, 282.
Read twice and referred, 305.
Reported back, 350.
Passed the house, 753.

Senate Bill No. 30—(Cashel)

A bill for an act to provide an appropriation for the finishing and the furnishing of the building and for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

Received from senate, 603.
Read twice and referred, 607.
Reported back with amendments, 819.
Amendments adopted, 819.
Passed the house, 852.
Other action, 924.

Senate Bill No. 31—(Crane)

A bill for an act to provide for the collection, arrangement and display of the products and resources of the state of North Dakota at the St. Louis World's Fair, to be held in 1904 at the city of St. Louis, Missouri, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

Received from senate, 604.
Read twice and referred, 606.
Reported back with amendments, 844.
Amendments adopted, 844.
Passed the house, 864.
Other action, 923.

Senate Bill No. 36—(Little)

A bill for an act to amend section 2724 of the Revised Codes, declaring who may solemnize marriages and referring to license and certificate.

Received from senate, 213.
Read twice and referred, 257.
Reported back, 295.

Senate Bill No. 38—(Hagen)

A bill for an act to regulate the price of the product of the twine and cordage plant of the state penitentiary.

Received from the senate, 863.

Senate Bill No. 39—(Johnson)

A bill for an act defining the mode of inflicting the death penalty; prescribing that the death penalty shall only be inflicted within the walls of the North Dakota penitentiary, how execution may be suspended, and repealing sections 8309 to 8324, both inclusive, of the Revised Codes.

Received from senate, 326.
Read twice and referred, 362.
Reported back with amendments, 380.

Passed the house, 704.

Senate Bill No. 40—(Kirkeide)

A bill for an act to amend sections 2 and 4 of chapter 172 of the session laws of 1901, relating to the creation of a state farmers institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes.

Received from senate, 602.
Read twice and referred, 608.
Reported back with amendments, 815.

Amendments adopted, 815.

Passed the house, 865.

Other action, 930.

Senate Bill No. 41—(Lavayea)

A bill for an act making it unlawful for any person to take or solicit orders for intoxicating liquors within the state of North Dakota.

Received from senate, 724.
Read twice and referred, 773.
Indefinitely postponed, 814.

Senate Bill No. 43—(Taylor)

A bill for an act authorizing the board of trustees of the state university and school of mines to issue bonds to provide a fund for the necessary repairs of the buildings of the state university and to pay the floating indebtedness of said university.

Received from senate, 269.
Read twice and referred, 304.
Reported back with amendments, 316.

Passed the house, 343.

Senate Bill No. 44—(Taylor)

A bill for an act amending section 423 of the Revised Codes of 1899, relating to oath of office to be taken by persons who have been admitted to practice in the courts of North Dakota.

Received from senate, 241.
Read twice and referred, 278.
Reported back, 290.

Senate Bill No. 46—(LaMoure)

A bill for an act amending section 5974 of the Revised Codes of 1899, relating to when action maintainable for death by wrongful act.

Received from senate, 265.
Read twice and referred, 305.
Reported back, 635.
Indefinitely postponed, 635.

A bill for an act to amend section

Senate Bill No. 47—(Bacon)

479 of the political code of the state of North Dakota for the year 1899.

Received from senate, 214.
Read twice and referred, 257.
Reported back, 294.
Passed the house, 331, 631.

Senate Bill No. 50—(Cashel)

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings to the North Dakota educational association.

Received from senate, 190.
Read twice and referred, 257.
Reported back, 295.
Passed the house, 408.

Senate Bill No. 51—(Kirkeide)

A bill for an act to provide for the erection of public grain warehouses and grain elevators, on or near the right of way of railroads, and providing for condemnation proceedings in connection therewith, and to repeal sections 1796, 1797 and 1799 of the Revised Codes North Dakota, 1899.

Received from senate, 241.
Read twice and referred, 277.
Reported back, 315.
Passed the house, 509.

Senate Bill No. 52—(Hale)

A bill for an act to amend section 706 Revised Codes 1899 relating to district high schools, and providing for the establishment of district graded schools.

Received from senate, 213.
Read twice and referred, 257.
Reported back, 295.
Passed the house, 405.

Senate Bill No. 55—(Cox)

A bill for an act to provide against discrimination in insurance rates, fixing the penalty for violation of the same.

Received from senate, 655.
Read twice and referred, 667.
Reported back, 884.
Indefinitely postponed, 884.

Senate Bill No 56—(Williams)

A bill for an act to amend chapter 204 of the session laws of 1901, relating to the time township officers shall qualify.

Received from senate, 282.
Read twice and referred, 305.
Reported back, 349.
Indefinitely postponed, 349.

Senate Bill No. 57—(Williams)

A bill for an act to amend section 2559 of the Revised Codes of the state of North Dakota, of 1899, relating to notice of election to township officers.

Received from senate, 282.
Read twice and referred, 305.
Reported back with amendments, 354, 402.
Amendments adopted, 403.
Passed the house, 749.

Senate Bill No. 58—(Williams)

A bill for an act to amend chapter 205 of the session laws of 1901, relating to the meetings of township board of supervisors.

Received from senate, 282.
Read twice and referred, 305.
Reported back, 354.
Passed the house, 903.

Senate Bill No. 60—(Main)

A bill for an act to amend sections 1, 2 and 3 of chapter 84 of the session laws of 1901, the same being sections 643, 681 and 682 of the Revised Codes of 1899, as amended in 1901, relating to education.

Received from senate, 406.
Read twice and referred, 422.
Reported back, 429.
Passed the house, 762.

Senate Bill No. 61—(McArthur)

A bill for an act to amend section 481 of the Revised Codes of 1899, providing for the formation of election precincts.

Received from senate, 214.
Read twice and referred, 257.
Reported back, 294.
Passed the house, 411.

Senate Bill No. 63—(Little)

A bill for an act to provide for the erection and construction of the north wing of the capitol, for the issuance and sale of one hundred thousand dollars of bonds, and for the sale of lands granted the state for the purpose of erecting public buildings at the capitol.

Received from senate, 243.
Read twice and referred, 278.
Reported back, 290.
Passed the house, 338.

Senate Bill No. 64—(Regan)

A bill for an act to repeal chapter 83 of the session laws of 1901.

Received from senate, 266.
Read twice and referred, 305.
Reported back, 349.
Indefinitely postponed, 349.

Senate Bill No. 66—(Williams)

A concurrent resolution providing for the submission of a proposed amendment to section 162 of the Constitution of the state of North Dakota to the ninth general legislative assembly of North Dakota.

Received from senate, 240.
Read twice and referred, 277.
Reported back, 295.
Passed the house, 404.

Senate Bill No. 67—(Hale)

A bill for an act to provide for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.

Received from senate, 163.
Read twice and referred, 183.
Reported back, 187.
Passed the house, 189.

Senate Bill No. 68—(Cashel)

A bill for an act changing the location of the institution for feeble minded from Jamestown to Grafton.

Received from senate, 282.
Read twice and referred, 306.
Reported back, 349.
Passed the house, 699.

Senate Bill No. 69—(Voss)

A bill for an act to make an appropriation for the current and contingent expenses of the state reform school at Mandan, and for permanent improvement thereto.

Received from senate, 603.
Read twice and referred, 606.
Reported back with amendments, 822.
Amendments adopted, 822.
Passed the house, 848.

Senate Bill No. 70—(Plain)

A concurrent resolution proposing an amendment to the constitution providing for direct legislation by the electors, and that it be referred to the next legislative assembly and with the approval of such legislative assembly be submitted to the

Senate Bill No. 70—Cont'd.

qualified electors for adoption or rejection.

Received from senate, 655.
Read twice and referred, 667.
Reported back, 732.
Indefinitely postponed, 732.

Senate Bill No. 72—(Hagen)

A bill for an act to amend section 3068 of the Revised Codes of the state of North Dakota for 1899.

Received from senate, 406.
Read twice and referred, 422.
Reported back, 484.
Passed the house, 505.

Senate Bill No. 73—(LaMoure)

A bill for an act amending and reenacting section 2, chapter 34, session laws 1901, relating to the board of pardon and prescribing the powers and duties thereof.

Received from senate, 121.
Read twice and referred, 130.
Passed the house, 168.

Senate Bill No. 74—(Simpson)

A bill for an act to amend and reenact sections 1823, 1824, and 1825 of the Revised Codes of the state of North Dakota for the year 1899, relating to the organization of counties.

Received from senate, 406.
Read twice and referred, 422.
Reported back, 461.
Passed the house, 899.

Senate Bill No. 76—(Main)

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

Received from senate, 347.
Read twice and referred, 386.
Reported back, 460, 729.

Senate Bill No. 77—(Taylor)

A bill for an act to amend section 273 of the Revised Codes of North Dakota, relating to expenses incurred by local boards of health.

Received from senate, 419.
Read twice and referred, 435.
Reported back, 528.
Passed the house, 684.

Senate Bill No. 78—(Taylor)

A bill for an act to amend section 273 of the Revised Codes of 1899 relating to state board of health.
 Received from senate, 601.
 Read twice and referred, 609.
 Reported back, 843.
 Passed the house, 950.
 Indefinitely postponed, 843.
 Other action, 949.

Senate Bill No. 79—(Voss)

A bill for an act authorizing the board of trustees of the state reform school to issue bonds to provide for the furnishing of and equipment of the same, and for the purchase of lands adjoining the state reform school necessary to furnish employment for the inmates of said reform school.
 Received from senate, 243.
 Read twice and referred, 278.
 Reported back, 296, 439.
 Passed the house, 341.

Senate Bill No. 80—(Cox)

A bill for an act authorizing the state board of equalization to include in the annual levy for bond interest and bond sinking fund of sufficient amount to pay the interest and provide a sinking fund for the state normal school bonds issued under the provisions of section ten (10), chapter eighty-nine (89), session laws of 1891.
 Received from senate, 243.
 Read twice and referred, 279.
 Reported back, 296.
 Passed the house, 339.

Senate Bill No. 81—(Cox)

A bill for an act authorizing the board of directors of the state normal schools to issue bonds to provide a fund for the other necessary improvements for the normal school at Valley City and Mayville.
 Received from senate, 244.
 Read twice and referred, 279.
 Reported back, 296.
 Passed the house, 340.

Senate Bill No. 82—(Cox)

A bill for an act to amend sections 1642, 1644, 1645, 1646, 1647, 7678, 7683a, 7683b, 7683c, 7683d and

Senate Bill No. 82—Cont'd.

7683f of the Revised Codes, North Dakota, 1899, relating to the protection of game, the division of the state into game districts, the appointment of district game wardens, the issuing of permits to hunt, the disposition of money received from the sale of permits and enacting other provisions relating thereto and providing penalties for violation thereof.
 Received from senate, 269.
 Read twice and referred, 304.
 Reported back with amendments, 317, 401.
 Amendments adopted, 402.
 Passed the house, 686.

Senate Bill No. 83—(Crane)

A bill for an act to amend section 7678 of the Revised Codes, 1899, being chapter 72 of the session laws of 1899, relating to game and fish.
 Received from senate, 241.
 Read twice and referred, 278.
 Reported back, 349.
 Indefinitely postponed, 349.

Senate Bill No. 84—(LaMoire)

A bill for an act to amend section 2071 of the Revised Codes of 1899, relating to reimbursing counties for salaries paid to judges of county courts.
 Received from senate, 241.
 Read twice and referred, 278.
 Reported back with amendments, 884.
 Amendments adopted, 884.
 Passed the house, 916.

Senate Bill No. 85—(Lavayea)

A bill for an act to amend section 3225a of chapter 19½ of the Revised Codes (civil code), of 1899, being section 1, of chapter 156 of the session laws of 1899, being an act to provide for the granting of the right of way by municipal corporations for telephone lines on and over public grounds, streets, alleys and highways, and making valid such grants heretofore made.
 Received from senate, 348.
 Read twice and referred, 385.
 Reported back, 451.
 Passed the house, 748.

Senate Bill No. 86—(Main)

A bill for an act to amend chapter 106 of the session laws of 1901, relating to game and fish.
 Received from senate, 241.
 Read twice and referred, 278.
 Reported back with amendments, 318, 401.
 Passed the house, 750.

Senate Bill No. 88—(Cashel)

A bill for an act to amend sections 1447 and 1448 of the Revised Codes as amended by section 1, chapter 79 of the laws of 1899, relating to the establishment, construction and maintenance of drains.
 Received from senate, 348.
 Read twice and referred, 385.
 Reported back, 450.
 Passed the house, 768.

Senate Bill No. 89—(Cox)

A bill for an act to amend section 1530, Revised Codes of 1899, relating to the compensation and expenses of the board of insanity.
 Received from senate, 266.
 Read twice and referred, 304.
 Reported back, 439.
 Passed the house, 765.

Senate Bill No. 90—(LaMoure)

A bill for an act repealing sections 7460a and 7460b, of the Revised Codes of 1899.
 Received from senate 266.
 Read twice and referred, 305.
 Reported back, 536.
 Indefinitely postponed, 536.

Senate Bill No. 91—(LaMoure)

A bill for an act to repeal sections 1586 and 1587 of the Revised Codes of 1899, relating to cruelty to animals.
 Received from senate, 347.
 Read twice and referred, 385.
 Reported back, 530.
 Indefinitely postponed, 530.

Senate Bill No. 92—(Wipperman)

A bill for an act to amend sections 1139 and 1141 of the Revised Codes, North Dakota, 1899, relating to the township road tax list, the return thereof to the township clerk by the overseer of highways, and the making out and delivering by the township clerk of the delinquent road tax list to the county auditor

Senate Bill No. 92—Cont'd.

and providing the times at which such duties shall be performed.
 Received from senate, 347.
 Read twice and referred, 384.
 Reported back, 461.
 Indefinitely postponed, 461.

Senate Bill No. 93—(Lavayea)

A bill for an act to amend and reenact section 7553 of chapter 61 of the penal code of the Revised Codes of 1899, relating to injuries to or obstruction of any telegraph lines or appurtenances or apparatus therewith connected by adding thereto and bringing within the provisions therewith telephone lines.
 Received from senate, 347.
 Read twice and referred, 385.
 Reported back, 439.
 Passed the house, 767.

Senate Bill No. 94—(Main)

A bill for an act for the protection of game, defining what shall be considered prima facie evidence of the violation of this act, and providing a penalty therefor.
 Received from senate, 347.
 Read twice and referred, 385.
 Reported back, 460.

Senate Bill No. 95—(Bacon)

A bill for an act to encourage the improvement of live stock, and to regulate the purchase and sale thereof, and prescribing penalties for the violation of the provisions of this act.
 Received from senate, 493.
 Read twice and referred, 519.
 Reported back, 634.
 Indefinitely postponed, 635.

Senate Bill No. 100—(Plain)

A bill for an act relating to the time of holding village annual elections in incorporated villages and to amend section 2355 of the Revised Codes of North Dakota of 1899.
 Received from senate, 347.
 Read twice and referred, 385.
 Reported back, 438.
 Amendments adopted, 812.
 Passed the house, 755, 812.

Senate Bill No. 101—(Devlin)

A bill for an act to amend section 1896 of the Revised Codes relating to term of offices of county commissioners and also to repeal chapter 33 of the special laws of 1885.
 Received from senate, 347.
 Read twice and referred, 385.
 Reported back, 432.
 Passed the house, 807.

Senate Bill No. 102—(Lewis)

A bill for an act to provide for the erection and equipment of necessary additional buildings, for conservatories, for installation of electric light plant, for equipment of science hall and for other necessary buildings and improvements for the North Dakota agricultural college at Fargo.
 Received from senate, 326.
 Read twice and referred, 362.
 Reported back, 446.
 Passed the house, 756.

Senate Bill No. 103—(Lewis)

A bill for an act appropriating money for the purchase of pure bred stock for breeding purposes for the experiment station at Fargo; enlarging the scope of investigation by its station staff; maintaining the sub-experiment station at Edgeley and erecting suitable buildings thereon and locating a sub-station at or near Dickinson in Stark county.
 Received from senate, 604.
 Read twice and referred, 609.
 Reported back, 843.
 Passed the house, 846.

Senate Bill No. 105—(Johnson)

A bill for an act requiring notice to the vendee or purchaser under any contract for the future conveyance of land hereinafter made to be given before the rights of any vendee or purchaser can terminate.
 Received from senate, 705.
 Read twice and referred, 711.
 Reported back, 729.

Senate Bill No. 106—(Johnson)

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.
 Received from senate, 327.
 Read twice and referred, 363.
 Reported back, 377.
 Passed the house, 706.

Senate Bill No. 107—(Robinson)

A bill for an act to amend section 4 of chapter 156, of the session laws of 1901, relating to the appropriation and payment of moneys derived from taxation for the maintenance of state schools.
 Received from senate, 326.
 Read twice and referred, 363.
 Reported back, 379.
 Passed the house, 754.

Senate Bill No. 108—(Lavayea)

A bill for an act providing that no tax shall be set aside for any irregularity or defect in form, or illegality in assessing, laying or levying such tax, if the person against whom, or the property upon which such tax is levied, assessed or laid is in fact liable to taxation, and giving the courts power to amend and correct all irregularities and defects in the form or manner of assessment.
 Received from senate, 326.
 Read twice and referred, 362.
 Reported back, 379, 734.
 Passed the house, 766.

Senate Bill No. 110—(Simmons)

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the state attorney of the county of Stark for the years 1901 and 1902 for services in prosecuting criminals and in doing and performing all the other acts that the laws provide a state's attorney shall do and perform in the unorganized counties of Allred, Wallace, McKenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.
 Received from senate, 602.
 Read twice and referred, 607.
 Reported back, 813.
 Passed the house, 890.

Senate Bill No. 111—(Lewis)

A bill for an act providing for sending non-resident insane persons to their place of residence at expense of the state.

Received from senate, 282.

Read twice and referred, 305.

Reported back, 378.

Passed the house, 703.

Senate Bill No. 112—(Little)

A bill for an act amending section 424 of the Revised Codes of 1899, relating to admissions of attorneys on certificates from other states.

Received from senate, 266.

Read twice and referred, 304.

Reported back, 352.

Passed the house, 701.

Senate Bill No. 113—(Little)

A bill for an act to amend section 421 of the Revised Codes of 1899, relating to the qualifications of applicants for admission to practice as attorneys and counselors at law.

Received from senate, 266.

Read twice and referred, 304.

Reported back, 535.

Lost, 702.

Senate Bill No. 114—(Regan)

A bill for an act to amend chapter 179 of the session laws of 1901.

Received from senate, 553.

Read twice and referred, 600.

Reported back, 659.

Passed the house, 683.

Senate Bill No. 115—(Taylor)

A bill for an act to prohibit the delivery or depositing of drugs, medicines, antiseptics, disinfectants and cosmetics, either for internal or external use upon the premises of another.

Received from senate, 282.

Read twice and referred, 305.

Reported back, 346.

Passed the house, 752.

Senate Bill No. 116—(Lavayea)

A bill for an act to amend and reenact subdivision 6 of section 3576 of article 3, civil code of the Revised Codes of 1899, relating to acknowledgments by deputies.

Received from senate, 327.

Read twice and referred, 362.

Passed the house, 912.

Lost, 827.

Other action, 911.

Senate Bill No. 117—(Simpson)

A bill for an act appropriating moneys to John Reissbeck of Stark county, for services rendered during the years 1901 and 1902 while acting as auditor of Stark county, in performing the duties in connection with his office arising from the unorganized counties of Williams, Dunn, Hettinger, Bowman, McKenzie, Allred and Wallace.

Received from senate, 602.

Read twice and referred, 608.

Reported back, 813.

Amendments adopted, 814.

Passed the house, 867.

Other action, 932.

Senate Bill No. 119—(Simpson)

A bill for an act providing for the dismissal of actions in the courts of record of this state which have been pending for a period of five years, wherein the plaintiff or his successor in interest has neglected to prosecute said action.

Received from senate, 469.

Read twice and referred, 497.

Reported back, 592.

Passed the house, 757.

Senate Bill No. 120—(Little)

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the supreme court of the state of North Dakota.

Received from senate, 406.

Read twice and referred, 421.

Reported back with amendments, 614.

Amendments adopted, 674.

Passed the house, 796.

Lost, 743.

Other action, 795.

Senate Bill No. 123—(Sharpe)

A bill for an act authorizing the board of trustees of the industrial school and school for manual training to issue bonds to provide a fund for the outstanding floating indebtedness and for the completion of the furnishing and equipment of the building of said institution.

Received from senate, 491.

Read twice and referred, 521.

Passed the house, 698.

Senate Bill No. 124—(McArthur)

A bill for an act to amend section 1112 of the Revised Codes of North Dakota for the year 1899. Received from senate, 553. Read twice and referred, 600. Reported back, 637, 884. Passed the house, 958. Other action, 957.

Senate Bill No. 126—(Lewis)

A bill for an act validating assessments and taxes and providing for the collection of such taxes. Received from senate, 553. Read twice and referred, 601. Reported back, 640. Reported back with amendments, 728. Amendments adopted, 728. Passed the house, 897.

Senate Bill No. 127—(Little)

A bill for an act to amend section 377 of the Revised Codes of 1899, relating to general terms of the supreme court, and section 378 of the Revised Codes of 1899, relating to appeals, motions and hearings in the supreme court. Received from senate, 441. Read twice and referred, 467. Reported back, 536. Passed the house, 780.

Senate Bill No. 128—(Cashel)

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899. Received from senate, 406. Read twice and referred, 422. Reported back with amendments, 485. Amendments adopted, 485. Passed the house, 898.

Senate Bill No. 129—(Lavayea)

A bill for an act to amend section 5124 of the civil code of the Revised Codes of North Dakota. Received from senate, 493. Read twice and referred, 519. Reported back, 632. Indefinitely postponed, 632.

Senate Bill No. 130—(Crane)

A bill for an act to protect trade and commerce against unlawful restraints and monopolies, and to prohibit the giving or receiving of rebates on the transportation of property, and prescribing penalties for the violation thereof. Received from senate, 655. Read twice and referred, 667. Reported back, 885. Indefinitely postponed, 885.

Senate Bill No. 133—(Clarke)

A bill for an act to amend sections 2680b and 2680d of the Revised Codes of the state of North Dakota, 1899, relating to dissolution of townships. Received from senate, 553. Read twice and referred, 600. Reported back, 636. Passed the house, 770.

Senate Bill No. 134—(Committee on Appropriations)

A bill for an act to amend section 338 of the Revised Codes of 1899, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building. Received from senate, 603. Read twice and referred, 606. Reported back, 818. Passed the house, 873.

Senate Bill No. 135—(Committee on Appropriations)

A bill for an act to amend section 334 of the Revised Codes of 1899 relating to clerk hire for state officers. Received from senate, 601. Read twice and referred, 605. Reported back, 818. Passed the house, 890.

Senate Bill No. 136—(Committee on Appropriations)

A bill for an act to amend section 637 of the Revised Codes of 1899 relating to the salary and traveling expenses to be paid the superintendent of public instruction. Received from senate, 603. Read twice and referred, 608. Reported back, 819. Passed the house, 878.

Senate Bill No. 138—(Robinson)

A bill for an act to amend section 4795, of the Revised Codes, relating to sales of buildings upon foreclosure of mechanic's liens thereon.

Received from senate, 491.
Read twice and referred, 520.
Reported back, 592.
Passed the house, 774

Senate Bill No. 140—(Committee on State Affairs)

A bill for an act authorizing and directing the board of university and school lands to create and invest a sinking fund for the payment of bonds issued by state educational, charitable or other state institution, defining the manner of creating such sinking fund, and prescribing the duties of the board of university and school lands in relation thereto.

Received from senate, 491.
Read twice and referred, 521.
Reported back with amendments, 593.
Amendments adopted, 593.
Passed the house, 802.

Senate Bill No. 141—(Williams)

A bill for an act to amend section 3134 of the Revised Codes of 1899, relating to organization of county mutual insurance companies.

Received from senate, 492.
Read twice and referred, 519.
Reported back, 731.
Indefinitely postponed, 731.

Senate Bill No. 144—(Lavayea)

A bill for an act to amend section 2977 of the Revised Codes of 1899, relating to stopping of trains before crossing other railroads or drawbridges.

Received from senate, 364.
Read twice and referred, 386.
Reported back, 484.
Passed the house, 824.

Senate Bill No. 145—(Taylor)

A bill for an act to amend and reenact section 274a, 274b, 274c, 274d, 274e, 274f, 274g of chapter

Senate Bill No. 145—Cont'd.

4 of the political code of 1899, relating to the collection and reporting of vital statistics, prescribing the duties of officers who collect and report such statistics, defining the duties of county auditors in relation thereto and fixing compensation and method of paying the same, and providing penalties for the violation of this act.

Received from senate, 419.
Read twice and referred, 435.
Reported back, 528.
Passed the house, 770.

Senate Bill No. 147—(Lewis)

A bill for an act relating to agricultural fair corporations.

Received from senate, 655.
Read twice and referred, 667.
Reported back, 727.
Passed the house, 896.

Senate Bill No. 148—(Main)

A bill for an act to prohibit the sale or gift to, and use by minors under the age of fifteen years of firearms, shells, etc., and providing penalties for violations thereof.

Received from senate, 441.
Read twice and referred, 467.
Reported back, 634.

Senate Bill No. 149—(Williams)

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899, relating to payment of board and treatment of patients committed to the hospital for the insane and powers of commissioners of insanity therein.

Received from senate, 724.
Read twice and referred, 773.
Reported back, 816.
Indefinitely postponed, 907.

Senate Bill No. 150—(Williams)

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Received from senate, 678.
Read twice and referred, 710.

Senate Bill No. 151—(Hale)

A bill for an act authorizing the board of trustees of the deaf and dumb asylum to issue bonds to provide a fund for the purchase of additional land, for the erection of necessary additional buildings, and for such other improvements as may be needed for the deaf and dumb asylum at Devils Lake, North Dakota.
 Received from senate, 406.
 Read twice and referred, 422.
 Reported back, 438.
 Passed the house, 513.

Senate Bill No. 153—(Little)

A bill for an act to amend section 108 of the Revised Codes of North Dakota, for the year 1899, relating to the duties of state treasurers.
 Received from senate, 492.
 Read twice and referred, 520.
 Reported back, 595.
 Passed the house, 761.

Senate Bill No. 154—(Plain)

A bill for an act to amend section 1039 of the Revised Codes of North Dakota of 1899, relating to statistics of township, city and village assessors.
 Received from senate, 736.
 Read twice and referred, 773.
 Reported back, 818.
 Indefinitely postponed, 818.

Senate Bill No. 155—(Swenson)

A bill for an act to amend section 30711 of the Revised Codes of the state of North Dakota for 1899, relating to maximum coal rate.
 Received from senate, 553.
 Read twice and referred, 600.
 Reported back, 659.
 Reported back with amendments, 886.
 Amendments adopted, 887.
 Passed the house, 902.

Senate Bill No. 156—(Carroll)

A bill for an act prescribing the duties and authority of the commissioners of public printing in relation to certain printing and making an appropriation to pay for the public printing.
 Received from senate, 603.
 Read twice and referred, 608.
 Reported back, 821.
 Passed the house, 869.

Senate Bill No. 157—(Taylor)

A bill for an act to amend section 904a of article 1, chapter 10, of the political code of 1899, relating to education and charitable institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.
 Received from senate, 604.
 Read twice and referred, 609.
 Reported back with amendments, 821, 883.
 Amendments adopted, 821.
 Passed the house, 893.

Senate Bill No. 158—(Lewis)

A bill for an act to amend section 59 of the Revised Codes of North Dakota for the year 1899, relating to the printing of biennial, annual and special reports, how printed.
 Received from senate, 553.
 Read twice and referred, 601.
 Reported back with amendments, 637.
 Amendments adopted, 637.
 Passed the house, 769.

Senate Bill No. 159—(Simpson)

A bill for an act providing the manner in which names of candidates for United States senator may be certified to the legislative assembly.
 Received from senate, 502.
 Read twice and referred, 519.
 Reported back, 596.
 Indefinitely postponed, 596.

Senate Bill No. 160—(Wipperman)

A bill for an act fixing the time for holding terms of the district court in the various counties comprising the fourth judicial district of North Dakota.
 Received from senate, 492.
 Read twice and referred, 520.
 Reported back, 592.
 Passed the house, 758.

Senate Bill No. 162—(Plain)

A bill for an act declaring it a misdemeanor to obtain credit from livery stable keepers by use of false pretenses.
 Received from senate, 735.
 Read twice and referred, 773.
 Reported back, 815.
 Indefinitely postponed, 815.

Senate Bill No. 165—(Main)

A bill for an act relating to where county records shall be kept.
 Received from senate, 492.
 Read twice and referred, 520.
 Reported back, 595.
 Passed the house, 830.

Senate Bill No. 166—(Talcott)

A bill for an act to amend and reenact section 1115b of article 5 of chapter 11, of the Revised Codes of 1899, relating to the purchase of road machinery.
 Received from senate, 736.
 Read twice and referred, 773.
 Reported back, 817.

Senate Bill No. 167—(Talcott)

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.
 Received from senate, 492.
 Read twice and referred, 520.
 Reported back, 594.
 Indefinitely postponed, 594.

Senate Bill No. 168—(McArthur)

A bill for an act to establish a reward for the arrest and conviction of persons violating the provisions of chapter 63 of the penal code of North Dakota, commonly called the prohibition law.

Received from senate, 678.
 Read twice and referred, 710.
 Reported back, 735.
 Passed the house, 911.

Senate Bill No. 169—(Johnson)

A bill for an act to amend and reenact section 1549 of the Revised Codes of 1899, and chapter 123, session laws of 1901, relating to time when lawful for stock to run at large.
 Received from senate, 679.
 Read twice and referred, 710.

Senate Bill No. 170—(Johnson)

A bill for an act to amend and reenact section 1271 of the Revised Codes of 1899, relating to sale of property bid in for the county.

Received from senate, 492.
 Read twice and referred, 520.
 Reported back with amendments, 594.
 Amendments adopted, 594.
 Passed the house, 804.

Senate Bill No. 171—(Cox)

A bill for an act to provide for a sufficient appropriation to enable the national guard to comply with the "Dick" bill lately enacted by the United States congress, and whereas, said bill provides among other things for the exchange by the federal government of the obsolete arms and military equipment now in possession of the national guard for the modern arms and equipment now in use in the regular army without expenses to the several states provided the national guard hold an annual encampment of not less than five days duration and for the further purpose of carrying out the provisions of the state militia law.

Received from senate, 603.
 Read twice and referred, 607.
 Reported back with amendments, 819.
 Amendments adopted, 820.
 Passed the house, 851.

Senate Bill No. 172—(LaMoure)

A bill for an act to appropriate money to pay the expense of completing the records in the land department pertaining to indemnity lands and for the completion of indemnity selections.

Received from senate, 602.
 Read twice and referred, 607.
 Reported back, 822.
 Passed the house, 892.
 Lost, 876.
 Other action, 877, 891.

Senate Bill No. 173—(Committee on Education)

A bill for an act to amend and reenact sections 759 and 761 of the Revised Codes, relating to education.

Received from senate, 493.
 Reported back, 597.
 Passed the house, 775.

Senate Bill No. 174—(Lewis)

A bill for an act to validate ordinance and resolution providing for local improvements in cities and contracts made and obligations incurred pursuant thereto, and to prescribe the duties of courts in relation thereto.

Received from senate, 501.

Read twice and referred, 518.

Reported back, 529.

Passed the house, 693.

Senate Bill No. 175—(Herbrandson)

A bill for an act authorizing and empowering the board of county commissioners of each county in this state, to make time deposits of the county funds, and designate depositories therefor.

Received from senate, 656.

Read twice and referred, 666.

Reported back with amendments, 726.

Amendments adopted, 726.

Passed the house, 832.

Senate Bill No. 176—(Little)

A bill for an act to amend section 137 of the Revised Codes relating to the duties of state examiners to examine accounts of public officers.

Received from senate, 678.

Read twice and referred, 710.

Reported back, 726.

Amendments adopted, 915.

Passed the house, 808, 916.

Other action, 880.

Senate Bill No. 177—(Little)

A bill for an act to amend section 1249 of the Revised Codes relating to sheriffs fees for making distress and sale.

Received from senate, 492.

Read twice and referred, 520.

Reported back, 591.

Reported back with amendments, 674.

Amendments adopted, 674.

Passed the house, 825.

Senate Bill No. 178—(Little)

A bill for an act defining the word "valuation" when used as a basis on which salaries are paid fixing the time salaries shall begin when based on valuation.

Received from senate, 492.

Read twice and referred, 519.

Reported back, 592.

Passed the house, 783.

Senate Bill No. 183—(Crane)

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, properly equipping same and improving present buildings at the state hospital for the insane at Jamestown, North Dakota; the terms on which such bonds shall be issued, and providing a sinking fund for the payment of such bonds and interest, and directing how the money arising from the sale of such bonds shall be disposed of.

Received from senate, 492.

Read twice and referred, 520.

Reported back, 592.

Reported back with amendments, 633, 763.

Amendments adopted, 633.

Passed the house, 759, 764.

Senate Bill No. 184—(Crane)

A bill for an act authorizing the board of trustees of public property to purchase vehicles, harness and necessary equipment for the use of the governor's office and executive mansion and making appropriation therefor.

Received from senate, 604.

Read twice and referred, 606.

Reported back with amendments, 821.

Amendments adopted, 822.

Passed the house, 866.

Senate Bill No. 186—(Johnson)

A bill for an act to amend and reenact section 408 of the Revised Codes of 1899, relating to the boundaries and terms of court in the sixth judicial district of the state.

Received from senate, 655.

Read twice and referred, 667.

Reported back, 727.

Passed the house, 831.

Senate Bill No. 192—(Crane)

A bill for an act to promote the health and welfare of infants born or cared for in places and the home of their parents and providing penalty for violation of same.

Received from senate, 678.

Read twice and referred, 709.

Reported back, 730.

Indefinitely postponed, 730.

Senate Bill No. 194—(Taylor)

A bill for an act to amend and reenact section 163 of the political code of 1899 relating to county agricultural fairs.

Received from senate, 678.
Read twice and referred, 709.
Reported back, 815.
Indefinitely postponed, 815.

Senate Bill No. 195—(Taylor)

A bill for an act to amend section 7282 of the penal code of 1899 of chapter 39, relating to other injuries to persons.

Received from senate, 553.
Read twice and referred, 600.
Reported back with amendments, 650.
Amendments adopted, 650.
Passed the house, 700.

Senate Bill No. 196—(LaMoire)

A bill for an act to provide for the contribution, purchase and custody of historical sites and relics in the state of North Dakota and to appropriate money therefor.

Received from senate, 601.
Read twice and referred, 605.
Reported back, 820.
Passed the house, 877.

Senate Bill No. 197—(Lewis)

A bill for an act to amend section 9, of chapter 8, of the session laws of 1901, relating to the agricultural and geological survey and pertaining to the appropriation therefor.

Received from senate, 604.
Read twice and referred, 609.
Reported back with amendments, 820.
Amendments adopted, 820.
Passed the house, 850.

Senate Bill No. 198—(Hale)

A bill for an act granting the consent and permission of the state of North Dakota to the construction and maintenance of a highway across, within, under and through the waters of Devils Lake, extending from Pelican Point to the southerly bank of said lake, and ratifying all acts heretofore performed in the construction or maintenance thereof.

Senate Bill No. 198—Cont'd.

Received from senate, 501.
Read twice and referred, 518.
Reported back, 540.
Passed the house, 619.

Senate Bill No. 200—(Williams)

A bill for an act to amend section 3742, Revised Codes of the state of North Dakota of 1899, relating to order of succession.

Received from senate, 678.
Read twice and referred, 710.
Reported back, 734.
Passed the house, 904.

Senate Bill No. 201—(McDonald)

A bill for an act defining the duty of railroads, railroad corporations, railroad companies, express companies, car companies and every common carrier other than by water, and the person or persons operating any such common carrier, as receiver, lessee or trustee, in the transportation of any kind of live stock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this act.

Received from senate, 735.
Read twice and referred, 772.
Reported back, 816.
Passed the house, 895.

Senate Bill No. 202—(Little)

A bill for an act to amend and reenact section 1986, Revised Codes of North Dakota, revision of 1899.

Received from senate, 553.
Read twice and referred, 600.
Reported back, 659.
Passed the house, 828.

Senate Bill No. 203—(Simpson)

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes.

Received from senate, 655.
Read twice and referred, 666.
Reported back with amendments, 731.
Amendments adopted, 731.
Passed the house, 962.
Other action, 957, 964, 969.

Senate Bill No. No. 204—(Simpson)

A bill for an act extending the jurisdiction of justices of the peace in organized counties over unorganized counties which are a part of the same judicial subdivision, and providing for the payment of expenses in criminal prosecutions arising in said unorganized counties.

Received from senate, 502.
Read twice and referred, 519.
Reported back, 536.
Passed the house, 760.

Senate Bill No. 205—(Lewis)

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

Received from senate, 738.
Read twice and referred, 772.
Passed the house, 914.
Lost, 809.

Senate Bill No. 207—(Simpson)

A bill for an act to authorize the various organizations composing the North Dakota National Guard to build armories, to create a board to supervise the construction thereof and to issue bonds therefor.

Received from senate, 602.
Read twice and referred, 607.
Reported back, 728.
Passed the house, 806.

Senate Bill No. 208—(Simpson)

A bill for an act to amend section 1419 of the Revised Codes of North Dakota for 1899, relating to the payment of armory rent to the respective organizations of the North Dakota National Guard.

Received from senate, 602.
Read twice and referred, 607.
Reported back, 731.
Passed the house, 805.

Senate Bill No. 209—(Robinson)

A bill for an act to amend section 405 of the Revised Codes of 1899, fixing the time of holding the terms of court in the several counties of the Third judicial district.

Received from senate, 655.
Read twice and referred, 667.
Reported back, 727.
Passed the house, 834.

Senate Bill No. 210—(McArthur)

A bill for an act regulating calling of elections to determine whether or not county courts shall have increased jurisdiction.

Received from senate, 847.
Read twice and referred, 860.
Reported back, 862.
Passed the house, 890.

Senate Bill No. 211—(Taylor)

A bill for an act to provide for the leasing of common school and other public lands for coal mining purposes, providing the manner and terms of such lease and prescribing penalties for unlawfully removing coal from such lands.

Received from senate, 688.
Read twice and referred, 710.
Reported back, 816.
Passed the house, 907.

Senate Bill 212—(Main)

A bill for an act to amend and reenact section 1081 of the political code of 1899 as amended by chapter 151 of the session laws of 1901, and to amend and reenact sections 1082 and 1084 of the political code of 1899, relating to the expenditure of money by contract for road improvements in counties not organized into civil townships and prescribing the duties of county commissioners with reference thereto.

Received from senate, 654.
Read twice and referred, 668.
Reported back, 734.
Passed the house, 826.

Senate Bill No. 213—(Devlin)

A bill for an act to amend section 785 of the Revised Codes of 1899, relating to special school districts.

Received from senate, 688.
Read twice and referred, 711.
Reported back, 735.
Passed the house, 829.

Senate Bill No. 216—(Plain)

A bill for an act to amend section 742 of the Revised Codes of the state of North Dakota of 1899.

Received from senate, 678.
Read twice and referred, 709.
Reported back, 727.
Indefinitely postponed, 833.

Senate Bill No. 217—(Crane)

A bill for an act to compel destruction of noxious weeds on cultivated lands prior to the time such weeds shall go to seed; reciting duties of boards of township supervisors in connection therewith and providing penalty for violations.

Received from senate, 786.

Read twice and referred, 810.

Senate Bill No. 218—(Hale)

A bill for an act amending and re-enacting section 4738 Revised Codes 1899, relating to the execution of mortgages on personal property.

Received from senate, 735.

Read twice and referred, 772.

Reported back, 814.

Passed the house, 904.

Senate Bill No. 225—(Garnett)

A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.

Received from senate, 688.

Read twice and referred, 710.

Reported back, 730.

Indefinitely postponed, 730, 787.

Senate Bill No. 226—(Johnson)

A bill for an act making any person or persons restraining and enclosing certain animals in barbed wire corrals or enclosures or persons restraining and enclosing certain animals in barbed wire corrals or enclosures responsible for damages.

Received from senate, 678.

Read twice and referred, 710.

Reported back, 729.

Indefinitely postponed, 729.

Senate Bill No. 227—(Lewis)

A bill for an act to provide for the extension and enlargement and improvement of water systems in incorporated cities.

Senate Bill No. 227—Cont'd.

Received from senate, 738.

Read twice and referred, 772.

Reported back, 814.

Senate Bill No. 228—(Carroll)

A bill for an act creating the office of inspector general of weights and measures.

Received from senate, 738.

Read twice and referred, 772.

Indefinitely postponed, 806, 885.

Senate Bill No. 231—(Talcott)

A bill for an act to amend and re-enact chapter 92 of the session laws of 1901, relating to the fees of clerks of the district court.

Received from senate, 738.

Read twice and referred, 772.

Reported back, 816.

Passed the house, 896.

Senate Bill No. 232—(Gulack)

A bill for an act to amend section 6153 of the Revised Codes, 1899, relating to liability of owner for trespass of animal.

Received from senate, 786.

Read twice and referred, 810.

Lost, 913.

Senate Bill No. 233—(Regan)

A bill for an act to amend section 3258c of chapter 20½ of the Revised Codes of 1899, relating to certificates of deposits. State auditor's duties.

Received from senate, 786.

Read twice and referred, 810.

Reported back, 844.

Passed the house, 910.

Senate Bill No. 236—(Cox)

A bill for an act to provide for the adoption of a minor child under specified conditions.

Received from senate, 847.

Read twice and referred, 860.

Reported back, 863.

Passed the house, 908.

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